

ADAMS COUNTY HOUSING AUTHORITY
PENNSYLVANIA INTERFAITH COMMUNITY PROGRAMS, INC.
MCSHERRYSTOWN INTERFAITH HOUSING CORPORATION

APPLICANT/TENANT SELECTION CRITERIA

Marketing

Applications will be accepted by mail or in person at the main office at 40 East High Street, Gettysburg, PA (Monday through Thursday from 8:00 AM until 4:30 PM and Friday 8:00 AM until 2:00 PM).

Gettysburg Interfaith Gardens (elderly, disabled, handicapped)
Harold Court (elderly, disabled, handicapped)
Fahnestock House (elderly, disabled, handicapped)
McSherrystown Interfaith Village (elderly, disabled, handicapped)
New Oxford Interfaith Gardens (individuals or families)
Bonneauville Interfaith Gardens (individuals or families)
McIntosh Court (individuals or families)

An elderly person is a household composed of one or more persons at least one of whom is 62 years of age or more at the time of initial occupancy.

Elderly Family is two or more persons, the head of which is 62 years of age or older.

Disabled (handicapped) is a person having any disability.

Individuals is any single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

Families are with or without children.

We have no preferences for these properties except what is stated.

Project Eligibility Requirements

1. Very Low and Extremely Low (30% of median) income limits accepted at:

- Fahnestock House
- Harold Court
- McIntosh Court
- McSherrystown Interfaith Village

Low income limits accepted at:

- Bonneauville Interfaith Gardens
- New Oxford Interfaith Gardens
- Gettysburg Interfaith Gardens

2. Disclosure of Social Security Numbers:

The head of household must disclose SSN for all family members 6 years of age or older. The applicant must provide SSN documentation to the owner within 60 days from the date on which the applicant certified that the document was not available.

3. Citizenship/immigration status requirements:

All applicants must disclose their citizenship by signing the required document.

Implemented rules for verification, all family members must declare: Their citizenship or immigration status.

- Signed Declaration of Citizenship
- US Birth Certificate
- US Passport

If non-citizen claiming eligible status

- signed declaration of eligibility immigration status
- signed consent form
- DHS approved documents (see list below)

Non citizens not claiming eligible immigration status may elect to sign a statement that they acknowledge their ineligibility for assistance.

Procedures for taking applications.

1. Applications are maintained for individual community waiting lists in chronological order by date and time of application with the exception of New Oxford Interfaith Gardens, and Bonneauville Interfaith Gardens which has an income limit preference. 40% of the lease-ups must be within extremely low income guidelines.
2. Any section 8 facility is subject to specific income level requirements. In accordance with QHWRA management, we must follow the statutory requirements that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met the reported incomes of newly admitted families and the incomes reported of the families on the waiting list will be monitored on a quarterly basis. If it appears that the requirements to house extremely low income families will not be met, we will skip higher income families on the waiting list to reach extremely low income families. When the waiting list is pulled, we will review the total income and we will skip applicants who are over 30% of the area median income if we do not have 40% admitted. If there are not extremely low income families on the waiting list we will conduct an outreach on a non-discriminatory basis to attract extremely low income families to reach the statutory requirement.
3. Applicants must notify the main office if there are any changes to their applications (address change, household change, etc.) in writing.
4. Applications may be completed in the office or mailed to the main office at:

40 East High Street
Gettysburg, PA 17325

You may print a copy of the Pre-Application for Rental Assistance from our website, www.adamscha.org, complete all areas, sign and date, and mail the application to our main office. Faxed applications are not accepted.

Applicant Screening Criteria

1. Applicants must be a family or elderly, handicapped and/or disabled person or single person meeting income guidelines.
2. Applicants must meet income guidelines as set forth by HUD and/or RD for the community which they are applying.
3. Three (3) references who are not relatives are required.
4. Current and previous landlords will be contacted. Applicant must provide names and addresses.
Bad rental history is grounds for rejection. Any evictions or poor Landlord information are included. Any applicant who owes another Landlord back rent or damages will also be rejected.
5. Credit and Criminal background checks will be completed. A release must be signed for us to retrieve this information. Bad Credit is any applicant who owes utility companies or has major debit. Non-payment of utility bills included as part of a bankruptcy will be rejected.

Tenant Selection

1. Applicants are notified in writing of their acceptance or rejection for any community waiting list(s). Rejection letters specify a fourteen (14) business day appeal period not including a five day response time by management.
2. Waiting lists are purged annually. Applicants must respond by the specified date or they will be removed from the waiting list(s). The purge letter informs the applicant of the fourteen (14) day appeal period not including a five day response time by management.

Applicants will be selected for unit size according to the number of people in their household. Applicants can request to be considered for more than one bedroom category as long as they would not be over housed. (no more than two people per sleeping space)

0 Bedroom	2 people maximum
1 Bedroom	4 people maximum
2 Bedroom	6 people maximum
3 Bedroom	8 people maximum
4 Bedroom	10 people maximum
5 Bedroom	12 people maximum

3. Unborn children and children who are in the process of being adopted must be counted when determining family size income limits (see attached).
4. When a vacancy occurs, applicants will be notified in writing of an interview appointment date. If they do not appear for the interview and have not notified the main office of their desire to reschedule, they will be removed from the community waiting list and given a fourteen (14) business day appeal period, not including a five day response time by management. If the applicant is not interested in the available unit at that time, they are granted one by-pass and their name will maintain its original place on the waiting list. A second contact is made and if the applicant is not interested then they are withdrawn from the waiting list and sent a termination notice.

5. Applicants who have been removed from the waiting lists can reapply.
6. While an application is pending, if circumstances dictate that the no of bedrooms required must change, the original date of the application will be used.
7. Handicapped-accessible units will be filled by the first eligible applicant on the waiting list. The first person on the list will be offered the unit with the written knowledge that they must first move to a non-handicapped unit of the same size if their handicapped-accessible unit is needed. An agreement stating this is signed at move-in.
8. If a handicapped applicant is next on the list and no handicapped unit is available, reasonable accommodations will be made to the available unit.

Income Targeting

Any section 8 facility is subject to specific income level requirements. In accordance with QHwRA management, we must follow the statutory requirements that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met the reported incomes of newly admitted families and the incomes reported of the families on the waiting list will be monitored on a quarterly basis. If it appears that the requirements to house extremely low income families will not be met, we will skip higher income families on the waiting list to reach extremely low income families. If there are not extremely low income families on the waiting list we will conduct an outreach on a non-discriminatory basis to attract extremely low income families to reach the statutory requirement.

Applicant Screening Criteria

In addition to the requirement that all tenants meet income and other criteria established by HUD and/or RD, each applicant and each member of the proposed household must meet the following criteria. If any provision herein conflicts with any law or regulation issued by the United States Department of Housing and Urban Development, the provision contained in the local policy shall be deemed void.

Screening and Eviction for Drug Use and Other Criminal Activity

- A. HUD regulations require this Agency to adopt and incorporate into our screening and admissions policies the following mandatory provisions that prohibit admission to applicants who fit into the following categories. We, therefore, must deny admission to Federally assisted housing if:
 1. Any household member has been evicted from Federally assisted housing for drug-related criminal activity, for three years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, the Owner may, but is not required to, admit the household.

2. Any household member is currently engaging in illegal drug use.
 3. The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
 4. Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Applicants shall be subject to the necessary criminal history background checks in Pennsylvania and other states where applicants are known to have resided. Applicants must execute the necessary release of information forms during the application process to assist in the screening process. Refusal to execute the necessary documents shall result in denial of the application.
 5. The Owner determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- B. No such individual shall have a record of conviction for any crime of violence as that phrase is interpreted under the provisions of the PA Crimes Codes which is graded as a second degree misdemeanor higher within ten (10) YEARS of the date of the application. Crime of violence shall include offenses involving acts or activities with minors where no actual force or threat of force was involved but where the minor was deemed as a matter of law incapable of consent to the activity. An example of the later activity is statutory rape.
- C. No such individual shall have engaged in conduct which fits within the definition of crime of violence in the preceding paragraph within the past ten years even though such activity did not result in a conviction.
- D. No such individual shall have engaged in a course of conduct meeting the definition of harassment as established in the aforesaid code or in a course of conduct which is a private or public nuisance under civil law if such code or in a course of conduct was directed at or affected others living within the same household or others living there in direct proximity to such individual such as family members, neighboring owners or neighboring tenants within a five year period to application. This provision shall include but not be limited to unruly, loud, and profane activity arising from the use of alcohol or non-prescription drugs.
- E. No such individual shall have engaged in conduct directed toward an elderly person or an individual suffering from a disability including conduct constituting

- F. No such individual shall have engaged in or been convicted of any conduct deemed a felony under the provisions of the Pennsylvania Crimes Codes or other Pennsylvania penal statute within the five year period prior to application or a misdemeanor under the provisions of Pennsylvania law within two years of the date of application. If the conduct is a crime of violence, Paragraph B above shall apply.
- G. No individual with financial responsibility under the proposed lease shall have a non-payment of rent history within a period of five years to the date of application.
- H. No such individual shall owe back rent to another housing agency (private or public) where the rent on such unit was subsidized with the use of public funds and the rent obligation was incurred within two years prior to the date of application.
- I. No such individual will suffer from any medical or mental condition which will create a danger to other tenants or employees of the landlord except as may otherwise be provided by any federal
- J. No such person has made any misrepresentation of any material fact to another landlord providing subsidized housing within a five year period prior to the application

Should past conduct prescribed by the above criteria have occurred in another jurisdiction, the conduct involved shall be evaluated on the basis of Pennsylvania law for similar activities, actions or convictions; a felony offense or a misdemeanor in another jurisdiction will be a disqualifying factor unless an applicant can establish by clear and convincing evidence that the offense is not one that would otherwise disqualify the applicant under these guidelines under Pennsylvania law.

Except for the mandatory disqualification factors set forth in Paragraph A of this section, Owner has the discretion to reconsider an applicant who was previously denied admission to Federally assisted housing because of a determination concerning a member of the household who has been engaged in criminal activity. The Owner may admit the household if the household member is not currently engaged in, and has not engaged in, the criminal activity described above during a reasonable period, determined by the Owner, before the admission is denied. In order to exercise our discretion in this regard, the Owner must have clear and

convincing evidence submitted by the household member which includes (1) a certification that states that she or he is not currently engaged in such criminal activity and has not engaged in such criminal activity during the specified period and (2) supporting information from such sources as a probation officer, a landlord, neighbors, social service agency workers or criminal records that were verified by the Owner.

INFORMATION REGARDING SEX OFFENDERS

Under applicable federal regulations, in the screening of applicants, Owners must perform the necessary criminal history background checks to determine the applicants' suitability for Federally-assisted housing. Therefore, Owners should contact national and state sex offender registry agencies. Owners are required to prohibit admission of all sex offenders who are subject to a lifetime registration requirement under a state sex offender program. In accordance with Federal law, any individual who is a sex offender subject to a lifetime registration requirement under state law shall not be admitted to Federally-assisted housing. Owners have the discretion to "screen out" applicants who the Owner determines to be unsuitable under the Owner's established standards for admission including sex offenders who are not subject to a registration requirement under state law. Owner has determined to deny an application if the offender is subject to any registration requirement under Pennsylvania law at the time of filing the application.

INFORMATION REGARDING A STUDENT(S)

To be eligible for Section 8 assistance, an applicant who is a student, is under 24 years of age, is not a veteran, is unmarried and does not have a dependent child, both the applicant and the applicant's parents must meet the applicable income limits, except as discussed in HUD's Guidance on the Student Eligibility Rule. Legislation enacted after HUD's guidance was issued excluded students who are persons with disabilities and who were receiving Section 8 assistance as of November 30, 2005 from having to include their parents' income. (May 22, 2007)

TERMINATING TENANCY – LEASE PROVISIONS

Applicable regulations at 24 CFR 5.858, 5.859 and 5.860 set forth require provisions that Owners must incorporate into their leases that provide for termination of tenancy. Owners have the discretion to terminate the tenancy and the lease must provide grounds for terminating the lease for the following:

1. Drug related criminal activity engaged in on or near the premises, by any tenant, household member, or guest, and any such activity engaged in on the premises by any other person under the tenant's control (See the definitions of premises, guest and other person under the tenant's control.) The definitions below are in accordance with the regulations at 24 CFR 5.100.

Premises – means the building or complex or development in which the public or assisted dwelling unit is located, including common areas and grounds.

A. Guest – means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Other person under the tenant’s control – means a person who, although not staying as a guest in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. (Examples of other persons under the tenant’s control include party attendees, regular visitors, and people who provide a commercial service to a household member on a regular and frequent basis, such as an in-home nursing care provider.) Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant’s control – for example, the pizza delivery man.

2. A determination made by the Landlord that a household member is illegally using a drug.
3. A determination made by the Landlord that a pattern of illegal use of a drug by a household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
4. Criminal activity by a tenant, any member of the tenant’s household, a guest or another person under the tenant’s control:
 - A. that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents (including property management staff residing on the premises); or
 - B. that threatens the health, safety, or right to peaceful enjoyment of their residences of persons residing in the immediate vicinity of the premises.
5. If the tenant is fleeing to avoid prosecution, custody or confinement after conviction for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual flees.
6. If the tenant is violating a condition of probation or parole imposed under Federal or state law.
7. A determination made by the Landlord that a household member’s abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the other residents.

8. In accordance with the regulation at 24 CFR 5.861, the Landlord may terminate tenancy and evict the tenant through judicial action for criminal activity by a covered person if the Landlord determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested or convicted for such activity and without satisfying a criminal standard of proof of the activity. The policy adopted by Owner is that individual circumstances will be taken into account when making a determination to terminate tenancy where federal, state and local law and regulations issued hereunder permit the Owner to exercise discretion. Such circumstances may include, among other things, the seriousness of the conduct, the extent of participating by the household member in the offending action, and whether the household member, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future. The burden of proof shall be on the tenant who must prove his or her position by clear and convincing evidence.

NOTICE OF DENIAL

If an application is denied for any reason, the applicant shall be provided a written notice advising the applicant of the basis or bases for the denial. The notice shall be in writing and shall be mailed to the applicant at applicant's address stated on his or her application. A postal certificate of mailing to such address shall be deemed conclusive evidence of mailing and the date of mailing shall be deemed the date of service of the notice. Other methods of service are certified mail evidenced by a receipt card signed by the applicant or personal service on the applicant or another adult member of the proposed household. Applicant shall have fourteen (14) calendar days from the effective date of service of the letter denying the application to appeal such decision. (Not including a five day response time by management) Any such appeal shall be in writing and must be received in the office of the proposed landlord within fourteen (14) days.

An appeal hearing shall be scheduled by a hearing officer appointed by the Board of the owner to hear such appeals.¹ Except for admissions criteria mandated by law which mandates disqualifications, the hearing officer may waive any one or more of the above disqualifying factors if the applicant shows by clear and convincing evidence that the disqualifying factor will not adversely impact the peaceful enjoyment of the property by other tenants, will not adversely impact the rental project, and will not be repeated during the proposed tenancy.

The following factors may be considered as relevant to a particular case by the hearing officer:

¹ Owner must show by a preponderance of the evidence that a disqualifying factor exists.

1. The seriousness of the conduct or activity involved. For example, a conviction for a simple assault would be more readily deemed non-qualifying than a charge of attempted murder.
2. The “staleness” of the event at issue. For example, a misrepresentation of a material fact to a prior landlord four years prior to application might be waived as a disqualifying factor more readily than a misrepresentation made six months prior to the application.
3. The lack of repetition of the disqualifying behavior or factor. For example, if an applicant committed a felony nine (9) years ago but has a spotless record since that time, that disqualifying factor would be more readily waived than a disqualifying factor or other disqualifying which has been repeated over time.
4. The lack of connection between a disqualifying factor and use of a rental unit. For example, if the disqualifying act occurred in the current or prior residence of the applicant as opposed to an isolated act away from home, such factor might be more readily waived than behavior or activity engaged in by the applicant at this or her home which impacts neighbors.
5. Any other factors which tend to show that a waive of a disqualifying factor will not pose a threat to other tenants or their right to quiet and peaceful enjoyment of the property and to those servicing and managing the property; and that the applicant and those responsible will meet their financial obligation under the lease.
6. The hearing officer’s decision shall be communicated to the applicant within thirty (30) calendar days of the date of the hearing. The written decision shall be served in the manner set forth above for notice of denial of an application. Any appeal to Court shall be filed within thirty (30) calendar days of service of the hearing officer’s decision.
7. Nothing contained in the appeal process set forth herein dealing with disqualification of an application for the factors set forth above shall override any other notice of applicable provisions otherwise provided by law of applicable regulation. If the creation of a disqualifying factor set forth in this paragraph 9 is prohibited by any applicable

Screening for Live-in aides and New Additions to the unit:

1. An application must be completed.
2. Required releases are to be signed.
3. Criminal Reports are to be completed.

Procedures for Rejecting ineligible applicants

1. Applicants are notified in writing of their rejection for any community waiting List. Rejection letters specify a fourteen (14) business day appeal period not including a five day response time by management.
 - ineligible for occupancy based on this criteria
 - unable to disclose and document all Social Security Numbers of household members who are least six years old, or does not execute a certification stating that no SSN has been assigned.
 - Does not sign and submit verification consent forms or the Authorization for Release of Information (HUD 9887 and HUD 9887-A)
 - Household characteristic that are not appropriate for the specific type of unit available at the time, or has a family of a size not appropriate for the unit sizes that are available.
 - Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend citizenship status.
 - Poor credit history
 - Poor Criminal background
 - Poor Landlord background

Occupancy Standards

Applicants will be selected for unit size according to the number of people in their household. Applicants can request to be considered for more than one bedroom category as long as they would not be over-housed. (Not more than two people per sleeping space)

Unit Transfer Policy

1. Unit transfer because of family size, you must fill out an application for the larger unit and go to the bottom of the waiting list.
2. Changes in family composition, which has led to an over-housed situation based on our guidelines, a unit transfer will be offered as soon as one becomes available. (Only if over-housed.)
3. A deeper subsidy, you must re-apply and go to the bottom of the waiting list.
4. Medical reasons certified by a doctor will be handled on a case by case basis. If the department approves the doctor's request, the unit transfer will be honored.
5. A need for an accessible unit, the transfer will be verified by a doctor. If a doctor's approval is received, the transfer will be honored.

Unit transfers may not be honored if there is:

1. A history of repeated Lease Violations (3 or more) including but not limited to late rent, non-payment of rent, minor lease violations.
2. A history of unsanitary unit conditions including inside and out.
3. Damage done to unit.

Policies to comply with Section 504

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, religion, sex or sexual orientation, familiar status, national origin, handicap, ancestry, age or disability.

Policies for opening and closing the waiting list

Closing the waiting list

1. The waiting list may be closed for one or more unit size when the average wait time is over 4 years.
2. When the owner closes the waiting list, the owner must advise potential applicants that the waiting list is closed and refuse to take additional applications.
3. We will publish a notice to that effect in a local publication. We will state the reason for close.
4. A 72 hours notice will be given before the closing of the waiting list.

Opening the waiting list

1. We will publish the opening of the waiting list in a local publication.
2. The date that we will open the waiting list will be published and applications will be taken in the order of date and time and entered into the computer.
3. Applications will be accepted at the main office, through the mail and on the internet, again they will be entered onto the list by date and time.
4. A 72 hour notice will be given before the opening of the waiting list.

Advertising for the properties is done on an annual basis.

Documenting Changes to the waiting list

1. All changes that the applicant may have must be received in writing.
2. The applicant file will be updated with these changes.

Removing Names from the waiting list

1. If the applicant no longer meets the eligibility requirements for the program. An explanation will be sent.
2. The applicant fails to respond to a written notice for an eligibility interview.
3. The applicant is offered and rejects two units in the property.
4. Mail sent to the applicant's address is returned as undeliverable.
5. The unit size that is needed – using family size as the basis – changes, and no appropriate size unit exists in the property.

Security Deposit Requirements

1. A security deposit is required at move-in that equals the monthly total tenant payment or fifty dollars, whichever is greater per HUD regulations, whichever apply for PICPI properties, and \$99.00 for ACHA properties.
2. Security Deposit must be paid at time of lease-up.

Unit Inspections

1. Unit inspections are done at the time of lease-up, at annual recertification and at move-out.
2. The file is documented with the move-in/move-out inspection form.

Annual Recertification

1. Your recertification will be conducted on an annual basis, based off of the month that you signed your lease.
2. Tenants must supply information and sign consent forms.
3. Family income will be verified, the value of family assets, expenses related to deductions from annual income and other factors that affect the determination of adjusted income.
4. The HUD fact sheet will be handed out at the annual recertification.

Interim Recertification

1. Interims will be performed when :
 - income has increased \$200.00 per month
 - income has decreased
 - increase in allowances
 - Change in citizenship or eligible immigration status of any family member.
2. Failure to report any changes within 10 calendar days as/when requested by management could result in the rent being raised to market rent.

General Information

1. Gross rent and utility allowances will be reviewed annually by HUD or RD. Tenants will be notified of any changes in writing within appropriate time frames.
2. Tenants will be notified of any changes to the lease agreement or house rules in writing. They will be given sixty (60) calendar days notice.
3. Tenants of Bonneauville Interfaith Gardens must join Adams Electric Cooperative prior to lease-up. Move-in will not be completed until proof of membership is submitted.
4. Only one parking space is provided per unit. Parking spaces are not assigned except in New Oxford Interfaith Gardens, Bonneauville Interfaith Gardens and McIntosh Court. One vehicle per unit on the property.
5. Parking spaces at Harold Court, McSherrystown Interfaith Gardens, Gettysburg Interfaith Gardens, and Fahnestock House are on a **first come, first serve basis**, unless special arrangements are made in writing with management for a handicapped accessible parking space.
6. Any tenant who is using a handicapped space must have a handicapped tag or hang tag.

We will not discriminate based on an individual's race, color, religion, sex, disability, familial status, or national origin.