

# The Bonifant at Silver Spring Resident Selection Criteria

for Conventional  
Effective October 1, 2019

Humphrey Management, managing agent for this community, has established the following Resident Selection Criteria to explain the requirements and policies used to process and select applications for residency. Everyone who applies will have their application evaluated in a fair, equal, and consistent manner that complies with federal, state, and local fair housing requirements.

These criteria were implemented with the goal to improve housing opportunities by ensuring that quality housing is available to qualified families; and create a welcoming, thriving community through effective resident selection.

## Community Information

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This is a senior community consisting of 149 efficiency, one, and two bedroom apartments, serving qualified market rate and low-income senior households. A senior household is one in which at least one member of the household is age 62 or older.

## Income Criteria

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Rent and resident paid utilities cannot exceed 45% of the applicant household's gross income.

Applicants who do not meet the above criteria, but whose income is such that the rent and utilities would not exceed 55%, may still be considered qualified if they provide proof of available assets equal to or greater than 6 months' rent.

In lieu of income, management will consider applicants who own available assets with a cash value of at least five times the rent to meet the income requirement.

Applicants using assets to meet the minimum income requirement will need to provide proof of (1) ownership; (2) access to the asset; and (3) the cash value must be based on at least a six-month average balance or proof of a lump sum receipt within the last six months must be provided.

This requirement does not apply to applicants receiving an acceptable form of rental assistance, in which the owner has a contractual relationship with the rental assistance provider.

### Co-signers

Applicants who do not meet the income criteria may qualify by obtaining a co-signer. Applicants receiving total household contributions of greater than \$350 per month are required to obtain a co-signor in order to qualify.

The co-signer must meet the credit history criteria stated below and have verifiable income that is at least 7 times the rent of the apartment home. The co-signer can be released from this obligation if at the time of any lease renewal the resident(s) can show that they have no late rent payments and they qualify under the minimum income standard in effect at the time of the request.

### Vouchers

Housing Choice Vouchers and other types of rental assistance are accepted. No applicant will be denied on the basis that they receive rental assistance. All applicants, including those receiving rental assistance, must meet all eligibility standards outlined in this document.

Participation in a rental assistance program will be verified as part of the eligibility process. The payment standard of the rental assistance must meet or exceed the current contract rent of the apartment for which the applicant is applying.



## Occupancy Standards

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Number of Bedrooms	Number of Occupants	
	Minimum	Maximum
1	1	3
2	1	5

These occupancy standards shall be used in determining the appropriate size unit at move-in and shall apply during residency in determining unit transfers.

## Application Process

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At least one member of the household must be at least 62 years old or older to submit an application. Applicant households must submit a single application executed by all adults in the household. All adult applicants, including those wanting to be added to existing households, are required to complete an application packet and consent to the release of information necessary to verify they meet the income and screening criteria.

### Required Documentation

This documentation is not required to submit an application, however must be submitted before the applicant household can move into a unit. Management will not accept photocopies, or documents that appear fraudulent or altered. This documentation must be the original, which management will photocopy. Management will store the copies in the applicant's file.

#### **For Income Verification Purposes:**

- Employed applicants may provide 4 most recent, consecutive paystubs
- Current benefit statements
- Self-employed applicants may provide the most recent year's federal tax return with supporting schedules; or a profit/loss statement executed by an accountant or attorney; or other documentation deemed acceptable by management.

#### **For Identification Purposes:**

- Driver's License or other forms of Photo ID for all adult household members.
- Disclosure of Social Security Numbers for all adult household members.
  - If no social security number (SSN) has been assigned to a particular family member, the applicant must submit any of the following documents\*:
    - Individual Taxpayer Identification Number (ITIN)
    - Form I-151/I-551: Alien Registration Card (Green Card)
    - Form I-688: Temporary Resident Card
    - Form I-688B: Employment Authorization Card
- Verification of any other information provided by the household relevant to the screening criteria.

\*Management is requesting these documents for the purpose of running Credit & Criminal screenings.

## Applicant Screening Criteria

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### Disclosure & Verification Criteria

As part of the screening process, any answers or documentation provided by an applicant as part of the application are subject to verification. Failure to disclose any information and/or answer all questions in the application or attachments to the application, fully and truthfully, may constitute grounds for denial or rejection of the application.

All income must be verifiable independent of the applicant. Self-employed applicants must provide acceptable proof of income (e.g. income tax returns or accountant letter). Income from assets may be calculated and used in the overall household income determination.

### Credit History Criteria

Third party screening for credit and rental history will be done for all adult household members. All adult household members will be required to meet the credit standards established at the community. Any household that does not meet the rental scoring system used by a third-party screening company will be declined.

All applications will be evaluated on a rental scoring which is based on both real and statistical data. This data includes, but is not limited to: (1) Payment history; (2) Quantity and type of credit accounts (Credit cards, car loans, mortgages, etc.); (3)

Outstanding debt; (4) Collection records; (5) Public records (Civil judgements, bankruptcies, evictions, etc.); (6) New credit inquiries within the last two (2) years; (7) Medical collections are excluded and will not decrease your rental scoring.

Money due to any previous landlord can result in an automatic rejection of the application regardless of any other criteria.

The rental scoring determination is as follows:

- 533 and above                    Accept
- 532 and below                    Decline- See the Section on Rejections of Applicant(s) for the Appeal Procedure
- No credit or not enough credit to generate a score will receive a recommendation of Refer from the third-party screening company. This rating requires Regional Manager approval.

### **Residential History Criteria**

An application may be rejected for one (1) of the following reported on any adult applicant:

1. One (1) eviction from a previous housing unit within the last three (3) years.
2. Three (3) or more late payments of rent within the last six (6) month period.
3. Landlord references are verified for the previous 3 years (36 months). If any Landlord reference is returned to us wherein the previous landlord has signed that the applicant exhibited the following behavior:
  - a. Housekeeping issues
  - b. Records of disturbance of neighbors, destruction of property or other disruptive or dangerous behavior - includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility which damages the equipment or premises in which the family resides which is disturbing or dangerous to neighbors or disrupts family and community life.
  - c. Non-compliance with Lease Agreements - includes but not limited to evidence of any failure to comply with the terms of lease agreements on prior residences, such as providing shelter to unauthorized persons, failure to comply with recertification process, keeping of pets or other acts in violation of rules and regulations, painting or decorating without permission of owner, etc.
4. Consideration will be given to the applicant if it is proved (documentation may be required) that the aforementioned rental history was beyond the control of the applicant. Examples would be: reduction in labor force, illness, extremely high medical bills, divorce, etc.

### **Criminal History Criteria**

Every adult applicant is required to sign a consent form allowing all relevant criminal information to be released. Applications will be rejected for any history found that could affect the health or safety of any resident or if any of the following are reported:

1. Any household member(s) is subject to a state sex offender lifetime registration requirement (if allowable by state).
2. Any household member(s) has been convicted of any violent criminal activity.
3. Any household member(s) has one conviction of a felony or misdemeanor against persons that has occurred in the past 7 years or in which the scheduled end of sentence occurred within the past 7 years.
4. Destruction of property or any other offenses that pose a threat to the well-being and safety of our residents, employees, or community.

## **Rejection of Applications**

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If an applicant disputes the accuracy of any information provided to the management office by a screening service or credit reporting agency, the applicant may contact the screening company that supplied the information within 60 days of the denial to obtain a copy of the screening results. The name and address of the screening company and a reference number will be provided in the denial letter.

Applicants who are denied must wait 90 days before reapplying at the community. No apartments will be held during the appeal process with a screening company or credit reporting agency. If the screening company or credit reporting agency determines the denial was incorrect due to missing or incorrect information, the 90-day waiting period will be waived.

If the applicant disputes the denial of an application due to income qualifications, they may submit an appeal. This appeal must be submitted in writing within 14 days of notice that the application has been declined to the Director of Compliance for Humphrey Management. Contact information and instructions for how to submit appeals will be contained in the denial letter. A decision will be returned in writing within 14 days of receipt of the Appeal.

## Transfer Policy

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Current residents who need to transfer due to one of the following reasons will be given priority over new applicants. Transfers will be granted for the following reasons, and in the following order of priority.

### 1. Uninhabitable Transfer:

Management may initiate a unit transfer when a unit has been rendered uninhabitable due to fire, natural disaster or other circumstance if management determines that the circumstance giving rise to the unit being rendered uninhabitable was not caused by the negligence of the resident household members or their guests.

Management may initiate a unit transfer when a unit is in need of repairs to correct defects hazardous to life, health or safety or in need of repairs deemed necessary by management that cannot be performed with the Resident residing in the Unit.

### 2. Reasonable Accommodation Transfer:

A resident with a disability may request a unit transfer when an accessible unit or unit with some accessibility features is needed by the resident as a reasonable accommodation.

Management will provide reasonable accommodations to individuals with a disability to the maximum extent feasible. Management may modify the Resident's existing unit or transfer the Resident to another unit with the features required, upon availability. No Resident shall be permitted to transfer into an accessible unit from a non-accessible unit unless he or she requires the features of that unit, except in an emergency, as determined by management.

For more information please refer to the 'Disability and Reasonable Accommodation' section below.

### 3. Accessible Unit Transfer:

Management shall require a resident to transfer when the unit is equipped with accessibility features that the occupying household does not need, and a resident or applicant has been identified who does need the accessibility features of the unit.

In the event of a management initiated or required transfer management will notify the resident in writing of the requirement & reason for transfer, the time frame for transfer, and consequences for failing to transfer.

### Elective Transfer

The following policies apply to residents who wish to transfer for reasons other than those listed above. Residents who elect to transfer may be given priority over new applicants.

#### **Eligibility for Transfer:**

The following conditions must be met in order for an applicant household to be eligible for transfer:

1. The household must requalify under the community's current Resident Selection Criteria.
2. The household must be current on their rental payments and must not have three or more late rental payments, within the last six months.
3. Management will conduct a housekeeping inspection of the household's current unit. Failure of the housekeeping inspection or discovery of damages that are beyond the scope of normal wear and tear may be grounds for denying the transfer request.

#### **Fees:**

The household is subject to a transfer fee of \$500, due within 48 hours of management's transfer unit offer. The transfer fee must be received prior to the transfer.

#### **Transfer Policies:**

Existing households who wish to transfer must submit a full application in a manner consistent with the Application Process as described in this document.

The security deposit is due at lease signing. Management does not allow the transfer of the security deposit from the original unit to the new unit.

Any charges assessed during the move-out process of the original unit will be applied to the security deposit of the original unit. Management will notify the resident in writing of any charges in excess of the original security deposit and such charges will be due immediately.

Existing household's wishing to transfer are not eligible for any move-in specials the community may be offering.  
Households are only eligible to transfer at the end of the current lease.

## Civil Rights Protections

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It is the policy of Management to comply with current and future legislation protecting the rights of applicants, residents and staff, including but not limited to:

- Section 504 of the Rehabilitation Act of 1973
- Fair Housing Amendment Act of 1988
- Title IV of the Civil Rights Act of 1964

### Fair Housing

Humphrey Management will follow and abide by the Fair Housing and Equal Opportunity Laws and any other Fair Housing and Civil Rights Laws in effect in the intake and processing of applications and selecting residents.

We will not discriminate against any person on the basis of the following protected classes:

Federal: Color, Disability, Familial Status, National Origin, Race, Religion, Sex

Maryland: Includes all federal protected classes listed above plus: Marital Status, Sexual Orientation, Gender Identity

Montgomery County: Includes all federal and state protected classes listed above plus: Age, Ancestry, Creed, Family Responsibilities, Presence of Children, Source of Income

### Disability & Reasonable Accommodations

Management will utilize the Telecommunications Relay Services accessed by dialing 711 to communicate with persons with hearing or speech disability. Management will conduct in person interviews for any applicant or resident needing assistance with the application process.

Management will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunities for all. In accordance with Section 504, management will make reasonable accommodations for individuals with disabilities (applicants or residents). Such accommodations may include a change in the method of administering policies, procedures, or services.

In addition, management may perform modifications to the dwelling or common areas where such modifications would be necessary to afford full access for qualified individuals with disabilities.

A person with a disability may request a reasonable accommodation at any time during the application process or residency in writing, orally, or by any other equally effective means of communication. Requests for accommodations should be submitted to the Community Manager.

Upon receipt, management shall review the request, and if necessary, shall require the resident to provide additional documentation or meet with management to discuss the request. Provided the resident has submitted all necessary documentation and complied with management requests, a final written determination shall be issued within thirty (30) days after receipt of the resident's initial request.

If an individual with a disability requires an accommodation or modification, Management will honor the request unless doing so would result in:

- (a) A violation of State and/or federal law;
- (b) A fundamental alteration in the nature of the program;
- (c) An undue financial and administrative burden on the Owner or Management Agent;
- (d) A structurally infeasible alteration; or
- (e) An alteration requiring the removal or alteration of a load-bearing structural member.

In such cases, Management will offer other suggestions that would not result in the circumstances described above.

### Accessible Units

This community contains thirteen (13) accessible units set aside for persons who need the accessibility features of the units.

Accessible units will be held for 30 days during lease up if an applicant requiring the features of the unit is not located. If after this 30-day period an eligible household requiring the accessible features of the unit is not found, the unit may be rented to an otherwise qualified household. If no household members in an accessible unit require the features of the unit, the household must transfer to a comparable and available non-accessible unit (for which the household qualifies) at the owner's expense when the accessible unit is needed for an applicant who requires the unit's features

**Limited English Proficiency**

Management utilizes Teletanguage Interpretation Services to provide access to services for those individuals with Limited English Proficiency.

**Modification of Resident Selection Criteria** \_\_\_\_\_

These criteria will be posted in the management office and made available for applicants to review. It will be updated periodically in accordance with changes implemented in federal and state guides. Any questions pertaining to these selection criteria should be directed to the Community Manager.



**We do business in accordance with the Federal Fair Housing Law**