

# **Member Selection Criteria Occupancy Plan**

## **HIGLEAH TOWNHOUSES**

The undersigned acknowledges that they have read the following procedures of the Cooperative, which constitute the "Member Selection Plan", that they accept the terms and conditions of the plan and agree that in the event they are approved for membership and subsequently execute an Occupancy Agreement, that this document shall be considered an addendum to and a part of that membership and must be complied with at all times. As used herein, the term "applicant" refers to all persons who apply for membership; if the application is approved, thereafter the applicant is deemed to be a member.

In order to qualify for occupancy at Highleah Townhouses, or add adult Household occupants to the existing Household, applicants and/or members must comply with all of the following occupancy criteria:

1. Anyone wishing to make an application shall be allowed to do so.
2. The unit for which the Household is applying must be the Household's primary residence.
3. Applicant(s) must provide proof of identity such as a government issued photo identification card.
4. Applicant(s) must provide documentation of social security numbers for all Household occupants 18 years and older. A 90-day extension may be provided for newborns.
5. Applicant must provide a history of all landlords, rentals and or mortgages within the last 3 years. Failure to disclose rental history is deemed an incomplete application.
6. Applicant must provide a history of all employment in the past two (2) years. If current job has been less than two (2) years, confirm previous employment.
7. Applicant must sign a release authorizing the Cooperative to verify all information contained on the application.
8. Applicants must complete the property application thoroughly. Failure to do so can result in the application being rejected. Cooperative staff will review the application, confirm through conversation with the applicant that they have provided all information required and signed the application. It is the responsibility of the applicant(s) to ensure that their current address and telephone numbers are on file with the Highleah Townhouses business office. Failure of an applicant to

provide their current address or telephone number may result in the applicant's housing application being removed from the active file.

#### Verifications

9. Verify through a professional screening service or by direct contact with the appropriate people, residence history from the past three (3) years; confirm terms of residence, amount of rent paid, promptness of payments complaints, rules violations, evictions, disruptive behavior and housekeeping habits.
10. Verify in writing, job history (of all household occupants) for at least two (2) years, if current job has been less than two years, confirm previous employment. All verifications must be documented in writing using the appropriate forms or documents.
  - a. If applicant is not employed, but receives any kind of retirement benefits, Asset income, Social Security benefits, insurance payments, government assistance, etc., all sources must be verified
  - b. Child support must be confirmed by divorce decree or judgement.
  - c. Acceptable applicants must have a history of good previous rental referral and exhibit job stability with income sufficient to cover the carrying charges, utilities and other monthly obligations. As a rule of thumb, applicants must have income that 50% of gross would equal not less than the basic carrying charge of the applicable unit.
11. All applicants/members must qualify under any and all current and future tenant selection criteria and rules and regulations.
12. Applicants may be rejected due to previous rental history, lack of job stability, poor credit history, previous landlord complaints, lack of sufficient income to compensate for monthly obligations.

#### Credit History

13. A poor credit history includes but is not limited to
  - a. A bankruptcy that has not been discharged.
  - b. Current credit shows more than 50% are in arrears, not counting medical bills or student loans.
  - c. Utility bills in arrears/collections.

#### Criminal History

14. Admission will also be denied if the applicant or any occupant of his/her household has,
  - a. A history of felonious activity, guilty plea, or convictions related to homicide, criminal sexual conduct, robbery or the use of a weapon against a person.

- b. A history of felonious activity, guilty plea, or convictions for physical violence against property or persons, within the last 8 years.
- c. Any drug related criminal activity, guilty plea, or convictions, within the last 5 years. Exceptions shall be considered upon receipt of an authorized third-party verification that the person who was involved with the drug-related possession or use was successfully rehabilitated under an approved, supervised drug rehabilitation program.

15. Sex Offender Registration. An applicant will be denied membership who is registered (or any person on the family composition is registered) as an offender pursuant to 589.400 to 589.425 R.S.MO, or any comparable statutes of any state. In the event an applicant is granted membership and thereafter is required to be registered on that list, membership eligibility shall be revoked and the Occupancy Agreement shall be deemed in default.

16. Applicant(s), at the time of application and hereafter, must agree to and comply with all of the following with respect to "Drug Free Housing:"

- a. Applicant/member, any member of Applicant/Member's household, or a guest or other person under the Applicant/Member's control shall not engage in criminal activity, including drug related criminal activity on or near the premises. "Drug related criminal activity" means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use of any controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802.)
- b. Applicant/member, any member of Applicant/Member's household, or a guest or other person under the Applicant/Member's control shall not engage in any act intended to facilitate criminal activity, including drug related criminal activity, on or near the premises.
- c. Applicant/member, any member of Applicant/Member's household will not permit the dwelling unit to be used for, or to facilitate criminal activity, including drug related criminal activity regardless of whether the individual engaging in such activity as a member of the household or a guest.
- d. Applicant/member, any member of Applicant/Member's household, will not engage in manufacture, sale, distribution, of illegal drugs at any location, whether on or near the premises or otherwise.
- e. Applicant/member, any member of Applicant/Member's household, or a guest or other person under the Applicant/Member's control shall not engage in acts of violence or threats on violence, including, but not limited to the unlawful discharge of firearms on or near the premises.
- f. Violations of the above provisions shall be material violation of the Occupancy Agreement and the rules and regulations of the cooperative and good cause for the termination of the occupancy agreement and right of possession of the premises. A single violation of any of the provisions of this addendum shall be deemed a serious violation and material noncompliance with the Occupancy Agreement. It is understood and agreed that a single violation shall be good cause for

termination of the Occupancy Agreement. Unless otherwise provided by law, proof of violation will not require criminal conviction, but shall be by a preponderance of the evidence.

- g. In case of conflict between the provision of this addendum and any other provision of the Occupancy Agreement, the provisions of this addendum shall govern.

17. Member must comply at all times with the Rules and Regulations of the Cooperative, which may be amended or revised in the future. Applicant by signing below, acknowledges that he or she has received a copy of the current Rules and Regulations of the Cooperative.

18. Occupancy is conditional upon review and approval by Cooperative of all criminal history records of all occupants and credit history and credit reports of all applicants. The undersigned does hereby grant authority to Cooperative for access to all criminal history records, credit reports and credit histories of Applicant(s), or any one of them, and Applicant's agree to sign any releases for authorizations necessary for the Cooperative to gain access to such records.

#### Landlord Reference

19. The previous three year's rental history will be inspected. The applicant(s) must not have a current unpaid balance and show a willingness to maintain their housing accommodations in a sanitary condition with no evidence of evictions, undesirable noise, odor, damage, disregard of rules, or disruptions to the peaceful, use and enjoyment of other residence. Verification of these criteria may be obtained from neighbors, landlords, court records or other independent sources. Negative Landlord references will be grounds for denial.

#### Waitlist

20. A waiting list will be maintained for all applicants by unit size (number of bedrooms). Applications shall be assembled by the time and date that all application information is determined to be complete. Applicant may be placed on the list for more than one size unit where they qualify for both sizes and they request to be considered for both sizes.

21. An appropriate size unit based upon the number of Household occupants must be located upon the premises. The occupancy standard for Highleah Townhouses mandates that the applicant and Household occupants not exceed the product of multiplying the number of bedrooms in the housing unit times 2, i.e. 2 persons occupying a one-bedroom unit, 4 persons occupying a two-bedroom unit and 6 persons occupying a 3-bedroom unit. (\*The maximum occupancy for 3 Bedroom units applies to new tenant selection only. Due to Three-bedroom units being the largest size available and Household size not being grounds for eviction/removal from a unit of current residents exceeding the 3-bedroom occupancy limit due to a Household change are not removed from their unit. In that case maximum 3-

bedroom occupancy is defined by local city fire ordinance based on available sleeping space)

- a. An exception to the aforementioned occupancy standard would be where an applicant, or an occupant of the applicant's Household requests, as a reasonable accommodation as defined under Section 504 of the Rehabilitation Act of 1973 or the Fair Housing Amendments Act of 1988, that an additional bedroom be allocated for such purposes, i.e. a single person occupying a two bedroom unit or 2 persons occupying a two or a three bedroom unit.

22. Highleah Townhouses does not recognize any state or local preferences in maintaining or implementing the waiting list or transfer list.

## VAWA

23. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse. The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse. The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

24. Section 504 of the Rehabilitation Act of 1973, as amended, and the Fair Housing Amendments Act of 1988 prohibit discrimination against persons with disabilities and provide for reasonable accommodations to permit persons with disabilities to enjoy and participate in housing. If you believe that a reasonable accommodation should be afforded to you during the application process, or during your occupancy if your application is approved, please advise us immediately and we will arrange a meeting with you to assist you with your request(s). Highleah Townhouses strives to attract applicants for occupancy from all potentially eligible groups of people in the housing areas regardless of race, creed, color, religion, sex, marital status, national origin, age, physical or mental disability and familial status.

25. Compliance with fair housing regulations, including Title VIII of the Civil Rights Act of 1968 as amended by the Housing and Community Act of 1974 and any other amendments which may occur, shall be adhered to strictly. No exceptions will be made to the fair housing regulations and no employee shall attempt to circumvent the regulation.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the undersigned do hereby state that they have read and understand the above and foregoing "Member Selection Plan"; that in the event the applicant(s) enter into an Occupancy Agreement with the Cooperative, that the above and foregoing shall be considered to be an addendum to and a part of such Occupancy Agreement; that they will at all times hereafter comply with all provisions of the Member Selection Plan; and, in the event that at any time in the future applicant(s) do not comply with the Member Selection Plan, they shall be deemed in violation of the plan and in violation of the Occupancy Agreement and, as a result, the Cooperative shall be entitled to terminate the Occupancy agreement and evict the applicant(s)/members(s) from the premises of the Cooperative.

HIGHLEAH TOWNHOUSES, Inc.

By \_\_\_\_\_  
On Site Manager

\_\_\_\_\_  
Applicant/Member

\_\_\_\_\_  
Applicant/Member