



## Biltmore Hotel

310 NW 6<sup>th</sup> Ave.

Portland, OR

97209

Phone: (503) 525-8483

## Building Criteria- Fair Market Unit

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1. **Project Description:** The Biltmore Hotel (“Property”) is a 76-unit Section 42 housing project managed by Central City Concern (“CCC”). The Property consists of 76 Single Room Occupancy (“SRO”). Seventy-five (75) SRO units receive Project Based Voucher (“PBV”) Section 8 rent assistance (“PBV units”). “Fair Market” units (rent restricted units without project-based rent subsidy attached) at the Biltmore Hotel are occupied through a waiting list open to the general public. **This Building Criteria only addresses the 1 Fair Market SRO unit.**

### 2. **Project Eligibility Requirements**

- a. **Sole Residence:** The unit must be the household’s only place of residence.
- b. **Occupancy Standard:** Occupancy standards are based on the number of bedrooms in the apartment. Management’s occupancy policy sets the maximum occupancy limit to two persons per bedroom, plus one. Some exceptions may apply inquire with CCC Housing. This property’s occupancy standards are:
  - i. Single Room Occupancy (SRO): 1 person
- c. **Identification:** Management will accept any of the following as proof of identification to verify the name, date of birth and picture identification of the applicant:
  - i. Evidence of Social Security Number (SSN Card)
  - ii. Valid Permanent Resident Alien Registration Receipt Card.
  - iii. Immigrant Visa.
  - iv. Individual Taxpayer Identification Number (ITIN).
  - v. Non-immigrant Visa.
  - vi. Other government-issued identification regardless of expiration date.
  - vii. If valid government-issued photo identification is not available, Management will accept non-governmental identification or a combination of identification that would permit a reasonable verification of identity.
    - a. Management will defer to Screening Company for this option and accept only if they are able to positively identify Applicant.
- d. **Citizenship:** Units at this property do not have a US citizenship requirement. Management does not request any information regarding citizenship status. However, Applicants must provide valid identification as detailed above under 2.c.
- e. **Student Status- The household may not be composed of 100% full-time students.** A student is defined as an individual, who during each of any 5 calendar months during the calendar year, is a full-time student at an educational organization. The 5 months need not be consecutive. The determination of student status as full or part-time is defined by the educational institution the student is attending. A household may be exempt from the full-time student rule by meeting any one of the following criteria:
  - i. Tenant is a student receiving assistance under Title IV of the Social Security Act (TANF).
  - ii. Tenant is a student previously under the care and placement responsibility of State Foster Care agency.

- iii. Tenant is a student enrolled in a job training program receiving assistance under the Workforce Innovation and Opportunity ACT (WIOA) or under similar Federal, State or Local laws.
- iv. Household is composed of a single parent and their children AND neither parent nor children are dependents of another individual.
- v. Household is married and files a joint tax return.

**3. Income Eligibility Requirements-** HUD calculates and publishes income limits annually based on family size for each county (Median Family Income (“MFI”). The current income limits are available at: [OHCS Income and Rent Limits Dashboard](#) (use the “HERA Special” Table, not “Actual”)

- a. **Income Maximum:** One hundred percent of the Fair Market units are reserved for households with incomes below 40% of MFI, adjusted by household size. The following %MFI income and rent restrictions apply to the 76 units at this property are:

| %MFI and Unit Type    | # of Units |
|-----------------------|------------|
| 40% Fair Market SRO   | 1          |
| 40% PBV Section 8 SRO | 75         |
| <b>Total</b>          | <b>76</b>  |

**4. Pre-Application and Waitlist Procedure**

- a. **Waitlist Opening/Closure:** Management will notify the general public of waitlist openings and closures through the CCC website or through CCC Housing Office. Management will provide dates of waitlist opening and closure, whether there will be a maximum number of applications accepted for the waiting list, whether applications will be randomized or sorted chronologically, and whether electronic applications/digital signatures will be accepted.
- b. **Waitlist Pre-Application:** When the waitlist is open, any person may place their name on this property’s Fair Market waiting list by completing a pre-application, available on the CCC website for electronic submission and through CCC Housing (address below). Incomplete or ineligible pre-applications could lead to them not being contacted when a unit is available. Each applicant will be assigned a time and date stamp based on their application’s random drawing in a randomization process. Should the waitlist remain open after the first day of opening, pre-applications submitted to the CCC Housing Office are placed on the waitlist in the order received as noted by the date and time stamp placed on the pre-application.
  - i. Pre-applications may only be submitted when the waitlist is open. Pre-applications submitted before the established opening time, after an established waitlist closing date/time will not be considered, or after a maximum application limit has been satisfied.
- c. **Minimum Information Required:** Waitlist applicants must provide the following information for a pre-application to be considered complete, and their names are placed on the waitlist:
  - i. Complete identifying information (Last, First, MI, DOB, SSN if available).
  - ii. Complete mailing address information including ZIP code.
  - iii. Number of people expected to reside in the unit; and
  - iv. Applicant must sign and date the pre-application to acknowledge he/she is aware of the eligibility and screening criteria found in this Building Criteria.
  - v. **Accessible Dwelling Units:** An applicant household with at least one member who is Mobility Disabled may request to be considered for an Accessible Dwelling Unit (ADU) in their pre-application. Applicants who establish this need will then be considered for vacant ADUs prior to other applicants who have not requested the need for an ADU, in order of preference points and then date and time of application. If no applicant who is Mobility Disabled qualifies for the ADU unit, Management will proceed with contacting applicants on the waitlist sorted by date and time.

- d. **Transfer Policy and Waitlist Placement:** Current residents at the Property may request a transfer to another unit as provided below, subject to written approval by Management. Once approved, the tenant will be provided a pre-application to submit for placement on a waitlist (even if closed) according to transfer points associated with the transfer option chosen. Tenants will be contacted in order of total points, then date/time of submission. All transfers are subject to unit availability, CCC does not provide emergency housing. Tenants may need to demonstrate current eligibility with affordability restrictions, tenant screening policies, and be in good standing for the transfer to occur. Transfer requests are available for the following situations:
- i. **Extenuating Circumstance Transfer:** Any current Resident of a unit within CCC's portfolio who needs to move due to safety and/or habitability issues may request an Extenuating Circumstance Transfer. CCC will honor the request for an immediate transfer for qualifying residents when a unit meeting the resident's safety needs becomes available. This may either be at the same property or another property within CCC's portfolio. Residents who qualify for the Extenuating Circumstance preference may apply at any time, even when the waitlist is closed. Qualifying residents will be given top preference on the waitlist at the property with twenty **(20) transfer points**. Timing for transfer is subject to availability and eligibility, and residents are encouraged to have a safety plan in place during this time. Tenants may not be placed on a Section 8 PBV/RAD waitlist or CCC program unit through this option.
  - ii. **Casualty Loss:** Applicants who are displaced by a sudden casualty loss or as part of a relocation effort, within CCC's portfolio, may be given ten **(10) transfer points** on the waitlist. Qualifying events include major fire, flood or building rehabilitation that renders unit uninhabitable for reasons beyond the tenants' control, and the tenant is likely to experience homelessness without the transfer. Approval is at the discretion of CCC and is subject to unit availability.
  - iii. **Reasonable Accommodation Transfer:** A current Resident may request a Reasonable Accommodation (RA) transfer at any time during their tenancy. This transfer option provides a Resident with a disability the opportunity to equally enjoy their unit and/or common areas. For example, a Resident living on the 2<sup>nd</sup> floor with a mobility impairment in a building without an elevator may request a move to a similar first floor unit. A tenant receiving approval for a transfer through this option will be provided seven **(7) transfer points**.
    - 1. **Disability Verifications:** As a part of the RA process, Qualified Individuals (medical providers, counselors, etc.) are requested to verify the presence of one or more disabilities and the relationship between the accommodation requested and the disability. When a transfer is requested, Qualified Individuals should provide detailed objective building/unit criteria for accommodating the disability, based on their professional opinion. Examples of criteria can include, but are not limited to:
      - i. Sq Ft. of Unit required to accommodate disability
      - ii. Proximity to bathrooms to accommodate disability
      - iii. Presence of toilet and/or shower.
      - iv. Need for 1<sup>st</sup> floor unit or ADA unit

When the request is approved and can be accommodated at current property, CCC will provide tenant with pre-application for placement on waitlist. Once submitted to CCC Housing, staff will date/time stamp pre-app, assign corresponding transfer points, and enter into waitlist. CCC Housing will provide Resident with a good faith estimate of wait time, but cannot predict with total certainty when a unit will become available.

If the offer to transfer to a unit at the current property will not meet the disability-based needs of the Resident, alternatives may be identified through a criteria-based iterative process. In many cases, the Qualified Individual will be requested to verify the objective conditions at the current property that do not meet the disability-based needs of the Resident.

If CCC Housing determines that disability-based needs cannot be satisfied at the Tenant's current building, a list of housing options meeting the criteria in CCC's portfolio available will be provided to the tenant. Tenants will have two weeks to submit pre-application(s) based on their preferences from that list- if no pre-applications are received, the request will be considered resolved.

When submitted, the applicant will receive the transfer points associated with Reasonable Accommodation Transfer at the building they are applying to (i.e., not the points associated with their current building). All tenant transfers are conditioned upon availability of vacant unit meeting criteria, presence of other applicants on the waitlist, and eligibility in new unit.

- e. **Waitlist organization:** Management organizes the waitlist by total preference points (if any), then by date and time of application submittal. Applicants with a waitlist preference are sorted by date and time before all other applicants. Non-preference applicants are ordered by date and time after all preference applicants.
- f. **Notification:** When units become available, or in anticipation of unit vacancy, Management will notify the next waitlist applicant(s) by phone and/or email according to the order established in (e) above. Applicants must respond in person or within 3 full business days of the date of contact. Failure to respond in a timely manner will result in the removal of the applicant's name from the waitlist. If more than one applicant is notified of a vacancy, applicants will be considered for residency in the order in which they respond to the notification.
- g. **Applicant responsible for maintaining current information:** It is the Applicant's responsibility to maintain current contact information on file with Management. Waitlist notifications will be by phone and/or email if available and may also include follow-up by mail. Management is not responsible for applicants' failure to receive a phone call or voice mail message (due to full inbox or other), receive email (including if mail goes to junk folder), mail distribution errors, mail being intercepted by others sharing the applicant's mailbox, incorrect/illegible addresses reported by Applicant, etc.
- h. **Updates:** CCC will update the waitlist periodically (no less than every 6 months) by requesting applicants confirm their continued interest in remaining the waitlist. Contact will be made by the phone and/or email address on record- it is the applicant's responsibility to ensure contact information is always current. Applicants are required to confirm their interest in CCC Housing Office within 3 business days of contact if they wish to remain on the waitlist. Failure to do so will result in removal from the waitlist.
- i. **Refusal of Available Unit:** Applicant may refuse the first vacant unit offered and will remain in their current waitlist position. Management will offer units to the next ready applicant on the waitlist. Applicant refusal of the second available unit will result in removal of applicant from the waitlist. The applicant is welcome to reapply for the waitlist again whenever it is open.
- j. **Removal from the waitlist:** Applicants will be removed from the waitlist for the following reasons:
  - i. At applicant's written request.
  - ii. Failure to respond to notification of vacant unit within 3 days and schedule intake appointment.
  - iii. Return of any mail sent to the applicant; or
  - iv. For any other reasons mentioned throughout this document.

An applicant will be notified by mail that they have been removed from the waitlist and of the reason for removal.

## 5. **Application**

- a. **Complete Application:** When the Applicant is at the top of the waitlist they will be contacted to complete a rental application. Applicants must schedule an intake with the Housing Office within 3 business days

of being contacted- the actual date the intake appointment can fall outside the 3-day response time, but may not be unreasonably delayed. A completed application is required for all adult applicants (18 and over). The Applicant household must meet all project eligibility requirements at the time of application. When a vacant unit is available, an eligible applicant will be offered the unit.

- b. **Application Rejection:** Applications will be refused outright when the Applicant:
  - i. Submits an application that is materially incomplete.
  - ii. Fails to include all necessary information, including but not limited to identification and income.
  - iii. Has intentionally withheld or misrepresented required information.
  - iv. Has at least 3 verifiable violations of the Rental Agreement within one year, with the most recent violation occurring within 365 days of the application submission date.
- c. **Supplemental Evidence:** Applicants are encouraged to submit Supplemental Evidence to mitigate any potentially negative screening results. The Supplemental Evidence provided will vary depending on the specific screening concern, and may include:
  - i. Applicant statement specifically addressing the issue of concern.
  - ii. Letter from parole or probation officer.
  - iii. Letter from case worker, mentor, therapist, counselor, etc.
  - iv. Proof of participation in a substance treatment program.
  - v. Certification of trainings completed;
  - vi. Letters from an employer, teacher, etc.

All information submitted will be considered as a part of the application review. If the Applicant does not submit Supplemental Evidence at the time of application but is subsequently denied due to not meeting the screening criteria, Management will conduct an Individualized Assessment with the applicant and Supplemental Evidence may be submitted at that time. See Individualized Assessment below.

- d. **Applicant Screening and Eligibility Determination:** All adult household members are screened against the Project Eligibility Criteria described in Section 2. Above and Project Screening Criteria described in Section 6. below. Within two weeks of evaluating the application, CCC will provide written communication of the determination. The determination will either: 1.) Acceptance; 2.) Conditional acceptance, or 3.) Denial. If the result is either Conditional Acceptance or Denial, the reason for the decision will be described. If a Denial and Supplemental Evidence was submitted at the point of application, an explanation for why the Supplemental Evidence did not adequately compensate for the factors that informed CCC's decision to reject the application will be provided.
- e. **Security Deposit:** Applicants in Fair Market Units at this property are not required to pay a Security Deposit.
- f. **Rent Payment and Lease Terms:** Upon acceptance, Applicant must agree to pay the rent and abide by the rental agreement required by the program they are participating in.

- 6. **Project Screening Criteria:** Upon receipt of the rental application and screening fee, Management will submit Applicant information and identification to Pacific Screening, a third-party background screening company. Pacific Screening will conduct a search of public records to determine whether the applicant or any proposed resident or occupant has any convictions or evictions. Convictions include charges pending; a conviction; a guilty plea; no contest plea; open warrants.

- a. **Screening Fee and Process:** All household members 18 years or older must pay a screening fee (National criminal search, Oregon Eviction Search, and rental reference search) to CCC at time of application to the Property. The fee charged to the applicant is the amount charged to management to obtain the background screening report and is non-refundable.
- b. **Urinalysis ("UA"):** All applicants are required to provide a urine sample for analysis during the application process. Applicants with positive results for illegal substances or drugs will be denied.
- c. **Criminal History:** CCC will request a 3<sup>rd</sup> party criminal screening report on all applicants to Biltmore Hotel over 18 years of age. The background screening will be conducted by a 3<sup>rd</sup> party company, currently Pacific Screening. Applicants will be charged at cost for the criminal screening report. Applicants with

one or more criminal convictions within the look-back period established below may have their rental application denied by CCC. However, CCC provides applicants with the opportunity to submit Supplemental Evidence and request an Individual Assessment, as established in 7b. of this Building Criteria.

| Crime Type                       | Crime Categories                       | Example Crime*                                                                                 | Conviction Look-Back from Date of Application Submission |
|----------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Crimes against persons (violent) | Felony (violent - intentional)         | Lifetime registered sex offenders                                                              | Denial                                                   |
|                                  |                                        | Homicide/Murder, Forcible Sex Offenses, Hate Crimes                                            | 10 years                                                 |
|                                  |                                        | Assault (I, II, III and Felony IV)                                                             | 3 years                                                  |
|                                  | Felony (violent-negligent or reckless) | Criminally negligent homicide, Manslaughter                                                    | 5 years                                                  |
| Crimes against property          | Felony                                 | Arson                                                                                          | Denial                                                   |
| Crimes against society           | Felony (Controlled Substance)          | Manufacture of controlled substance any housing (not including marijuana and methamphetamine). | 3 years                                                  |
|                                  |                                        | Delivery, or Possession with <u>intent to deliver</u> controlled substance                     | 2 years                                                  |
|                                  |                                        | Manufacture methamphetamine any housing                                                        | Denial                                                   |

\* Example only. Table is not intended to be conclusive of all possible conviction types found under crime category.

#### Applicants will be denied for:

- I. One or more **convictions** that fall within the lookback period based on type of crime.
- II. One or more **open arrest warrants** or **open cases** for crimes that fall within the listed crime categories, regardless of lookback period.
  - a. Applicants are encouraged to resolve open arrest warrants prior to intake to avoid denials based on screening.
  - b. Open arrest warrants that fall outside of the stated crime categories are not considered. For example, an open arrest warrant for misdemeanor theft would not be considered a basis for denial, but an open arrest warrant for felony assault would be considered a basis for denial.

Applicants that face denial due to one or more **convictions** or **open cases** within the lookback period are entitled to an Individual Assessment conducted by CCC Management and/or Home Forward. CCC Housing will not conduct Individual Assessments for applicants whose denial is based in whole or in part on open arrest warrants for crimes that fall within the listed crime categories. Applicants with open warrants have the right to Appeal the denial only- to **correct**, **refute**, or **explain** the factual basis for the negative information.

- d. **Negative Rental History:** Previous documented negative rental or program participation history with CCC Housing or other property management company shall be grounds for denial of the rental application at this property. Negative rental or program history includes:
  - i. Documented violent, threatening or aggressive verbal/physical behavior towards Management or another landlord/residents.
  - ii. Evictions in the last 2 years. Eviction actions that were dismissed or resulted in a judgment for the Applicant will not be considered.
  - iii. Any defaults on rent.

- iv. Three or more material violations of a rental agreement within one year prior to the date of the application that resulted in notices.
- v. Any lease violation that resulted in a termination with cause.
- vi. Past due or unpaid balances owed to Management or another landlord (including for charges due to destruction of unit/property or other tenant charges) in excess of \$1,000.
  - 1. Amounts exceeding \$1,000 will require applicant to demonstrate a documented and verified payment plan and continuous compliance with payment plan for at least 3 months. Amounts owed over \$5,000 will require the same documentation in addition to completion of Rent Well Tenant Education Course within last 12 months and is subject to Management assessment of supports in place and any additional supporting documentation.
- e. **Income Minimum:** Monthly income must be 1.5 times the monthly stated rent (*for example, if monthly rent is \$600, tenants must demonstrate monthly income of at least \$900*). Conditions must apply at minimum for initial lease period. Income will be calculated using the cumulative financial resources of all financially responsible applicants, including earned and unearned wages; rent assistance (non-governmental); and monetary public benefits. When a local, state or federal government rent voucher or housing subsidy is available to the Applicant, the rent amount will be reduced by the amount of the voucher or subsidy for the purposes of the calculation.

**7. Procedure for Denying Ineligible Applicants:**

- a. **Applicant Denial:** Applicants may be denied if:
  - i. They are income-ineligible.
  - ii. Household characteristics are not appropriate to available units (see Occupancy Standard, 2.a. above).
  - iii. Applicants do not meet the Project Eligibility Requirements.
  - i. Applicants do not meet Screening Criteria.
  - ii. Applicants engage in documented (e.g. through incident reports) menacing, stalking, and/or threatening behavior with CCC staff at any point in process of submitting pre-application through lease signing.
- b. **Individualized Assessment-** Whenever negative information is revealed through the background screening that would lead to a denial, CCC will conduct an Individualized Assessment with the Applicant. CCC will consider the following factors when conducting an Individualized Assessment:
  - i. The nature and severity of the incidents that would lead to denial;
  - ii. The number and type of incidents;
  - iii. The time that has elapsed since the date the incident occurred;
  - iv. The age of the individual at the time the incidents occurred
  - v. Evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct, and
  - vi. Any rehabilitation efforts.

Applicants are encouraged to submit Supplemental Evidence as a part of this process, see 5.c. above. CCC will hold the unit for which the application was received for a reasonable time to complete the review. If the evidence does not satisfactorily address the negative information, CCC will provide a written "Notice of Denial" to the Applicant within 2 weeks providing an explanation of the denial and the reasons why evidence did not compensate for the factors that informed CCC's decision to reject the Applicant.

- c. **Dispute Screening Results:** Applicants have the right to dispute the accuracy of the information provided to Management by a third-party screening service. If your application is denied due to information received during the screening process you believe is **incorrect or inaccurate**, you may contact the screening company to obtain a copy of your screening results.

Pacific Screening, Inc. / PO Box 25582 / Portland, OR 97298  
 Phone: 503-297-1941, 800-707-1941 / Fax: 503-297-1904, 800-427-0914

- d. **Appeal:** Management will offer applicants that do not meet the Screening Criteria the opportunity to appeal the decision within 30 days of denial of the application. During this period applicants can provide information to correct, refute or explain negative information that formed the basis of CCC's denial. CCC will conduct a review with two staff members who were not party to the initial denial and either approve or deny the appeal. If the appeal is approved and the unit is no longer vacant, CCC will prequalify the applicant for other rental opportunities at CCC properties for 3 months following the date the appeal is approved. However, the Applicant must be eligible for the unit and may need to provide new income verification or other program related paperwork if it has expired. Management will also waive the Applicant's screening fee for 3 months if the Applicant self-certifies that no conditions have materially changed from those in CCC's approve application.
- e. **Records Retention:** Management retains the following materials on file for at least three years:
  - i. Application
  - ii. Initial rejection notice
  - iii. Any applicant replies
  - iv. Management's final response
  - v. Record of all interviews and verified information on which Management based the decision.

#### **8. Fair Housing and Equal Opportunity Housing Statements**

- a. **Fair Housing:** CCC does not discriminate on the basis of race, color, national origin, religion, sex, family status, or disability, and recognizes the following protected classes under local statute: marital status, source of income (State of Oregon), age, sexual orientation (Multnomah County), or gender identity (City of Portland).
- b. **Reasonable Accommodation/Modification:** All persons with a disability have a right to request and be provided a reasonable accommodation or modification at any time, from application through termination/eviction. A reasonable accommodation is a change or exception to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. A reasonable modification is a structural change made to the premises in order to afford an individual with a disability full enjoyment of the premises. Under Fair Housing laws, a person with a disability is someone with a physical or mental impairment that substantially limits one or more major life activities of the individual, or who has a record or is otherwise regarded as having such an impairment. To request a reasonable accommodation or modification, please contact the Community Manager or the CCC Housing Office.
- c. **Violence Against Women Reauthorization Act of 2022:** CCC recognizes VAWA provisions and its protections. CCC has adopted a policy from the Violence Against Women Reauthorization Act of 2022, for further information please refer to CCC's Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. The Transfer Plan, as well as domestic violence certification and emergency transfer request forms may be requested from any housing/property's front desk.

Any person needing assistance completing the application process should contact CCC Housing at:

**523 NW Everett Street  
Portland, OR 97209  
(503) 525-8483  
TTY/TDD: Dial 711**