

Town Center Courtyards

11475 SE 85th Ave
Happy Valley, OR 97086
Phone: (503) 525-8483

Building Criteria- ADFC Fair Market Units – 1-bedroom, 2-bedroom, 3-bedroom

- Project Description:** Town Center Courtyards is a 60-unit Low Income Housing Tax Credit (LIHTC) project managed by Central City Concern ("CCC"). The project ("Property") consists of 20 one-bedroom units, 32 two-bedroom units and 8 three-bedroom units. **This Building Criteria only addresses the 39 Fair Market units* (20 one-bedroom, 18 two-bedroom and 1 three-bedroom units).** There are separate criteria for the Section 8 PBV units. Please refer to the Section 8 Tenant Selection Plan for the additional criteria, which can be obtained from the CCC Housing office.

**Please note that tenants in Fair Market units are fully rent-responsible and no rental subsidy is attached to the unit. Tenants may present their own rental subsidy for consideration, but rental subsidy is not provided by CCC. Applicants must meet all criteria by the time they move into the property. Individuals completing the Pre-Application need not meet the building criteria at the time of pre-application but must read and understand this document and acknowledge that they have done so*

2. Project Eligibility Requirements

- Sole Residence:** The unit must be the household's only place of residence.
- Occupancy Standard:** Occupancy standards are based on the number of bedrooms in the apartment. Management's occupancy policy will assign one bedroom for a single head of household or for married or unmarried persons living together in a spousal relationship, and one bedroom for each two persons thereafter, regardless of age or sex
- ADFC Eligibility: Applicant household must meet criteria:**
 - Alcohol and Drug-Free Community ("ADFC"):** The Property is an ADFC established under ORS 90.243. At least one household member must:
 - Have a minimum of sixty (60) days of verifiable sobriety; and
 - If a **residential treatment Applicant**, has graduated from treatment or graduation is anticipated, OR;
 - If **outpatient Applicant**, is actively engaged in an on-going and verifiable participation in a recognized program of recovery from chemical dependency or alcoholism.
 - Such programs include but are not limited to 12-step recovery programs, faith-based recovery programs, and methadone or suboxone treatment programs accompanied by appropriate case-management or counseling.
 - Child in Physical Custody-** Applicant must be able to document that will have at least one child in their physical custody 51% of the time upon securing housing.
 - 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:
 - Evidence of Social Security Number (SSN Card)
 - Valid Permanent Resident Alien Registration Receipt Card.
 - Immigrant Visa.
 - Individual Taxpayer Identification Number (ITIN).
 - Non-immigrant Visa.
 - 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.
 - 1. Management will defer to Screening Company for this option and accept only if they are able to positively identify Applicant.
- e. **Citizenship:** Units at the Town Center Courtyards 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.d.
- f. **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 Job Training Partnership Act, Workforce Investment Act 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-

- a. 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: <https://www.oregon.gov/ohcs/compliance-monitoring/pages/rent-income-limits.aspx> (use the "Actual" Table, not "HERA Special")
- b. **Income Maximum:** One hundred percent of the Fair Market units are reserved for households with incomes at or below 50% and 60% of MFI, adjusted by household size. The following %MFI income and rent restrictions apply to the 39 Fair Market units at Town Center Courtyards:

%MFI and Unit Type	# of Units
50%MFI Fair Market 1BR	13
60%MFI Fair Market 1BR	7
50%MFI Fair Market 2BR	11
60%MFI Fair Market 2BR	7
60%MFI Fair Market 3BR	1
Total	39

4. Pre-Application and Waitlist Procedure

- a. **Waitlist Opening/Closure:** Management will notify the general public of waitlist openings and closures through newspapers of general circulation. Interested applicants can also access information about upcoming waitlist openings through the CCC website, by contacting the Housing Office, 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 each waiting list (1 bedroom, 2 bedroom and 3 bedroom), 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 to be contacted while 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. **Referral from a Preference Partner Agency/Program** - Management will grant a waitlist preference under this section to applicants referred by **Preference Partner Agencies** providing eligible services, as found in the **Partner Agency List- General** (available upon request). Eligible services are related to self-sufficiency, housing stability, eviction prevention, employment and similar. Applicants may claim a preference by submitting a pre-application with the **Referral Preference Information Section** completed by a Preference Partner Agency/Program. Management will grant a maximum of **(3) preference points** on the waitlist, regardless of the number of referrals received by participating partners.
 - i. Partner Agencies may complete the Referral Preference Information Section on behalf of as many pre-applicants as desired, subject only to the limitations of the specific waitlist opening announcement (e.g., waitlist opening limits pre-applications to the first 100 received).
- e. **Transfer Policy and Waitlist Placement:** Current residents at the Property may request a transfer to other units under specific circumstances, subject to approval by management. Tenants must submit a written request to transfer to management- verbal requests will not be considered. Once approved by Management, the tenant will be placed on a waitlist (even if closed) according to the point preference structure below and time/date stamp of request. Tenants will be contacted in order of preference and then submission when a vacancy becomes available. Tenants may need to demonstrate current eligibility with affordability restrictions, tenant screening policies, and be in good standing for the transfer to occur. Management currently allows transfer requests 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 to 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 this 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 preference points**. Note that tenants may not be placed on a Section 8 PBV/RAD waitlist 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 preference points** on the waitlist. Qualifying events include major fire, flood or building rehabilitation and apply to CCC applicants/tenants who are 1.) Displaced from their current residence and 2.) would subsequently become homeless. 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, even when the waitlist is closed. RA transfers are an exception to the Transfer Policy that only allow transfers under specific circumstances, such as Extenuating Circumstances, Household Composition Changes, etc. The transfer is intended to provide a Resident with a disability the opportunity to equally enjoy their unit and/or common areas. For example, a person living on the 2nd floor with a mobility impairment in a building without an elevator may request a move to a similar first floor unit. A tenant requesting a transfer through this option will be provided with seven **(7) transfer preference points** upon approval.

- f. **Requested Transfer within Building- Any reason.** Current households may request a transfer to another fair market unit within their building once they have been a resident for at least 365 days. Requests must be made by Resident in writing (email or handwritten) and submitted directly to the Community Manager. Decisions will be made in writing and are only authorized by the CCC Housing Office. Verbal approvals are not permitted and should not be relied on by the tenant.

Requests will not be accepted or otherwise entered on waitlist prior to meeting all criteria, regardless of reason. Criteria for transferring under this option include:

1. Must be resident for at least 365 days prior to the time of request.
 - a) No more than one transfer request under iv. is permissible during a tenancy at the building (i.e., before resident has moved out of property).
2. Tenant rent ledger is current at time of request and time of transfer.
3. Tenant must demonstrate a minimum of 3 months of consecutive on time rent payments at time of request and at time of transfer.
4. Tenant must be in good standing at time of request until time of transfer. Good standing for purposes of this section includes no household member being in lease termination cure period when making requests AND not having received notice of termination within previous 3 months.
5. No household members are permitted to remain in original unit (i.e., household splitting).
 - a. For example, household members A and B live in unit 101 and request transfer. This is approved for unit 202, however, the household cannot split to allow A to continue occupying 101 and B to transfer to 202 (effectively creating new household and skipping waitlist). However, upon approval, A could potentially move to 202 and B decided to move-out because no household member will continue to occupy original unit 101.

A tenant receiving approval for a transfer through this option will be provided with five **(5) transfer points**.

Transfers may require the tenant to qualify “as if” a new move-in. A household may be able to transfer over their move-in income eligibility status and retain the recertification effective date. The options available to Management are dictated by funding agreements and exceptions cannot be made.

Transfers are made in order total preference points, then date and time approved. All transfers are subject to availability and only to the specific units approved for. Tenants may decline the first transfer offer and remain on the waitlist. Should the tenant transfer on a 2nd offer, they will be removed from waitlist. Provided the tenant still qualifies, they may resubmit their request and be placed back on the waitlist based on updated preference, date and time of approval.

- g. **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.
- h. **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 (g) above. Applicants must respond in person or by phone 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.
- i. **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.

- j. **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 with the Town Center Courtyard 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.
- k. **Refusal of Available Unit:** Applicant may refuse the first vacant unit offered and will remain in their current waitlist position. Management will offer unit 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.
- l. **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 business days and schedule intake appointment.
 - iii. Return of any mail sent to the applicant; or
 - iv. For any other reasons mentioned throughout this document.

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 for Fair Market Units at Town Center Courtyards 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, 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 conviction or evictions. Convictions include charges pending as of the date of the application; a conviction; a guilty plea; or no contest plea).
- 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.
 - Criminal History:** CCC will request a 3rd party criminal screening report on all applicants to this property over 18 years of age. The background screening will be conducted by a 3rd party company, currently Pacific Screening.

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)	5 years
	Felony (violent-negligent or reckless)	Criminally negligent homicide, Manslaughter	7 years
Crimes against property	Felony	Burglary	5 years
		Arson	Denial
Crimes against society	Felony (Controlled Substance)	Manufacture of controlled substances any housing (not including marijuana and methamphetamine).	5 years
	Felony (Controlled Substance)	Delivery, or Possession with <u>intent to deliver</u> controlled substance	5 years
	Felony (Controlled Substance)	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:

- One or more **convictions** that fall within the lookback period are based on type of crime.
- One or more **open arrest warrants or open cases** for crimes that fall within the listed crime categories, regardless of lookback period.
 - Applicants are encouraged to resolve open arrest warrants prior to intake to avoid denials based on screening.
 - 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. 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.

- c. **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/resident.
 - 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 \$1000 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.
- d. **Income Minimum:** Monthly income must be 2.0 times the monthly stated rent (*for example, if monthly rent is \$800, tenant must demonstrate monthly income of at least \$1,600*). 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. Management may count verifiable friend/family assistance when accompanied by a notarized affidavit or other acceptable form of verification. 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.
 - iv. Applicants do not meet Screening Criteria.
- b. **Individual Assessment-** Whenever negative information is revealed through 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: 1.) The nature and severity of the incidents that would lead to a denial; 2.) The number and type of incidents; 3.) The time that has elapsed since the date the incidents occurred; 4.) the age of the individual at the time the incidents occurred and 5. evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct, and 6.) 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 (Clackamas County), or gender identity (Clackamas County).
- 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:

11475 SE 85th Ave
Happy Valley, OR 97209
(503) 525-8483
Hours: Monday through Friday 8:00am- 4:30pm
Closed holidays and weekends