



**LOW-INCOME HOUSING TAX CREDIT PROGRAM
WORKING ARTISTS VENTURA "WAV"
RESIDENT SELECTION CRITERIA**



TDD # (415) 345-4470 or
California Relay Service (711)

I. POLICY ON NON-DISCRIMINATION

With respect to the treatment of applicants, the Management Agent and the owner will not discriminate against any individual or family because of race, color, creed, national or ethnic origin or ancestry, religion, sex, sexual preference, gender identity, age, disability, military status, source of income, marital status or familial status, acquired immune deficiency syndrome (AIDS) or AIDS-related conditions (ARC), or any other arbitrary basis. No criteria will be applied or information considered pertaining to attributes of behavior that may be imputed by some to a particular group or category. All criteria shall be applied equitably and all information considered on an applicant shall be related solely to the attributes and behavior of individual members of the household as they may affect residency.

II. PROGRAM DESCRIPTION AND POPULATION SERVED

Working Artists Ventura "WAV" is an affordable housing property operated under the Low-Income Housing Tax Credit "LIHTC" Program (IRS Section 42) program for families with low to moderate incomes. The property is subject to LIHTC guidelines, as they relate to income and asset verification as published in HUD Handbook 4350.3 Rev-1, Ch-2 and the LIHTC income/rent limits which are published annually by HUD and the California Tax Credit Allocation Committee (CaTCAC) and available to the public from the rental office.

III. POLICY ON PRIVACY

- A. It is our policy to guard the privacy of applicants as conferred by the Federal Privacy Act of 1974, and to ensure the protection of such applicants' records maintained by The John Stewart Company.
- B. Therefore, neither The John Stewart Company nor its agents or employees, shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure. This Privacy policy in no way limits our ability to collect such information as it may be needed to determine eligibility, compute rent or determine an applicant's suitability for tenancy.

IV. WAITING LIST PROCEDURES FOR PROCESSING

- A. A waiting list will be established for the property. The waiting list shall be formed as follows:
 - (1) Applications will be processed in the order received. In accordance with requirements from the City of Ventura, artist households will be given a preference over non-artist households for the selection of those units specially designed for artists. Non-artist households will be placed into units not filled by artist households;
 - (2) Artist households will be placed on a waiting list in order of the number assigned to them by the Artist Selection Committee;
 - (3) Applications must be fully completed and signed to be considered;
 - (4) Additional data required with application:
 - 1. A brief (one page) letter stating why you would like to reside at WAV;
 - 2. An artist resume describing you art experience, education, performance and exhibit background;
 - 3. Three (3) written letters of reference (not more than one page each) from people who know your work. (These do not have to be professors or art professionals but should be from people who have seen your work and know a little bit about your art experience and background.)
 - (5) Applications must be sent by regular mail (FedEx, hand-delivered and/or electronic delivery will not be accepted.
 - (6) Applicants will be contacted via phone of their date and time for interviews.



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- B. The marketing materials will include the deadline to apply, indicating the closing date for the waiting list. The waiting list will be updated on an annual basis.
- C. Each application will be date and time-stamped when received and then processed. Applications will be ranked for consideration in accordance with VI-A, above.
- D. All applicants will be placed on the Waiting List.
- E. However, if the existing Waiting List contains so many names that the average wait for a unit is two (2) years or more, the project may decline to accept applications. In this case, the Waiting List is "closed."
- F. For each size/type of unit there will be a Waiting List for each of the following, as applicable:
 - 1. In-House Moves: Current residents of the project occupying inappropriate unit size/type. All relocations within the property will be treated as a move-out and move-in.
 - 2. Outside: - Applicants wishing to move into project from the current waiting list.

V. WAITING LIST PRIORITY FOR PROCESSING AND SELECTION PROCEDURES

- A. Reasons for Moves Within the Property: In-House Moves (From one unit to another type of unit within the property) may take precedence over new move-ins and may be required by management for the following reasons:
 - (1) To alleviate overcrowding;
 - (2) To avoid occupancy by too few people;
 - (3) For verifiable medical necessity or to accommodate a person with a disability (i.e., wheelchair accessible unit or additional space for medical equipment). See also Section II.A.5, below;
 - (4) For emergency temporary relocation. (If a unit becomes uninhabitable due to a catastrophe the resident family will be given any open unit for temporary living quarters until their own unit is repaired. An "open unit" is a unit for which the keys are in the possession of the management company.)
- B. In-House Move Procedure: Should a resident require or request a transfer from one unit to another unit the following procedure is used:
 - (1) Resident places a telephone call to the site office or makes a personal visit to request a move to another unit;
 - (2) The resident is given a copy of the "Request for Move" form to be completed;
 - (3) The resident's name is then placed on the In-House Move List;
 - (4) When a unit becomes available according to the bedroom size requested, the next name on the In-House Move List by date and time of request will be offered the unit.
 - (5) Depending on the circumstances of the move, a tenant may be obligated to pay all costs associated with the move.



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- (6) If a tenant is moved as a reasonable accommodation due to a household member's disability, then the owner must pay the costs associated with the move, unless doing so would be an undue financial and administrative burden.

All moves within the property must comply with CTCAC regulations which may include re-qualifying under applicable income limits.

VI. UNIT SIZE / OCCUPANCY STANDARDS

- A. An appropriately-sized unit must be available within the project. Families will be housed in accordance with the following criteria:

UNIT SIZE	MINIMUM	MAXIMUM
0 Bedroom	1	2
1 Bedroom	1	3
2 Bedroom *	1	3
2 Bedroom	2	5
3 Bedroom *	2	5
3 Bedroom	2	7
4 Bedroom	3	9

Units marked with an (*) are designed with one unenclosed bedroom

- B. If a larger unit cannot be rented due to insufficient numbers of applicants for said larger units management may, at its discretion, fill the unit with a smaller sized family.

VII. FAIR HOUSING

- A. The project will comply with all Federal, State, or local fair housing and civil rights laws and with all equal opportunity requirements set forth in HUD's administrative procedures. The Federal citations and their title (or topic) are listed below:

1. 24 CFR, part 1 Title VI of the Civil Rights Act of 1964
2. 24 CFR, part 8 Section 504 of the Rehabilitation Act of 1973
3. 24 CFR, part 100 et seq Fair Housing Act
4. 24 CFR, part 146 Age Discrimination Act of 1975
5. 24 CFR 200.600 Affirmative Fair Marketing Regulations, if required
6. Uniform Federal Accessibility Standards (UFAS), effective July 11, 1988; individual copies are available from the Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW, Suite 1000, Washington, D.C. 20004-1111, Telephone: 202-272-0080, TTY: 202-272-0082, email address: info@access-board.gov. Orders of 25 or more copies will be referred to the publisher.

- B. It is the policy of the project to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' records maintained by the project.

- D. The project will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504 of The Rehabilitation Act of



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1973, the project will make reasonable accommodation for individuals with disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services. The Section 504 coordinator in this region is Lori Horn (213) 833-1860.

- E. The project may consider extenuating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. If the applicant is a person with disabilities, the project will consider extenuating circumstances where this would be required as a matter of reasonable accommodation.

VIII. FINANCIAL

- A. In accordance with LIHTC requirements:
 - 1. All income will be verified in writing from the income source on appropriate project income verification forms.
 - 2. All assets, including bank accounts, will be verified.
 - 3. The applicant must have an eligibility income equal to or less than the current income limits.
- B. All applicants, any household members added at a later time and live-in-aides will be subject to the same screening criteria. In accordance with JSCO regulations & owner requirements:
 - 1. Credit and criminal reports will be obtained for each applicant 18 years of age and over. Applicants will be denied based on failure to meet the credit and criminal criteria as outlined in Sections VI and VIII below and in the Grounds for Denial.
 - 2. Gross income and gross expenses will be used to determine an individual's actual ability to pay his/her monthly rent while meeting his/her other monthly obligations.
 - (a) The Gross income is determined by the three month's most current check stubs which are to be calculated for a twelve-month period.
 - (b) All items on expenses will be determined after discussion with the applicant on a line by line basis using actual, not arbitrary, figures.
 - 3. Both the current and previous landlords will be contacted for a reference concerning payment records as well as the history of complying with lease requirements and housekeeping habits.
 - 4. Visits to the applicant's current residence may be made to assess housekeeping habits.
 - 5. Social Security Number Requirements - Social Security numbers will be required for all household members. Although not a TCAC requirement, a valid Social Security number is required by management to obtain credit and criminal background reports. No household can be approved for residency without credit and criminal background reports obtained for all adult members of the household 18 years of age and older.

IX. CREDIT

Applicants may be rejected for the following reasons:

- 1. Total unmet credit problems (including governmental tax liens in excess of \$5,000).
- 2. A bankruptcy (within the last three years).
- 3. A total of five (5) unmet credit obligations of any value.

An exception for extraordinary medical and/or student loan expenses may be permitted.

A foreclosure, on its own merit, shall not be a primary reason for denial of an applicant.



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X. RENTAL HISTORY

Applicants may be rejected for the following reasons:

1. A judgment against an applicant obtained by the current or previous landlord.
2. An unmet obligation owed to a previous landlord.
3. The applicant must have made timely payments of the last year's rental payments.
4. Negative landlord reference.

XI. CRIMINAL BACKGROUND CHECK & PERSONAL HISTORY - (See also Section XIII.B, above.)

A. A check will be made of criminal conviction records for all adult (Age 18+) Applicants of the household. **A \$35.00 charge will be assessed for each new or added adult applicant age 18+ in the household.** Reports will be obtained from local and/or state records and may also include local Police records. If the Applicant has resided in a state other than California and/or has a past felony conviction, a report will be required from that state or federal organization. Generally, public records of this sort are only available for the past ten (10) years. However, if information becomes known during the screening process regarding criminal activity that happened before the past ten year period which could impact the Applicant household's eligibility to live at the property, the Management Agent reserves the right to consider this information as well. Felony offenses and or continued and ongoing criminal activity will be grounds for rejection if such offenses involve physical violence to persons or property, or ANY misdemeanor offense of domestic violence, sexual abuse, sales of narcotics, illegal weapons possession, any form of assault, breaking and entering, burglary or any drug-related criminal offenses.

B. Additionally, applicants may be rejected due to:

1. Any household containing a member(s) that has been evicted from federally assisted housing for drug-related criminal activity, unless that person has successfully completed an approved, supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist (household member has moved out).
2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
3. Any household member who is subject to a state sex offender lifetime registration requirement. In order to implement this federal screening requirement, management will request the head of household to list all states they have lived in. The applicant/tenant file will contain written proof that this screening has been completed. Registered sex offenders will not be admitted. There is a new website that owners and management agents can use to search for registered sex offenders. Go to <http://www.nsopr.gov>.
4. Any household member, if there is reasonable cause to believe that a member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.

C. Consideration may be granted to Applicants with past nonviolent criminal records occurring ten or more years in the past with no further criminal record. Applicants will be provided the criminal background record and provided an opportunity to respond and to provide evidence of mitigating factors.

XII. GENERAL

JSCO specifies that applicants be made aware of program requirements, including (but not limited to) the following:



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- A. All applicants will be interviewed by the site administrator or other representative of management. At the time of the interview, all members of the family must be in attendance. If this is not possible, a second interview to accommodate missing members will be scheduled. Documents or identification to determine family members' relationships may be requested.
- B. The applicant must agree to pay the rent required by the formula used in the LIHTC program under which the applicant will be admitted
- C. Pets, limited to two per household, are permitted at this apartment community and the site's Pet Policy must be adhered to, including the required spaying and/or neutering of pets. The Pet Policy must be agreed to and signed by all adult members as an Addendum to the Lease. An additional refundable deposit shall be required in the amount of \$300.00 per pet.
- D. Companion and Service Animals Policy.

Animals may be required for physical or emotional assistance by a person who is disabled (e.g., a Seeing Eye dog or a dog for the deaf). Such an animal is not considered a pet, but will be subject to reasonable regulations.

The following are allowed:

1. Companion Animals - The Fair Housing Amendments Act of 1988, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act protect the right of people with disabilities to keep emotional support animals, even when a landlord's policy explicitly prohibits pets. So long as the tenant has a letter or prescription from an appropriate professional, such as a therapist or physician, and meets the definition of a person with a disability, he or she is entitled to a reasonable accommodation that would allow an emotional support animal in the apartment.
2. Service Animals - Service Animals are animals required for physical or emotional assistance by a person who is disabled (e.g., a seeing-eye dog or a dog for the deaf) is not considered a pet, but will be subject to reasonable regulations.

It is a reasonable accommodation for housing providers to allow tenants with disabilities to live with a service animal in order to meet their disability-related needs. A service animal usually is defined as "any animal that is individually trained to do work or perform tasks for the benefit of a person with a disability." Fair housing laws consider "companion" animals to be a type of service animal.

- (a) Dogs are the most common service animals, but other species are used (for example, cats or birds). Service animals may be any breed, size or weight.
- (b) There is no legal requirement for service animals to be visibly identified (no special collar or harness needed) or to have documentation (no license, certification or identification papers needed).
- (c) Service animals are not considered to be pets. A person with a disability uses a service animal as an auxiliary aid -- similar to the use of a cane, crutches or wheelchair. For this reason, fair housing laws require that housing providers permit the use of a service animal by an individual with a disability despite "no pet" rules.
- (d) Pet deposits or fees cannot be charged for service animals.



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- (e) All households with service animals are subject to the Companion and Service Animals Policy.
- E. All applicants must fulfill the terms of the lease (with or without 3rd party assistance), particularly concerning:
 - 1. Timely payment of rent and other charges;
 - 2. Maintaining premises in safe and sanitary condition;
 - 3. Not interfering with management or quiet enjoyment of the property by others.
- F. This property is designated as a "Non-Smoking" facility, no smoking is permitted in any common areas, offices or interiors of the apartment unit.

XIII. REJECTED APPLICATIONS

- A. Applicants will be rejected for any of the following:
 - 1. Failure to present all members of the family at the full family interview (or some other time acceptable to management) prior to completion of Initial Certification;
 - 2. Blatant disrespect, disruptive or anti-social behavior toward management, the property or other residents exhibited by an applicant or family member any time prior to move-in (or a demonstrable history of such behavior);
 - 3. A negative landlord or other reference, encompassing failure to comply with the lease, poor payment history, poor housekeeping habits, eviction for cause; or criminal activity outlined above;
 - 4. A negative credit or criminal report (see attached Grounds For Denial and Sections IX and XII above);
 - 5. Falsification of any information on the application;
 - 6. Eligibility income exceeding the maximum allowed for the specific program;
 - 7. Family composition not appropriate for available bedroom size (see Section VI above);
 - 8. Failure to update application for the waiting list within specified time when notified.
 - 9. Households whose members all are defined as Full-Time Students, unless having the proven exception as allowed under the LIHTC program.
 - 10. Other good cause: including, but not limited to, failure to meet any of the selection criteria in this document.
- B. If an applicant declines an available apartment when notified, he/she will be offered a second unit when available. If an applicant declines an apartment a second time, his/her application will be removed from the waiting list. After receiving the notification of unit availability, applicants have five days to respond to management regarding the available apartment. If there is no response, the offer will have been declined by the applicant. If there are verifiable mitigating medical reasons that prevent you from moving at the time of offer, you will receive another unit offer.
- C. If an applicant is rejected, management will promptly notify the applicant in writing explaining in the notice:
 - 1. The specifically stated reason(s) for the rejection/denial;



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2. The applicant has a right to respond to the owner in writing or request a meeting within TEN 10 days to dispute the rejection;
3. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process;
4. Any meeting with the applicant to discuss the applicant's rejection must be conducted by a member of the owner's staff who was not involved in the initial decision to deny admission or assistance;
5. Prior to making a final decision to reject an applicant, the project will consider mitigating circumstances and evaluate reasonable accommodations and/or structural modifications which might make the rejection/denial unnecessary;
6. Within five (5) business days of the owner response or meeting, the owner must advise the applicant in writing of the final decision on eligibility;
7. If an applicant feels they have been discriminated against based on a disability they may contact the local 504 Coordinator, Lori Horn, at (213) 787-2700.