



Missoula Housing Authority Resident Selection Plan

Affordable Properties

This section of the Resident Selection Plan has been written for the affordable properties managed by Missoula Housing Authority (MHA) which include those who are subject to tax-exempt bond, AHP, and/or the Housing Tax Credit (HTC/LIHTC/Section 42). Properties subject to a HUD program (other than tenant based Section 8 voucher programs), should review the corresponding Resident/Tenant Selection Plan for that program (e.g. HOME, Project Based Rental Voucher (PBRA), or 811 PBRA) and follow the most restrictive Resident/Tenant Selection Plan for those units designated as such. The purpose of this plan is to ensure that residents are selected in accordance with HUD and IRS requirements as well as MHA Management Policies.

Everyone is given an equal opportunity to lease an apartment at MHA properties in strict accordance with current Fair Housing laws. Missoula Housing Authority believes that all residents are valued individuals. MHA strictly adheres to the Fair Housing Act and will make Reasonable Accommodations/Modifications when necessary. We strive to treat each applicant or resident with respect and dignity.

MHA will not deny any qualified applicant the opportunity to lease a dwelling unit on the basis of RACE, COLOR, RELIGION, SEX, DISABILITY, FAMILIAL STATUS, NATIONAL ORIGIN, CREED or GENDER IDENTIFICATION in any property owned, managed or controlled by Missoula Housing Authority.

I. Applying to the Waiting List

Everyone who wishes to apply for housing must be placed on the waiting/interest list FOR EACH PROPERTY SEPARATELY. To be placed on the waiting list, contact the Affordable Housing Waiting List Coordinator at (406)549-4113, x118 or at athomas@missoulahousing.org. Applicants are chosen from the waiting list based on the date of application and the unit size that is available. Applicant will be contacted by letter (sent first class US mail) and may be contacted by e-mail or by phone and invited to pick up a full application. The applicant must complete the application IN FULL before it will be considered. ALL ADULT HOUSEHOLD MEMBERS MUST COMPLETE A SEPARATE APPLICATION!

II. Eligibility for Admission: Applicant Screening Criteria

To be eligible for admission at this property, an applicant must be of legal age (18 years or older or a legally emancipated youth as defined by state law). All information reported by the household is subject to verification. Other subsidy or insurance programs may impose additional restrictions. MHA uses the following standards when evaluating an applicant for acceptability into this property; negative information found in any of the following categories may result in an application's denial.

A. General Requirements:

- All applicants must be interviewed.
- All applicants must be able to meet their daily needs and have the ability to comply with the lease.
- Disrespectful, belligerent, or disruptive behavior toward Management, the property, or other residents discovered in an applicant's history or exhibited by an applicant or household member at any time prior to move-in will result in termination of the interview and may result in denial of the application.
- The unit must be the family's sole residence.
- Applicants must provide documentation of social security or other tax ID in order for the owner/manager to make an eligibility determination.
- A record of disturbance of neighbors, damage or destruction to the property, living or housekeeping habits at previous residences which could adversely affect the health, safety or welfare of others, or adverse prior history at any MHA property as a tenant or guest may result in a denial.

B. Income:

An applicant must demonstrate sufficient income to afford the apartment on an ongoing basis. MHA is required by all programs to verify all earned and unearned income, including assets. Misrepresentation or failure to report ALL income or asset information and sources will result in denial of an application. The household's annual gross income from all sources must not exceed program(s) income limits for the property. If income is insufficient (applicants should have a monthly income greater than 1.5 times the monthly rent), MHA may:

- Request that applicant complete a budget to demonstrate how they will pay rent and utilities and still maintain other obligations and needs; or
- Co-signers will be permitted for applicants who do not meet income requirements or credit reference requirements. If approved, the co-signer must:
 - Complete a rental application;
 - Pay the application fee;
 - Demonstrate the ability to meet or exceed all income requirements;

- Demonstrate they have the ability to maintain their own obligations as well as the obligations of the applicant if the tenant defaults on the rental obligations under the lease term; and
- Sign the Co-Signer Agreement to the lease indicating that they are a financial guarantor ONLY and do not have any rights to the unit.

C. Credit History:

MHA will review a credit report for each applicant over the age of 18 years of age to help determine the applicant's history of meeting financial obligations. The credit report is a "hard pull" on applicant's credit history (meaning this will show up on applicants credit report and may create a small negative impact on the applicants credit score). Poor credit history is grounds for rejection; however, a lack of credit history is not. The following types of information constitute examples of poor credit history:

- Past debt to a previous landlord or rental company;
- Debt owing to a utility company that may prohibit the applicant from obtaining service; or
- Bankruptcy not yet discharged within the last 3 years—which may be reviewed on a case by case basis.

D. Rental History:

An applicant must be able to provide landlord references for the past 3 years. Applicants will not be rejected solely for a lack of rental history. Applicants with an unacceptable rental history may be denied. An unacceptable rental history may show:

- Termination or eviction for non-payment of rent and/or other debts such as damages to a unit within the last 3 years;
- Record of eviction for any material non-compliance of a lease with the last 3 years;
- History of disturbing the rights of neighbors or threatening their health and wellbeing,
- Record of poor housekeeping habits resulting in health or safety hazards; or
- Record of any act resulting in substantial physical damage to the property, or property of others.

Character references may be used in place of landlord references if the applicant does not have previous rental history (e.g. applicant owned a home or lived with their parents). Character references cannot be related to the applicant and will be contacted by MHA Management staff. MHA asks for 3 unrelated character references.

E. Criminal History:

A third-party criminal background check will be conducted on all persons 18 years of age or older who will live in the unit. Causes for rejection include, but are not limited to the following:

1. Record of any felony conviction in any state or federal court within the past 3 years;
2. Record of a pattern of criminal activity, felony and/or misdemeanor, over the last 5 years,
3. Record of any member of the household's current use of a controlled or illegal substance.
4. Record of any criminal activity indicating a pattern of violence that may constitute a threat to the health or safety of other individuals including residents or staff. Violent criminal activity includes any of the activities listed within Chapter 5, Offenses Against the Person, in Title 45 of the Montana Code Annotated.
5. Record of any conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance.
6. Record of any conviction or adjudication, other than acquittal, involving illegal use or possession of any controlled or illegal substance
7. Record of any conviction or adjudication, other than acquittal, for child abuse, molestation or negligence involving a child;
8. Requirement to register as a violent or sexual offender,
9. Record of felony conviction for assault or any violent act against another person in the last 10 years.

F. Student Status

If the property has been financed with Housing Tax Credits (HTC) or a tax-exempt bond, the household may not be comprised entirely of full-time students. For the purposes of this section a student is any person who has been a student for five months or more out of the current or upcoming calendar year—months need NOT be consecutive—including those attending public or private elementary, middle, junior high, senior high schools or university, technical, trade or mechanical schools). The prohibition on households entirely made up of students is subject to the following exceptions:

1. Students are married and entitled to file a joint tax return;
2. Student is a single parent with child(ren) and the parent is not a dependent of a third party and the child(ren) are not dependents of a third party other than a parent;
3. Student is receiving Temporary Assistance to Needy Families (TANF);
4. Student participates in a program receiving assistance under the Workforce Investment Act or a similar federal, state or local program;
5. Student has been under the care and placement of a state agency administering foster care.

G. False Information:

Incomplete, inaccurate or falsified information provided by the applicant in order to avoid negative information from being discovered is cause for denial. If a lease has been entered into and such information is later discovered, the lease may be voided and legal action will be taken to evict the resident.

III. Selection of Residents

1. Applications will be considered on a first come/first served basis according to date of application.
2. Applicants must satisfy all eligibility requirements for all programs applicable to the unit they will move into.
3. Accessible units will be matched with applicant's needs as stated on the application or during the interview process.
4. All applications will be reviewed and either approved or denied by MHA staff.
5. MHA will promptly contact successful applicants in order to complete the leasing process.

IV. Denial Procedures

MHA Management will reject an applicant if the applicant fails to meet the Eligibility standards as set forth above. If an applicant is denied admission to the property, they will receive a written notice which will include the reason(s) for denial and the date of the denial decision. Applicants may be denied and removed from the waiting list for any of the following reasons:

- The applicant fails to meet the eligibility standards (Income/credit/landlord history/criminal history);
- The applicant fails to respond to written notice for a Full Application Interview (FAI).
- The applicant is offered and rejects two (2) units in a property;
- The applicant fails to provide SSN's and ID for all household members or provides false information;
- Mail sent to the applicant's address is returned as undeliverable; or
- No appropriately sized unit exists in the property.

V. Leasing And Occupancy

A. Rental Agreements. Each rental agreement or Lease will specify:

1. The unit to be occupied
2. The date of occupancy (Move-In Date)
3. The term of the lease (6 mos. -12 mos. Initial lease period ONLY as required by funding sources).

B. Occupancy Standards.

Occupancy standards are established to ensure that an apartment has sufficient space to accommodate the household while preventing overcrowding and damage to the units. The occupancy guidelines for all MHA Affordable property units is two (2) persons per bedroom plus one (1) other person. Occupancy standards are subject to review and change based on unit and/or room size, household composition and changes in law. Occupancy at the properties will be limited as follows:

Studio	1+1	2 occupants
1 Bedroom	2+1	3 occupants
2 Bedroom	4+1	5 occupants
3 Bedroom	6+1	7 occupants

C. Offering a Unit.

When a unit becomes available and eligibility of an applicant has been approved, the available unit can be offered by phone, e-mail or first-class mail. Units are rented to the first fully approved applicant who accepts the unit offer. If an applicant does not accept a unit, the applicant will be mailed a letter offering them the opportunity to be placed back on the bottom of the waitlist, or to remove themselves from the waitlist(s) entirely.

VI. Unit Transfer Procedure

A. Current tenants **requiring** a unit transfer for the following reasons will be given preference over applicants and those on the waiting list:

- A unit transfer due to physical hazard (unit damaged by fire, flood or other causes to such a degree that the unit is not habitable—provided the damage was NOT the result of an intentional or careless or negligent act on the part of the resident or a member of the resident’s household).
- A unit transfer for a medical reason certified by a doctor or the need for an accessible unit.
- When occupying a unit with handicap/disability accessible features, but not needing the features and a qualified applicant needing the features of the unit is waiting to move into the unit.
- A Violence Against Women’s Act (VAWA) claim has been made and verified and the victim is requesting a unit transfer for safety reasons.
- A required unit transfer due to family size or changes in family composition. When an owner determines that a transfer is required the tenant may remain in their current unit but must move within 30 days after notification that a unit of the required size is available within the property.

B. Current tenants requesting a unit transfer for any other reason will be added to the waiting list of applicants provided:

- There is no record of consistent late or unpaid rental obligations;
- There is no history of disrupting their neighbor's peaceful enjoyment of the property;
- An inspection of the tenant's current unit must indicate there is no damage to the property or poor housekeeping habits resulting in health or safety hazards;
- They have paid a \$150 transfer fee; and
- They have not transferred more than twice during their tenancy for non-medical reasons.

C. Transfers will be prioritized by:

- a. A unit transfer due to physical hazard (unit damaged by fire, flood or other causes to such a degree that the unit is not habitable—provided the damage was NOT the result of an intentional or careless or negligent act on the part of the resident or a member of the resident's household).
- b. Households needing a unit with special features and such a unit is available (not occupied by a tenant needing those features).
- c. Households who have made a Violence Against Women's Act (VAWA) claim has been made and verified and the victim is requesting a unit transfer for safety reasons.
- d. Households requesting a transfer for a Reasonable Accommodation/Modification. Households requesting a unit transfer for a verifiable medical need (e.g. ground floor unit).
- e. Households who are over-occupying a unit (the unit size is too small for the family) AFTER MOVE-IN.
- f. Households who have asked for a voluntary transfer for other reasons (voluntary transfer).

D. General Transfer Rules.

1. The resident, not the property, is responsible for all costs of moving from one unit to another for all types of transfers.
2. Depending on the property a full requalification may be required for the unit being transferred to.