



TENANT SELECTION PLAN

WESTERLY APARTMENTS
Lakewood Senior Citizens, Inc.
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PREFACE

Lakewood Senior Citizens, Inc. is an Ohio corporation. It has developed and owns Westerly I, II & III. The three projects consist of 496 units and a senior center. The purpose is to provide housing for low and moderate income, elderly individuals and elderly families through the Department of Housing and Urban Development's section 202 and section 236 loan programs with Loan Management Set Aside subsidy on a limited basis.

The following Tenant Selection Plan was created in accordance with the United States Department of Housing and Urban Development regulations and guidelines.

The document may be amended at any time without prior notice in order to comply with any alterations in those regulations.

STATEMENT OF PURPOSE

Westerly Apartments is a housing facility designed to provide housing for low-income elderly persons and elderly families who are able to maintain a living status with the provision of supportive living services through private arrangements. It is not a facility providing any type of care requiring licensure under the Residential Care Facilities for the Elderly Act. Therefore, Westerly Apartments does not provide, nor has the authority to provide, any care or supervision services, nor to promise or make available in the future any assistance with personal activities of daily living. This means that if you need the type of care that Westerly Apartments does not provide, you must make arrangements for that type of care on your own. The Westerly Apartments, through grants from the Department of HUD, does employ Service Coordinators to assist residents in accessing services and resources they need to maintain independence, self-sufficiency and quality of life.

A person, in order to be a resident at Westerly Apartments, must also be capable of fulfilling the lease requirements. This means that you must be able to meet all of your personal needs and that you can fulfill your lease obligations with or without assistance.

RESIDENT SELECTION & SCREENING CRITERIA

All potentially eligible, qualified applicants will be considered in accordance with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities; and, the HUD-Approved Affirmative Fair Housing & Marketing Plan after complying with all admissions requirements in HUD Handbook 4350.3 (including all Changes) and the applicable HUD published Income Limits for the area.

This is an equal opportunity housing facility designed to provide housing to eligible elderly individuals and families. The three combined projects have a total of 111 Loan Management Set Aside units (reduced rent Section 8). The remainder of the units in the "202" facility are at Market Rate. The non-subsidized units in the "236" facility have rents based on income; there is a basic rent and market rent (minimum and maximum rent amounts). Westerly Apartments will make "reasonable accommodations" to individuals whose disabilities so require and who are otherwise eligible.

Residency is open to all qualified, eligible persons without regard to race, color, creed, national origin, handicap status, religion, familial status or sex. Westerly Apartments was not built with any architecturally "altered" units; therefore, it is an elderly building with no set aside units for younger disabled persons.

INCOME TARGETING

The Department of Housing and Urban Development (HUD) has established Income Targeting requirements. These requirements apply to HUD projects receiving Section 8 funding through the Housing Assistance Payments Contract.

The Income Targeting requirements stipulate that 40% of the subsidies in each building that become available each year must be rented to the Extremely Low-Income (ELI) households earning 30% or less of the median income. Once the requirement is met in chronological order, management is permitted to offer housing to the other applicants on the Waiting List. If management is unable to fill units with families meeting the Extremely Low-Income requirement, management is permitted to rent to other eligible families. Current residents will be considered for available subsidy prior to going to the waiting list.

STUDENT ELIGIBILITY FOR SECTION 8

On December 30, 2005, HUD published a final rule implementing a new law that restricts individuals who are (1) enrolled at an institution of higher education (i.e., students), under the age of 24, not a veteran, unmarried, and do not have a dependent child, and (2) seeking assistance under section 8 of the United States Housing Act of 1937 (section 8 assistance) in their individual capacity (that is, separately from their parents) from receiving section 8 assistance if neither the student nor the student's parents are income eligible.

ADMISSIONS

Applications will be considered on a first received basis based on the date and time that the completed, and signed, application is received by the management office of Westerly Apartments.

Units will first be assigned to in-place residents who have a demonstrated need for a change in housing before offering units to an applicant on the Waiting List. This will be done in chronological order based on the date and time of the notification of the site management of the new "need".

In any instance, where an existing unit has been altered, in any way, to "reasonably accommodate" a mobility impaired person such unit will be rented to a person or family in need of that type of unit. Outreach will be done to community agencies and organization to accomplish this. If no such person is in need of that type unit a non-mobility impaired person can be housed there temporarily only after signing a statement that will become a lease amendment stating that they will move, within 30 days, at their own expense, when they are notified in writing that a non-mobility impaired unit is available.

DECLARATION OF CITIZENSHIP

Section 214 of the Housing and Community Development Act of 1980, as amended prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible non-citizens.

Anyone receiving assistance is required to declare U.S. citizenship or submit evidence of eligible immigration status for each family member living in the household. Management will provide "Declaration" forms for the household members to complete. Failure to complete the required forms or providing false information may result in the rejection of the application or termination of HUD Section 8 subsidy.

To reside at the Westerly Apartments the head of household must be 62 years of age, or older.

PROCEDURES FOR APPLYING FOR HOUSING

All persons interested in applying for housing at Westerly Apartments must comply with the following requirements to be considered for housing:

- Complete an application, sign and return it to the site.
- Applicant must list all family members who will reside in the unit*
- Applicant must disclose social security numbers for all family members at least 6 years of age or older and provide proof of the numbers reported.
- Applicant must agree to background screening regarding criminal convictions. Screening will be conducted for all counties/states where the applicant has resided.

All of this information will be verified in accordance with HUD Regulations and Requirements, as stated in the HUD Handbook 4350.3. Applicants will be required to sign appropriate forms authorizing management to verify any, and all, factors, which affect the applicant's eligibility, the rent that the applicant will pay or the subsidy that they might receive. All of this information may be released, by HUD, to other federal, state and local agencies.

* Family is defined as – "two or more persons, sharing residency whose income and assets are available to the household, and who are related by blood, marriage, or act of law, or who give evidences of a stable relationship that has existed over a period of time." In this case, "evidence" is construed as: shared credit history, co-signing of rental agreements or leases, or other third party proof.

** Live-in Care Attendant is a person who resides with an elderly or handicapped person and who:

- is determined essential to the care and well-being of the person; this determination is made by a physician and verified by Westerly Apartments;
- is not obligated for the support of the person;
- would not be living in the unit except to provide the necessary supportive services.

A relative may be a live-in aide but must meet all of the above requirements, and sign a statement to that effect.

A live-in aide qualifies for occupancy only as long as the resident needs the support services. The aide does not qualify for continued occupancy as a remaining family member.

SCREENING / REJECTION CRITERIA

An application may be rejected for any one of the following reasons:

- the applicant/family is not “elderly”
- your household income, using HUD definition of income is over the applicable income limits published by HUD (Section 8 and section 236 programs only)
- applicants with current and/or prior criminal convictions will be rejected.
- verified poor or unsatisfactory housekeeping habits.
- submission of false information on your application, or failure to cooperate in the verification process.
- negative reference from current or previous landlord, including but not limited to late rent, NSF checks, lease violations.
- your household size is not appropriate for the unit.
- failure to sign designated or required form and/or documents upon request.
- you cannot pay the appropriate security deposit at lease signing.
- you have been evicted from other housing.

- you have repeatedly (at least twice) been offered a unit, and for other than a verified medical reason, you have refused to take the unit offered.
- this will not be your primary residence.
- you are not a citizen, national or eligible non-citizen.
- by HUD's formula, you cannot show a need for the subsidy assistance (where applicable).

REJECTION PROCEDURES

When an applicant is rejected by management, the applicant will be notified of this decision in writing. This written statement, which will be sent in a timely fashion, will include the reason(s) for the rejection, and state that the applicant has the opportunity to request a meeting with management to discuss the rejection. The applicant will be further instructed to request the meeting in writing within 14 days of the receipt of the rejection letter.

If the applicant wants to request a meeting, the applicant's written request must be sent to Westerly Apartments within 14 days of the applicant's receipt of the rejection notice. The requested meeting will be held by management within a reasonable period of time (usually within a week), and is to be held by a "disinterested" third party (someone who was not a party to the decision to reject).

After the meeting, the applicant must be notified, in writing, within 5 calendar days whether or not the original decision has been changed.

WAITING LIST

Any applicant, who appears to qualify after Westerly Apartments reviews the application, but before any information is formally verified, and for whom a unit is not currently available, will be placed on the waiting list. Any applicant on the waiting list is required to contact Westerly Apartments to update their information should any of it change. This contact must be done in writing, not over the telephone.

Contact may be initiated by management in the form of a routine letter/postcard, sent to all applicants on the waiting list, requesting update information, asking if they wish to remain on the waiting list and stating that if the letter is not responded to within 30 days, their name will be removed from the waiting list without further notice.

However, management will make one (1) more attempt to contact by telephone or by mail, before permanently removing them from the waiting list.

The waiting list may be closed to any further applicants when the average wait for a unit exceeds one (1) year. This wait is calculated by taking the average number of apartments that turnover monthly X 12 months = annual apartment turnover.

When the number of names on the waiting list for any particular size exceeds the annual apartment turn-over for that size unit, the waiting list may be closed.

If an applicant on the waiting list is offered an apartment and refuses the offered apartment, he or she may remain on the waiting list. A second refusal will result in removal from the waiting list. The applicant may reapply in the future, at a time that applications are being taken.

When a unit becomes available, in-place residents requiring a different unit will be housed appropriately before we move in an applicant on the waiting list. This allows management to accommodate current residents having the greatest housing need prior to applicants on the waiting list. In this manner, we are able to avoid displacing, through any action, current residents whose housing needs have changed since admission.

OPENING AND CLOSING THE WAITING LIST

Closing the Waiting List

If the waiting list becomes excessive (one year or more) the list may be closed. In that case, additional applications will not be accepted. This may apply to all types of units or particular types of units. If this should occur a notice will appear in the Cleveland Plain Dealer stating the reason management cannot accept applications.

Opening the Waiting List

When applications can once again be accepted, a notice will appear in the Cleveland Plain Dealer. Such notice will include the rules for applying, the order in which applications will be processed, where and when to apply. The notice will conform to the Affirmative Fair Housing Marketing Plan.

UNIT SIZE STANDARDS AND GUIDELINES

- Two persons should occupy a bedroom
- Unrelated adults and persons of the opposite sex (except spouses) MAY occupy separate bedroom.
- Children should not share a bedroom with the grandparents (plural), a child may share a bedroom with a grandparent (singular), this is a family decision.

- When assigning bedrooms:

Every family member listed on the application or HUD paperwork is counted.

Live-in attendants and foster children are counted when determining bedroom size.

- A larger unit than needed may be assigned to an eligible family if:

the family can certify with third party verification that there is a medical reason for the larger unit. This certification must include a specific diagnosis and Explanation as to how the condition will improve by assignment of a different apartment.

We will accommodate the changing needs of the in-house residents due to increases in the number of family members or changes in the family composition, prior to going to the wait list.

TRANSFER POLICY

Management will allow in-house transfers after the resident has been residing at the Westerly for at least one year. Only one internal move will be allowed throughout the residency. The resident will be placed on a waiting list if no appropriate apartment is readily available.