



## **EBALDC Prosperity Place Below Market Rate Affordable Housing Lease-Up List Section 8 Project-Based Waitlist Eligibility Restrictions and Tenant Selection Criteria**

East Bay Asian Local Development Corporation (EBALDC) is a nonprofit community development organization building healthy, vibrant and safe neighborhoods in Oakland and the greater East Bay. We develop and manage high quality affordable apartments and homes, retail spaces for local small businesses and community centers, while fostering increased economic opportunities for low-income families and individuals. These comprehensive programs help families and individuals begin a path toward financial security and access the resources they need to lead healthy, stable and fulfilling lives.

All units are subject to rent and income restrictions and program regulations set forth by the California Tax Credit Allocation Committee, other governmental authorities, as well as other applicable funder requirements.

### **BELOW MARKET RATE AFFORDABLE HOUSING LEASE-UP LIST**

Prosperity Place will maintain a Lease-Up List of interested pre-applicants specifically for non-PBS8 (Project-Based Section 8) units. Original non-PBS8 units will be filled from the Lease-Up List. Multiple pre-applicant households will be contacted to begin the eligibility process based on their assigned random number placement and any applicable priorities or preferences for the unit. All adult household members (persons 18+ years or emancipated minors) must attend an interview with management to sign required forms and submit documentation. The filling of a unit is on a First-Qualified/First-Served basis.

It is the applicant's responsibility to contact EBALDC in writing with any pre-application information changes (for example, if the household composition or income changes or any changes of contact information).

Future vacancies will be filled by pre-applicants drawn from the EBALDC Marketing List. EBALDC opens its Affordable Housing Marketing List after a period of no less than one (1) calendar year and no more than two (2) calendar years, filling it with a new list of pre-applicants at each opening. Households must submit a pre-application before the deadline of the advertised open period which is reviewed for qualification. At the close of the open Marketing List period, qualified pre-applications are assigned a computer generated, random number to determine the order of applicants on the Marketing List.

### **ELIGIBILITY RESTRICTIONS**

In order to be eligible for a non-PBS8 housing unit, pre-applicants must follow the pre-application process, as well as qualify under management criteria, and regulatory agencies' requirements ("program requirements"). Management applies the same screening criteria to all pre-applicants. Eligibility qualifications include the following:

1. The household income must not exceed the applicable Area Median Income (AMI), depending on the income restriction for the unit.
2. Household must be appropriately sized for the unit per EBALDC policy or per the most restrictive funder's policy. No more than three (3) persons will be permitted to reside in a 1-bedroom unit;





no less than two (2) persons and no more than five (5) persons will be permitted to reside in a 2-bedroom unit; and no less than three (3) persons and no more than seven (7) persons will be permitted to reside in a 3-bedroom unit.

3. Household must meet program specific requirements (such as HOPWA).

All information reported by the household is subject to verification. All pre-applicant files will be reviewed for compliance with tax credit and other applicable regulations, in addition to receiving agency approval per regulatory agreement requirements as necessary, before a unit is offered or a lease is signed.

**WARNING:** The falsification of information during the pre-application or application process is grounds for denying the application or terminating tenancy.

### **SECTION 8 PROJECT-BASED WAITLIST**

Prosperity Place will maintain a Waitlist of interested pre-applicants for Prosperity Place's PBS8 (Project-Based Section 8) units. At lease-up, all PBS8 units are filled from this site-based Waitlist. Future vacancies for units are also filled by pre-applicants drawn from this Waitlist.

Multiple pre-applicant households will be contacted to begin the eligibility process based on their assigned random number placement and applicable priorities or preferences for the unit. All adult household members (persons 18+ years or emancipated minors) must attend an interview with management to sign required forms and submit documentation. Upon initiation of the interview and screening process, applicants will be offered units on a First-Qualified/First-Served basis.

It is the applicant's responsibility to contact EBALDC in writing with any pre-application information changes (for example, if the household composition or income changes or any changes of contact information).

The Waitlist will be updated at least annually via mailing of an interest letter to pre-applicant's last known mailing address. If pre-applicant fails to respond within 14 days from the mailing date of the letter, or if the letter is returned by the Post Office as undeliverable, then the applicant will be removed from the Waitlist.

### **ELIGIBILITY RESTRICTIONS**

In order to be eligible for a PBS8 housing unit, pre-applicants must follow the pre-application process, as well as qualify under management criteria, Oakland Housing Authority (OHA) screening criteria and applicable regulatory agencies' requirements ("program requirements"). Management applies the same screening criteria to all pre-applicants. Eligibility qualifications include the following:

1. The household income must not exceed the applicable Area Median Income (AMI), depending on the income restriction for the unit.
2. Household must be appropriately sized for the unit per EBALDC policy or per OHA and the most restrictive funder's policy. No more than three (3) persons will be permitted to reside in a 1-bedroom unit; no less than two (2) persons and no more than five (5) persons will be permitted to reside in a 2-bedroom unit; and no less than four (4) persons and no more than seven (7)



persons will be permitted to reside in a 3-bedroom unit.

3. Preference will be given to households cumulatively (Those households with both a Veteran's and Resident/Worker Preference will be processed before households that have a single preference.) based on the following:
  - a. Veteran's Preference: Preference is given to military veterans, defined as a person who served in the active military naval, or air service, and who was discharged or released from such service under conditions "other than dishonorable." Preference is also given to "Active Duty" military personnel.
  - b. Oakland Resident and Worker Preferences: (1) Households who are current residents of the City of Oakland, and (2) Households with at least one member who is currently an Oakland worker. For purposes of this section, "Oakland worker" shall include persons who are employed in the City of Oakland or have been notified that they are hired to work in the City of Oakland.
4. Household must meet program specific requirements (such as HOPWA).

All information reported by the household is subject to verification. All pre-applicant files will be reviewed for compliance with tax credit and other applicable regulations, in addition to receiving agency approval per regulatory agreement requirements as necessary, before a unit is offered or a lease is signed.

**WARNING:** The falsification of information during the pre-application or application process is grounds for denying the application or terminating tenancy.

### **INTERVIEW AND TENANT SELECTION CRITERIA**

When the pre-applicant's name reaches the top of the List, the pre-applicant will be contacted to schedule an interview. At the time of the interview, all adult members of the household must be in attendance. Each adult will be asked to bring their prior three months' of pay stubs, if employed, and information on where to verify income sources, assets, and previous rental history. Other documents or identification to determine household composition, income, and assets may be requested. During the interview, staff will clarify any information provided by the applicant household and answer questions regarding admission procedures. At the interview the following items will be completed by or obtained from the household:

1. A full application to rent and the Summary of Household stating student status for each household member.
2. A Tenant Income Certification Questionnaire form completed by each adult.
3. Applicant shall execute any releases and consents authorizing any private sources of income, or any federal, state, or local agency, to furnish or release to management such information as management and the applicable program regulations determine to be necessary.
4. All income will be verified in writing from the income source on appropriate income verification



forms. For recipients of Social Security income or public assistance, current Notice of Action letters or Statement of Benefits will be accepted.

5. A Child/Spousal Support affidavit completed by each adult household member.
6. All assets, including bank accounts, will be verified in writing from the financial institution. The household may sign an affidavit verifying its combined assets total less than \$5,000 in lieu of this requirement when permitted by specific programs.
7. Both the current and previous landlords for the past three (3) years will be contacted by mail or fax for information concerning the history of complying with lease requirements, payment records, damage or destruction of property, interference with the rights of others, or failure to maintain the unit in a healthy, safe and sanitary condition. Additionally, EBALDC will verify past tenant history of the applicant household within its own portfolio. Absence of prior rental history will not automatically disqualify an otherwise eligible applicant; however, we may request alternative means of verifying prior residence or lack of residence, as well as request provision of personal references.
8. A credit report indicating financial responsibilities, a comprehensive unlawful detainer report and a criminal record search will be obtained for each adult applicant. All adult applicants must pay a background check fee when they attend the initial interview. (This fee may be waived to comply with other program regulatory agreements.)
9. Some units may require additional verification with other agencies. Applicants for PBS8 units will complete all documents for screening for eligibility by OHA. OHA requires Social Security cards and current photo government-issued ID, such as Driver's License for all adult household members and Social Security cards and birth certificates for all minors of the household. Please note that name on Social Security card and ID must match exactly.

Submission of an application and attendance at an interview does not indicate the offer of a unit or acceptance for housing. Formal determination of eligibility will be made when an appropriate unit is available and all information is verified.

### **REJECTION AND APPEAL PROCESS**

As an EveryOne Home partner, EBALDC will evaluate the individual circumstances of each applicant, will consider alternative forms of verification and additional information submitted and will provide reasonable accommodations when requested, if verified and necessary. The pre-applicant will be notified to submit a Request for Reasonable Accommodation if they believe they may not meet the selection standards and the reason relates to a disability. A Request for Consideration form may be submitted if there are circumstances that no longer apply to a household member that the Agent will review and consider during the application process.

Applications **will be** denied for any of the following:

1. Conviction of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing;





2. Felony convictions within the last seven (7) years for violent or drug-related criminal activity , or other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the property by other residents or community.
3. If any household member is currently engaged in illegal use of a drug or EBALDC has reasonable cause to believe that a household member's illegal drug use, alcohol use or pattern of drug or alcohol abuse may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
4. Eviction from federally-assisted housing in the past 7 years for drug-related criminal activity;
5. Eligibility income that exceeds the maximum allowed by program regulations.
6. Income to rent ratio of no more than 42% is required to rent the unit.\*  
*\*Requirement does not apply if household receives Section 8 or similar assistance. This requirement may be waived on a case-by-case basis, such as with evidence of recent history of paying same or higher rent with same income.*
7. Family composition that does not meet the established occupancy standards.
8. The household does not meet program specific requirements (such as full-time student eligibility).
9. Applicant fails to provide information necessary to establish eligibility.
10. Submission of more than one application per household.

Applications **may be** denied for any of the following:

1. Failure to present all adult members of the applicant's household at the full household interview (or some other time acceptable to Management).
2. Blatant disrespectful, disruptive or antisocial behavior toward the management staff, the Development, or other applicants/residents exhibited by an applicant or family member any time prior to move-in (or a demonstrable history of such behavior).
3. A negative unlawful detainer report indicating failure to meet financial obligations in past tenant history or recent eviction within the past five (5) years.
4. A negative landlord recommendation, encompassing failure to comply with the lease, poor payment history, failure to maintain the unit in a healthy, safe and sanitary condition, crimes of violence to persons, destruction or theft of property, sales of narcotics, eviction for cause or other criminal acts which would adversely affect the health, safety, or welfare of other tenants.
5. Negative landlord history from within the EBALDC portfolio, encompassing failure to comply with the lease, poor payment history, failure to maintain the unit in a healthy, safe and sanitary



condition, crimes of violence to persons, destruction or theft of property, sales of narcotics, eviction for cause or other criminal acts which would adversely affect the health, safety, or welfare of other tenants.

- 6. Falsification of any information on the application.
- 7. History of engaging in violent or drug-related criminal activity, or other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or community.
- 8. Other good cause.

Reasons for removal from the ongoing Marketing List (for future vacancies of non-PBS8 units) are associated with varying periods of removal from the Marketing List (See 2016 Marketing List Removal Addendum for a detailed list of removal reasons and their associated removal periods). Applicant removals are tracked on the Lists and written notice will be sent advising applicants of their final eligibility status. All applicants will be advised that they may appeal the decision on their application and be given a deadline in which to do so. The notice will include their right to request reasonable accommodation for a disability.

Applications denied due to information obtained from the credit/background check will be notified per the requirements of the Fair Credit Reporting Act.

If an application is denied, then a denial letter specifying the reason(s) for the denial will be mailed to the applicant. The applicant has 14 calendar days from the date of the letter to submit an appeal to EBALDC. Any requests for a review of the decision must be written and must be accompanied by supporting documentation and/or information not previously submitted and which refutes the stated reason(s) for the denial. If the applicant is not satisfied with the response to their appeal letter, the applicant may request further review from within the organization. If the applicant does not respond or provide new evidence within 14 calendar days, the file will be permanently closed.

**MAXIMUM ANNUAL HOUSEHOLD INCOME LEVELS**

Your annual household income must be below the appropriate income limit for the unit you are applying for, according to household size and the designated restriction for the unit. Prosperity Place has several different unit types and applicable Area Median Income (AMI) units. These income limits are adjusted annually.

Income Limits as of 3-28-16								
Program Limits	Number of People in Household							
	1	2	3	4	5	6	7	8
30% AMI	\$20,490	\$23,400	\$26,340	\$29,250	\$31,590	\$33,930	\$36,270	\$38,610
35% AMI	\$23,905	\$27,300	\$30,730	\$34,125	\$36,855	\$39,585	\$42,315	\$45,045
40% AMI	\$27,320	\$31,200	\$35,120	\$39,000	\$42,120	\$45,240	\$48,360	\$51,480
50% AMI	\$34,150	\$39,000	\$43,900	\$48,750	\$52,650	\$56,550	\$60,450	\$64,350
60% AMI	\$40,980	\$46,800	\$52,680	\$58,500	\$63,480	\$67,860	\$72,540	\$77,220





### **REASONABLE ACCOMMODATION**

All applicants have the right to request reasonable accommodation, and reasonable accommodation for persons with disabilities will be provided at all stages of the application, interview, selection, and residency process. The same screening criteria applies to everyone; however, EBALDC is obligated to offer qualified applicants with disabilities additional consideration if it will enable an otherwise eligible applicant with a disability an equal opportunity and access to the housing program.

Reasonable accommodations and/or modifications will be offered when feasible to all disabled persons who request accommodations and/or modifications due to verified disability and verified need for the requested accommodation/modification, at any time during the application, resident selection and lease process. Requests will be reviewed in accordance with state and federal laws.

### **ACCESSIBILITY**

EBALDC will make reasonable accommodations/modifications in policies, procedures, services and facilities, if necessary, to afford a person with disabilities equal opportunity to use and enjoy a dwelling unit or the common area and facilities of the property. All applicants will receive Notice of Right to Request Reasonable Accommodations and/or Modifications. Reasonable accommodations and/or modifications will be offered when feasible to all persons with disabilities who request accommodations and/or modifications due to verified disability and verified need for the requested accommodation/modification (unless the disability and/or need are readily apparent), at any time during the application, resident selection and lease process. Requests will be reviewed in accordance with state and federal laws.

People with disabilities requiring accessible features will receive priority for accessible units. Wherever possible, Agent will offer an accessible unit to an eligible individual whose disability requires the accessibility features of the particular unit; when offering an accessible rental unit to applicants without disabilities; such applicants will be required to agree to move to a non-accessible unit when one becomes available or when the accessible unit is needed by a disabled household.

### **PRIVACY POLICY**

It is the policy of EBALDC to guard the privacy of applicants and to ensure the protection of such applicants' records maintained by EBALDC. Therefore, neither EBALDC, 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 gives written consent to such disclosure. Any information obtained regarding a disability or disability status will be treated in a confidential manner. This Privacy Policy in no way limits EBALDC's ability to collect such information as it may need to determine eligibility, compute rent, determine suitability for tenancy or respond to requests for reasonable accommodations and/or modifications.

### **FAIR HOUSING**

EBALDC is an equal opportunity housing provider. EBALDC will not discriminate against prospective residents on the basis of the fact or perception of their race, religion, creed, national origin, age, color, sex, disability, marital status, domestic partner status, familial status (presence of child under age 18 and pregnant women), ancestry, actual or perceived sexual orientation, gender, gender identity or expression, genetic information, having Acquired Immune Deficiency Syndrome (AIDS) or AIDS related complex (ARC), HIV, medical condition, height, weight, source of income, experience of homelessness,





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status of domestic violence, any arbitrary basis, or any other status protected by federal, state or local law.

EBALDC will not discriminate against prospective residents on the basis of their receipt of, or eligibility for, housing assistance under any federal, state or local housing assistance program. While EBALDC will not discriminate against those using Section 8 certificates or vouchers or other rental assistance, applicants with such rental assistance must meet all eligibility requirements.

