



## **PURPOSE OF THE RESIDENT SELECTION CRITERIA**

The Resident Selection Criteria helps ensure that residents are selected for occupancy in accordance with various affordable programs and established management policies.

### **VIII. QUALIFICATION PROCESS**

The Agent will evaluate the individual circumstances of each applicant, will consider alternative forms of verification and additional information submitted by the applicant, provide reasonable accommodations when requested, if verified and necessary. Although applicants' screening history are verified and evaluated, the Agent considers circumstances that may have changed, and weighs current situations and expected future conditions in balance with past actions. Additionally, applicants will be made aware of their right to reasonable accommodation in cases where disability status is or was a contributing factor to poor rental history, credit, or other potentially disqualifying item in their history. Consideration also will be given to the presence of supportive systems and services (whether the applicant currently has support systems in place, as well as the availability of relevant supportive services on-site that might increase the likelihood of successful tenancy). Until all items are verified, eligibility cannot be determined, nor any housing offered.

### **IX. LEASING MANAGEMENT**

#### **REFERRAL UNITS:**

All referrals for occupancy to Permanent Supportive Housing (PSH) Units will be made through the Coordinated Entry System, managed by Alameda County Health's Housing and Homelessness Services (H&H) and pursuant to all Coordinated Entry Policies (the "CES Units").

For vacancies after the initial lease up, the Coordinated Entry referral source (H&H) will be notified when a unit is available as soon as the property has possession of the unit and is likely to be habitable within 30 days. The referral source will match eligible participants prioritized through CES. Applicants for CES units will be referred directly to the property by H&H and the property will conduct further application processing to confirm eligibility.

Referrals must be submitted by an agency that has a formal agreement with the Project to process qualified pre-applicants for specific programs.

#### **NON-REFERRAL UNITS:**

The Agent will maintain a Non-Referral waiting List of interested households. Future vacancies are drawn from the Waiting List.

All pre-applications submitted within the advertised application period for Non-Referral units will be assigned a reference number then randomly sorted, assigned a "lottery" number and placed on the Waiting List in the order of the "lottery" number.

After the initial opening of the Waiting List, the Waiting List will be closed to new pre-applicants. A notice will be prominently posted in the management /rental office or reception area, stating that the Waiting List is closed. The Waiting List will be opened again for specific bedroom-size when the number of pre-applicants on the Waiting List for that specific unit size is below three-times the total number of units of that size at the Project. Any re-opening of the Waiting List will comply with all marketing and leasing requirements.

When the Project's staff estimates that a unit may be available, staff will first identify whether any eligible households are in line to transfer to the unit. Such transfers will preempt use of the Waiting List. These include:

1. Emergency transfers for victims of domestic violence, dating violence, sexual assault, or stalking, in accordance with the Agent's Violence Against Women Act (VAWA) Emergency Transfer Plan.
2. Eligible transfers for Households with approved Reasonable Accommodations.
3. Eligible transfers by current residents within the Project, as outlined in the Agent's Transfer Policy. (e.g., Household size no longer meets the minimum or maximum occupancy standards as outlined in Section X below.) No preference will be given to residents wishing to be relocated to other EBALDC community.

The order in which pre-applicants are contacted and invited to screen for current or upcoming vacancies will be determined by their position on the Waiting List and any eligibility requirements specific to the vacant unit. Once the interview and screening process begins, units will be offered on a "first qualified, first served" basis. If multiple applicants are screened and found eligible at the same time, units will be offered according to their position on the Waiting List.

The Waiting List will be updated every two years by sending an interest letter to each pre-applicant's last known mailing address. Pre-applicants who fail to respond by the deadline indicated in the letter, or whose letters are returned as undeliverable by the Post Office, will be removed from the Waiting List.

Households are responsible for providing up-to-date contact information and any pertinent qualifying information in writing to the Agent and/or the Project.

## **X. ELIGIBILITY & SCREENING**

Specific qualifications for this property are included in Attachment A of this Policy. Based on the property's regulatory agreements, ineligible applicants may not be admitted into the housing program. Applicants must meet the following conditions: In order to be eligible for housing at the Project, pre-applicants must follow the pre-application process outlined above, as well as qualify under management criteria and program requirements. Management applies the same screening criteria to all pre-applicants.

Eligibility qualifications include, but are not limited to, the following:

1. For units in which applicants claimed a preference, eligibility must be verified during the screening process.
2. The household income must not exceed the applicable Area Median Income (AMI), depending on the income restriction for the unit. Annual income may be below the program limits but not so low as to make payment of basic rent obligations impractical. However, a household does not need to have income to be eligible for assisted housing programs that provide assistance to meet basic rent obligations through an assistance contract. (i.e. Section 8)
3. Project-specific requirements. Apartments designated within the community for occupancy by a special population, such as elderly or disabled, may only be occupied by those households meeting the criteria for such designations.

- All adult members of the household must provide requested documentation and sign individual verification forms authorizing Agent to verify income, assets, and other applicable eligibility factors. Households must be appropriate to the size of the unit pursuant to the subsidy program guidelines.

EBALDC's unit occupancy standards are as follows\*:

A family with a Head of Household and **no spouse/significant other**:

Unit Size	Minimum # of Persons	Maximum # of Persons
0 Bedroom	1	1
1 Bedroom	1	1
2 Bedrooms	2	3

A family with a Head of Household and **a spouse/significant other**:

BDRM Size	Minimum # of Persons	Maximum # of Persons
0 Bedroom	2	2
1 Bedroom	2	2
2 Bedrooms	3	4

When the applicant's name reaches the top of the Waiting List, the applicant will be contacted to schedule an interview. At the time of the interview, all adult members of the household must be in attendance. They will be asked to bring:

- Three full consecutive months of paystubs, if employed. Current award letter for any and all fixed income.
- Information on where to verify income sources and assets,
- Information on where to verify past three-year rental history. If homeless, information on where to verify homelessness and two non-family member personal references.
- Other documents or identification to determine household composition, income, and assets may be requested. Applicant may provide alternative documentation and/or requests for accommodation, with supporting documents, at this time.

During the interview, staff will clarify any information provided by the applicants and answer questions regarding admission procedures.

At the interview the following items must be completed and submitted by household to be considered:

1. A full Rental Application;
2. A Tenant Income Certification Questionnaire including student status questions;
3. A Child/Spousal Support Affidavit completed by each adult.
4. 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.

5. All income must be verified in writing from the income source
6. All assets, including bank accounts, will be verified in writing as appropriate for program requirements. If not required and household assets total less than \$5,000, all adult members of the household must sign affidavit(s) verifying household combined assets total less than \$5,000.
7. A review of financial obligations to determine if the applicant has outstanding balances with essential utility providers such as PG&E, water, or garbage. We do not assess credit history. If outstanding utilities are found, the applicant will be required to either pay off the balance or enter into a repayment agreement with a one-time good faith payment. A criminal record search will be obtained for each adult applicant after receiving positive landlord/credit screen. 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 such as households applying for units designated Section 8 Programs. EBALDC will only inquire about criminal backgrounds to the degree necessary to comply with Federal Law. Sex offenders for Admission to Public Housing (42 U.S.C Sec. 13663 (a)) and Ineligibility of Individuals Convicted for Manufacturing Methamphetamine on Premises of Federally Assisted Housing for Admission to Public Housing and Housing Choice Voucher Program (24 C.F. R. Sec. 982.553))

#### Determination of Eligible Citizenship

Only U.S. citizens or eligible noncitizens may receive assistance under Section 8 programs. Assistance in subsidized housing is restricted to U.S. citizens or nationals and Noncitizens who have eligible immigration status as determined by HUD. Eligibility based on non-citizen restrictions (Section 214 of the Housing & Community Development Act of 1980, as amended)

- A. All applicants for assistance must be given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application. Staff must arrange to provide the notice in a language that is understood by the individual if the person is not proficient in English.
- B. All household members, regardless of age, must declare their citizenship or immigration status.
- C. Non-citizens (except those age 62 and older) must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Non-citizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. U.S. citizens must sign a declaration of citizenship.
- D. Applicants who hold a noncitizen student visa are ineligible for assistance, as are any noncitizen household members living with the student.
- E. Staff generally considers citizenship/immigration status once for each household, but this must be done more frequently if immigration status or household composition is likely to change (e.g., when a household member applies for a change in immigration status).

#### I. **HOLDING AGREEMENT**

Once the Agent has determined that the applicant is qualified to rent the unit under all the criteria for assessing applicants except criminal, Agent will request from applicant to sign a holding agreement to reserve the unit and place a deposit fee equal to first month rent. EBALDC also accepts third party promissory notes to reserve units.

## II. REJECTION AND APPEAL PROCESS

### Applicants will be rejected for any of the following:

- A. Conviction for the production or manufacture of **methamphetamine** on the premises of federally assisted housing (**as applicable to City of Oakland and Richmond-applicable to PBV units**);
- B. A household member who is subject to a state **lifetime registration** requirement under a state lifetime sex offender registration program will not be admitted under any circumstances. The Property Manager will check the names of all adults applying for housing through the sex offender registry in each state where each adult has lived (**as applicable to City of Oakland and Richmond-applicable to PBV units**);
- C. If the Agent has reasonable cause to believe that a household member's behavior poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents, such behavior must demonstrate a pattern and be supported by documentation, such as police reports, incident reports, or other relevant records.
- D. Eligibility income **exceeds the maximum** allowed by program regulations (Maximum Income);
- E. Income to rent ratio of no more than 42% is required to rent the unit. (**Minimum income requirement does not apply if household receives subsidy 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.);
- F. Family composition does not meet the established occupancy standards;
- G. The household does not **meet unit eligibility** requirements such as special needs, MHSA, HOPWA, etc.
- H. Applicant fails to provide information necessary to establish eligibility or Property Management is unable to verify using third party sources;
- I. Submission of more than one application per household.

### Applicants may be rejected for any of the following:

- A. Failures to schedule and/or attend an agreed-upon time for an interview unless the applicant is homeless, in which case up to two interviews may be missed without penalty.
- B. Failure to **present all adult** members of the applicant's household at the full household interview (or some other time acceptable to management);
- C. Blatant disrespectful, disruptive, or anti-social behavior toward the management staff, the property, or other applicants/residents exhibited by an applicant or family member any time prior to move-in (or demonstrable history of such behavior); such disrespect must be part of a pattern and supported by documentation, such as police reports, incident reports, or other relevant records.; Providing inaccurate or misleading information on the application may affect eligibility for housing and services. If offered a unit, applicant may refuse a unit once as a grace pass and maintain their place on the waiting list. If a second unit is offered and refused, the applicant will be rejected and removed from the waitlist.
- D. A household cannot be comprised of all full-time students (Kindergarten through 12th grade and institutions of higher education) unless they meet one of the following exceptions. Note: For the LIHTC

program, a student who is a full-time student for five months of the current calendar year is considered a full-time student for the entire calendar year. The months do not need to be consecutive.

- a. A student receiving assistance under Title IV of the Social Security Act (TANF); or
- b. A student who was previously in the foster care program; or
- c. A student enrolled in a job training program receiving assistance under the Job Training Partnership Act or under other Federal, State or local laws; or
- d. The household is comprised of single parents and their children and such parents are not dependents of another individual and such children are not dependents of another individual other than a parent of such children. In the case of a single parent with children, the legislative history explains that none of the tenants (parent or children) can be a dependent of a third party;  
or
- e. The household contains a married couple entitled to file joint tax returns.

Applicant removals are tracked on the Waiting List 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 instructions and deadline to do so. The notice will include their right to request reasonable accommodation for a disability.

Applications rejected due to information obtained from the credit/background check will be notified per the requirements of the Fair Credit Reporting Act, Violence Against Women Act (VAWA), and Fair Chance Access to Affordable Housing Ordinance as set by municipalities. VAWA requires that Notice of Occupancy of Rights Under the Violence Against Women Act and Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation are provided. Fair Chance Access to Housing Ordinance requires instructions on how to file a complaint with applicable city, list of local legal services, and any information received that is the basis of the decision.

If an application is rejected by the Agent or the Project, 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 the Agent. 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 rejection. If the applicant is not satisfied with the response to their appeal letter or if the applicant has a complaint regarding fair marketing and/or alleged discriminatory practices, the applicant may request further review from the Agent's Section 504 Coordinator. If the applicant does not respond within 14 calendar days from the date of the denial letter, the file will be permanently closed.



## **PHOENIX APARTMENTS ATTACHMENT A**

### **PROJECT DESCRIPTION**

Phoenix Apartments (the “Project”) is a 101-unit apartment building, located at 811 and 821 Pine Street Oakland CA. The Project is an affordable permanent rental housing community for extremely low-income to low-income. Unless otherwise stated in the plan, the term “owner” will refer to Phoenix Pine, L.P. The term “Agent” will refer to East Bay Asian Local Development Corporation (EBALDC) and the term “Project” will refer to Phoenix Apartments.

### **REFERRAL UNITS**

Forty-nine (49) units will be restricted to serve tenants who are experiencing homelessness or chronic homelessness, as defined by the California Department of Housing and Community Development’s (CA HCD) Housing for a Healthy California program (detailed below). The same units must also meet eligibility criteria for a “Qualified Resident” as defined by the California Department of Social Services Community Care Expansion Program (detailed below). One additional unit will be set aside for households experiencing homelessness as required by the City of Oakland. The City of Oakland will also assist and restrict the 49 HCD-assisted units mentioned here, for a total of 50 units. Referrals for occupancy to those fifty (50) units will be made through the Coordinated Entry System, currently managed by Alameda County Health’s Housing and Homelessness Services (“H&H”) and pursuant to the Coordinated Entry policies adopted by the local Continuum of Care (the “CES Units”). To qualify for any of the CES units, individuals must first connect to the Coordinated Entry System (CES).

### **PUBLIC AGENCY DEFINITIONS FOR TARGET POPULATION:**

#### **City of Oakland, Housing and Community Development Department (50 units):**

“Homeless” and “Special Needs” has the meaning set forth in the City of Oakland Housing and Community Development Department.

“Homeless” means (a) individuals and families who lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resided in an emergency shelter or a place not meant for human habitation immediately before entering that institution; (b) individuals and families who will imminently lose their primary nighttime residence; (c) unaccompanied youth and families with children and youth who are defined as homeless under other federal statutes who do not otherwise qualify as homeless under this definition; or (d) individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member (as defined by the HUD HEARTH Act).

“Special Needs” means populations including the following: veterans, developmentally disabled, survivors of physical abuse, persons with chronic illness including HIV/AIDS or mental illness, displaced teenage parents (or expectant teenage parents), individuals exiting

from institutional settings, youth existing foster care, chronic substance abusers, or another specific group as approved by the City.

**California Department of Housing and Community Development, Housing for a Healthy CA Program (49 units):**

“Target Population” has the meaning set forth by the State of California Department of Housing and Community Development;

Target Population: People who are Experiencing Homelessness or chronic homelessness who are:

1. a High-cost health user upon initial eligibility;
2. a Medi-Cal beneficiary or is eligible for Medi-Cal;
3. is eligible to receive services under a program providing services promoting housing stability; and
4. likely to improve their health conditions with Supportive housing.

**California Department of Social Services, Community Care Expansion Program (49 units):**

“Qualified Resident” has the meaning set forth by the Department of Social Service, a public agency of the State of California. "Qualified Resident" shall have the meaning set forth in California Welfare and Institutions Code Section 18999.97(e)

“Qualified resident” for the purpose of this section means applicants or recipients of the Supplementary Security Income/State Supplemental Program (SSI/SSP) pursuant to Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code and Chapter 3 (commencing with Section 12000), and applicants or recipients the Cash Assistance Program for Immigrants (CAPI) pursuant to Chapter 10.3 (commencing with Section 18937), who need the care and supervision that is provided by the licensed facility that receives the grant. "Qualified resident" shall not include SSI/SSP or CAPI applicants or recipients who are receiving services through a regional center.

**NON-REFERRAL UNITS:**

The remaining fifty (50) units will be non-referral units in which applicants are not referred through CES. Applications will be selected from a waiting list that will be initially established through a lottery.

The housing listing will be published on <http://rentcafephoenix.org> and on the Eden I & R Housing database/211 referral through website: <https://achousingchoices.org/> Applications to be considered for the lottery can be completed on the EBALDC housing portal at <http://EBALDC.org>. Applicants who are unable to access and complete the application through the online portal may call our leasing office at 510-361-3327 to request a reasonable



accommodation or modification during the published period of the open waiting lottery period.

One (1) unit is restricted for staff.

**ALL UNITS:**

**Qualifying for Admission**

Based on the property’s regulatory agreements, ineligible applicants may not be admitted into the housing program. In order to be eligible, an applicant household must meet the following:

- A. The head-of-household must be 18+ years or older;
- B. The household must meet all applicable program requirements according to the unit designation;
- C. The household’s annual income must meet program income requirements, which are:

**2025 RENTS & Minimum/Maximum Income Limits for Alameda County  
Based on Household Size**

*The rents listed in the table below are net rents, calculated after deducting the applicable utility allowance published by the Oakland Housing Authority. (See attached, Utility Allowance Chart)*

Rents	0 BDRM	1 BDRM	2 BDRM
15%	\$334	\$350	\$398
30%	\$743	\$787	\$924
50%	\$1,288	\$1,371	\$1,624

Minimum Income	0 BDRM	1 BDRM	2 BDRM
15%	\$9,543	\$10,000	\$11,371
30%	\$21,229	\$22,486	\$26,400
50%	\$36,800	\$39,171	\$46,400

Maximum income	30%	50%
1 Person	\$32,700	\$54,500
2 Persons	\$37,380	\$62,300
3 Persons	\$42,050	\$70,100
4 Persons	\$46,700	\$77,850

**Income limits are subject to change**

# Utility Allowance Chart



Effective September 1, 2023

## SECTION 8 UTILITY & APPLIANCE ALLOWANCES FOR TENANT-PAID UTILITIES



### APARTMENTS

### STANDARD MONTHLY ALLOWANCES

End Use	Utility	SRO	0BR	1BR	2BR	3BR	4BR	5BR	6BR	TOTAL
Cooking	Gas	\$4	\$5	\$6	\$9	\$12	\$15	\$17	\$20	
	Electric	\$6	\$8	\$10	\$18	\$23	\$29	\$34	\$41	
Space Heating	Gas	\$30	\$40	\$48	\$53	\$57	\$61	\$65	\$69	
	Electric	\$26	\$34	\$40	\$49	\$58	\$70	\$85	\$94	
Hot Water	Gas	\$11	\$14	\$17	\$25	\$34	\$43	\$52	\$61	
	Electric	\$20	\$27	\$34	\$46	\$56	\$65	\$75	\$86	
Lighting	Electric	\$24	\$32	\$38	\$57	\$79	\$101	\$124	\$145	

OBr=74, 1BR=88, 2 BR=124