



**CUMBERLAND HOUSING
GROUP**

APPLICANT SCREENING PROCEDURES

Purpose

The Cumberland Housing Group has the right and an obligation to its current residents and to the sustainability of the Housing programs it operates to screen all applicants to its housing programs to ensure that future residents possess the ability to take care of the property, pay their rent, and not be a danger to others.

All screening standards are conducted in a non-discriminatory manner and applies equally to everyone regardless of race, color, religion, sex, national origin, familial status, disability and any other characteristic that may be protected by federal, state or local law. Individuals who pose a direct threat to the health or safety of other persons are specifically not protected under fair housing law.

Screening Applicants for Admission

An applicant, including all family members listed on the application, must meet the program eligibility requirements in accordance with the Public Housing Admissions and Continued Occupancy Policy or the Section 8 PBRA Tenant Selection Plan in order to receive housing assistance.

An applicant will undergo screening as detailed in this policy to assess the history of the applicant and other family members listed on the application, in present and prior housing and will assess the applicant's ability and willingness to comply with the essential lease requirements as summarized below:

- An applicant's past performance in meeting financial obligations, especially rent and other charges (i.e., utility bills) as required by the lease in a timely manner;
- The applicant's history of destruction of property, living or housekeeping habits at prior residences which may adversely affect the health, safety or welfare of other tenants;
- The ability to use facilities and equipment in a reasonable way;
- The ability to not create any health or safety hazards, and to report maintenance needs in a timely manner;
- Any record of disturbance of neighbors or to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
- The ability to comply with necessary and reasonable rules and program requirements of HUD and the Cumberland Housing Group; and
- The ability to communicate with staff in a civil and non-hostile manner.
- The applicant's history of not engaging in criminal activity including drug-related criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff;

Any costs incurred to complete the application screening process will be paid by the Cumberland Housing Group.

HUD Enterprise Income Verification (EIV)

Staff will conduct a search in the HUD Enterprise Income Verification (EIV) System for any debts owed to any state/federally assisted housing program. If the search reveals a debt that is owed, it must be paid and proof provided from that program that it has been paid before the applicant can be processed further.

Yardi Screening Works

Yardi supplies the housing operating software for the Cumberland Housing Group. One module within the Yardi suite is Screening Works, which is a software program which provides resident screening based upon the affordable housing requirements and meets the HUD and Fair Housing regulations. The Cumberland Housing Group subscribes to the Yardi Screening Works for use with our Tax Credit, Public Housing, Multifamily, and low-income housing programs to ensure the Cumberland Housing Group is minimizing risk and meeting compliance requirements.

The Yardi Screening Works software gathers information from the sources listed below:

- National Credit Bureau Report with Credit Risk Score
- AccuScore™ Automated Lease Decision Service Inc. with Credit Inc.
- FACT Act Fraud Alert Inc.
- Housing Debt Search Inc.
- Management / Audit Reports Inc.
- Name and Address Variations Inc.
- National Check Writing History Inc.
- Basic Public Records Verified (Bankruptcies) Inc.
- SSN Fraud Detection Inc. with Credit Inc.
- SSN Verification Inc. with Credit Inc.
- National Court Eviction Search Inc.
- National Criminal Database Search
- National Sexual Predator Search Inc.
- Statewide / Department of Corrections Inc.
- Statewide Registered Sexual Predator Search Inc.
- OFAC Global Terrorist Search / USA PATRIOT ACT Compliance Inc.
- 21 International, Fugitive and Most Wanted Search Inc. with Criminal Inc.
- Statewide or County Level Criminal Record Search

Applicant's will not be denied based solely on their credit scores as this information is used more so to evaluate payment habits and history. Other information obtained is used to determine if there is any apparent fraud or information discrepancy.

Once the Screening Works has been completed, the software assigns a score based upon the responses or information gathered and received. If the report received meets an acceptable threshold, the applicant is considered acceptable. If the search received falls below the acceptable threshold, the applicant is considered rejected. The report and recommendation are reviewed by staff for accuracy and to determine any mitigating circumstances.

Criminal Activity Reasons for Rejection

Rejection of an applicant due to criminal screening is only justified when there has been an actual conviction of a crime - not an arrest. There is one exception to the arrest rule: If the charge has not yet been adjudicated, the applicant may still be rejected, if 1) the applicant admits to committing the crime, or 2) the police or other witnesses provide reliable and legally admissible information showing that a crime was committed.

The criminally related items which are evaluated in the Yardi Screening Works report and are cause for rejection include:

Felony Convictions: Crimes for which the applicant was convicted even if while serving deferred adjudication or the case is pending involve physical violence to persons or property or adversely impacted the health, safety and welfare of other people including but not limited to:

- Violence 5 years from date of the offense including arson, explosives, vandalism, robbery, theft and other crimes causing significant property damage;
- Crime/Injury to a person 5 years from date of the offense including murder, homicide, assault and battery, domestic violence, sexual assaults and false imprisonment;
- Illegal manufacturing, distribution or possession of drugs or paraphernalia violations 5 years from date of the offense;
- Drug violations related to Manufacturing/Production of Methamphetamine - lifetime rejection; and
- Lifetime registered sex offenders - lifetime rejection.

Misdemeanor Convictions: The applicant will be rejected for the presence of the following misdemeanor related offences, even if while serving deferred adjudication or the case is pending:

- Violence 3 years from date of the offense including arson, explosives, vandalism, robbery, theft and other crimes causing significant property damage;
- Crime/Injury to a person 3 years from date of the offense including murder, homicide, assault and battery, domestic violence, sexual assaults and false imprisonment;
- Illegal manufacturing, distribution or possession of drugs or paraphernalia violations 3 years from date of the offense;
- Drug violations related to Manufacturing/Production of Methamphetamine - lifetime rejection; and
- Lifetime registered sex offenders - lifetime rejection.

Other Rejection Reasons: The applicant will be rejected for any of the following reasons:

- There is reasonable cause to believe that an applicant's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents;
- Any member of the household's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents: or
- If an applicant has a history of any other questionable activity or charges not covered above that has taken place in a period of five years preceding the date of the application, it shall be reviewed by the Chief Executive Officer who shall make the decision to accept or reject the application.

Landlord Reference

A "Verification Referral of Present/Previous Landlord" will be sent to the present and all known previous landlords. This verification form inquires as to the applicant's history of several factors related to their record of disturbance of neighbors (sufficient to warrant a police call) destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other tenants or neighbors. Applicants with a record of eviction from housing or involuntary termination from other residential programs (taking into account date is within 5 years and circumstances) will be rejected.

Home Visit

Applicants living within Allegany County, that have incomplete or questionable landlord references, may have a home visit conducted at their current residence to determine if the applicant's housekeeping would create health or sanitation problems. Staff completing the home visit will consider whether the conditions they observe are the result of the applicant's treatment of the unit or are caused by the unit's overall substandard condition. Criteria to be checked during the visit shall include, but not be limited to:

- Conditions in living room, kitchen (food preparation and clean-up), bathroom, bedrooms, entrance-ways, halls, and yard (if applicable);
- Cleanliness of each room;
- General care of appliances, fixtures, windows, doors, walls, floors, cabinets, etc.;
- Evidence of destruction of property;
- Unauthorized occupants present;
- Evidence of criminal activity; and
- Conditions inconsistent with information provided on the application.

All applicants shall have at least two days' advance notice of Home Visits. Notification of home visit will be by telephone. If applicant is unable to be reached by a telephone a letter will be sent advising applicant of the date and time of the home visit.

Mitigating Circumstances for Criminal Activity

The following mitigating factors, permitted through HUD regulations, will be considered when assessing the individual circumstances of an applicant:

- The time that has elapsed since the conviction(s);
- The age of the person at the time of the conviction(s);
- The seriousness of the crime; and
- Information regarding rehabilitation and good conduct (e.g., evidence of supervised drug, alcohol or other rehabilitation programs; history of employment and tenancy; volunteer or community activity; letters of reference from clergy, parole officers, landlords, educators, employers or others who can speak to the conduct since release or conviction.

Notice of Rejected Application

If any of the screening activities result in a disqualifying activity for one or more of the adults listed, the applicant will be rejected. Notification of the rejection will be in writing and sent by: 1) postal service to the physical address shown on the application; 2) email address provided; or 3) delivered in person. A copy must be maintained with the applicant's file. The written letter of the application rejection will inform the applicant of their right to request an individual assessment of their circumstances. Multi-Family applicants will have 15 calendar days to request the assessment. Public Housing applicants will have 10 business days to request the assessment.

Individual Assessment

Any rejection that is questioned or felt to be incorrect by the applicant, a request can be submitted for an individual assessment as outlined in the letter of rejection. If the request is received within the 15-day period for multi-family applicants, an assessment meeting will be scheduled. If the request for an assessment is not received within the 15 days, the rejection decision will be final. If the request is received within the 10-day period for public housing applicants, an assessment meeting will be scheduled. If the request for an assessment is not received within the 10 days, the rejection decision will be final.

The assessment meeting will be informal, but the applicant may bring one person with them as a representative if they choose to do so. No more than three members of the management team will represent the owner, to be selected by the owner. The purpose of the assessment meeting is to discuss the reasons for the rejection and permit the applicant to produce documentation or other evidence to dispute the basis for the rejection.

An applicant's intentional misrepresentation of information related to eligibility, preference for admission, housing history, allowances, family composition or rent would result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.

An individual assessment will not be granted for a prior conviction for the manufacture of methamphetamines in the home and a lifetime registration as a sex offender.

Applicant Interview

A detailed interview of all applicants to review the essential elements of tenancy will be conducted prior to signing the lease. Applicants must be able to demonstrate the ability and willingness to comply with the terms of the Cumberland Housing Group's lease, either alone or with assistance which they can demonstrate that will be available at the time of admission. (Applicants whose landlord, financial, criminal and other references demonstrate that they are already willing and able to comply with lease terms in their existing housing will be considered to have met this criterion, whether or not they are disabled. Applicants whose housing situations make it difficult for the Cumberland Housing Group to determine whether or not they are able and willing to comply with lease terms (e.g., because they are homeless, are living with friends or relatives, or have other non-traditional housing circumstances) will have to demonstrate ability and willingness to comply with lease terms whether or not they are disabled.) Availability of assistance is subject to verification by HACC.

Confidentiality

The Cumberland Housing Group will take all reasonable measures to enforce the Fair Credit Reporting Act Requirements, the Access Security Requirements and the Internet Delivery Security Requirements within its operations. The Cumberland Housing Group will use the information for no other purpose other than its intended use in qualifying applicants for housing. The Cumberland Housing Group will not resell the report to any third party. All reports will be stored either within the software system or in file cabinets that can be locked or locked away. Non active paper files will be stored in the file storage room with access limited to Department Directors. Once paper files have reached the required time per period for retaining, they will be shredded.