



Tenant Selection Policy

This Tenant Selection Policy governs the assignment of applicants to all apartments in properties owned and/or managed by ACCT in Addison County, VT, including:

Property	Applicable Programs, Preferences, and Restrictions
Addison Housing LP 15 Court St & 11 Seminary St, Middlebury 97-101 Main St, 10 South Water St, & 14 South Maple St, Vergennes	Subject to Tax Credit regulations.
Armory Lane Housing LP 50 Armory Ln Ext, Vergennes	Senior housing for people 55 and older. Subject to HUD (PRAC 202 units only), HOME and Tax Credit regulations.
Creekview Housing LP 20-36 Hillside Acres, Vergennes	Subject to Rural Development and Tax Credit regulations.
McKnight Lane LP 7-57 McKnight Ln, Waltham	Subject to Rural Development and Tax Credit regulations.
Middlebury South Housing LP 30 S Village Green, Middlebury	Subject to Tax Credit and HOME regulations.
Mountain View Housing LP 123 Rte 125, Hancock	Subject to HUD regulations.
North Pleasant Housing 2 LP 31, 37 N. Pleasant St. & 51, 53, 56 John Graham Ct, Middlebury	Subject to Tax Credit regulations.
Smallest City Housing LP 206 & 224 Main St, Vergennes	Subject to Rural Development, HOME and Tax Credit regulations.
Smith Housing LP 32 Seminary St & 76, 78, 88 S. Pleasant St, Middlebury	Subject to Tax Credit regulations.
Stone Hill Housing LP 428 Court St, Middlebury	Subject to Tax Credit and HOME regulations.
Vergennes Community Housing LP 45 Armory Ln, Vergennes [Anticipated July 2020]	Subject to HOME and Tax Credit regulations. Additionally, up to four units will first be targeted to families or individuals experiencing or at-risk of homelessness as defined by HUD, who must meet all program eligibility and selection requirements. Refer to MOU with John Graham Housing and Services and WomenSafe for additional eligibility and procedures.

EQUAL OPPORTUNITY & NONDISCRIMINATION POLICY STATEMENT

Addison County Community Trust (ACCT) strongly supports the goals of equal access to housing and will comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, Fair Housing Amendments Act of 1988, the Americans with Disabilities Act of 1990, and with the laws of the State of Vermont prohibiting discrimination in public accommodations, and with all related rules, regulations and requirements. Applications will be provided in alternative format upon request.

ACCT strives to develop housing for low- and very-low income households in Addison County. ACCT will not deny any family or individual the opportunity to apply for residency, nor the opportunity to lease or rent a suitable dwelling, if such unit is available, on account of age, race, color, religious creed, familial status, marital status, national origin, sex, sexual orientation, gender identity, military/veteran status, disability, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance.

If you have questions regarding your rights if you are a disabled applicant, you can contact the Vermont Human Rights Commission at 800-416-2010/802-828-2480 (voice & TTY); Vermont Legal Aid at 800-889-2047; Fair Housing Project of CVOEO at 800-287-7971/802-864-3334 or the Vermont Center For Independent Living at 800-639-1522/802-229-0501 (voice & TTY).

ACCT does not maintain a waitlist for all of its managed properties. Only those rental properties with HUD or Rural Development subsidies (or as outlined by Program Requirements) maintained by ACCT have waitlists: Mountain View Apartments (Hancock, VT), Armory Lane Senior Housing (Vergennes, VT), Creek View Housing (Vergennes, VT), Smallest City Housing (Vergennes, VT), and McKnight Lane Limited Partnership (Waltham, VT). For all other properties, ACCT will keep all accepted eligible tenant applications on file for the consideration of any future vacancies, as appropriate. ACCT reserves its right to suspend the acceptance of applications should the number of active applications on file exceed the number of vacancies projected to occur over the succeeding 12 to 18 months. Applications may be picked up from all site offices. These locations are located at: ACCT Main Office, 274 Main St in Vergennes, VT, 20 Hill Side Acres, in Vergennes VT, and 51 North Pleasant Street, in Middlebury, VT. Applications can also be accessed from the ACCT's web site, www.addisontrust.org. Additionally, applications can be mailed to you by calling ACCT's main number at (802) 877-3749 and requesting an application. You may also request an application from any of our community partners including HOPE, John Graham Shelter, Parent Child Center, Women Safe, Addison County Home Health & Hospice and CVOEO. Notwithstanding, the following provisions apply:

1. VERIFICATION OF INFORMATION & NOTIFICATION OF APPLICANT

- a. All completed applications received by ACCT will be properly logged in the order received. If the decision is made to suspend acceptance of applications, households applying for Rural Development or HUD properties will still be placed on those waitlists. All applicants will be mailed a letter confirming the receipt of their completed application and placement on requested waitlists/databases, if acceptance of applications for a selected database has been suspended the letter will include this information.
- b. Applicants whose applications are not complete will be contacted in writing with a written list of items necessary to complete the application and given a deadline date to respond to said request. If the requested information is not returned by the deadline stated, the application will be rejected, and the Applicant will be notified in writing. Only completed applications will be processed.
- c. When an applicant had been identified for a vacant unit, we will use the information contained in the application to verify the applicant's eligibility for said unit. Sources of information/verification may include, but are not limited to: credit bureaus, credit reports/credit history; previous landlords; employers; personal references; financial institutions; social workers; parole officers; criminal records; court records; drug treatment centers; clinics; physicians; police departments; the internet and social media. Providing false or misleading information on the application is grounds for denial.

2. TENANT SELECTION CRITERIA

- a. The applicant must show a satisfactory past performance in meeting financial obligations, especially payment of rent and payment of utility bills.
 - i. Monies owed to a previous landlord(s), Housing Authorities, or other applicable entity, or a poor payment history will result in an application being denied;
 - ii. Outstanding debts or a poor payment history owed to utility providers, or other entities whose function is directly related to housing habitability and eligibility, will result in an application being denied;
 - iii. If the applicant has been evicted from a rental property or real property foreclosed upon within the previous five (5) years (from date of application receipt) will result in an application being denied;
- b. The applicant must provide verifiable Landlord References (other than relatives), with five (5) years of housing history being required. The applicant may not have a record of lease violations, disturbance of neighbors, criminal activity, and destruction of property or housekeeping habits that may adversely affect the safety, health or welfare of other tenants, or which might reasonably lead management to believe there will be unusual/excessive maintenance services, cause undue financial hardships for the housing entity or in any other way would negatively affect applicant's housing eligibility.

- i. ACCT reserves the right to conduct home visits prior to approving applicants for tenancy.
 - c. Applicant/no household member shall not have a history of criminal convictions or criminal activities, including, but not limited to, violent criminal activity, illegal drug activity, sexual criminal activity, or acts of fraud offenses. In the absence of any substantial evidence of improvement/rehabilitation, applications will be denied in accordance with the following guidelines (*all time periods below are from the date of record, conviction, or release from incarceration or probation, whichever occurs latest, until the date of application receipt*):
 - i. Within the past five (5) years, any:
 - ◆ Acts of fraud;
 - ◆ Any misdemeanor criminal convictions which may be reasonably believed to adversely affect the health, safety, welfare, or right to peaceful enjoyment of other residents, employees, vendors, applicants, or agents of the Owner;
 - ii. Within the past seven (7) years, any:
 - ◆ Violent criminal activity or sexual criminal activity;
 - ◆ Drug-related criminal activity;
 - ◆ Any felony criminal acts which may be reasonably believed to adversely affect the health, safety, welfare, or right to peaceful enjoyment of other residents, employees, vendors, applicants, or agents of the Owner;
 - iii. Within applicant's lifetime, any:
 - ◆ Eviction from previous housing as a result of drug-related activity;
 - ◆ Criminal Acts in which there was (or attempted to be) death, or substantial property damage;
 - ◆ Acts requiring lifetime registration under a state/federal sex offender registration program;
 - ◆ Continuing history of abuse of drugs and/or alcohol, or continuing pattern of criminal behavior, for which it may be reasonably believed will adversely affect the health, safety, welfare, or right to peaceful enjoyment of other residents, employees, vendors, applicants, or agents of the Owner;
 - i. Applicant must not be currently engaged in illegal use and distribution of drugs or for which ACCT has reasonable cause to believe that an applicant's pattern of illegal use of a drug may interfere with the health, safety, welfare, and right to peaceful enjoyment of the property by other residents, employees, vendors, applicants or agents of the Owner.
 - d. The applicant must be 18 years of age or older and must be sufficiently/legally capable of signing the lease and abiding by its provisions.
 - e. In general, the acceptable number of people per apartment is subject to State and local municipal standards.
 - f. Applicants must have an ability to meet current and projected financial obligations. In no event shall the applicant's projected rent and utility payments exceed 50% of the

applicant's gross income. Exceptions may be made only if the applicant has demonstrated successfully paying higher rates. For HUD and Rural Development applicants, once the income limit is met, rent is determined by affording the applicant deductions allowed under the program and is based upon 30% of the resident's adjusted monthly income.

- g. Resident must meet applicable criteria established in agreements, covenants, and other promises arising from the participation of any of the following organizations or agencies: Vermont State Housing Authority, Vermont Housing and Conservation Board, U.S. Dept. of Housing and Urban Development or any other organization or agency providing funding.
- h. In addition, any other criteria may be grounds for an application denial if management determines it might be reasonably expected to affect the applicant's ability to successfully fulfill the responsibilities of the lease.
- i. Any applicant determined to have willfully made false statements on their application, or at any point during the application or screening process will be denied.
- j. The Organization may deny tenancy to an applicant household if the Organization determines that any member of the household has engaged in repeated harassing behavior or has threatened any violence toward the Organization 's agents or staff.
 - i. *Abusive or violent behavior towards Organization agents or staff* includes, but is not limited to, verbal as well as physical abuse or violence, use of racial epithets, or other harsh, threatening or discriminatory language, whether written or oral through any and all means/forms of communication, that is customarily used to intimidate may be considered abusive, threatening or violent behavior.
 - ii. *Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse, harm or commit violence.
 - iii. *Harassing behavior* refers to the act of repeatedly disturbing, alarming, or threatening someone, to the extent that such conduct either causes harm or results in the person complaining of harassment to reasonably fear that harm may be caused to them. Harassing behavior may also include the electronic dissemination to third parties of embarrassing or inaccurate information about staff/agents. It also includes using the legal system to harass the Organization's staff/agents (litigation abuse) by continuously filing retaliatory and frivolous complaints with outside, third party governmental entities whether criminal or civil in nature against the Organization and/or its staff/agents.
- k. When information is requested from applicant(s), applicant(s) must reply by the deadline stated. Failure to comply will result in denial of the application.

- I. Any applicant who is denied will have a 6-month minimum wait period before another submitted application will be accepted, regardless of any changes on newly submitted applications.

3. EVIDENCE OF IMPROVEMENT

- a. If unfavorable information about an applicant has been received, consideration shall be given to the time, nature and extent of the applicant's conduct, and to the factors which indicate a reasonable probability of better future conduct or financial responsibility, such as length of time with no unfavorable incidents or participation in social service programs or other appropriate counseling.

4. APPEAL PROCESS

- a. Addison County Community Trust will mail written notice to any denied applicant specifying the reason for denial. A denied applicant has 10 business days from the date the denial letter is sent to appeal the denial by sending a written request for an appeal to Addison County Community Trust, PO Box 156, Vergennes, VT 05491. In the appeal letter the applicant must state the reasons why the applicant contends the denial was incorrect and should have been approved. No apartment will be held during this period, but if the denial is overturned, the applicant will retain his/her place on the waiting list, if applicable.

5. OCCUPANCY STANDARDS

To determine the number of bedrooms a family may be eligible for, ACCT will:

- a. Count all full-time members of the household.
- b. Count all household members anticipated to reside in the apartment 50% or more as determined by Tax Credit, VSHA, HUD or Rural Development regulations as applicable.
- c. Count household members who are away at school but reside in the unit during school recesses, household members who are temporarily absent due to placement in foster care, or household members who are subject to joint custody agreement but who will live in the unit at least 50% of the time.
- d. Count adults who are temporarily away (for example, due to military service) but are expected to rejoin the family within six months.
- e. Count live-in attendants.
- f. For all properties located in Middlebury, there cannot be more than three unrelated persons per household;

To avoid overcrowding apartments will be leased in accordance with the occupancy guidelines set forth below, except as noted above:

Number of Bedrooms	Max Number of Occupants
1	2
2	4
3	6
4	8

6. ACCESSIBLE APARTMENTS

ACCT's intent has been to increase the number of apartments in Addison County that are accessible to persons with disabilities. To this end, every effort will be made to find eligible applicants for the accessible and adaptable apartments. If after one (1) month an applicant who requires the features of an accessible unit is not found, then the apartment may be rented to a household who does not need the accessible features. However, any residents leased up in a unit with accessible features who are not in need of those accessibility features will be given an addendum to the lease that states if another ACCT-managed non-accessible unit in the same housing entity becomes available, and there is an applicant who is in need of an accessible unit, the residents will be required to move to said available unit.

7. RENT SUBSIDIES

When considering applicants for units receiving rental assistance, whether through Rural Development or HUD, there cannot be fewer occupants than the number of bedrooms in the unit. Applications with a number of occupants fewer than that of bedrooms in an available unit will not be considered for that unit, unless there is a demonstrated or legal for the excess space, which must be approved by the subsidizing agent prior to an application approval.

HUD Subsidized Units

- a. Tenants will first be selected from any applicable VSHA wait lists, then from ACCT's waitlists/databases if the VSHA list is exhausted.
- b. Residents are obligated to report all changes in income or household composition to ACCT and the Vermont State Housing Authority (VSHA) within 14 days of the change.
- c. Rent will be adjusted within 60 days whenever the family income or household composition changes. Apartments subsidized by the Section 8 Rental Subsidy Program are subject to an annual review and verification of family income regardless of any reported changes during the intervening period and are subject to rental adjustment based on those findings.
- d. Per HUD requirements, Management uses HUD's Enterprise Income Verification (EIV) system. EIV is an internet-based computer data system containing employment, income, and subsidy information on individuals participating in HUD's rental assistance programs. In accordance with EIV security requirements, only authorized personnel

shall have access to EIV information, and then only have proper training and certification of non-disclosure.

- i. Prior to an applicant being approved for a prospective unit, management will request an Existing Tenant Search report using the EIV system. If information received from the EIV system report is inconsistent with information that has been provided, either on the application or at any point during the screening/selection process, management will contact the applicant.
- ii. If there is a discrepancy between the EIV reported information and the applicant reported income, management will use third party verification (when available) to reconcile this difference. If the discrepancy is found to be with the EIV reported information, management will use the information from the third-party verification.
- iii. If it has been found that the applicant willfully withheld or misrepresented information, the application will be denied, and HUD will be informed.

Rural Development Units

- e. All vacant units at Rural Development properties will be filled from the appropriate wait list.
- f. Residents are obligated to report all changes in income or household composition to ACCT within 14 days of the change.
- g. Rent will be adjusted within 60 days whenever the household income or composition changes. Apartments subsidized by Rural Development rental assistance are subject to an annual review and verification of family income regardless of any reported changes during the intervening period and are subject to rental adjustment based on those findings.
- h. Any applicant found to be a current resident of another Rural Development property or found to be receiving rental assistance through the Rural Development office, at the time of application receipt or anticipated lease-up date, and has not declared it, will be denied. The Rural Development offices maintain listings of all current Rural Development tenants, and do not allow for an individual to reside at multiple Rural Development properties at the same time.
- i. Any applicant found to currently owe money to the Rural Development office for unearned rental assistance received will be denied;

HOME and Tax Credit Units

- j. With regard to apartments involving HOME or Low-Income Housing Tax Credit funds, all tenant incomes and household composition shall be annually reviewed and recertified by ACCT on the anniversary of initial lease up or upon a scheduled date for recertification for the property.

General

- k. Residents will be notified in writing of any resulting rent adjustments and of the effective date.
- l. If ACCT, a Section 8 administrator, or the Rural Development office determines that the resident has misrepresented the facts upon which the rent is based, any increase in rent shall be made retroactive to the date the household's income increased.

8. UNIT TRANSFERS

At times, vacant units may be filled through an internal transfer. Transfers will only be considered at HUD or Rural Development (or as other appropriate programs may require) subsidized properties, will only occur within the property, and will only be approved for the following reasons:

- a. A TENANT UNIT TRANSFER MAY BE DEEMED APPROPRIATE FOR ONE OR MORE OF THE FOLLOWING REASONS:
 - i. The household is under-housed.
 - ii. The household is over-housed.
 - iii. The household requires a reasonable accommodation.
 - iv. The household lives in a designated project-based unit and is no longer eligible for the program.
- b. Due to the financial and administrative burden, and additional time constraints placed on ACCT, transfers will not be considered for any reasons except for those listed above. If any current resident wishes to relocate to another property or unit managed by ACCT, that resident may complete an application and apply for an available unit, as applicable. The following criteria will apply:
 - i. Resident will be subject to all standard aforementioned tenant selection criteria; and
 - ii. Resident's current housing history at an ACCT managed property will be taken into account.

9. ADDITIONS TO HOUSEHOLD

Any current residents of an ACCT managed property may add additional persons to their household with the prior approval of management (except by birth or adoption), using the following criteria:

- a. The tenant requesting the addition to their household must have completed their first 6-months of residency;
- b. The requested additional household member must submit an application, and will be subject to all standard aforementioned tenant selection criteria;
- c. Current resident's housing history at an ACCT managed property will be taken in to account;

- d. Current resident cannot have had any major lease violations within the past six (6) months prior to application having been submitted;
- e. Current resident cannot have had any minor lease violation within the past three (3) months prior to the application having been submitted; and
- f. No unauthorized persons having been found to be already residing in a current tenant's unit without ACCT's prior written permission will be approved as an addition to that household.

10. PRIVACY POLICY

ACCT will comply with the Federal Privacy Act Statement and will use the requested information to determine maximum income eligibility, recommended unit size, and/or amount of the individual rent contribution by resident(s). Information obtained will not be disclosed outside of ACCT and the property owners except as required and permitted by law. Applicants/Residents may refuse to provide this information; however, such refusal may result in the delay or rejection of eligibility approval. ACCT is authorized to request this information under the U.S. Housing Act of 1937, as amended, 42 U.S.C., 1437 et.seq., the Housing and Community Development Act of 1981, Public 97-35, 85 Stat., 348, 408. Applicants applying for federally funded programs will be required to sign a Federal Privacy Act Statement as part of the application process.

11. EVICTIONS

- a. Eviction proceedings shall be conducted in accordance with laws of the State of Vermont.