MARCELLUS FLATS — HUTCHINS BUILDING

CITY OF FRANKLIN

EQUAL HOUSING OPPORTUNITY

LUS FLATS - TENANT SELECTION POLICY

Applications and copies of this Tenant Selection Policy are available online and at the City of Franklin Office, Franklin, NE 68959. The City, as Owner/Property Manager, will accept completed applications with the time and date stamped as received. All completed applications received will be reviewed by the Owner in the order of submission regardless of delivery method.

Applicant Eligibility

1. Ineligibility of dangerous sex offenders for admission to Public Housing:
   U.S. Code: Title 42: Section 13663: Subchapter V states in part as follows:
   "Notwithstanding any other provision of law, an owner of federally assisted housing shall prohibit admission to such housing for any household that includes any individual who is subject to a lifetime registration requirement under a State Sex Offender Registration Program."
2. Applicant(s) must meet the following criteria to be determined eligible to live in the project:
   a. Meet Nebraska Department of Economic Development income-eligibility requirements, according to the definition found in 24 CFR5.609. The Owner must initially verify income, landlord references, personal information, social security number(s), and credit history, as part of the income-eligibility determination. Limits are reviewed annually by the U.S. Department of Housing and Urban Development (HUD).
   b. Must have legal capacity to enter into a lease agreement.
   c. Must have a history of compliance with past rental agreements, if applicable.
   d. Must not be engaged in or convicted of an illegal act including being a current user, manufacturer, or distributor of a controlled substance. Persons presently enrolled in, or who have successfully completed a controlled substance abuse recovery program may be considered for occupancy.
   e. Must have the ability to maintain a housing unit in a safe, sanitary, and decent condition.
   f. The applicant's tenancy must not constitute a direct threat to the health and safety of other individuals or their property.
   g. Must have a good credit history and demonstrate willingness to pay debts. Mitigating factors will be taken into consideration when applicants have had or are presently experiencing a hardship situation that is beyond their control such as when they have had disputes with creditors, including landlords, or when they were having difficulty paying rent and utility expenses that exceeded 30 percent of adjusted monthly income. Applicants not having sufficient credit history and/or verification that rent does not exceed 30% of their household income, may be required to provide a Guarantor with the completion of the Tenant Guarantor form. The Guarantor's income will not contribute to the household's income; Guarantor will be responsible for rent should it become delinquent.
   h. Must have the financial capacity to meet the household's basic living expenses and pay required rents.
   i. Must have good landlord/good housekeeping references, if available.
   j. Must agree to allow reference checks with previous landlords, credit reporting agencies, and other agencies as required to process the application.
   k. Occupancy standard for units as follows:
      i. 1-bedroom rental unit: Minimum – 1 person, Maximum 2 persons
      ii. 2-bedroom rental unit: Minimum – 1 person, Maximum 4 persons

Application Acceptance & Selection

1. All potential applicants who inquire will be given the opportunity to complete and submit an application to become a tenant.

2. **ONLY COMPLETED APPLICATIONS WITH REQUIRED INCOME VERIFICATION DOCUMENTS WILL BE PROCESSED FOR ELIGIBILITY.**

3. All applications will be processed using the same procedures. This policy is applicable to all Nebraska Affordable Housing Trust Fund Program (NAHTF) projects. Admission and occupancy of any housing units which are financed in whole or in part with NAHTF shall be governed by any and all applicable laws pertaining to such funding.

4. Applicant households must meet the criteria identified in “Applicant Eligibility,” above, to be determined eligible to live in the project.

5. Applicants not meeting the project's eligibility policies will be informed in writing by email, within 15 days of their application, that they were not considered eligible. The correspondence will include the reasons for the denial and advise them of their right to appeal the decision under the "Tenant Grievance and Appeal" procedure.

6. Applicants determined eligible will be informed in writing by email that they have been selected for immediate occupancy or that their name has been placed on the project's waiting list for the size of unit for which they are eligible. The name of each applicant will be placed on the respective waiting list in chronological order by date and time.

7. If the applicant is offered an apartment, a security deposit equal to the first month’s rent must be paid within 72 hours and is required to hold the unit or their name **will be removed** from the waiting list, unless extenuating circumstances exist. In addition, the first month’s rent is payable prior to move-in.

8. Upon notification of an apartment offered, the applicant will have 7 days to complete the online *Nebraska RentWise Tenant Education* course: [?][?][?][?][?][?][?][?] [?] A certificate of completion must be provided to the Owner by email. Failure to complete the course by the deadline will forfeit your reserved housing unit.

9. Except for the above priorities, selections will be made on a first come, first served basis from applicant(s) for the Income Qualified Units. The maximum tenant household income for an income qualified unit is 120% Area Median Income (AMI) as defined by HUD annually for Franklin County, Nebraska. Selections for the Market Rate designated units require the same application process, including income verification.

Tenant Selection Policy Amendments

Any revisions made to the Tenant Selection Policy must have approval from: 1) City of Franklin City Council, 2) South Central Economic Development District, Inc., and 3) Nebraska Department of Economic Development Program Representative.

Conflict of Interest

No member of the governing body, official employee, agent, or member of their immediate family of the City of Franklin who exercises policy, decision-making functions, or responsibilities in connection with the planning and implementation of the housing rental program shall be involved in the decision affecting an application or grievance by an immediate family member. The Nebraska Department of Economic Development (NDED) may grant written exceptions. This prohibition shall continue for one year after an individual’s relationship with the City of Franklin ends. Any other employee, officer, or board member may be eligible, but will be treated no differently in the determination of applications accepted in the program. Enclosed with the tenant’s application shall be a statement of disclosure which outlines the nature of the possible conflict and a description of how the public disclosure was made. Included will also be verification that the affected person has withdrawn from the active involvement in any housing grant related issues.

Fair Housing

The City of Franklin attests the Nebraska Affordable Housing Trust Fund program for the Marcellus Flats will comply with the Nebraska Fair Housing Act. Further, the City supports Title VIII of the Civil Rights Act of 1968 which prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex, national origin, disability, familial status, or any

other legally protected status, and sets forth enforcement of mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and allows U.S. Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts. The City furthermore supports the elimination of unlawful discriminatory practices within the City of Franklin.

If you feel you have been a victim of housing discrimination, please contact the City's Fair Housing Representative – Raquel Felzien, City Clerk, phone 308.425.6295, email info@cityoffranklin.net.

Grievance & Appeal Procedure

In accordance with Federal Law and the Nebraska Fair Housing Act, the Owner (City of Franklin) is prohibited from discrimination because of race, creed, religion, color, national origin, sex, disability, familial status, or any other protected status.

An applicant/tenant that has been denied placement or has a grievance, should first try to resolve the issue with the Hutchins Building Property Manager. To file a complaint of discrimination or grievance, write: City Fair Housing Representative, Raquel Felzien, City Clerk, 619 15th Avenue, Franklin, NE 68939, or email info@cityofranklin.net. Grievances must be in writing and will be considered at the next regularly scheduled City of Franklin Council meeting. The City Council will respond in writing within 7 (seven) days of the Council meeting. The applicant may appeal the decision of the City of Franklin, by submitting an appeal within 14 (fourteen) days of the date of the Board's decision letter. The appeal will be reviewed by a third-party entity, a representative from South Central Economic Development District, Inc., serving as NAHTF grant administrator, or other third-party entity. Their decision will be provided in writing, to the applicant/tenant and the City of Franklin. Any subsequent grievance appeals will be forwarded to the Nebraska Department of Economic Development or designee overseeing NAHTF housing projects, as the final party to address grievance.

I have read and understand the Tenant Selection Policy described above.

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Tenant Date Co-Tenant Date

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Owner/Manager Signature Date

Property Manager:

City of Franklin
619 15th Avenue
Franklin, NE 68939
Email: propertymanager@cityoffranklin.net