

Marketing and Resident Selection Plan Riviera Family Apartments

Riviera Family Apartments will employ a range of marketing strategies and tenant selection criteria to match the populations being served at the property, including extremely low and very low income households. Key principles of the tenant selection criteria are as follows:

1. Resources for Community Development (RCD) and its Management Agent shall not discriminate in violation of any federal, state or local law governing discrimination or based on any arbitrary factor.
2. Targeting of specific special needs populations will be in accordance with recorded Regulatory Agreements pursuant to various funding sources and all applicable laws.
3. Preferences for the Project-based Section 8 units will be in accordance with those preferences established by the Housing Authority of the County of Contra Costa.
4. Affirmative fair marketing procedures in accordance with regulations will be followed at all times in the lease-up of units.

The following Marketing and Resident Selection Plan contains more details on tenant referral and selection criteria.

Attachment 1: Resident Selection Criteria

Attachment 2: Grounds for Denial

Attachment 3: Appeal and Grievance Procedure



Riviera Family Apartments

Marketing and Resident Selection Plan

I. General Information

Riviera Family Apartments is an affordable housing community comprising two buildings located at 1515 and 1738 Riviera Avenue in Walnut Creek, California. Developed and owned by Resources for Community Development (RCD), Riviera provides 58 affordable homes including 8 HOPWA units, 8 units designed for residents with mobility impairments, and 4 units designed for residents with auditory or visual impairments. Eighteen (18) units receive rental subsidy from the Housing Authority of the County of Contra Costa in the form of Project-based Section 8 vouchers.

The building at 1515 Riviera consists of five stories of studios, one, two, and three bedroom- apartments over a ground floor lobby with property management office and bike and auto parking. The corridors on the upper floors are wide and day lit at each end, taking advantage of the complex geometry of the site. A community room at the top floor opens onto a generous outdoor roof-deck with gardening plots for residents and a view of Mount Diablo. A resident services office is adjacent to the community room.

The building at 1738 Riviera is organized around a single-loaded corridor, which backs up to the highway. The units face away from the highway and the corridor acts as a sound buffer for the units. There are studio, one-bedroom, and three-bedroom units in four stories of housing over a one-story base, which includes parking, bike parking, and a lobby. A second-floor community room provides access to an exterior courtyard.

Riviera Family Apartments are located within walking distance of the Walnut Creek BART station and more than a dozen bus routes including a free downtown shuttle. The site is situated in an ideal location for families, nearby to excellent public schools, grocery stores, pharmacies, employment and retail centers, parks, and numerous services.

Financing for Riviera comes from the City of Walnut Creek, Contra Costa County (HOME & HOPWA), the California Department of Housing and Community Development, California Tax Credit Allocation Committee, and the California Debt Limit Allocation Committee, and the Federal Home Loan Bank.

Affordable rents are income-restricted in accordance with the Low Income Housing Tax Credit (LIHTC) program and other regulatory agreements.

Pets are not allowed, other than companion or service animals, which may be approved as a reasonable accommodation for a person with disability.

II. Qualifying for Residency

Riviera Family Apartments is an affordable housing complex regulated by various subsidy programs. Income-qualified residents (individuals or families) must qualify based

on the maximum allowable income limits, adjusted for household size. All applicants will be screened and processed by The John Stewart Company (JSCo), RCD’s Management Agent, to determine if they meet the qualifications for housing (See Resident Selection Criteria, Attachment 1, and Grounds for Denial, Attachment 2, for more detailed information). Applicants for the eighteen (18) Project-based Section 8 Voucher units will be drawn from the site-based waiting list populated by the Housing Authority of The County of Contra Costa in January of 2018. All income and asset information will require third-party verification as part of meeting the regulatory requirements of the housing programs involved.

Units Set Aside for People with Special Needs:

HOPWA Units for persons with HIV/AIDS:

- Four (4) studio units
- Three (3) one-bedroom units
- One (1) two-bedroom unit

Handicapped Accessible Units

The design will include eight (8) units that are fully accessible per HUD/U.F.A.S guidelines, and four (4) units that are designed for those with auditory or visual impairments. Applicants with disabilities are encouraged to apply.

Affordability Requirements and Programming

Area Median Income (AMI) affordability requirements and programming are as follows:

No. of Units	Unit Type	Affordability	HOPWA	Section 8
4	Studio	30%	4	4
1	Studio	40%		1
3	Studio	50%		
3	1 Bedroom	30%	1	3
2	1 Bedroom	40%	2	2
13	1 Bedroom	50%		2
6	1 Bedroom	60%		
1	2 Bedroom	30%		1
1	2 Bedroom	40%	1	1
2	2 Bedroom	50%		
3	2 Bedroom	60%		
2	3 Bedroom	30%		2
1	3 Bedroom	40%		1
2	3 Bedroom	50%		1
13	3 Bedroom	60%		
1	3 Bedroom	Staff		
58	Total Units		8	18

Applicants are encouraged to request a reasonable accommodation and/or present evidence of mitigating circumstances at the beginning of the application and/or interview/eligibility review process, rather than after a denial and subsequent appeal of the decision. JSCo will evaluate the individual circumstances of each applicant, will consider alternative forms of verification and additional information submitted by the applicant, and will provide reasonable accommodations when requested if verified and necessary. Persons with disabilities are encouraged to apply.

Occupancy Standards

Household size must be appropriate for the unit. The size of the unit that an applicant qualifies for is dependent on their household size and any verifiable special needs. In general, maximum occupancy is calculated as two people per bedroom, plus one additional person.

BR Size	Minimum Number of Persons in Household	Maximum Number of Persons in Household
Studio	1	2
1 BR	1	3
2 BRs	2	5
3 BRs	4	7

III. Roles and Responsibilities

The John Stewart Company (JSCo) will be the Management Agent for the property. RCD staff will work closely with JSCo prior to, during, and after lease-up.

IV. Fair Housing

To comply with Affirmative Fair Housing Marketing Guidelines, prospective renters will be recruited in a strategy designed to ensure equal access to units at Riviera Family Housing for all persons in any category protected by federal, state, or local laws governing discrimination. This strategy includes the marketing of any available units by distributing flyers/announcements through numerous local social service agencies and organizations and by placing advertisements in local newspapers. **All advertising will include the Equal Housing Opportunity logo and the ADA logo.**

The John Stewart Company, as Management Agent, shall be responsible for all marketing efforts in accordance with the Resident Selection Plan. These criteria will conform to requirements set forth by the lenders. In consultation with RCD and approval from the regulatory agencies, the Management Agent may amend these criteria and procedures for the selection of residents. With respect to the treatment of applicants, the Management Agent will not discriminate against any individual or family because of race, color, creed, national or ethnic origin or ancestry, religion, sex, sexual preference, gender, gender identity, gender expression, age, disability, genetic information, handicap, military status, source of income, marital status or presence of children in a household, acquired immune

deficiency syndrome (AIDS) or AIDS-related conditions (ARC), receipt of or eligibility for housing assistance under any government housing assistance program, or other status protected by state, federal, or local law or arbitrary basis, including Title VI of the Civil Rights Act of 1964 (Public Law 88-352) and the regulations issued pursuant thereto (24 CFR Part I), Executive Order 11063 and the regulations issued pursuant thereto (25 CFR 570.601), and Title VIII of the 1968 Civil Rights Act (Public Law 90-384), or the Fair Housing Amendments Act of 1988..No criteria will be applied or information considered pertaining to attributes of behavior that may be imputed by some to a particular group or category. All criteria shall be applied equitably and all information considered on an applicant shall be related solely to the attributes and behavior of individual members of the household as they may affect residency.

V. Marketing/Outreach

The following describes the marketing process for non-Project-Based Section 8 units.

Outreach:

Informational flyers will be distributed throughout the East Bay, including Alameda County and Contra Costa County. Recipients will include the City of Walnut Creek, Contra Costa County Housing Authority offices, and a variety of local organizations and service agencies such as Abode Services, Contra Costa Interfaith Housing Jewish Family and Community Services, Contra Costa Health Services, BACS, Rainbow Community Services, local disability organizations, and many others. All applicants will be required to apply on-line for housing at Riviera. The informational and written materials will clearly state the method for submitting a pre-application on-line.

Marketing materials will include requirements for tenancy and will state that Riviera Family Apartments is “Equal Opportunity Housing” and include a logo and/or slogan indicating accessibility to persons with disabilities. The materials will be distributed widely to individuals and organizations that provide services to clientele that may be eligible for occupancy, including those with disabilities, and, where feasible, in the appropriate language for the recipient population. Distribution will be to JSCo’s comprehensive Marketing List for Alameda and Contra Costa Counties.

Print Media

Print advertisement will list the RCD website where cover letters in Spanish, Vietnamese, Traditional (or Simplified) Chinese, Tagalog, and English and pre-applications in English can be obtained. Advertisements will be taken out in the following publications:

- East Bay Times
- Asian Journal (Philippine)
- Oakland Post
- El Mensajero (Spanish)
- Sing Tao Daily Newspaper (Chinese)
- Mo Magazine (Vietnamese)
- Eden I&R, Inc. 2-1-1- Information and Referral Line

Internet advertisements

Craigslist will have the same information as the flyer and will contain the website information for RCD. Internet advertisements will be in English only.

- Craigslist
- RCD website: Riviera.rcdhousing.org
- Housing Authority of the County of Contra Costa (HACCC) website: <http://www.contracostahousing.org/>
- GoSection8 website: <https://www.gosection8.com/>

Marketing:

Approximately March 15, 2018, Riviera Family Apartments will be publicized by:

- A banner at the building with a link to the on-line pre-application and a phone number to call with questions and to request a reasonable accommodation
- A project flyer mailed to the marketing contact list and the City of Walnut Creek's Interest List. The flyer will include requirements for tenancy and information for accessing the on-line pre-application
- Project flyers placed in a weather-resistant box at the construction site

Phone service

An answering service provider (Direct Line) will be set up by March 15, 2018 with a recording in Spanish, Vietnamese, Cantonese, Mandarin, Tagalog, and English stating the nature of the program and a message for interested parties with information on how to access the on-line pre-application. A TDD line is available at (415) 345-4470.

Cover Letter and Marketing Flyer

The application cover letter and marketing flyer will state that Riviera Family Apartments is an "Equal Housing Opportunity" and will encourage those with disabilities and mitigating circumstances to apply on-line. The marketing flyer will be distributed widely to individuals and organizations that provide services to clientele who may be eligible for occupancy, including those with disabilities and HIV/AIDS in Alameda and Contra Costa Counties.

JSCo will advertise that application information with a link to the on-line pre-application is available at the RCD website at Riviera.rcdhousing.org. Marketing flyers and cover letters will be available on-line in Spanish, Vietnamese, Traditional (or Simplified) Chinese, Tagalog, and English. All other application materials will be available in English only.

Persons with disabilities who are unable to access the on-line pre-application may request a reasonable accommodation by calling 925-219-3556 for assistance. An accommodation must be requested no later than April 1, 2018. A TDD line is available at (415) 345-XXXX.

Applicants will have two weeks to submit the on-line pre-application and participate in an initial lottery. The pre-application deadline will be April 6, 2018. All pre-applications received by the application deadline will be placed in a computer-administered lottery.

Applicants will be placed on the waiting list in order of their lottery number and processed for eligibility in that order. Should there be an inadequate number of applicants in a particular unit type, additional marketing may be required.

See below for marketing/outreach timeline:

<u>Implementation Date</u>	<u>Marketing Activity</u>
February 25, 2018	All marketing materials (flyers, ads, banners, cover letter, pre-application, etc.) need to be approved by RCD and funding partners. Cover letters and marketing flyers sent for translation into Spanish, Vietnamese, Traditional (or Simplified) Chinese, Tagalog, and English.
March 14, 2018	Send approved and translated marketing materials to be printed.
March 15, 2018	Distribute marketing materials to agencies on Marketing List and on the City of Walnut Creek's Interest List.
March 15, 2018	Install banner at Riviera Family Apartments and initiate calls intake from Direct Line (Script: "Thank you for calling Riviera Family Apartments, an affordable community located in Walnut Creek. We are scheduled to open in September 2018. If you are interested in obtaining an application they are available online at Riviera.rcdhousing.org , click on FIND HOUSING and then on COMING UP!. For applicants with a disability unable to participate in these options, please press #5 to speak with an operator.")
March 15, 2018	Outreach to local merchants and employers. Distribute flyers.
March 16 - April 6, 2018	Advertise (3 Sundays on daily publications, 3 weeks on weekly publications). List ongoing Craigslist ads.
March 23, 2018	Make pre-applications, cover letter, flyers available to the public on-line and place ads.
April 6, 2018	The pre-applications is removed from the website. Banners are taken down and flyers removed from the project site.
April 6, 2018	Deadline to receive the on-line pre-applications for the initial lottery. All pre-applications are numbered and date/time stamped as received. Pre-applications must be received by 5 pm on April 6, 2018. No faxed, emailed or hand-delivered pre-applications accepted.

April 11, 2018	Electronic lottery performed by JSCo.
April 16, 2018	Mail and/or email lottery numbers to all applicants.
April 26, 2018	<p>Start interview process. Invitations to schedule an appointment will be sent out in writing and applicants will be called. Applicants will be required to fill out a complete application prior to, or at the time of, their interview. Credit and criminal background checks will be conducted after the interview.</p> <p>Applicants to Riviera Family Apartments will be considered no longer interested if they fail to appear for an interview two times and will be removed from the waiting list unless there are mitigating circumstances.</p>

VI. Application Procedures

Each household applying for residency must fill out an on-line pre-application. That application will be pre-screened for completeness and will be date and time stamped. Applicants submitting incomplete applications will be sent a denial letter and will be given an opportunity for correction within 14 days of the date of the denial letter.

Each application will be processed in order according to the initial waiting list created by a computer-administered lottery of all applicants. Qualified applicants will then be scheduled for a personal interview until all units are leased. All adult household members will be required to attend the interview. Management will complete necessary authorization for release of income and asset information and have applicants sign the verification. Verifications will be mailed to the respective sources along with self-addressed stamped envelopes.

At their scheduled interview, applicants with complete pre-applications will be required to bring in a criminal background and credit check fee of \$32.00 (or appropriate fee) per adult household member. JSCo will run background and credit checks on all adult applicants who are applying. Applicants with an eviction or criminal record are not automatically denied. If a criminal record or poor rental history was due to a disability or additional consideration, the applicant will be encouraged to submit a Request for Reasonable Accommodation. If the history was due to circumstances that no longer apply, additional consideration may be requested on the Request for Consideration form. Otherwise, applicants with negative credit or criminal background will be sent a denial letter, with an opportunity for correction and/or appeal within 14 days of the denial letter.

After applicants are interviewed, verifications returned from their source, and income and asset calculations completed, qualified applicants will be offered a unit based on eligibility and ability to move in. All other applicants will remain on the waiting list.

VII. Waiting List

The initial waiting list will be capped at 4,000 qualified applicants from the lottery. Applicants will be selected from the waiting list as vacancies occur.

The waiting list will be updated every twelve months by Management to ensure that those applicants on the waiting list wish to remain on the list. Management will mail a postcard to each person on the waiting list at the time it is updated. People who wish to remain on the lists should return the postcard to Riviera Family Apartments or notify the property independently. Each applicant will be instructed to report changes in family size or income as those changes may impact eligibility. Riviera waiting list will be reopened as needed by unit type and/or income level. Applicants on the waiting list will be notified that it is their responsibility to advise the Project of any address changes and that if they cannot be contacted by mail, either for vacant units or in the course of a waiting list update, they will be dropped from the waiting list.

Riviera Family Apartments will announce any re-opening of the waiting list at least 10 business days prior to the date applications will first be accepted. The announcement will specify where, when, and how applications are to be received, and if the list is being re-opened only for a certain set-aside, unit type and/or income level.

A preference will be provided to those applicants who require an accessible unit until all accessible units are filled.

VIII. Unit Selection

After qualifying for occupancy, the selected applicants will be assigned units within the following limits: the applicant may turn down the first unit he/she is offered and retain his/her spot on the waiting list. The second time an applicant declines to move into a unit will result in the person being removed from the waiting list and the applicant will have to re-apply when the waiting list is reopened at a later date.

IX. Attachments

Attachment 1: Resident Selection Criteria

Attachment 2: Grounds for Denial

Attachment 3: Appeal and Grievance Procedure



Riviera Family Apartments

Resident Selection Criteria



POLICY ON NON-DISCRIMINATION

With respect to the treatment of applicants, John Stewart Company, as the Management Agent, will not discriminate against any individual or family because of race, color, creed, national or ethnic origin or ancestry, religion, sex, sexual preference, gender, gender identity, gender expression, age, disability, genetic information, handicap, military status, source of income, marital status or presence of children in a household, acquired immune deficiency syndrome (AIDS) or AIDS-related conditions (ARC), receipt of or eligibility for housing assistance under any government housing assistance program, or other status protected by state, federal, or local law or arbitrary basis, including Title VI of the Civil Rights Act of 1964 (Public Law 88-352) and the regulations issued pursuant thereto (24 CFR Part I), Executive Order 11063 and the regulations issued pursuant thereto (25 CFR 570.601), and Title VIII of the 1968 Civil Rights Act (Public Law 90-384), or the Fair Housing Amendments Act of 1988..No criteria will be applied or information considered pertaining to attributes of behavior that may be imputed by some to a particular group or category. All criteria shall be applied equitably and all information considered on an applicant shall be related solely to the attributes and behavior of individual members of the household as they may affect residency.

Riviera Family Apartments is sponsored by Resources for Community Development, owned by Riviera Family Apartments, L.P., and managed by The John Stewart Company.

I. Procedures for Processing

A. Each application will be called for an interview in the order according to the initial waiting list created by a lottery of all applicants.

Each applicant's individual circumstances will be evaluated, alternative forms of verification and additional information submitted by the applicant will considered, and reasonable accommodations will be provided when requested and if verified and necessary.

Persons with disabilities are encouraged to apply.

All units require additional eligibility requirements beyond income qualification:

- Eight (8) units are designed to specifically accommodate mobility impairments. Four (4) other units are designed to specifically accommodate hearing or vision impairments. Priority will be given to those applicants needing such modifications.

- Eight (8) units will be offered to HOPWA qualified applicants only.
- Eighteen (18) units will be assigned to applicants drawn from the site-based Project-Based Section 8 Voucher waiting list compiled by the Housing Authority of County of Contra Costa (HACCC). HACCC preferences apply.

Units will be offered in the following order after interviews are completed:

- Date of completion of verification/certification process including Management Compliance Department approval.
- Eligibility for an accessible or hearing/visually impaired unit.
- Date of availability for move-in.

B. Waiting Lists

1. If no units are available, an eligible applicant will be kept/placed on the waiting list.
2. Riviera Family Apartments will maintain two waiting lists for the project with designations as follows:
 - a. Non Project-Based Section 8 Unit waiting list
 - i. Households who qualify for a mobility-impaired, hearing/visually-impaired or HOPWA unit.
 - ii. Lottery number/Date of completion of verification/certification process.
 - b. Site-based Project-Based Section 8 Voucher Unit waiting list
3. The waiting list(s) may re-open as needed and may be re-opened for only for a certain set-aside, unit type, and/or income level.
4. The waiting lists will be updated once a year.

II. Priority for Processing

Priority will be given to those applicants whose household members meet the following criteria:

1. Units designed specifically for the handicapped, disabled or special needs:
 - (a) For the eight (8) units designed specifically for mobility impairments and for the four (4) units designed for those with auditory or visual impairments, priority will be given to those applicants needing such modifications;

- (b) The eight (8) units designated for HOPWA qualified households will only be available to HOPWA-eligible applicants.
2. Transfers: (From one unit to another type of unit within the property) may take precedence over new move-ins and may be required by management for the following reasons:
- (a) To comply with Low Income Housing Tax Credit and other regulatory requirements of property's funders.
 - (b) To alleviate overcrowding;
 - (c) For verifiable medical necessity (e.g., accessible unit or additional space for medical equipment);
 - (d) For emergency temporary relocation. (If a unit becomes uninhabitable due to a catastrophe the resident family will be given any open unit for temporary living quarters until their own unit is repaired. An "open unit" is a unit for which the keys are in the possession of the management company.)

III. Violence Against Women Act

The Violence Against Women and Justice Department Reauthorization Act of 2013 protects residents who are victims of domestic violence, dating violence, sexual assault, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. In accordance with the Violence Against Women Act (VAWA) Management will not penalize victims of domestic violence, stalking, dating violence, or rape.

At their most basic level, the VAWA regulations prohibit the Management Agent from denying admission to, denying assistance under, terminating participation in or evicting from housing (in other words, an "Adverse Action") anyone, including men and transgender people, on the basis that "the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation or occupancy." In addition, the regulations require Management Agent to (1) take a wide variety of actions to ensure that victims of such violence are aware of (and can exercise) their VAWA rights, and (2) make emergency transfers of VAWA-eligible households if they fear harm from additional violence if they stay in their units (or have been sexually assaulted at the property during the prior 90 days).

Management Agent cannot take an Adverse Action against any applicant or tenant that can demonstrate that the "Adverse Factor" (e.g. poor credit history, poor rental history, negative criminal background or failure to pay rent) that led to Management Agent's Adverse Action was the "direct result" of the domestic violence, dating violence, sexual assault, or stalking that is the basis of the applicant or tenant's eligibility for VAWA protections.

BASIC VAWA REQUIREMENTS

- 1) Provide all households at all properties (and/or in units) assisted by one or more HUD programs (including the HOME & HOPWA programs) and/or Tax Credits both (a) form HUD-5380, “Notification of Occupancy Rights Under VAWA,” and (b) form HUD-5382, “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternative Documentation”) at the household’s annual re-certifications or lease renewals;
- 2) Add form HUD-91067, “VAWA Lease Addendum,” to the leases of all households at properties (and/or in units) assisted by one or more HUD programs (including the HOME program) and/or Tax Credits;
- 3) Include form HUD-5380 and form HUD-5382 with all Unlawful Detainer or other eviction notices (not including Notices to Pay or Quit) sent to any household at a property and/or in a unit assisted by a HUD program and/or Tax Credits;
- 4) Develop a VAWA Emergency Transfer Plan for every property assisted by one or more of HUD programs and/or Tax Credits; and
- 5) Amend property-specific internal transfer policies to prioritize VAWA Emergency Transfers. Such transfers supersede any other transfer priorities that previously existed.

IV. Unit Size/Occupancy Standards

An appropriately sized unit must be available within the project. Families will be housed in accordance with the following. Further restrictions may apply from the Housing Authority of the County of Contra Costa to qualify for a Project-Based Section 8 unit.

BR Size	Minimum Number of Persons in Household	Maximum Number of Persons in Household
Studio	1	2
1 BR	1	3
2 BRs	2	5
3 BRs	4	7

V. Fair Housing

- A. The project will comply with all Federal, State, or local fair housing and civil rights laws and with all equal opportunity requirements set forth in HUD's administrative procedures.
- B. It is the policy of the project to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' records maintained by the project.
- C. The project will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Federal law, the project will make reasonable accommodation or modifications for individuals with

handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services.

VI. Financial

A. In accordance with the Low Income Tax Credit Program requirements, income eligibility will be determined as follows:

1. All income will be verified in writing from the income source on appropriate project income verification forms.
2. All assets, including bank accounts, will be verified.
3. Annual income (including assets) must be within the established restrictions for the available unit type.

B. In accordance with management suggestions and owner requirements, the following items will also be considered to determine income eligibility. The individual circumstances of each applicant will be assessed in regards to the financial requirements below:

1. A credit report indicating financial responsibilities will be obtained for each applicant. Refer to “Grounds for Denial”, Attachment 2, item 1, for details on credit benchmarks.
2. Net income and gross expenses will be used to determine an individual's actual ability to pay his/her monthly rent while meeting his/her other monthly obligations. Consideration will be given to in-kind/non-cash benefits.
3. Both the current and previous landlords will be contacted for a reference concerning payment records as well as the history of complying with lease requirements and housekeeping habits.
4. Refer to “Grounds for Denial”, Attachment 2, for more details.

VII. General

The Low Income Tax Credit Program specifies that applicants be made aware of program requirements, including (but not limited to) the following:

A. All applicants will be interviewed by the site administrator or other representative of management. At the time of the interview, all members of the family must be in attendance. Documents or identification to determine family members' relationships may be requested.

- B. No pets are allowed. A companion animal required for physical or emotional assistance by a person who is handicapped or disabled (e.g., a Seeing Eye dog or a dog for the deaf) is not considered a pet, but may be subject to reasonable regulations. Animal weight and other restrictions may apply.
- C. All applicants must be able to fulfill the terms of the lease (with or without third party assistance), particularly concerning:
 - 1. Timely payment of rent and other charges;
 - 2. Maintaining premises in a safe and sanitary condition;
 - 3. Not interfering with management or quiet enjoyment of the property by others.

VIII. Rejected Applications

- A. Applicants may be rejected for any of the following:
 - 1. Failure to present all members of the family at the full family interview (or some other time acceptable to management) prior to completion of Initial Certification;
 - 2. Blatant disrespect, disruptive or anti-social behavior toward management, the property or other residents exhibited by an applicant or family member any time prior to move-in (or a demonstrable history of such behavior). Current abuse of alcohol or use of illegal drugs. Use shall constitute abuse for illegal drugs (unless required as verified by a medical doctor);
 - 3. A judgment against an applicant obtained by the current or previous landlord, a negative landlord or other reference, encompassing failure to comply with the lease, poor payment history, poor housekeeping habits, or eviction for cause;
 - 4. A negative credit report or over-extension of monthly obligations, as indicated under "Financial";
 - 5. Falsification of any information on the application;
 - 6. Eligibility income exceeding the maximum allowed for the specific program;
 - 7. Family composition not appropriate for available units;
 - 8. Failure to update application for the waiting list within specified time when notified;

9. A history of violence or abuse (physical or verbal), in which the applicant was determined to be the antagonist. Criminal acts which adversely affect the health, safety, or welfare of other tenants;
10. Other good cause: including, but not limited to, failure to meet any of the selection criteria in this document.

See Attachment 2, “Grounds for Denial”, for detailed listing of grounds for a rejected application. The “Grounds for Denial” information is given to applicants as part of the rental application instructions.

- B. After qualifying for occupancy, the selected applicants will be assigned units within the following limits: The applicant may turn down the first unit he/she is offered and retain his/her spot on the waiting list. The second time an applicant declines to move into a unit will result in the person being removed from the project specific waiting list and the applicant will have to re-apply.
- C. If an applicant is rejected, management will promptly notify the applicant in writing explaining in the notice:
 1. The specific factual basis for the rejection; and
 2. That the applicant has 14 days to respond in writing or to request a meeting to discuss the rejection, along with the procedure for the meeting.

IX. Deposits (Subject to change):

	Security Deposits *
Studio	Equal to One Month’s Rent
One Bedroom	Equal to One Month’s Rent
Two Bedroom	Equal to One Month’s Rent
Three Bedroom	Equal to One Month’s Rent

*Subject to change

X. Reasonable Accommodation

- A. The application and interview process will take place at Riviera Family Apartments or a temporary leasing office which is easily accessible to people with special needs. Accommodations will be made for individuals with disabilities including hearing and/or sight impairment to ensure their full access to the application process.
- B. Resources for Community Development (RCD) and John Stewart Company (JSCo) will follow all reasonable accommodation laws and regulations as provided for in the Federal Fair Housing Act and the State Fair Employment and Housing Act in its tenant selection process and throughout its property management operations.

- C. RCD and JSCo will provide a notice to all applicants that they may be entitled to a reasonable accommodation in the tenant selection and admission process. The notice will encourage those whose negative history was caused by a disability or was due to a circumstance that no longer exists to provide a request for reasonable accommodation or request for consideration along with an application.
- D. For applicants with special needs whose applications are initially rejected because they do not meet the Resident Selection Criteria, an accommodation may be made on the basis that the applicant's commitment to work with service providers to address the reasons for the applicant's initial rejection makes such an accommodation reasonable.



Attachment 2

Riviera Family Apartments Grounds for Denial



We welcome your application to rent an apartment at Riviera Family Apartments. It is the responsibility of each applicant to provide any and all information required to determine eligibility. Riviera Family Apartments will consider each application on an individual basis. The following list provides the reasons why we might deny your application.

If you fall into any of the categories below and you believe that there were extenuating circumstances that led to the negative report, you are encouraged to provide us with a Request for Consideration with your application that explains why the circumstance no longer apply to you. If you fall into any of the categories below due to a disability, you are encouraged to provide us with a Request for Reasonable Accommodation with your application.

- 1) Credit
 - (a) Total unmet credit problems (including governmental tax liens) in excess of \$5,000.
 - (b) A bankruptcy within the last three years.
 - (c) A total of five unmet credit obligations of any value.

An exception for extraordinary medical and/or student loan expenses may be permitted. An exception for a foreclosure or short sale may be permitted at the discretion of the Owner/Management Agent if prior credit history is acceptable and does not include those reasons for rejection detailed above.

- 2) Rental History
 - (a) A judgment against an applicant obtained by the current or previous landlord.
 - (b) An unmet obligation owed to a previous landlord.
 - (c) The applicant failed to make one or more timely payments during the last two year's rental payments.
 - (d) Negative landlord reference.
- 3) Personal History
 - (a) A history of violence or abuse (physical or verbal), in which the applicant was determined to be the antagonist.
 - (b) Current abuse of alcohol or use of illegal drugs. Use shall constitute abuse for illegal drugs (unless required as verified by a medical doctor).

- 4) Criminal Background Check & Personal History

A check will be made of criminal conviction records for the past ten years for all adult Applicants of the household. Reports will be obtained from local and/or state records and may also include local Police records. If the Applicant has

resided in a state other than California and has a past felony conviction, a report will be required from that state or federal organization. Generally, public records of this sort are only available for the past ten (10) years. However, if information becomes known during the screening process regarding criminal activity that occurred more than ten years prior to the background check that could impact the Applicant household's eligibility to live at the property the Management Agent reserves the right to consider this information as well. Felony offenses and/or continued and ongoing criminal activity will be grounds for rejection if such offenses involve physical violence to persons or property, domestic violence, sexual abuse, sales of narcotics, illegal weapons possession, any form of assault, breaking and entering, burglary or drug related criminal offenses. Additionally, applicants may be rejected due to:

- A history of violence or abuse (physical or verbal), in which the applicant was determined to be the antagonist.
- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
- Any household member, if there is reasonable cause to believe that a member's behavior, from abuse or a pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.

Consideration may be granted to Applicants with past nonviolent criminal records occurring ten or more years in the past with no further criminal record. Applicants will be provided the criminal background record and allowed an opportunity to respond and to provide evidence of mitigating factors.

5) Full Time Student Status

Units comprised of full-time students do not qualify to reside in tax credit properties. However there are exceptions as outlined by the IRS under IRC §42(i)(3)(D) that include:

- Any member of the household is married and either filing or is entitled to file a joint tax return.
- The household consists of a single parent and his or her minor children, and neither the parent nor children are a dependent of a third party.
- At least one member of the household receives assistance under Title IV of the Social Security Act. (AFDC, TANF, CalWORKS, etc. - please note: SSA or SSI do not qualify)
- At least one member is enrolled in a job training program receiving assistance under the Work Investment Act (WIA) formerly known as the Job Training Partnership Act, or similar federal, state or local laws as defined by HUD 4350.3 REV-2.

- The household consists of a tenant who recently exited the Foster Care system. Please Note – CTCAC caps this at ages 18-24.
- 6) Annual Income/Occupancy standard/other program regulations
 - (a) Annual Income (including assets) not within the established restrictions of the property.
 - (b) Household size does not meet the established occupancy standard for the property.
 - (c) Applicant does not meet all program regulated eligibility factors.
 - 7) Documentation

Each potential occupant must provide all documentation required by the selection process. If an applicant does not show up for an interview, or provide at a minimum the following documentation, it is grounds for denying your application.

 - (a) Completed and signed application, release of information, grounds for denial, and application fee (if required).
 - (b) Landlord references covering the last TWO (2) years of residency. Please note: Applicants who have not held a rental agreement for a minimum period of twelve months within the last five years will be required to provide references from a person not related to the applicant who has known the applicant for at least five years.
 - (c) Proof of all income sources and assets, including the most recent income payments (e.g., pay check stub, social security or other independent verifications).
 - (d) Copy of most recent bank statements and/or other accounts (IRA, stocks, mutual funds, etc.)
 - 8) Offer of an Apartment

The applicant may turn down the first unit he/she is offered and retain his/her spot on the waiting list. The second time an applicant declines to move into a unit will result in the person being removed from the waiting list and the applicant will have to re-apply.
 - 9) Nondiscrimination

In the performance of its obligations Owner and the Management Agent will comply with the provisions of any federal, state or local law prohibiting discrimination in housing on the basis of race, color, creed, ancestry, national origin, sex, sexual orientation, familial status, source of income, age, disability, AIDS, or AIDS related condition.

10) **Program regulated eligibility**
The Applicant will be denied if he/she does not meet all program regulated eligibility factors including but not limited to applicant qualification as homeless and at risk of homelessness.

11) **Appeal**
Applicants who are not accepted will have 14 days to appeal. During the hearing, mitigating circumstances will be considered. Persons with a disability have the right to request reasonable accommodations to participate in the hearing process. No unit will be held during the appeal process. If the appeal is successful, applicants will be offered the next available unit of the applicable unit type.

I HAVE READ AND UNDERSTAND THE FOREGOING AND FIND THEM TO BE REASONABLE REASONS MY RENTAL APPLICATION CAN BE DENIED. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ATTACHED HOUSING AND INCOME STATEMENTS ARE TRUE AND CORRECT.

Applicant #1: _____ Date: _____

Applicant #2: _____ Date: _____

Applicant #3: _____ Date: _____

NOTE: Any change to this document must be approved by the Regional Vice President in writing.

This document must be attached to all applications.



Appeal and Grievance Procedure

Riviera Family Apartments

DEFINITIONS.

“Complainant” is defined as any resident or prospective resident in the project whose rights duties, welfare, or status are or may be adversely affected by management’s action or failure to act and who file a grievance with management with respect to such action or failure to act. Complainant is referred to in this procedure as “complainant,” “you” or “tenant.”

“Grievance” is defined as any dispute with respect to management action or failure to act in accordance with lease requirements, or any management action or failure to act involving the interpretation or application of management regulations, policies, or procedures which adversely affects the rights, duties, welfare, or status of the complainant.

It is the policy of management that all residents’ grievances be given complete and objective consideration. Since, on rare occasions, this may require reference of a problem to higher levels of authority, this procedure has been adopted to assure that the opportunity for full and fair consideration is given to all residents.

This procedure applies to both applicants and residents of Riviera Family Apartments. All residents are encouraged to use it without concern that it will reflect on their status as a resident.

Day-to-day contact and sincere communication between the manager and the residents is the most successful way to avoid misunderstandings and develop mutual respect. Should failings occur, the following steps shall be followed:

A. Rights to a grievance hearing

If you are a resident at Riviera Family Apartments and you believe that management has acted so that your rights or status are adversely affected, or you believe that management has not complied with the terms of the residential lease it entered into with you, then you are entitled to a hearing in accordance with this grievance and appeal procedure.

You may also request a hearing if you have a complaint about another tenant concerning your or others’ health and safety or if the complaint in reference to the other tenant involves the maintenance and management of the project.

If you applied for a unit and were rejected, you also have the right to request a hearing.

The grievance and appeal procedure does not apply if:

1. You have been given a notice to vacate because:
 - a. you are causing or permitting substantial damage to your unit;
 - b. you are using your unit for unlawful purposes; or
 - c. you have created or maintained an imminent threat to your health and safety or that of others.
2. You are disputing whether the terms and conditions in the lease are valid or proper.

B. Disputed rent or other charges

1. If the grievance involves the amount of rent or other charges that management claims are due, you must pay the amount in dispute to management, unless management waives the requirement. You must continue to pay all rent and charges not in dispute as they become due.
2. If you fail to pay or deposit the funds as required, the hearing officer or panel may determine that you have waived your right to a formal hearing. If the hearing officer or panel decides that you have waived your right to a hearing you can still resolve your grievance in court.

C. Requesting a hearing

1. **THE INFORMAL HEARING.** The goal of the informal hearing is to settle the problem without the need for a formal hearing. If you have a complaint and request a hearing, you will have an informal hearing with the individual designated by management to hear complaints (usually the resident manager). Once requested, the informal hearing must be held between you and management within five working days after your request. Furthermore, management is obliged to give you its decision on the matter in writing within five days of the hearing. If the decision is not in your favor or the problem is not settled, you are entitled to request a formal hearing. The written decision will also include the procedures you must follow if you want to appeal the decision in a formal hearing.
2. **PRESENT YOUR REQUEST FOR AN INFORMAL HEARING ON TIME.** You must personally present your grievance either orally or in writing to our office so that you and we may discuss your grievance informally. You must present your grievance within a reasonable time, not to exceed ten (10) working days after the reason for the grievance or dispute arose.

While you can present your grievance orally, it is better to state your grievance in writing. The grievance may be simply stated, but you must specify the particular ground(s) for the grievance and action or relief you seek.

We will prepare a written, dated, and signed summary of our discussion and answer to your grievance within a reasonable time, not to exceed fourteen (14) calendar days. We will mail or deliver one copy to you and keep one in your file. Our answer shall specify 1) the name of the hearing participant, 2) the date of the hearing, 3) the nature of the grievance, 4) the proposed disposition of the grievance and the specific reasons therefore, 5) your right to a formal hearing, and 6) the procedure by which you may request a formal hearing if you are not satisfied with the proposed disposition.

3. **THE FORMAL HEARING.** If you are dissatisfied with management's decision at the informal hearing, you have a right to a formal hearing. An impartial person who is mutually agreeable to you and management will conduct the formal hearing. In the event you cannot agree on such a person, a three-person hearing panel will be selected. You will select one person, management will select another, and the first two panel members will jointly select the third person. These three individuals will comprise the hearing panel. If the members appointed by you and management cannot agree on a third person, such member shall be appointed by an independent organization contacted by management, such as the American Arbitration Association.

4. **PRESENT YOUR REQUEST FOR A FORMAL HEARING ON TIME.** If you want a formal hearing, you may submit a written request to us within ten (10) working days after receiving the decision from the informal hearing. If you miss this 10-day deadline, the decision from the informal hearing will become final. This shall not, however, constitute a waiver of your right thereafter to contest the disposition of the grievance in an appropriate judicial proceeding.

As with the informal hearing, you must state the nature of your complaint or grievance, the reasons why you disagree with the decision resulting from the informal hearing and action or relief you seek.

5. **DO NOT MISS THE HEARING.** The hearing will be held no more than two weeks after management receives your request for a hearing. You will be given at least three calendar days' notice of the hearing date. If you or management's representative fail to appear, the hearing officer or panel can either declare that the absent party has waived the right to a hearing or reschedule the hearing for a later date.

D. Procedures governing hearings

The following procedures are intended to protect your right to a fair hearing:

1. You can bring as much evidence to the hearing as you think you need. However, the hearing officer or panel will determine if it relates sufficiently to the hearing to be considered, regardless of its admissibility in a court of law.
2. You can bring someone to represent you at the hearing, but you must also be present.

3. You and management can have witnesses to support your respective positions, with the right to cross-examine each other's witnesses.
4. You will be given the opportunity before the hearing to examine and copy at your expense all documents, records, and regulations that are relevant to the hearing.
5. The hearing will be private, unless you choose to have a public hearing.
6. Either party may request that the hearing be tape-recorded at their own expense.
7. At the hearing, you must present your side of the dispute and state what you want done. It will then be management's burden to justify its actions. If the hearing relates to an eviction or lease termination, management must also prove "good cause," as defined in the Program Regulations. Good cause includes, but is not limited to, nonpayment of rent, noncompliance with the terms of the lease, subletting, failing to maintain eligibility under the Program and remaining on the property after your tenancy is terminated.
8. Those present at the hearing must conduct themselves in an orderly fashion. Failure to do so is sufficient grounds for the hearing officer or panel to render an adverse decision to the unruly parties.
9. If you need an interpreter, you must provide your own. Failure to bring an interpreter will not be grounds for a postponement of the hearing.
10. During the pendency of the informal and formal hearing process and until the delivery of the written decision to you, management will extend the time period imposed pursuant to a formal eviction procedure arising out of the issues in dispute, including any court filing date required of you.

E. Decision of the hearing officer or panel

The hearing officer or panel must send a written decision to all parties within two weeks of the request for the hearing. The decision will be based solely upon a preponderance of the evidence presented at the hearing and in conformance with applicable laws and/or regulations. Provided that the decision is consistent with the applicable laws and regulations, it will be binding on all the parties.

If the decision is in your favor, project management must promptly take all actions necessary to carry out the decision or refrain from any action prohibited by the decision. If the decision is not in your favor, you must promptly comply with the decision, terminate your tenancy and move, if required, or take your complaint to court.

F. Unresolved grievances or additional appeals

If the parties and hearing officer or panel are unable to resolve the grievance or any party wishes to make an additional appeal, either party may direct their complaint to the local responsible agency for review and recommendation.

Upon a written request from the local agency for interpretation, JSCo shall be the final authority for purposes of interpretation of the procedures.

G. Right to go to court

Participation in any of the procedures described above will not waive, or affect in any manner whatsoever, any rights you or management may have to any judicial proceedings that may thereafter be brought on the matter.