



A Non Profit Corporation

**TENANT SELECTION PLAN CHECKLIST**

Property Name / Contract Number	
Owner / Management Agent (O/A)	
Reviewer Name / Date	
General HUD Resource(s):	HUD Handbook 4350.3, Chapter 3, Paragraphs 3-9 – 3-12, Chapter 4, Paragraph 4-4; Figure 4-2. Note: Chapter 2, Section 2, Paragraph 2-38C: It is strongly recommended that owners include statements about the right of individuals with disabilities to request reasonable accommodations in all written notices given to applicants and tenants. HUD Notice N 10-08 issued April 13, 2010.

Item	CS	Pg#	Topic for Review <small>**items are not required – not a condition</small>	Topic in Compliance?	Correction Required (√)	Compliance Notes	QC
			Project Eligibility Requirements <u>Paragraph 4-4C.1.a-c &amp; chapter 3, section 3</u>				
1.a			a) Project-specific (definition of population served i.e., elderly, disabled); see also 3-28A-C	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
1.b			b) Citizenship/Immigration status Owner must comply with the following: <ul style="list-style-type: none"> <li>o Describe how citizenship/immigration requirements are implemented</li> <li>o Notify applicants of the requirement to submit evidence of citizenship or eligible immigration status at the time of application</li> <li>o Include policy of verification, if any</li> </ul> Note: Applicant's assistance in subsidized housing is restricted to (1) U.S. Citizens or nationals; and (2) Non-citizens who have eligible immigration status; mixed households must comply with 3-12N-Q. All family members must	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		

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			declare their citizenship or immigration status regardless of age) <u>&amp; Paragraph 3-12 and paragraph 3-32</u>				
1.c			c) SSN (for all family members, regardless of age) (providing, extended time, procedures for no SSN) <u>&amp; Paragraph 3-9 and 3-31</u> <u>Collecting Proof, and Refinement of Income and Rent Determination Requirements – Final Rule (effective 1/31/10)</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
2.			Income Limits (IL) (include economic mix for Sec. 8; identify IL schedule used (i.e., VL, L, EL); okay to exclude max annual income amounts) <u>Paragraph 4-4C.2 &amp; paragraph 3-6</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
			Procedure for Taking Applications & Selecting from the Waiting List <u>Paragraph 4-4C.3.a-e</u>				
3.a			a) Taking Applications (include policy and policy for taking pre-applications, if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
3.b			b) Preferences (define each preference; any rating, ranking, or combination of preferences which will affect the order applicants are selected); **should describe acceptable sources of info to verify qualification for preference. Note: implementation of state, local, or residency pref. must have prior HUD approval; also see 4-6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/>		
3.c			c) Income-targeting (for Sec. 8 properties only – describe procedures used to meet income targeting requirements, if applicable. If used, explain how and when applicants will be “skipped over” in favor of housing EL households and how their application is treated when skipped). Note: owner may not need special procedures due to wait list composition – see 4-5B.1. <u>&amp; Paragraph 4-5A, B</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/>		

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3.d			d) Applicant Screening Criteria (Describe standards used to screen for info on drug-related or criminal activity (including sex offender registration) and other owner adopted screening (e.g., rental history, credit). Also see 4-7 Screening for Suitability, 4-8 Prohibited Criteria, 4-27 Implementing Screening Reviews, and 4-28 Ensuring Screening is Performed Consistently.  Drug-related or criminal activity (see 4-7C.2.a-d)  Required drug-related or criminal activity criteria: o Evicted in the last three years from federally assisted housing for drug-related criminal activity o Household is currently engaged in illegal use of drugs or there is reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may cause interference o Any member who is subject to a sex offender lifetime registration o Reasonable cause of behavior, from abuse or pattern of abuse of alcohol, may cause interference with health, safety, right to peaceful enjoyment by other residents.	<input type="checkbox"/> Yes <input type="checkbox"/> No     <input type="checkbox"/> Yes <input type="checkbox"/> No     <input type="checkbox"/> Yes <input type="checkbox"/> No     <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
3.e			e) Rejecting Ineligible Applicants (Describe circumstances under which an owner may reject an applicant. If the owner elects to consider any extenuating circumstances, where able and applicable, these must be described. If the applicant is a person with disabilities, the owner must consider extenuating circumstances where this would be required as a matter for reasonable accommodation –	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		

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			see 4-28B; chapter 2, subsection 4.)				
3.f			f) EIV: O/A has updated plan to include use of Existing Tenant Report as part of screening criteria (December 29, 2009 EIV Webcast & Housing Notice: H 09-20)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
4.			Occupancy Standards (Describe how owner will determine the appropriate unit size, procedure to place families on lists for more than one unit size, if applicable) <u>Paragraph 4-4C.4 &amp; paragraph 3-23</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
5.			Unit Transfer Policy <u>Paragraph 4-4C.5.a-e; 3-23; 7-15; 7-16B</u> Include procedures for selecting between applicants on the waiting list and current tenants who need: a) Transfer for family size (also see 3-23H) b) New unit based on change in family composition (also see 3-27) c) A deeper subsidy (n/a for 100% Section 8) d) Transfer due to medical reason e) An accessible unit (also see 4-29) <u>Paragraph 7-15E</u> Transfer for tenants to different units as a reasonable accommodation to a household member's disability <u>Paragraph 7-16C</u> Required topics for Unit Transfer Policy describe the following: 1. transfer wait list (if any) 2. acceptable reasons for transfer 3. procedure to fill vacancies 4. policy for giving priority to tenants awaiting transfers or applicants from the	a. <input type="checkbox"/> Yes <input type="checkbox"/> No b. <input type="checkbox"/> Yes <input type="checkbox"/> No c. <input type="checkbox"/> Yes <input type="checkbox"/> No d. <input type="checkbox"/> Yes <input type="checkbox"/> No e. <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  1 <input type="checkbox"/> Yes <input type="checkbox"/> No 2 <input type="checkbox"/> Yes <input type="checkbox"/> No 3 <input type="checkbox"/> Yes <input type="checkbox"/> No 4 <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		

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			property waiting list.				
6.a-c			6a: Policies to Comply with Section 504 of the Rehabilitation Act of 1973, 6b: The Fair Housing Act Amendments of 1988 and 6c: Title VI of the Civil Rights Act of 1964 <u>Paragraph 4-4C.6a-c</u>				
			a) Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
			b) The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. It applies to housing regardless of federal financial assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
			c) Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in any program or activity receiving (HUD) federal financial assistance	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
7.			Policy for opening & closing the waiting list (**should describe methods of advertising used to announce open/close of waiting list). <u>Paragraph 4-4C.7</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		
8.			Eligibility of Students (include eligibility requirements for students enrolled in an institution of higher education); at move-in, annual recertification, initial certification, when in-place starts receiving assistance and due to household changes in enrollment – interim certification) <u>Paragraph 4-4C.8 &amp; 3-13A.1; 3-13A.2.a-h</u> Section 8 assistance shall not be provided to any individual who: a) Is enrolled PT or FT at an institution of higher education to obtain a degree, certificate, or other program leading to a	<input type="checkbox"/> Yes <input type="checkbox"/> No  a. <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>		

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			<p>recognized educational credential</p> <p><b>b)</b> Is under the age of 24</p> <p><b>c)</b> Is not married</p> <p><b>d)</b> Is not a veteran of the U.S. Military</p> <p><b>e)</b> Does not have a dependant child</p> <p><b>f)</b> Is not a person with disabilities (defined in 3 (b) (3) (E) of the U.S. Housing Act of 1937 (42 U.S.C 1437 a (b) (3) (E) and was not receiving Section 8 assistance as of November 30, 2005. (See also Figure 3-6, definition E)</p> <p><b>g)</b> Is not living with his/her parents who are receiving Section 8 assistance; and</p> <p><b>h)</b> Is not individually eligible to receive Section 8 assistance or has parents (individually or jointly) who are not income eligible to receive Section 8 assistance. (See also 3-13A.3 &amp; 3-33)</p> <p><u>Paragraph 3-13A.3</u> (see excerpt below)</p> <p>Establish Independence from Parents: Owners must use, and the student must meet, at a minimum <b>all</b> of the following criteria to be eligible for Section 8 assistance. The student must:</p> <p>a) be of legal contract age under state law</p> <p>b) have established a household one year prior to application – <b>OR</b> – meet DOE definition of an independent student &amp;</p> <p>c) not be claimed as dependant pursuant to IRS regulations</p> <p>d) obtain a certification of the amount of financial assistance provided by parents or legal guardian (even if no assistance is provided)</p>	<p>b. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>c. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>d. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>e. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>f. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>g. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>h. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>a. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>b. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>c. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>d. <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			

## Tenant Selection Plan Checklist - Continued

### **\*\*Additional Owner Policies and Practices**

General: Owners are encouraged to incorporate their own policies and practices regarding the selection of tenants into the Tenant Selection Plan. See Figure 4-2 for a list of recommended topics. Paragraph 4-4D.1

Notification of Modification to the Tenant Selection Plan: It is a good practice for owner's to include a description of how they will notify applicants on the waiting list (and potential applicants) of any new or revised tenant selection plan or policy that may affect an application or tenancy. Paragraph 4-4D.2

Modification of the Tenant Selection Plan: Owners should review tenant selection plans at least annually to ensure that they reflect current operating practices, program priorities, and HUD requirements. Paragraph 2-30; paragraph 4-12E

Availability of the Tenant Selection Plan: When requested, the owner must make the plan available to the public. Paragraph 2-30; paragraph 4-12F

Information about Availability of Accessible Units: Owners must have policies and practices to ensure that information about the availability of accessible units reaches eligible persons with disabilities. Paragraph 2-30; paragraph 4-12D

Updating the Waiting List Information: Due to household composition changes, the owner updates the waiting list and determines if a new unit size is necessary: the owner's policy will determine if the household maintains the original application date or if the place on the waiting list is based on the date of the new determination of family composition. Paragraph 4-19B

Utility Reimbursement: The owner must provide the utility reimbursement to the tenant or utility provider within 5 business days of receipt of the assistance payment from HUD. Paragraph 9-13B.2

If the utility reimbursement is not disbursed to the tenant or utility provider (e.g., tenant never picks up the check, tenant never cashes the check or tenant moves-out), the funds must be returned to HUD. The check should be voided and the funds returned to HUD as an adjustment on the voucher. The owner needs to ensure before returning the funds that the tenant has been given sufficient opportunity to cash the check and that all attempts have been exhausted in reaching former tenants, including any requirements under state or local law. Paragraph 9-13B.1

Criminal Screening: The owner may deny admission to an applicant using his/her standard for admission screening if the criminal background check indicates the applicant provided false information. If the determination is made by either the PHA or owner to deny admission to the applicant, the entity making the determination must:

1. Notify the applicant of the proposed denial of admission.
2. Provide the subject of the record and the applicant with a copy of the information the action is based upon.
3. Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

Paragraph 4-27E.6

Eligibility for Students: For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

1. Be of legal contract age under state law;
  2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**
1. Meet the U.S. Department of Education's definition of an independent student. (See the Glossary for definition of Independent Student);
  2. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
  3. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Paragraph 3-13A.3

**PLEASE NOTE:** This checklist has been provided to highlight specific areas of compliance and non-compliance related to the Tenant Selection Plan and is not a HUD form. Data on this checklist is periodically updated for quality control to ensure continued compliance with HUD regulations and may be updated without prior notice.