

# Written Policies and Procedures

## (Effective 11/09/2019)

DMA Properties supports the Fair Housing Act, as amended, and prohibit discrimination for housing based on race, color, religion, sex, national origin, disability, or familial status. All applicants and co-applicants must be 18 and over unless protected under familial status per the Fair Housing amendment. FOR AGE PREFERENCES please **SEE COMMUNITY ATTACHMENT 2**. Maximum rent and maximum income guidelines are adhered to as required by the Texas Department of Housing and Community Affairs (TDHCA). All applicants are required to complete, date and sign a rental application and provide photo identification in addition to meeting key criteria in order to qualify for housing. **The screening criteria will be applied uniformly and, in a manner, consistent with all applicable law, including The Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, the Department's rules, and HOPA if applicable.** The development will comply with state and federal fair housing and anti-discrimination laws, including but not limited to consideration of reasonable accommodations requested to complete the application process. DMA will distribute MFDL program units reserved for Low-Income, Very Low-Income and Extremely Low-Income families among unit sizes in proportion to the distribution of unit sizes within the property and to avoid concentration of those families in any specific area. All Tax Credit program units including those set aside for additional rent and occupancy requirements will be distributed in the same manner. Affordable units are Tax Credit and may be layered with additional funding and requirements.

**SEE COMMUNITY ATTACHMENT 2**

**Maximum Occupancy:** **SEE COMMUNITY ATTACHMENT 2**

### **Income/Employment Requirements:**

Section 8 Applicants are welcome. Each household not participating in the Section 8 voucher or HOME TBRA and other MFDL programs must show income which is greater than 2.5 times the resident paid portion of the rent. For affordable housing units, the household income must be within the maximum allowed income range as specified by the TDHCA in order to qualify. All applicable rent and income limits for all units and household sizes participating under the Tax Credit program and layered with Tax Credit funding, participating under the HOME program and layered with HOME funding, participating under the National Housing Trust Fund program and layered with TRUST Funding, or participating in the TCAP / HOME- Match and layered with TCAP / HOME-Match funding are listed on **COMMUNITY ATTACHMENT 2**

**Rent and Income Limits:** **SEE COMMUNITY ATTACHMENT 1**

Rents will not increase during lease term but are subject to increase at lease renewal.

### **Security Deposit, Application and Fees, Transfers, Reasonable Accommodations, Priority Waiting List:**

All security deposits are fully refundable. The refundable deposit is taken upon execution of the lease contract. As per 10 TAC §10.610, the owner will soon convert any deposit into a refundable security deposit supported by an executed lease contract. No deposits are collected to place a household on the waiting list. After the Resident has moved from the unit, Management will determine whether the Resident is eligible for a refund of any or all of the security deposit. The Resident will be eligible for a refund of the security deposit only if the Resident provided the Management with the 30-day written notice of intent to move. Management will inspect the unit and complete a Final Account Statement. Management will refund to the Resident the amount of the security deposit less any amount needed to pay the cost of unpaid rent; damages that are not due to normal wear and tear. Management agrees to refund the amount within 30 days after the Resident has permanently moved out of the unit, returned possession of the unit to Management, and given his/her new address to Management. Management will also give the Resident a written list of charges that were subtracted from the security deposit. A waiting list will be maintained for qualified individuals that meet all before and after-mentioned rental qualifications as well as income qualifications for the respective set-aside.

**Security / Additional Deposits:** **SEE COMMUNITY ATTACHMENT 2**

### **Application and Application Fee:**

All application fees are non-refundable. Application fees: **SEE COMMUNITY ATTACHMENT 2**

Application submissions are accepted by mail or onsite. They may be dropped off both during office hours and in the secure overnight drop after-hours. For an application to be considered for occupancy it must be completed in full and returned to the leasing office with one application fee per adult (see fee defined in **COMMUNITY ATTACHMENT 2**.) All questions and sections on the application must be answered. If questions do not apply, N/A or NONE should be used. An applicant rejected for any reason may not re-apply for 90 days unless proof can be shown that eligibility has changed.

### **Transfers**

Transfers are defined as:

1. To another apartment in the same community (an in-house transfer) or
2. To a different DMA managed community (external transfer).

A resident may qualify to transfer if resident is in good standing and has no lease violations, no past due recertifications and no current past due balances.

**Regarding the multiple-building project election on IRS Forms 8609- see **COMMUNITY ATTACHMENT 2****

A community may be made up of the below different grouping types:

- a) 100% affordable multiple-building groupings
- b) Each its own individual building grouping –mixed income or 100% affordable
- c) Multiple-building grouping- mixed- income

1. All transfers must reapply and qualify as a new resident (with the exception of **example a)- see below**). All paperwork must be submitted and complete- no blanks. Also, all qualifying histories such as rental, criminal and credit, must be run/verified and APPROVED before a move-in date is scheduled. Transfers will be screened under **original** qualifying criterion.
  - i. **In example a)**, If a person wishes to transfer from one building to another building within the same multiple-building Project (defined elections made in IRS Forms 8609), the household may transfer without certifying. May also apply to **example b)** if building grouping 100% affordable. If each building is its own individual building grouping (**example b. above**) the household must be certified and have current annual income less than the income limit established by the minimum set aside the owner selected.
  - ii. **In example c)**, "If a person wishes to transfer to another building in another Project (defined elections made in IRS Forms 8609), the household must initially certify and qualify under current circumstances, including income limits." May also apply in **example b)**, if building grouping has market units.
    - ❖ \*If a current resident qualifies for a lower income designation, then they may transfer to the lower designation apartment. If the desired lower designation is not available at the time, the current resident will receive priority on the lower designation waitlist.
2. As with all new/initial moves-in's, all paperwork must be completed, and the file must be APPROVED by compliance before the lease is signed and keys are released to the new resident.
3. All transfers are also required to pay a new security deposit specific to the applicable property to/in which the transfer is taking place. This must be paid in order to obtain keys at move-in. For refunds on security deposits relating to the apartment being transferred out of, please refer to the above policy.

*At a DMA community with immediate availability for transfer and not associated with active waiting list, all in-house transfers are required to pay a one-time non-refundable \$500.00 transfer fee. An application fee will also be collected for the purposes of screening for both in-house and external DMA community transfers. Per transfer type, these non-refundable fees must be paid before the application will be processed and approved. No transfer or application fee is required for transfers as a result of a VAWA or accessibility accommodation request.*

#### **Accommodation Requests:**

DMA Properties provides an Equal Housing Opportunity and is committed to upholding the Fair Housing laws. We do not require a household to make a reasonable accommodation request in writing; we do not require a household to provide specific medical or disability information other than the disability verification that may be requested to verify eligibility for reasonable accommodation or special needs set aside program; we do not exclude a household with person(s) with disabilities from admission to the Development because an accessible unit is not currently available; or, require a household to rent a unit that has already been made accessible. If preferred, the resident may verbally request the accommodation to the Owner Representative, and they will document the request.

\*\* For Priority VAWA, an accommodation request may be submitted to the Property Manager for review and response within 7 days.

\*\* For Priority Accessibility, accessibility featured units will be offered firstly to current occupants with handicaps requiring those features, and secondly to eligible qualified applicants on the waiting list.

#### **Priority Waiting List:**

1. A completed rental application must be submitted for approval. Only pre-qualified applicants are given priority waiting list status. Existing residents receive priority when seeking lower income restrictions. All fully completed and pre-qualified applications, including those seeking lower income restricted units will be placed on the list in numerical order, by first-come first-served basis, after existing residents seeking lower income restrictions. All applicants will be selected and offered a unit in the same manner.
2. Once an applicant is reached on the waiting list and offered an apartment, ***an application fee will be collected for the purposes of screening.*** History screening will be performed, including credit, criminal and rental. All application documentation must be current within 120 days of move-in in order to process an application. This may mean re-submission of documentation at time of processing.
3. Once an apartment is made available and offered, upon 3 declined availability offers, The Community reserves the right to remove the application from the priority wait list.
4. After an offer is accepted, the resident must agree to move-in no later than **30** days from acceptance date. The property will maintain a separate waiting list for all income restricted units. The Waiting List is always open to applicants. The only exception would be as follows: if the waiting list for a particular set-aside is for a wait of 3+ years, (no move-outs during that time) the list will be closed only to re-open after drop-offs have occurred. Please check with Property Management for this exception.

#### **Income Verification:**

**All Programs-** In order to ensure that each household falls under the program maximum, each applicant must verify income and asset income. Sources of income include but are not limited to employment, self-employment, spousal/child support payments, welfare payments, social security payments, pension payments, and interest from all bank accounts or other interest-generating assets. Authorized written verification of any additional sources of household income is required. Applicants who are self-employed must complete a Self-employed Affidavit providing last year's tax return with Schedule C/ profit and loss and anticipated income for the following 12 months. Applicants whose income is based solely on commissions or base salary plus commissions, tips or bonuses, may require additional verifications.

#### **Initial Certification and Recertifications:**

All low-income households must be certified prior to move-in at initial certification a household's rent will have been determined based on both the income calculation as per the program requirements, and the availability of the designations under which they qualify. There is limited availability in each designation.

**Under the Tax Credit Program-** Applicants are required to provide us with at least **6** weeks consecutive current paycheck stubs or source documentation for each occupant prior to application approval.

Under the MFDL Programs- Applicants are required to provide us with at least 2 months consecutive current paycheck stubs or source documentation for each occupant prior to application approval.

The recertification (full or AEC- Self Certification) is due on the anniversary of the household's move-in date.

- a. Full Recertification requires verification of all current income and assets, student status. New paperwork must be completed within 120 days of the anniversary of the move-in date.
- b. AEC is a self-certification form that is signed by resident, verifying household information. Student status is re-screened. No new income verification is collected or documented unless the household states their income exceeds 140% of the 60%. Then full recertification will be performed, and Available Unit rule will be followed.

At recertification rent will remain restricted based on the circumstances at initial certification unless the household's income exceeds 140% of the current income limit 60% or the household elects to be placed on the waiting list at a lower income designation, per 10 TAC §10.615 (d) (2)(A). If their income exceeds 140% of the current 60% income limit, they may be required at the end of the lease term to pay a market-rate rent. Under the MFDL programs- if a household's income exceeds 80% at recertification, the owner must charge rent equal to the lesser of 30% of the household's adjusted income or the rent allowable under the other program. If a household's income at initial certification qualified them at a lower designation but rent was not restricted at such lower designations due to availability, the household may request to be placed on the Priority Waiting List for such designations under which the household initially qualified. HOME Developments must complete a full recertification with verifications of each HOME assisted apartment every sixth year of the Community's affordability period even in AEC HTC buildings. The recertification is due on the anniversary of the household's move-in date. For recertification requirements by building and community-specific affordable program participation, please see **COMMUNITY ATTACHMENT 2**.

### **Student Status:**

Students: Under the Tax Credit Program- Households comprised entirely of full-time students are NOT eligible unless 1 of 5 specific exceptions is met and the required verification of such exception can be provided. These student eligibility exceptions include: Being married & eligible to file taxes jointly, being enrolled in a JTPA, receiving TANF, being a foster child, or being a single parent who claims a minor child.

Students: Under the MFDL Programs- All adult household members must meet a specific exception (listed below) and the required verification of such exception must be provided; otherwise, the household is not eligible for any HOME or TCAP-RF-assisted apartment home.

These student eligibility exceptions are: being over 24 years of age, a veteran, married, having a dependent child, disabled & receiving Section 8, living with his or her parents who are receiving Section 8 assistance, or being an independent student as defined by the Dept. of Education. Each household member must individually qualify under the HOME student program requirements.

### **Rental History:**

All occupants 18 and over are leaseholders and are required to sign the Lease Agreement. They must have satisfactory, verifiable, rental history or mortgage history defined as, no prior evictions, late payments, disturbing the rights and comforts of other residents, negligent housekeeping including unsanitary pest and clutter issues which could create a hazardous living environment- per OSHA's standards (1910.22, 1910.34-.37, 1910.141), NSF check history, unauthorized occupants, property damage, or failure to adhere to the policies and regulations of the community or management company. At least 1-year satisfactory rental/mortgage history is required (not applicable to first-time renters).

Rental History must reflect a prompt payment record (i.e. apartment community or Mortgage Company) A prompt payment record is defined as no more than three (3) late payments within a one (1) year period. Any unpaid sums will result in denial of the application.

Applicants will be disqualified for a history of damages and/or lease violations. Any damages and/or lease violations that are directly related to protections under the Violence Against Women Act (VAWA) will not result in a denial of the application.

Applicants who have negative rental history at any community owned and managed by DMA Properties will be denied. Negative Rental History is defined as those who have been evicted, left/skipped without notice, asked to move by management, owed money for rent and/or damages or non-renewed.

A household will be disqualified if any household member(s) has been evicted in the last three (3) years from a federally assisted housing for drug-related criminal activity. The owner **may**, but is not required to consider two (2) exceptions to this provision:

- (1) The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
- (2) The circumstances leading to the eviction no longer exist (i.e. the household member no longer resides with the applicant household).

### **Credit History:**

A complete credit/criminal check will be conducted for each adult applicant who is 18 and over. Anyone with a bankruptcy or repossession may be required to post an additional deposit (noted above and is double the traditional security deposit) in order to be approved. No applicant who has a long-term outstanding balance at another apartment community (more than 30 days) will be approved. All outstanding balances to other apartment communities or utility companies must be settled prior to receiving application approval.

- |                      |   |
|----------------------|---|
| 1. Bankruptcy        | Decline if less than <u>3 years old</u> .   |
| 2. Court Judgment    | Decline if less than <u>3 years old</u> .   |
| 3. Tax Lien          | Decline if over <u>\$5,000</u> and less than <u>3 years old</u> .   |
| 4. Foreclosure       | Decline if over <u>\$100,000</u> and less than <u>1 year old</u> .  |
| 5. Repossession      | Decline if over <u>\$3,000</u> and less than <u>3 years old</u> .   |
| 6. Collections       | Decline if the number of collections is <u>over 3</u> .<br>Decline if over <u>\$1,500</u> and less than <u>1 year old</u> . |
| 7. Past Due Accounts | Decline if over <u>40% or more of total accounts</u> are past due excluding medical accounts.                               |

### **Criminal History:**

A criminal history will be completed on each applicant & occupant age 18 or older, including live-in aides. Applicants who have been **convicted of any type of felony offense** or **any level offense** involving the **following**: sex crime; assault; weapons; arson; theft; drug manufacture & or distribution that was

resolved by conviction will not be accepted. Any active status on probation or parole involving the above offenses will be denied. For offenses other than felonies, offenses with conviction dates older than 10 years will not be grounds for rejection, except for any level of sex crime. There is no statute of limitations on look-back period for sex crimes. Repeated disturbances related to circumstances protected under VAWA are not considered. Appeals for denials based on criminal are accepted and will be reviewed based on the severity of the crime, the length of time since the crime occurred, and repeat offense records.

- ❖ Applicant(s) must not have a criminal history that reflects any prior felony convictions or deferred adjudication for felony offenses **within the last ten (10) years**.
- ❖ **Any applicant with more than 2 felony convictions will be denied regardless of time frame.**
- ❖ Applicants must not have a criminal history that reflects misdemeanor convictions or deferred adjudication involving violent crimes against persons, crimes against property, or for drug related or prostitution related offenses **within the last seven (7) years**.
- ❖ Applicants must not be subject to a lifetime registration requirement pursuant to Chapter 62 of the Texas Code of Criminal Procedure or any other state's sex offender registration program.
- ❖ Applicants or any household member must not have any member 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 illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
- ❖ There should be no reasonable cause to believe that an Applicant or any household member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents.

The following criminal convictions will be permanently denied/excluded:

- ❖ Capital Murder or Murder/Manslaughter
- ❖ Rape, Sexual Assault or Crimes of a Sexual Nature
- ❖ Kidnapping
- ❖ Arson
- ❖ Felony Manufacture of Methamphetamines

\*\* Note: This requirement does not constitute a guarantee or representation that resident or occupants residing at this apartment community have not been convicted of above-mentioned criminal activity or are not subject to deferred adjudication for above mentioned criminal activity.

#### **Violence Against Women Act:**

In accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA), an applicant will not be denied admission on the basis that the applicant has been a victim of domestic violence, dating violence, domestic assault, or stalking. The owner will support and assist victims of domestic violence, dating violence, sexual assault, or stalking and protect victims, as well as members of their family or affiliated individuals, from being denied housing as a consequence of domestic violence, dating violence, sexual assault, or stalking. For reasonable accommodation requests, please submit to the property manager and they will be reviewed and responded to within 7 business days.

#### **Pet Requirements:**

**SEE COMMUNITY ATTACHMENT 2**

Service/assistance animals must be documented and qualified by the appropriate agency. Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service/assistance animal(s).

#### **Terminations of Lease or Non-Renewals, Denials, & Appeals:**

Specific reasons for issuances of non-renewal and termination notices will be provided in writing and delivered in the method selected on the notice. Under the MFDL Programs, all termination notices provide a **30-day** advance-notice. All others will receive a 3-day advance termination notice. Notification for denial of an application will be provided in writing by email, U.S. mail, or handed to applicant within 7 business days after submission. Appeal reviews may be requested to DMA Properties, LLC at 512-328-3232. The appeal decision will be made within 7 business days and the applicant notified accordingly in the same manner. This also applies to Priority VAWA requests or Reasonable Accommodation requests relating to a disability.

***I/we acknowledge that I/we have read and understood the Written Policies and Procedures and Community Attachments as of the date this document is signed.***

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Co-Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## Attachment 1- Aldrich 51

### Income and Rent

Travis County Maximum Income and Rent Limits Effective Date: 04/01/2020  
 TDHCA Approved HUD Model Utility Allowances Effective Date: 10/29/2019

#### Income

AMFI %	Number of Household Members							
	1	2	3	4	5	6	7	8
30	\$ 20,520	\$ 23,430	\$ 26,370	\$ 29,280	\$ 31,650	\$ 33,990	\$ 36,330	\$ 38,670
50	\$ 34,200	\$ 39,050	\$ 43,950	\$ 48,800	\$ 52,750	\$ 56,650	\$ 60,550	\$ 64,450
60	\$ 41,040	\$ 46,860	\$ 52,740	\$ 58,560	\$ 63,300	\$ 67,980	\$ 72,660	\$ 77,340

#### Rent

Number of Bedrooms	Tax Credit 30%		Tax Credit 50%			Tax Credit 60%			
	Studio (10)	1 (8)	Studio (10)	1 (18)	2 (19)	Studio (18)	1 (46)	2 (71)	3 (4)
Maximum Rent:	\$ 513	\$ 549	\$ 855	\$ 915	\$ 1,098	\$ 1,026	\$ 1,098	\$ 1,318	\$ 1,523
-- Utility Allowance	\$ 49	\$ 58	\$ 49	\$ 58	\$ 79	\$ 49	\$ 58	\$ 79	\$ 102
<b>Allowable Tenant Paid Rent</b>	<b>\$ 464</b>	<b>\$ 491</b>	<b>\$ 806</b>	<b>\$ 857</b>	<b>\$ 1,019</b>	<b>\$ 977</b>	<b>\$ 1,040</b>	<b>\$ 1,239</b>	<b>\$ 1,421</b>

ATTACHMENT 2



**2019 RENTAL QUALIFICATIONS  
(EFFECTIVE 11/09/2019)**

**Age Preference:** None

**Maximum Occupancy:**

Apartment Size

Maximum Number of Occupants

Studio

**One Person**

One Bedroom

**Two Persons** + a minor 6 years & younger

Two Bedroom

**Four Persons** + a minor 6 years & younger

Three Bedroom

**Six Persons** + a minor 6 years & younger

**Security Deposit:**

Security/ Additional Deposits are as follows: **1 Bedroom** \$400.00 **2 Bedroom** \$600.00 **3 Bedroom** \$800.00

**Application Fee:**

Application fees are as follows: **Single applicant** \$20.00 **Each additional applicant** (18 and over) \$15.00

**Pet Requirements:**

Pets no greater than 25 lbs. are allowed on the premises and there is a 2-pet maximum requirement. Their TOTAL max weight must be no greater than 25lbs. There is a one-time fully refundable pet deposit of \$500. Pets are allowed ONLY in Building 6.

**8609 Elections for the purpose of Transfers and Recertifications:**

BUILDING GROUP 1	BUILDING GROUP 2	BUILDING GROUP 3	BUILDING GROUP 4	BUILDING GROUP 5	BUILDING GROUP 6
1	2	3	4	5	6
AEC	Full recertification	Full recertification	Full recertification	AEC	AEC

**Program Participation:** HTC, 811

**Additional Special Preferences:** Aldrich 51 is a NON-SMOKING Community

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

NO CASH ACCEPTED FOR ANY TRANSACTION.

