LIVE OAK
139 LIVE OAK AVE.,
FAIRFAX, CA 94930
TELEPHONE (415) 883-1601
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RESIDENT SELECTION PLAN

Live Oak, located at 139 Live Oak in Fairfax California was developed to provide housing for low and moderate income households without regard to race, color, sex, creed, religion, national origin, physical or mental disability status, familial status, age, ancestry, marital status, source of income, sexual orientation or any other arbitrary personal characteristics.

Live Oak is an Equal Opportunity Housing Facility, admitting people in accordance with Local, State and Federal Fair Housing laws.

NON-SMOKING POLICY

Live Oak is designated as a Non-Smoking property. Smoking is prohibited in all areas of the property including the interior of apartments, all indoor and outdoor common areas on the property.

It is the residents' responsibility to inform their guests of the Non-Smoking Policy. Any violation of the Non-Smoking Policy will be deemed a material breach of the Rental Agreement and grounds for immediate termination of the Lease/Rental Agreement.

Live Oak's adoption of a Non-Smoking Policy does not make the Owner the guarantor of the resident's health or that the property will be free of smoke but management shall take reasonable steps to enforce this policy.

INCOME LIMITS

To qualify for a unit, household's gross income may not exceed the maximum income limit per household size for the Low Income limit (80% AMI) as published annually by HUD and set by the Marin county Median Household Income Schedule. The income limits are attached and will be posted in the EAH Office.

APPLICATION PROCEDURES

Applications will only be distributed when the Waiting List is open. Applications will not be distributed when the Waiting List is closed.

Applications will be available in the office during normal business hours or by requesting an application by telephone. Application fees are $46.00 per each household member 18 years of age and older. The maximum charge per household is $138.00. An application fee(s) (per adult to occupy the apartment) is required at the time an application is processed to determine eligibility.

An application fee(s) (per adult to occupy the apartment) is required at the time an application is processed to determine eligibility. A holding deposit of $200 will be collected once a unit is offered. These funds must be in the form of a cashier's check or money order. The holding deposit will be applied to your Security Deposit and or first month's rent if your application is approved and you move-in on your scheduled move-in day. If you rescind your application within three (3) days of the date the holding deposit was paid, your holding deposit will be reimbursed within 21 business days. If you cancel after the initial 3 days for any reason your holding deposit will be forfeited. The application fee is non-refundable.

Each applicant must complete an application and be willing to submit to a credit history, rental history, and criminal background inquiry, as well as income and asset verifications. An Employment Verification fee will be charged to each adult applicant whose

employment income can only be third party verified via The Work Number. Applicants who fail to pay the Employment Verification fee for The Work Number service will be denied due to "failure to cooperate with the certification process.

All application entries are to be made in ink or typed. Corrections or changes are to be made by lining through the original entry and entering the correct data. Such changes must be dated and initialed by the person making the change.

Signed and dated applications will be processed on a first-come, first-served basis. The application must be completed and signed by the head of household and all household members over 18 before an applicant can be placed on the waiting list. If an application is not completely answered, the date of it being fully completed will be the date that the application is considered accepted for rental purposes.

PREFERENCES

It is the policy of the Property that a preference does not guarantee admission. Every applicant must still meet the Property's Resident Selection Plan standards for acceptance as a resident.

In keeping with our original agreement with the town of Fairfax, Live Oak gives priority for the units in the following order:

1) Public Safety/Public Works employees of Fairfax … and employees of the Ross Valley Fire Service and the Ross Valley Paramedic Authority
2) Persons employed and residing in Fairfax.
3) Persons employed in Fairfax but residing elsewhere.
4) Persons residing in the town but employed elsewhere.

Note: No home/ownership in Marin, Sonoma, Napa, San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara or Solano counties.

Where preferences apply, applicants with a verified preference will be moved to the top of the waiting list above persons without a preference.

OCCUPANCY STANDARDS

Occupancy standards are the criterion established for matching a household with the most appropriate size and type of apartment. "Two plus one" occupancy guidelines will be followed to avoid under or over utilization of the units as follows:

Bedroom	Household Minimum	Household Maximum
1	1	3
3	3	7

To determine the proper bedroom size for which a household may qualify, the following household members are to be included:

1. All full-time members of the household, and
2. Live-in attendants.
3. Foster children
4. Unborn children
5. Children in the process of being adopted
6. Children whose custody is being obtained by an adult family member
7. Children in joint custody arrangements who are present in the household 50% or more of the time.

VIOLENCE AGAINST WOMEN ACT OF 2013

The Violence Against Women Act ("VAWA") protects victims **against eviction or denial of housing based on domestic violence, dating violence, sexual assault and stalking.** In 2013, Congress expanded VAWA's housing protections by covering additional federal housing programs. VAWA offers the following protections:

1. An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault and stalking is not a basis for denial of admission, if the applicant otherwise qualifies for admission.

2. This must support or assist victims of domestic violence, dating violence, sexual assault and stalking. It must protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing.

3. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault and stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.

4. Criminal activity directly related to domestic violence, dating violence, sexual assault and stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

5. Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.

6. The provisions protecting victims of domestic violence, dating violence, sexual assault and stalking engaged in by a member of the household, may not be construed to limit Live Oak, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.

7. The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if Live Oak can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, Live Oak will not subject victims to more demanding standards than other tenants.

The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault and stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence, sexual assault and stalking.

The Notice of Occupancy Rights and Certification form will be provided to applicants when assistance is being denied or at the time of move-in.

GROUNDS FOR DENIAL

1. Total family income exceeds the applicable income limits published by HUD.
2. Household cannot pay the full security deposit at move-in.
3. Household refuses to accept the second offer of a unit.
4. Household fails to respond to interview letters or otherwise fails to cooperate with the certification process. Failure to sign consent forms.
5. ANY adult household members fail to attend eligibility interview.

6. Blatant disrespect or disruptive 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).

7. Applicant failed to provide adequate verification of income or we are unable to adequately verify income and/or income sources.

8. Unit assignment will NOT be the family's sole place of residency. **Qualification for a unit includes occupying the unit on a continuous basis and as a primary residence. Residents may not be absent from the unit for more than 60 consecutive days, or for longer than 180 continuous days for medical reasons.**

9. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process.

LANDLORD REFERENCE

10. Negative landlord references that indicate lease violation, disturbing the peace, harassment, poor housekeeping, improper conduct or other negative references against the household.

11. Evictions reported in the last 5 years.

12. History of late payment of rent that demonstrates more than 2 late payments of rent in a six-month period for the past two years. More than 1 NSF in a one-year period.

13. Any evidence of illegal activity including drugs, gang, etc.

14. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process.

15. Inappropriate household size for the unit available (see Occupancy Standards).

CREDIT

Please see attached credit criteria.

A security deposit is charged at the time of the initial lease execution (signing). An additional $200 security deposit is charged to applicant households without credit history.

CRIMINAL

Please see attached criminal background criteria.

GRIEVANCE/APPEAL PROCESS

Failure to meet one or more of the foregoing screening criteria may be grounds for rejection, however, each application is considered as a whole and the above-factors are considered as part of a weighted formula. Should the applicants fail to meet the screening criteria, they will receive a notice in writing indicating that they have the right to appeal the decision. This notice must indicate that the applicant has 14 days to dispute the decision. The notice will also indicate that persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

An appeal meeting with the Property Supervisor will be held within 10 business days of receipt of the applicant's request.

Within five days of the appeal meeting, the property will advise the applicant in writing of the final decision regarding eligibility. Apartments will not be held for those applicants in the appeal process.

ADMINISTRATION OF WAITING LIST

The property is required to maintain a Waiting List of all eligible applicants. Applicants must be placed on the Waiting List and selected from the Waiting List even in situations where there are vacancies and the application is processed upon receipt. This procedure is necessary to assure the complete and accurate processing of all documentation for all applicants.

The property has one Waiting List that is established and maintained in chronological order based on the date and time of receipt of the Preliminary Application. The Waiting List contains the following information for each applicant:

1. Applicant Name
2. Address and/or Contact Information
3. Phone Number(s)
4. Unit Type/Size
5. Household Composition
6. Preference/Accessibility requirements
7. Income level
8. Date/ Time of Application

Applicants must report changes in writing to any of the information immediately.

Applicants will have the opportunity to decline the first apartment offered and retain their place on the waiting list. Should the applicant decline the offer of the next available unit, they will be removed from the waiting list.

PURGING THE WAITING LIST

The Waiting List will be purged periodically. Each applicant will receive a letter from the property, which will request updated information and ask about their continued interest. This letter must be returned within the specified time or their application will be removed from the Waiting List. It is the responsibility of the applicant to maintain a current address with the office in order to receive waitlist correspondence. Any correspondence returned undeliverable will result in application being removed from the waitlist.

OPENING/CLOSING OF WAITING LIST

Live Oak Housing will monitor the vacancies and waiting lists regularly to ensure that there are enough applicants to fill the vacancies. Furthermore, Live Oak Housing will monitor the waiting list to make sure that they do not become so long that the wait for a unit becomes excessive.

The waiting list may be closed for one or more unit sizes when the average wait is excessive. When the waiting list is closed, Live Oak Housing will advise potential applicants that the waiting list is closed and refuse to take additional applications. Live Oak Housing will publish a notice stating that the waiting list is closed in a publication likely to be read by potential applicants. The notice will state the reasons for Live Oak Housing's refusal to accept additional applications.

When Live Oak Housing agrees to accept applications again, the notice of this action will be announced in a publication likely to be read by potential applicants in the same manner as the notification that the waiting list was closed.

Advertisements will include where and when to apply and will conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan for Live Oak Housing.

AVAILABILITY OF RESIDENT SELECTION PLAN

The Resident Selection Plan shall be posted in a conspicuous and public area at the site. Changes to the Plan will be sent via U.S. mail to all persons on the active Waiting List. When the Waiting List opens, the Resident Selection Plan will be distributed with

applications and are available by request from management.

ANNUAL/INTERIM RECERTIFICATION REQUIREMENTS

All residents must be re-certified annually.

UNIT INSPECTION REQUIREMENT

Before signing the lease, Live Oak and the resident must jointly inspect the unit. The resident has five days to report any additional deficiencies to Live Oak to be noted on the move-in inspection form.

Annual unit inspections are performed by Live Oak. Agencies providing funding have the right to inspect the unit to ensure the property is physically well maintained and that the residents are provided with decent, safe and sanitary housing.

Residents will receive prior written notification for all unit inspections.

When a resident moves out, a final inspection will be completed. Residents are encouraged to attend the move-out inspection. However, if the resident does not wish to participate in the final inspection, Live Oak management may conduct the inspection alone.

PETS

Residents are permitted to keep common household pets in the dwelling unit. SERVICE or ASSISTANCE animals are not considered pets and are not required to comply with the provisions of the Pet Policy. Service or Assistance animals are those animals specifically required to assist individuals with documented disabilities. Please notify Management if you require a Service or Assistance animal.

EQUAL HOUSING OPPORTUNITY

Live Oak does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally-assisted programs and activities.

EAH HOUSING
A NON-PROFIT HOUSING CORPORATION

Expanding the range of opportunities for all by developing, managing and promoting quality affordable housing and diverse communities since 1968.
Live Oak is an equal opportunity housing provider.