



**EAH HOUSING**

# **Kai Oline Phase II**

**61 Okupu Street, 'Ele'ele HI 96705**

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## OVERVIEW

Kai Olino Phase II is a 27-unit apartment, multi-family community in 'Ele'ele, Hawai'i, that provides housing for extremely low and low-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 HIV status.

Kai Olino Phase II will make reasonable accommodations for individuals with disabilities. Reasonable Accommodation Request forms are available upon request from Management. Kai Olino Phase II is an Equal Housing Opportunity Housing Facility, admitting people by Local, State, and Federal Housing laws, the Housing Policies for County of Rental Housing Revolving Fund (RHRF), Low-Income Housing Tax Credit Program (LIHTC), and the County of Kaua'i Housing Community Development Fund (HCD).

### Set Aside Units for Homeless

Kai Olino Phase II must set aside two units for the formerly homeless or residents at risk of homelessness. These set-aside units will be filled through the Kaua'i County Coordinated Entry System.

## NON-SMOKING POLICY

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

It is the resident's 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.

Kai Olino Phase II'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 an apartment, the household's gross income may not exceed the maximum income limit and may not be lower than the income minimum\* per household size. The income maximums and minimums are attached and are posted in the Kai Olino Phase II management office.

*\*The apartment may be rented if proof indicates a satisfactory and timely rental payment history for the past twelve (12) months, equal to or greater than the rent charged for that apartment size.*

## APPLICATION FEE

**An application fee of \$24 per adult household member will apply.** Application fees will not be collected until an applicant is considered for placement. The application fee will help cover our cost of conducting the credit and criminal background inquiries.

An application fee(s) (per adult to occupy the

apartment) is required to determine eligibility when an application is processed. A holding deposit of \$200 will be collected once an apartment 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 days of the holding deposit being paid, your holding deposit will be reimbursed within 21 business days. If you cancel after the initial three days for any reason, your holding deposit will be forfeited. The application fee is non-refundable.

*\*Housing Choice/Section 8 voucher holders will be exempt from the application fee.*

## APPLICATION PROCEDURES

Applications will only be distributed when the waiting list is open. Applications will not be distributed when the waiting list is closed.

Only online applications will be accepted. Visit [EAHHousing.org/Apartments/Kai-Olino](http://EAHHousing.org/Apartments/Kai-Olino) to complete your application.

Each applicant must complete an application and be willing to submit a rental history, criminal background inquiry, and income and asset verifications.

## LOTTERY

A lottery will determine the order in which the applications are screened for initial placements. Preferences will be used

continuously in the selection of applicants. The online application must be completed and signed by the head of the household (HOH) and all household members over 18 before an applicant can be placed on the appropriate waiting list. If an application is not completely answered, the date it is fully completed will be the date it is accepted for rental purposes.

When a completed application is received, it will be logged by the date and time received and placed on the appropriate waiting list. When a vacancy at the property exists or is expected within the next 120 days, the verification-selection process will begin immediately for the next applicant on the appropriate waiting list regarding income, assets, and eligibility for certification.

### Lottery Selection (First 250 applications)

The first 250 applications received will be placed into a lottery to ensure a fair and transparent selection process. **The steps for this process are as follows:**

1. **Application Receipt:** The first 250 applications submitted will be timestamped and recorded in the order they are received.
2. **Lottery Entry:** These 250 applications will be entered into a random drawing.
3. **Random Drawing:** A random drawing will be conducted to determine the placement order of the applicants.
4. **Placement Order:** Applicants will be assigned a placement order based on the random drawing results and preference points.
5. **Notification:** All 250 applicants will be

notified of their placement order and the next steps in the selection process.

## Additional Applications Received

Additional applications received after the first 250 applicants will not be placed into a lottery. **The steps for this process are as follows:**

- 1. Application Receipt:** The 251 and subsequent applications submitted will be timestamped and recorded in the order they are received.
- 2. Placement Order:** Applicants will be assigned a placement order based on the recorded timestamp and preference points.
- 3. Notification:** All applicants will be notified of their initial placement order and the next steps in the selection process.

## PREFERENCES

Preferences will be continuously used to select applicants. However, the property's policy is that a preference does not guarantee admission. Every applicant must still meet the property's resident selection plan standards for acceptance as a resident.

For apartments accessible to or adaptable for persons with mobility, visual, or hearing impairments, households containing at least one person with such impairment will have priority.

In addition to assigning and ranking a randomly assigned applicant number for the

lottery, residents shall be selected by owner-adopted preferences. Applicants employed as teachers in local schools or considered local essential workers (e.g., healthcare workers, emergency responders, public transportation workers) will receive preference.

Each preference is assigned points so that the computer software can accurately determine the placement of families on the waiting list. The applicant's points will determine the preference and priority status and how it affects the applicant's position on the waiting list. Every applicant must meet the property's resident selection plan standards for acceptance as a resident.

Prospective applicants may claim a preference on the pre-application. Proof of preference is not required when the pre-application is submitted during the initial application period.

If a preference is claimed and you are contacted to continue processing your application, you must submit proof of preference when we contact you for an interview. If you cannot provide the necessary preference documentation, your application will be determined as non-preference.

## Preference Points

All applicants who apply will receive one point. Applicants who are either a local teacher or local essential worker will receive an additional point. The first 250 applicants will be ranked on the waiting list in preference order, then in lottery order. The remaining applicants will be ranked on the waiting

list in preference order, then the date and time stamp the application was received. Management will calculate the total score for each applicant based on the points awarded.

- The top 250 applicants who apply will be entered in the lottery.
- Allocate points based on the preference criteria (teacher and essential workers).
- Lottery order by preference points (highest "2" per household to lowest "1").
- The remaining applicants will be listed by date and time of application.

## Verification of Preference Points

**To verify that a prospective housing applicant is employed as a teacher in a local school or a local essential worker, management will request the following documentation during the interview:**

- 1. Employment Verification Letter:** A letter from the applicant's employer confirming their job title, employment status, and duration of employment.
- 2. Pay Stubs:** Recent pay stubs to verify ongoing employment and income.
- 3. Professional License or Certification:** If applicable, a copy of the applicant's professional license or certification (e.g., teaching credential).
- 4. Proof of Residency:** Documents such as utility bills or lease agreements to confirm the applicant's local residency.
- 5. Identification:** Government-issued ID will be used to verify and match the applicant's identity with other provided documents.

## TRANSFER POLICY

An apartment transfer list is maintained for residents who have been approved for transfer due to a disability or change in household status. Transfers for accessibility or medical reasons will have priority over those for changes in household composition. Residents on the apartment transfer list will have priority over applicants on the waiting list.

To transfer to another building on the property, the family must meet the initial eligibility requirements of the LIHTC program; otherwise, the transfer will not be allowed.

## OCCUPANCY GUIDELINES

Occupancy guidelines are the criteria for matching a household with the most appropriate size and apartment type. **The following occupancy guidelines will be followed to avoid overutilization of the apartments as follows:**

Bedroom	Household Maximum
2	5
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
2. Live-in attendants
3. Foster children
4. Unborn children
5. Children in the process of adoption.

**NOTE:** Live-in attendants are subject to this plan’s criminal and landlord provisions, except for criteria determining their ability to pay rent.

The fee to run a criminal background check is currently \$20 per live-in attendant.

## VIOLENCE AGAINST WOMEN ACT

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, including the Low-Income Housing Tax Credit program (“LIHTC”). 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 families, 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” 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 allows the victim, 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 Kai Oline Phase II, 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 to a victim who commits unrelated criminal activity. Furthermore, if Kai Oline Phase II 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, Kai Oline Phase II 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.

## GROUND FOR DENIAL

1. Total family income exceeds the applicable income limits published by HUD or does not meet the minimum income limits.
2. Households cannot pay the full security deposit at move-in.
3. The household refuses to accept the second offer of an apartment.
4. Household fails to respond to interview letters or cooperate with the certification process. Failure to sign consent forms.
5. ANY adult household members fail to attend the eligibility interview.
6. Blatant disrespect or disruptive behavior toward management, the property, or other residents exhibited by an applicant or family member at any time before move-in (or a demonstrable history of such behavior).
7. The household is comprised entirely of

full-time students and does not meet the exception outlined in Section 42 of the IRC.

8. The applicant failed to provide adequate income verification, or we are unable to adequately verify income and/or income sources.
9. Providing or submitting false or untrue information on your application or failing to cooperate with the verification process.
10. Apartment assignment will NOT be the family’s sole place of residency.

Qualification for an apartment includes occupying it continuously and as a primary residence. Residents may not be absent from the apartment for more than 60 consecutive days or for longer than 180 continuous days for medical reasons.

## LANDLORD REFERNECE

1. Negative landlord references that indicate lease violation, disturbing the peace, harassment, poor housekeeping, improper conduct, or other negative references against the household.
2. Evictions reported in the last 5 years.
3. A history of late rent payments demonstrates more than two late rent payments in six months for the past two years and more than 1 NSF in one year.
4. Any evidence of illegal activity, including drugs, gangs, etc.
5. Inappropriate household size for the apartment available (see Occupancy Standards)

## BACKGROUND CHECK

1. All applicants will be screened for criminal history.
2. Felony convictions within the past seven years or patterns of two or more misdemeanor convictions within the past seven years involving sexual misconduct (as defined by state law), drug-related crimes, theft by check, or a physical crime against a person or another person's property may allow approval of the application with special conditions or denial based on the crime and date of said criminal charges.
3. For applicants referred through the Kaua'i Continuum of Care and Women in Need, felony convictions within the past three (3) years involving violent physical crimes against another person are grounds for denial. Applicants subject to a lifetime registration requirement under a State sex offender registration program will not qualify.

## GRIEVANCE/APPEAL PROCESS

Failure to meet one or more screening criteria may be grounds for rejection. However, each application is considered a whole, and the above factors are considered part of a weighted formula. If the applicants fail to meet the screening criteria, they will receive a written notice indicating they have the right to appeal the decision. This notice must indicate that the applicant has 14 days to dispute the decision.

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.

## WAITING LIST PROCESS

The property is required to maintain a waiting list of all applicants who submit a completed application. Applicants must be placed on the waiting list and selected from it even in situations where there are vacancies, and the application is processed upon receipt. This procedure is necessary to ensure the complete and accurate processing of all documentation for all applicants.

The property has one waiting list established and maintained chronologically 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. Apartment 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. If they decline the offer of the next available apartment, they will be removed from the waiting list.

## Purging the Waiting List

The waiting list will be purged annually. Each applicant will receive a letter from the property requesting updated information and asking about their continued interest. This letter must be returned within the specified time, or the applicant's application will be removed from the waiting list. The applicant must maintain a current address with the office to receive waiting list correspondence. Any correspondence returned undeliverable will result in the application being removed from the waitlist.

## Opening & Closing the Waiting List

Kai Olino Phase II will monitor the vacancies and waiting list regularly to ensure that there are enough applicants to fill the vacancies. Once the wait on the waitlist has been determined to exceed 12 months, it will be closed.

The waiting list may be closed for one or more apartment sizes when the average wait is longer than 12 months. When the waiting list is closed, Kai Olino Phase II will advise potential applicants that it is closed and refuse to take additional applications. Kai Olino Phase II 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 why Kai Olino Phase II refuses to accept additional applications.

When Kai Olino Phase II 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 marketing plan for Kai Olino Phase II.

## RESIDENT SELECTION PLAN (RSP)

The Resident Selection Plan (RSP) is available in the management office. 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 RSP will be distributed with applications and will be available at Management's request.

## RECERTIFICATION REQUIREMENTS

All residents must be recertified annually. They are also required to report all interim changes to management that occur between the annually scheduled re-certification.

## UNIT INSPECTION REQUIREMENTS

Before signing the lease, Kai Olino Phase II and the resident must jointly inspect the apartment. The resident has five days to report any additional deficiencies to Kai Olino Phase II, which will be noted on the move-in inspection form.

Kai Olino Phase II performs annual apartment inspections. Agencies providing funding have

the right to inspect the apartments 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 apartment 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, Kai Olino Phase II Management may conduct the inspection alone.

## PETS

No pets of any description are allowed on the property. Service or Assistive animals are not considered pets and are not required to comply with the provisions of the Pet Policy. Service or Assistive animals are specifically required to assist individuals with documented disabilities. Please notify Management if you need a Service or Assistive animal.

## EQUAL HOUSING OPPORTUNITY

Kai Olino Phase II does not discriminate on the basis of disability status in admission to, access to, treatment, or employment in its federally assisted programs and activities.

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Expanding the range of opportunities for all by developing, managing and promoting quality affordable housing and thriving

communities since 1968.

Kai Olino Phase II is an equal-opportunity housing provider.