



PASEO SENTER I & II

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RESIDENT SELECTION PLAN

Paseo Senter at Coyote Creek I & II are two affordable housing developments that contain 218 units in four stories surrounding two five-story parking garages. Paseo Senter I & II provides housing for lower-income individuals and families, 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. Paseo Senter I & II Apartments will make reasonable accommodations to individuals whose disability so require. Reasonable Accommodation Request forms are available upon request from management.

To further the commitment to nondiscrimination and equal opportunity in housing, Paseo Senter I & II Apartments will conduct a marketing outreach campaign in accordance with the property's approved Affirmative Marketing Plan. The outreach may include contact with community-based agencies, distribution of flyers, and print and electronic media advertisements.

Paseo Senter I & II are Equal Opportunity Housing Facilities, admitting people in accordance with local, state, and federal Fair Housing laws, and in accordance with the following program regulations:

Low-Income Housing Tax Credit Program (LIHTC) – 218 units are designated at 15% AMI, 25% AMI and 45% AMI.

McKinney Vento Program – 4 McKinney units for homeless and disabled household in Paseo I. These units will meet HUD's Continuum of Care (CoC) program requirements. Housing referrals will be provided and monitored by the County of Santa Clara Office

of Supportive Housing. Rents will not exceed more than 30% of monthly adjusted income.

Full-Service Partnership (FSP) – 10 1-bedroom units at 25% AMI are designated for the Adult and Older Adult Full-Service Partnership (FSP) for adults ages 15-59 and older adults (60+) who have a severe mental illness and need intensive services. The individual must be registered within the County of Santa Clara FSP Program managed by the Office of Supportive Housing. These units will meet the HUD's Continuum of Care (CoC) program requirements. Housing referrals will be provided and monitored by the County of Santa Clara Office of Supportive Housing.

Note: The application fee is waived for County of Santa Clara referred applicants.

Multifamily Housing Program (MHP) Single Parents – 12 units have been set aside for single parent households "MHP Special Need Units" at 45% of AMI or below. These units are funded by the State of California. The MHP Supportive Housing Units are offered as permanent housing linked to supportive services. Documentation of single parent status may include a copy of custody documentation, copy of tax return or a letter from a qualified agency (e.g. Social Services, Catholic Charities or other service provider).

PRIVACY POLICY

It is the policy of Paseo Senter I & II to guard the privacy of applicants as conferred by the Federal Privacy Act of 1974 and all applicable laws and to ensure the protection of such applicants' records maintained by staff. Therefore, neither Paseo Senter I & II nor its agents or employees shall disclose any personal information contained in its records to any person or agency unless the individual about whom the information is requested shall give information as it may need to determine eligibility, compute rent, or determine suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained regarding a disability or disability status will be treated in a confidential manner.



All information provided to Paseo Senter I & II concerning incidents of VAWA-related crimes will be kept confidential and stored in a safe place which only employees who have been designated as a point of contact, such as the site manager, will have access.

In addition, details of an incident will not be entered into any shared database. Paseo Senter I & II is allowed to enter information into a database system that meets all requirements for securing sensitive personally identifiable information. Paseo Senter I & II may disclose the information only if the applicant/resident gives written permission; Paseo Senter I & II needs to use the information in an eviction or termination of assistance proceeding against the victim's abuser or perpetrator; or, a law requires the Paseo Senter I & II to release of the information.

NON-SMOKING POLICY

Paseo Senter I & II 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.

Markham'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, the household's gross income may not exceed the maximum income limit per household size and may not be lower than the income minimum per household size. The income maximums and minimums are attached and will be posted in the Paseo Senter I & II office.

APPLICATION PROCEDURES

During the application period, applications will be available online and in the office during normal business hours or by requesting an application by telephone. The application acceptance period, application fee, and other relevant information will be published via the marketing materials, flyers, newspaper ads, etc. at application time. Application fees are \$46.00 per 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. 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.

Applicants (or applicant's representative) processed for project-based voucher units may request consideration of mitigating circumstances related to negative rental, credit, criminal or other history verified during the application process. Mitigating circumstances are conditions or occasions that partially explain a negative situation or make it more understandable. Negative rental, credit, criminal or other history may be waived during the appeal process. However, a person with a conviction for a violent felony or manufacturing or distributing illegal substances during the past seven years will be denied housing.

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 except for when a lottery is deemed by management to be necessary because of an anticipated demand for apartments.

The application must be completed and signed by the head of household and all household members 18 years of age and older 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

Every applicant must meet the Property’s Resident Selection Plan standards for acceptance as a resident.

For units designed as accessible for persons with mobility, special needs, visual or hearing impairments, households containing at least one person with such impairment will have priority for those units.

INITIAL INVITATION TO INTERVIEW FOR A VACANT UNIT

For each unit that becomes available, the Resident Manager will telephone or mail a “Notice of Available Unit” to prospects on the Waiting List. If an applicant fails to respond to the invitation for interview within ten (10) calendar days of the call or mailing of the letter, they will be removed from the Waiting List. It is the applicant’s responsibility to respond/furnish sufficient information within the deadlines set by management.

The interview or review of submitted documents if the prospect submit an online application, is an in-depth look at the many factors considered for eligibility. The Resident Manager will furnish each applicant a checklist, listing the general documentation needed for the interview. It is the applicant’s responsibility to respond and furnish sufficient information to determine eligibility within the deadlines set by management. In general, the interview or review of documentation will account for the following but is not limited to the information listed below”

Income Verification: income is verified to determine if the applicant is qualified for the affordable housing programs at the property and to determine if the gross income meets the minimum / maximum income limits.

Asset Verification: Assets are verified to determine actual or imputed income. The imputed income of assets is added to the applicant’s total income needs to be below the income limits per property program guidelines.

TRANSLATOR

The interview will be conducted in English. Paseo Senter I & II ensures that persons with Limited English Proficiency (LEP) not be discriminated against, nor denied meaningful access to housing at Paseo Senter. If you require a translator, please contact us at least forty-eight (48) hours prior to your interview so that we may arrange for translation services. If you have your own translator whom you would prefer to use, they must be at least 18 years old, which will help ensure they have sufficient capacity to understand what is being discussed during the interview and are able to translate competently.

UNIT TRANSFER POLICY

A Unit Transfer List is maintained for those residents who have been approved for transfer. Residents on the Unit Transfer List will have priority over the applicants on the Waiting List.

OCCUPANCY STANDARDS



Occupancy standards are the criteria 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
2	2	5
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 and Children in the process of adoption.

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, 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 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 Paseo Senter I & 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 with respect to a victim that commits unrelated criminal activity. Furthermore, if Paseo Senter I & 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, Paseo Senter I & 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 limit.
2. Household cannot pay the full security deposit at move-in.
3. Household refuses to accept the second offer of an apartment.
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. Household is composed entirely of full-time students and does not meet the exception outlined in Section 42 of the IRC. Full time student households must meet one of the five following IRS exceptions to qualify for the low-income program:
 - a. Any member of the household is married and is filing (or is entitled to file) a joint tax return;
 - b. Receive assistance under Title IV of the Social Security Act (AFDC, Cal WORKS, or TANF not SSA/SSI);

- c. Have recently exited the Foster Care System (CTCAC restricts to ages 18-24)
- d. Enrolled in a job training program under WIA (Workforce Investment Act) or under another similar Federal, State or local law;
- e. A single parent with a child (or children) and neither parent nor children are claimed as a dependent on a third parties tax return.

8. Applicant has failed to provide adequate verification of income, or we are unable to adequately verify income and/or income sources.
9. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process.
10. 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.**

Investigative Standards: Paseo Senter I & II (or it designates) may conduct an investigation of applicant, including through verification with applicant's current and/or prior landlord(s), employer(s), and/or others with whom applicant is acquainted. These inquiries may include information regarding the applicant's credit report and criminal background. Paseo Senter I & II will attach a summary of applicant's rights under the Fair Credit Reporting Act and the Investigative Consumer Reporting Act to the applicants' application.

NOTE: California AB 832 continues to prohibit a landlord, resident screening company, or other entity that evaluates applicants on behalf of a landlord from using an alleged COVID-19 Rental Debt (amounts due between March 1, 2020, and September 30, 2021) as a negative factor for the purpose of evaluating a prospective housing application or as the basis for refusing to rent a dwelling unit to an otherwise qualified prospective resident.



LANDLORD REFERENCE

11. Negative landlord references that indicate lease violation, disturbing the peace, harassment, improper conduct, or other negative references against the household.
12. Evictions reported in the last 5 years.
13. 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.
14. Any evidence of illegal activity including but not limited to drugs, gang, etc.
15. Inappropriate household size for the unit available (see Occupancy Standards).

CREDIT

A credit report is a summary of your financial reliability generated by a third-party consumer credit reporting agency or credit bureau. Credit will be rated on a scoring point system. The following criteria will be rated:

- a. Collections.
- b. Late accounts.
- c. Negative accounts.
- d. Public records and bankruptcy filed within the last 3 years.
- e. Total negative Tax Liens over \$500 will be denied.

NOTE: Applicant utility accounts must be current to qualify for a rental unit – NO EXCEPTION.

An applicant will be disqualified if they have an eviction filing with the past seven (7) years.

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

A criminal background investigation covering the previous seven (7) years will be processed for each adult applicant. The purpose of criminal background investigation is to screen for behaviors potentially detrimental to the property, community, and or residents. In accordance with applicable California Law, we will not consider any:

- i. Information about an individual's participation in a pre-trial or post-trial diversion program (unless that information is presented by applicant as a mitigating factor.)
- ii. Arrests that did not result in conviction.
- iii. An infraction
- iv. Convictions that have been sealed, expunged, dismissed, vacated, voided, pardoned, or otherwise rendered inoperative.
- v. Juvenile records (unless that information is presented by applicant as a mitigating factor.)

Criminal background records are kept separate by each county; therefore, the screening vendor will search all counties which come up on the credit report, landlord references, and employment history.

GRIEVANCE/APPEAL PROCESS

Failure to meet one or more of the foregoing screening criteria may be grounds for denial, 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.

An appeal meeting with the Property Supervisor, or the Compliance staff 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.

In the interest of minimizing vacancies, no unit will be held for an applicant once a denial letter has been mailed. However, should the Resident Manager or Property Supervisor determine that the applicant is qualified for tenancy, or if another applicant has already been accepted for tenancy for the available unit before the review process has been completed, the applicant's name will be replaced in its original position on the Waiting List, without prejudice. Applicants that are disqualified for tenancy will have their names removed from the Waiting List. However, any disqualified applicant may re-apply for tenancy, without prejudice, at such time as the Waiting list is re-opened.

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.

Order of Selection: Applicants will be called for a housing interview based on the date and time of their application was received by management.

Disclaimer: No household, or person, is guaranteed a unit by being accepted on the Waiting List. Paseo Senter I & II will only be able to qualify, a household or person, after all verifications are completed and returned, along with credit, Unlawful Detainer, criminal background, and landlord verifications.

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 annually. 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 to receive waitlist correspondence. Any correspondence returned undeliverable will result in application being removed from the waitlist.

OPENING/CLOSING OF WAITING LIST

The methods of advertising used to announce opening and closing of the Waiting List is contained in our Marketing Plan.

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.

EMPLOYMENT VERIFICATION – THE WORK NUMBER

At **initial move-in** into a tax credit unit, CTCAC policy **requires** that all resident files contain 3rd party verification for all wage earners in the form of a Verification of Employment (VOE) along with **3 months of recent consecutive paystubs**. CTCAC requires a Verification of Employment (VOE) for all initial applicants including those wage earners that can only be verified via the Work Number. CTCAC allows owners of the community to **pass on the cost of the verification to the applicant**. This will ensure there is a VOE and pay-stubs for all wage earners at initial move-in, in the resident files as requested by CTCAC.

Applicants with wage earnings that can only be verified via The Work Number **will be charged** the cost to obtain the Verification of Employment (VOE).

During Annual Recertification we are no longer required to supply a VOE from the Work Number, **if 3 months of recent consecutive paystubs are included** in the file. If a resident cannot provide 3 months of consecutive paystubs, verification via The Work Number will be required and the cost for the VOE at annual recertification will be passed on the resident.

Residents with earnings that can **only** be verified via The Work Number because 3 months of recent consecutive paystubs could not be provided by the resident will be charged the cost to obtain the Verification of Employment (VOE).

ANNUAL RECERTIFICATION REQUIREMENTS

All residents must recertify annually. Proposed changes to household composition and student status must be reported to Management immediately.

UNIT INSPECTION REQUIREMENT

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

Annual unit inspections are performed by Paseo Senter I & II . 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, Paseo Senter I & II management may conduct the inspection alone.

PETS

No pets of any description are allowed on the property. 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

Paseo Senter I & II 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.

A Core Company

