

# **OCCUPANCY POLICY**

## **RESIDENT SELECTION CRITERIA**

The following resident selection criteria shall be used for 213 Liberty St. Apartments, Bath, NY 14810 under lease up and/or management by Community Progress Inc. (the management company) The policy of the Management Company is one of equal opportunity and non-discrimination in compliance with all Federal, State and Local fair housing requirements, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and the approved Affirmative Fair Housing Marketing requirements as set forth individually for each property. No applicant will be denied based on age, race, color, religion, sex, familial status, disability or national origin. Applicants must meet all Management Company resident selection requirements to gain admission to Liberty St. Apartments leased or managed by the Management Company.

### **1. Application**

The property will be marketed as needed through vacancies or wait list needs. Marketing will utilize all advertising and community contacts and all other sources deemed appropriate by management to ensure full occupancy of the property. All persons interested in 213 Liberty St. Apartments may request an application by calling the Management Company office at 607-962-3506, through contact with the site manager or through use of the management company website.

An application must be completed in full by the applicant and mailed to the Management Company office at 147 East Second St. Corning, NY 14830. All applicants whose application is not complete will be contacted within 10 days of receipt, in writing, with a written list of items necessary to complete the application. All applicants who submit a completed application will be notified in writing of wait list status or subsequent resident selection or rejection.

### **2. Wait List**

All completed applications will be placed on the wait list by date and time received. This date/time is based on when the completed application or subsequent information is received to make the application complete.

Applicants rejected based on credit will be done in conformance with the Fair Credit Reporting Act.

### **3. Selection**

An applicant must be a US Citizen or qualified alien to be eligible for occupancy with income calculated according to Income Limits Documentation System. Applicants must have the

demonstrated ability to afford and pay the basic rent.

Applicants must then meet occupancy standards set for each individual property and bedroom size.

All households must provide positive identifications of all persons who will be part of the household.

Applicants in addition to occupancy policy requirements must also meet criminal background review per the approved criminal background review policy. In completing the application, all applicants will sign a release allowing Community Progress, Inc. to verify and review all income, assets and allowances along with credit, personal and landlord reference reviews and with all other reviews deemed necessary or prudent by management. After processing has been completed, an eligible applicant not admitted would receive a notice of resident rejection. Applicants who wish to be co-tenants will also complete an application and undergo all initial review requirements, complete the resident certification process, enter into a one-year lease agreement and pay a security deposit, if not previously paid.

The security deposit shall be an amount equal to the tenant's basic rent.

#### **4. Number of Occupants**

In determining occupancy standards, different units may have different occupancy standards depending on bedroom sizes, unit square footage and any local restrictions. Occupancy is based on the number of persons in the household and is based on counting all full-time members of household, dependent minors who are away at school but live with the applicant at recesses, unborn children or children in the process of being adopted or secured by custody action, foster children and live-in attendants. Children who live in a household 50% of the year or more are also counted towards the total household number, however, visitors, permanently confined/institutionalized household members and children on active military duty are not counted in this determination for occupancy eligibility.

The number of occupants per unit must be in accordance with occupancy standards as set forth by CPI based upon local codes and ordinances. CPI may change the occupancy limit during the lease term if changes in laws, ordinances or regulations make such a change necessary. The minimum occupancy limit will correspond to the number of bedrooms. The maximum occupancy limit will depend on local ordinances and regulations and the square footage of usable sleeping areas as defined by local zoning and occupancy codes and RD regulations. The maximum occupancy for each of the below designated unit sizes is:

1 bedroom -2 people.

#### **5. Applicant Rejection**

Incomplete applications will not be processed and will be returned to the applicant to complete as needed. An applicant who refuses to sign releases to allow verification, references, background checks or other needed information will be rejected. Applicants who exceed the maximum allowable occupancy standards for a property will be rejected. Applicants found to have provided false answers on the application may also be rejected and could result in

termination of the lease if occupancy is approved based on false information. Applicants with negative credit, bad personal or landlord references or criminal histories which do not meet the management company's criminal review policy, will also be rejected. Rejection may also occur should there be a chronic history of late payment or non-payment of other financial obligations, intentional damage, violation of the terms of current or previous lease agreements, inclusive of failure to maintain a unit in sanitary condition, current use of illegal drugs or a conviction for drug manufacture, sale or distribution, anyone on a registered sex offenders list or anyone who would pose a direct threat to the health and safety of others or of the property.

## **6. Reasonable Accommodations**

When in need of modifications to units or common areas of the complex, residents may fill out a reasonable accommodation form, As required under the Americans Disability Act and Section 504 of the Rehabilitation Act. Management shall allow for and provide such reasonable accommodation if the request does not modify the structural integrity of the building or create an unreasonable financial burden on the property. The property will pay for all modifications unless it presents a financial burden on the property. Residents may provide a private source of funding for the modification. If the request is rejected the resident will be notified in writing of the reason for denial.

## **7. Terminations of Occupancy**

At a minimum, the occupancy termination notice must include the following information:

- (1) A specific date by which lease termination will occur.

## **8. Criminal Activity**

Community Progress, Inc. may terminate residency for criminal activity or alcohol/drug abuse by household members in accordance with New York State Regulations.

Signed \_\_\_\_\_ Date \_\_\_\_\_