



PROPERTY MANAGEMENT SERIES: PART 1

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THE FLORIDA HOUSING COALITION





PRESENTERS

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Technical Advisor



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WEBINAR LOGISTICS

- Participants are muted
- Enter your questions in the box in your webinar panel
- Forgot to ask a question or want to ask privately? Email me at rosado@flhousing.org
- This webinar is being recorded and will be available at www.flhousing.org
- A survey will immediately follow the webinar; *please* complete it! Thanks!

AGENDA

- Definitions
- Property Management Plan
- Leasing Requirements
- Screening In and Eligibility
- Low Barrier Workgroup

DEFINITIONS

- **Affordable housing:** Multifamily properties which target households with incomes below area median income (AMI)

Income categories (generally):

- **Low Income:** 80% AMI
- **Very Low Income:** 50% AMI
- **Extremely Low Income:** 30% AMI

PROPERTY MANAGEMENT PLAN

PLAN COMPONENTS



Management Procedures



Leasing Requirements



Tenant Selection Plan



Operations



Unit Turnaround



Copy of Forms

TENANT SELECTION PLAN

TENANT SELECTION PLAN

Screening criteria should only be based on the management plan

COMPLIANCE

HUD Project Based

Florida Housing
Finance Corporation

HOME

Rural Development

LIHTC

DISCLAIMER!

These recommendations are not substitutions for actual requirements from your project's funding.

Check your sources to ensure your tenant selection plan includes all required elements.

WRITTEN POLICIES

- Households served by project (e.g. elderly, disabled, families)
- Income limits
- Preferences and how those are documented (e.g. homeless)
- Definitions based on population project is serving
- Application Process
- Waiting List Management
- Screening Criteria
- Occupancy Standards

WRITTEN POLICIES CTD.

- Fair Housing Act
- Section 504
 - Address Reasonable Accommodations
 - Pet Policy
- Advertising/Marketing Plan
- Student Status
- VAWA
- Changes to Tenant Selection Plan



DEFINITIONS



HUD's EQUAL ACCESS RULE

- **Disabled family:** a family whose head (including co-head), spouse, or sole member is a person with a disability. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.
- **Elderly family:** a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

FAMILY DEFINITION

Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
- (2) A group of persons residing together, and such group includes, but is not limited to: (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); (ii) An elderly family; (iii) A near-elderly family; (iv) A disabled family; (v) A displaced family; and (vi) The remaining member of a tenant family.

DEFINITIONS DIFFER BY FUNDING SOURCE

Community Development
Block Grant

HOPWA

Public Housing/Housing
Choice Voucher

Supportive Housing

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COMMON SCREENING CRITERIA

COMMON CRITERIA

- Credit Check
- Landlord References (Rental History)
- Criminal Background
 - Drug Related Crimes
 - Violent Activity
 - Sex Offender Registry
- Minimum Income Criteria

DENYING A TENANT

- Explanation of the exact reason the household was found ineligible
 - Criminal Background
 - Rental History
 - Failure to complete necessary forms
 - Occupancy Standards
- Written policy on how the household can appeal



BEST PRACTICES



BEST PRACTICES



Review TSP annually



Attach basic screening criteria to application (not whole TSP)



Make available on website



Have copies available in the office



Tenant Handbook



AFFORDABLE HOUSING WORKGROUP



LOW BARRIER WORKGROUP

- **Help FHFC develop low barrier entry standards and requirements for future RFAs**
 - **Comprised of experts in affordable housing development, property ownership and management, supportive housing, fair housing, and advocacy for homeless households or persons with special needs**
 - **Developed the following recommendations**
-

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TENANT SELECTION CRITERIA (ALL HOUSEHOLDS)

- **Owners must maintain written Tenant Selection Criteria following FHFC requirements pursuant to the RFA**
- **Criteria and approach of screening applicant must be in household's file**

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TENANT APPLICATION PACKET (ALL HOUSEHOLDS)

- **A description of reasonable accommodations or reasonable modifications for persons with disabilities (504)**
- **Violence Against Women Reauthorization Act of 2013 (VAWA)**
- **Approach regarding a household's notification and appeal process and timeline, if the application is rejected or ineligible**

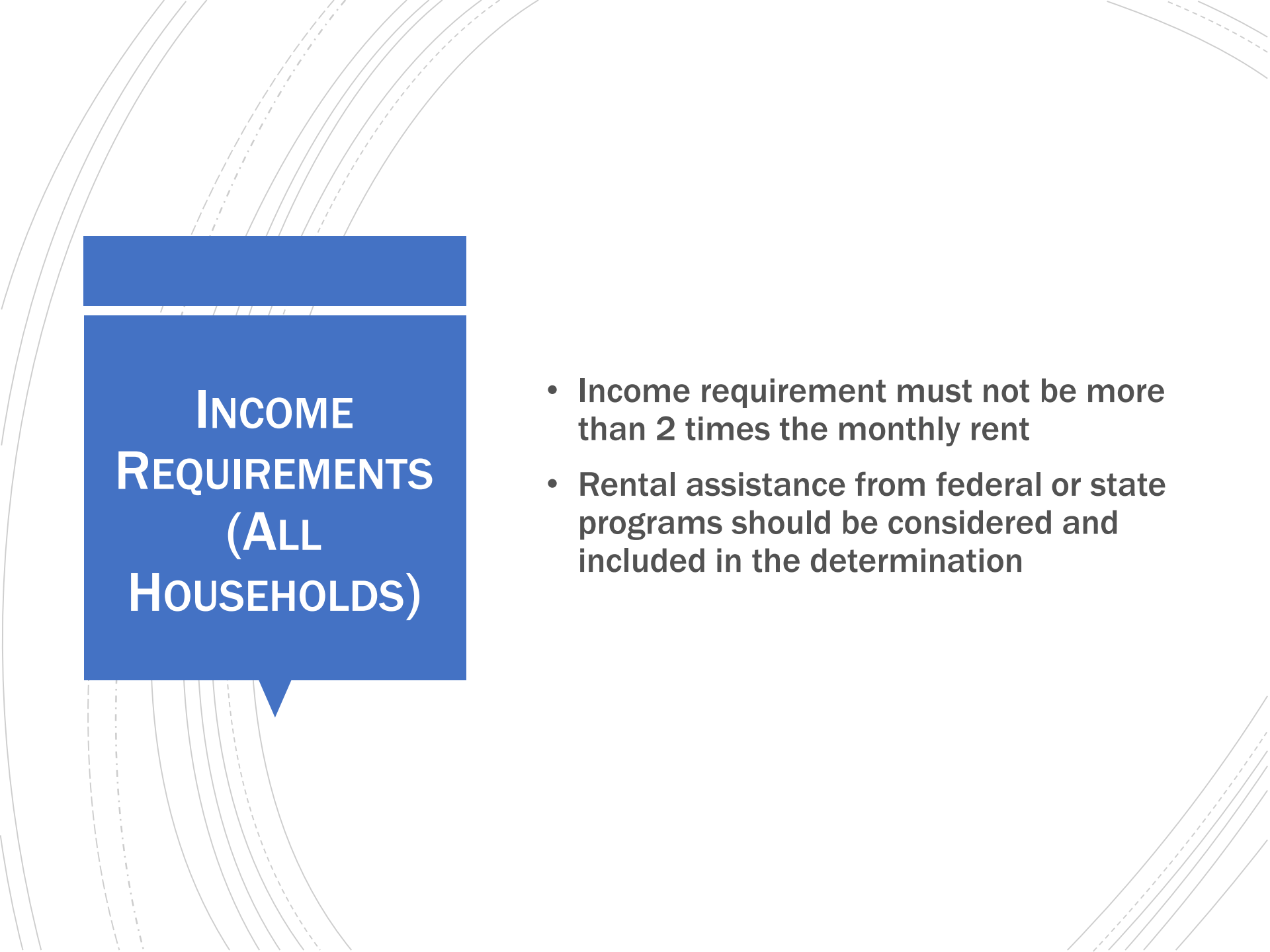
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APPLICATION FEES (ELI HOUSEHOLDS)

A fee of no more than \$35 may be charged to each adult in an ELI household for processing an application, including conducting credit and background checks

DEPOSITS (ELI HOUSEHOLDS)

- A rental deposit for a unit set aside for ELI will be no more than one month's rent
- Development should offer a payment plan to split the deposit in at least 2 or 3 payments
- A deposit or fee to hold the unit is prohibited regardless of whether the fee is applied toward the security deposit

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INCOME REQUIREMENTS (ALL HOUSEHOLDS)

- **Income requirement must not be more than 2 times the monthly rent**
- **Rental assistance from federal or state programs should be considered and included in the determination**

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CREDIT RECORD CHECKS (ELI HOUSEHOLDS)

Credit history related to medical expenses, cable and internet services may not be taken into consideration

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CRIMINAL HISTORY (ALL HOUSEHOLDS)

Developments must adhere to the guidelines “Office of General Counsel Guidance on Application of Fair Housing Standards to the Use of Criminal Records” (HUD, 2016)

- Arrest records alone may not be used as a selection criterion**
- Applicant should have option to request an individualized assessment and evidence of mitigating circumstances**

CRIMINAL HISTORY (CTD.)

When an individualized assessment is conducted, the determination should look at:

- The seriousness of the criminal offense
- The relationship between the offense and safety of residents, staff, and property
- Age of the household at the time of the offense
- Number and nature of other criminal convictions
- Evidence of rehabilitation (recommendations, employment, programs)
- Formal tenancy supports or other risk mitigation services the applicant will receive during tenancy

EVICTIONS (ELI HOUSEHOLDS)

Developments must establish no more than a 5-year look back period when reviewing evictions

- **One eviction will not be disqualified unless it was due to physical harm or intentional property damage**
- **More than one may be required to pay a deposit no more than 2x monthly rent**
- **Development should give opportunity for applicant to submit evidence of mitigating circumstances**

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REJECTED/INELIGIBLE APPLICANTS (ALL HOUSEHOLDS)

- **Must be notified in writing (letter or email) to the address provided by the applicant**
- **Additionally, a telephonic notification should be considered**
- **Applicants must be provided information on the reason for the denial and/or how ineligibility was determined**
- **Notification must be provided within 3 business days after the determination is made, and must include information on how to appeal**

RESOURCES

PERMANENT SUPPORTIVE HOUSING
Property Management
GUIDEBOOK



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NEXT WEBINAR

Property Management Series Part 2

February 25th – Sign up at
www.flhousing.org

- Tenant Selection Best Practices
- Screening special needs households
- Supportive Housing
- Fair housing policies



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THANK
YOU