

THE CIVIC BMR RESIDENT SELECTION CRITERIA

Thank you for your interest in applying to live at one of Emerald Fund's communities.

This Resident Selection Criteria will help you understand the guidelines used to determine eligibility for residency at THE CIVIC.

THE CIVIC was developed to provide safe, clean and comfortable housing at rental rates appropriate for low-income residents. One of the processes necessary to achieve these goals is to define our selection and occupancy policies for our prospective and current residents. This publication outlines occupancy requirements and procedures.

THE CIVIC and Emerald Fund intend to administer these selection criteria in a fair and consistent manner and in accordance with the Fair Housing guidelines and regulations administered by DFHEO.

The processing of your application does not assure, nor does it imply, that your application is approved or that management will offer you an apartment. If your application fails to meet the Basic Program Requirements, credit and/or criminal background checks, you will be notified in writing as to why your application is being denied.

General Qualification Process Guidelines

Residency is open to:

- ✦ All qualified eligible persons in accordance with The Fair Housing Act Amendments of 1988 which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status.
- ✦ All qualified eligible persons in accordance with any State recognized protected classes.
- ✦ All persons with criminal histories who otherwise are legally eligible to rent at THE CIVIC and are qualified under management's criteria for assessing rental and credit history, as required under the City of San Francisco Fair Chance Ordinance (San Francisco Police Code §4901 et seq.).

THE CIVIC will make "Reasonable Accommodations" to individuals whose disabilities in accordance with THE CIVIC's Reasonable Accommodation Policies and Procedures, fair housing guidelines as dictated by DFHEO regulations. This includes the application process and residency period.

A person, in order to be a resident at **THE CIVIC**, must be capable of fulfilling the lease requirements. This means that the applicant must be able to meet all of his/her personal needs and be able to fulfill the lease obligations with or without assistance.

Age Restriction

All household members age 18 years or older and emancipated minors must sign the appropriate consent forms and comply with the verification process.

Application Acceptance

Applications will be accepted from persons who are aged 18 years and older or emancipated minors.

Applicants who attest that they are emancipated minors will be required to provide management with written proof that he or she is legally emancipated. Legal proof is identified as one of the following:

1. A court order of emancipation;
2. A marriage certificate;
3. Proof of active duty military service.

Applications will be screened. When it is determined that the applicant meets the Basic Program Requirements listed below, the applicant will be invited to attend a personal interview.

In addition to providing income and asset documents, each household/applicant will be required to pay a **\$35.00** application fee to cover the cost of obtaining credit report(s) and Background Check Report(s) (as defined in San Francisco Police Code §4901) for all household members who are 18 years or older. Management will only review and use the Background Check Report after it has determined that the applicant is legally eligible to rent the unit and meets management's rental and/or credit history requirements. In using the Background Check Report, management will conduct an individualized assessment of the application and only consider Directly-Related Convictions and Unresolved Arrests (as those terms are defined in San Francisco Police Code §4901), the time elapsed since the Directly-Related Convictions and Unresolved Arrests, evidence of any inaccuracy in the Background Check Report, Evidence of Rehabilitation (as defined in San Francisco Police Code §4901) and Other Mitigating Factors (as defined in San Francisco Police Code §4901).

Third party payments for application fees will be accepted.

Assets

In accordance with the Mayor's Office of Housing Guidelines, we will apply an asset test to all applicants, including all custodial accounts held for minors.

Assets include all liquid asset accounts, including but not limited to Checking Accounts, Certificates of Deposit, Gifts, Savings Accounts and stocks.

We will not count qualified retirement income toward an applicant's asset.

10% of all assets above \$30,000 will be added to the total household income.

Asset Test Exemption for Seniors

For any single household or a Head of Household aged 62 years and older, MOHCD shall discount \$150,000 from total assets prior to performing the typical imputed income calculations.

For married seniors (or in a domestic partnership) where (i) both are the only applicants for the BMR Unit, (ii) both are aged 62 or older, and (iii) at least one of them has been nonworking) MOHCD shall discount \$250,000 (rather than 2x the single rate) from total assets prior to performing the typical imputed income calculations.

Causes for Rejection

An applicant will only be rejected after consideration of the Mitigating Circumstances Policy, including but not limited to successful rent payment history over the past 36 months and The Mayor's Office of Housing BMR Renter Qualifying Criteria as noted in Qualifying Household Section noted below. The causes for rejection are further outlined in each of the sections noted below.

If management intends to reject an application for a Directly-Related Conviction or Unresolved Arrest identified in a Background Check Report, management must first provide the applicant with a notice of management's intention to deny the application and information relating to the Directly-Related Conviction(s) and/or Unresolved Arrest(s) which form the basis for management's intention to deny the application. If within fourteen (14) days of the date management provides this notice to the applicant, the applicant provides oral and/or written evidence of inaccuracies in the Conviction History or Background Check Report, or provides evidence of Other Mitigating Factors, management must delay denying the application for a reasonable time and must reconsider the potential denial of the application in light of any information provided by the applicant.

If management elects to deny the application after considering the above, management must notify the applicant of its final denial.

Certification Process

If the applicant is employed, the **three most recent consecutive paychecks** must be provided. Letters from Social Security and/or Public Assistance, etc. will be accepted and used as back up documents. All verification documents, award letters, etc. cannot exceed an age of 120 days.

Upon initial occupancy, household income cannot exceed the income restriction for the respective unit size as determined by the area median income which is adjusted for household size.

Third-party income verification will be required from all sources, including, but not limited to:

- Child/Spousal/Family support;
- Disability;
- Employment;
- Government Assistance, SSI, TANIF, AFDC, GA, etc.;
- Pensions/Retirement/Annuities;
- Property, Home, Stocks, Bonds, Annuities, IRA, etc.;
- Savings and Checking;
- Social Security;
- Unemployment Benefits

Income calculations are based on the household's annual anticipated gross income for the following 12 (twelve) months. Annual gross income includes income from any and all assets.

Credit

A credit reference will be required for all adult household members and emancipated minors. **Lottery winners selected for an interview will pay a credit check fee of \$35.00 to cover the cost of obtaining credit report(s) and Background Check Report (as defined in San Francisco Police Code §4901). Management will only review and use the Background Check Report after it has determined that the applicant is legally eligible to rent the unit and meets management's rental and/or credit history requirements.** Third party payment of application fee will be accepted. Credit standards are set forth below.

Applicant passes review by credit agency and/or by direct contact with banks and other financial sources. Lack of credit history in itself does not justify rejection. Past credit problems may be explained by the applicant so that credit judgment is made on current information.

An applicant with an unsatisfactory credit report will be denied.

An applicant without any credit history may be requested to submit 4 most recent months of satisfactory account statements for recurring bills such as, including but not limited to, phone service, utilities, and/or credit cards.

- Collection accounts totaling \$2500 or more, including utility accounts (regardless of status), will result in denial of the rental application.
- All utility collection accounts within the last 2 years must be paid in full and confirmation presented with the application in order to be approved.
- An applicant whose credit report contains 3 negative credit items may be approved subject to an additional deposit of one month's rent.
- Open Bankruptcy repossession within the last 2 years may be grounds for denial of the application or may require an additional deposit of one month's rent for approval.
- Rental housing debt, eviction judgements, or collections within the last 3 years will result in automatic denial of the application. Housing debt due to COVID-19 will not be grounds for denial.
- Any unresolved tax liens will negatively impact the overall applicant screening result
- Mitigating Circumstances apply.

Credit reports are pulled for all adult household members. Each member must meet the same requirements. Although there are some exceptions listed below in the Reasons to Overturn a Rejection upon Appeal Section, reasons for rejection of an application due to information contained on applicant's credit report include the following factors that have affected applicant's ability to pay rent in prior tenancies:

Bankruptcy/Repossessions

1. Any personal bankruptcy within the past **twenty-four months** that has not been **discharged/remedied**;

Charge-Offs/Collections

1. "Charge-Off" of delinquent debt **within the past 24 months**
2. Two or more credit or installment accounts that have been past due for more than 120 days within the past twelve months.
3. Unpaid collections, judgments or liens exceeding \$2,500.00, excluding medical bills and student loans **within the past 24 months**
4. Unpaid utility bills (cable, electric, gas, water/sewer and garbage) that are in the applicant's name **within the past 24 months**
5. Unpaid balance due a current or prior landlord **within the past 24 months**
6. A significant number (3) of Non Sufficient Funds (NSF) checks within the past **twenty-four month** period will result in the applicant having to pay via Cashier's Check or Money Order if approved in all other areas.

Evictions/Prior Landlords/ Unlawful Detainers

1. A negative Unlawful Detainer Report indicating repeated failure to meet financial obligations in past tenant history
2. An eviction for cause **within the past 24 months**

Lawsuits

1. Any suit pending or not remedied which is deemed to affect financial ability;
Examples of the type of civil lawsuits which would fall into this category include:
 - Bankruptcy That Has Not Been Discharged
 - Check Fraud
 - Embezzlement
 - Eviction
 - Welfare Fraud

Repossessions

1. Repossessions, excluding voluntary repossessions within the past thirty-six months except when part of a bankruptcy, divorce or legal separation;

Tax Liens

1. Tax liens **within the past 24 months**

Reasons to overturn a rejection upon appeal include:

1. Applicant lacks credit history, since lack of a credit history does not constitute negative credit.
2. Applicant can prove that a prior eviction or poor credit is the result of a divorce or the result of the applicant having been a victim of domestic violence and that it was determined in a court settlement that the applicant's spouse was solely responsible for such poor credit or eviction and such spouse will not be living with applicant at THE CIVIC; or,
3. Proof of adherence to a payment plan for past due collections for a **minimum of a six month period**
4. The unlawful detainer was caused by non-payment of rent and that any future rent payment is guaranteed by third party guarantor.
5. Ability to provide a third party guarantor in the form of a 3rd party Gift Support Verification or third party agency.

Criminal

A Background Check Report (as defined in San Francisco Police Code §4901) will be required for all household members aged eighteen [18] years and older and emancipated minors. Criminal standards are set forth below. Management will only review and use the Background Check Report after it has determined that the applicant is legally eligible to rent the unit and meets management's rental and/or credit history requirements. In using the Background Check Report, management will conduct an individualized assessment of the application and only consider Directly-Related Convictions and Unresolved Arrests (as those terms are defined in San Francisco Police Code §4901), the time elapsed since the Directly-Related Convictions and Unresolved Arrests, evidence of any inaccuracy in the Background Check Report, Evidence of Rehabilitation (as defined in San Francisco Police Code §4901) and Other Mitigating Factors (as defined in San Francisco Police Code §4901).

We will consider qualified applicants with criminal histories.

Facts regarding behavior of one or more members of the household and prior conduct requiring police and/or court action will be considered

A Background Check Report is conducted to determine if applicants and/or members of an applicant's household have any Directly-Related Convictions or Unresolved Arrests (as those terms are defined in San Francisco Police Code §4901) which have a direct and specific negative bearing on the safety of other persons or property, given the nature of housing. During the admissions screening process, THE CIVIC must obtain the necessary Background Check Report in the state where the housing is located and in other states where the household members are known to have resided;

Applicant households will be reviewed to determine that they have not had any convictions or unresolved arrests which have a direct and specific negative bearing on the safety of persons or property, given the nature of housing, whether residency at THE CIVIC offers the opportunity for the same/similar offenses to occur, whether circumstances which led to the conviction or unresolved arrest will recur in THE CIVIC, and whether supportive services exist at THE CIVIC which might reduce the likelihood of a recurrence. :

In addition, the following circumstances may also be grounds for denial of an applicant:

1. THE CIVIC determines that there is reasonable cause to believe that a household member's current illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. **(Examples of evidence of illegal activities may include a conviction record)**
2. THE CIVIC determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. **(Examples of evidence of a pattern of abuse of alcohol may include a conviction record)**

Applicants have an opportunity to explain all adverse references. Individuals with **such conviction records as noted above** will not be admitted even if other eligible family members are admitted. Any applicant or household member who has been arrested for any of the above-described offenses will have their application suspended until the case has been legally resolved.

In the event of arrests where no conviction occurred (excluding Unresolved Arrests as defined in San Francisco Police Code §4901), conviction(s) that were judicially dismissed, expunged, voided, invalidated or otherwise rendered inoperative, participation in or completion of a diversion or a deferral of judgment program, a conviction or any other determination or adjudication in the juvenile justice system (or information regarding a matter considered in or processed through the juvenile justice system), convictions more than seven (7) years old, and information pertaining to an offense other than a felony or misdemeanor (such as an infraction), management will not use the above as a basis for denying an application.

Employment

If applicant is scheduled to begin employment, but has not yet received his or her first paycheck, applicant must provide an Offer Letter from employer submitted on employer's letterhead. This letter must include the following information:

- a) Hire Date
- b) Rate of Pay
- c) Number of Hours Worked Per Week
- d) Number of Overtime Hours Per Week
- e) Number of Shift Differential Hours Per week
- f) Bonuses Scheduled
- g) Commissions Anticipated
- h) Raises Within Next 12 Months
- i) Tips

Falsification of Application

All information provided on the application will be verified. False, inaccurate or incomplete information may result in disqualification of an application. Intentionally providing false information on any part of the application is considered fraud and may result in failure of the applicant to obtain a unit, or if discovered after an applicant becomes a resident, may result in loss of the assigned housing unit. All income will be verified by management via third party verification from employers and/or other sources of income.

Identification

In order for household background check to be performed, all household members age 18 and above must provide one form of identification from the list below:

- Birth Certificates- for household members under age 6
- Driver's License
- City or Government Issued Photo Identification Card
- Passport
- State Identification Card
- Visa

Income Documentation

Failure to provide required income documentation will result in a denial of the application. Applicants must have **2.0 times the monthly rental amount**. We will consider additional sources of verifiable income. These sources may include: Child Support, Family Support, Grants, GI Benefits, Disability Income, Trust Funds, Social Security, Veteran's Benefits and Savings Accounts.

We will consider Gift/Family Support from a family member as "other" income if the family member can show proof of 12 times the amount of monthly subsidy in a bank account and complete our "Gift/Family Support Affidavit Form" (which must be notarized) for those households with incomes that fall below our minimum income requirements.

Income Eligibility:

1. Minimum Income – The minimum income limit is **2.0 times** the rent as the intent is not to place the resident at risk of being excessively rent burdened. Person's spending more than **2.0 times** the household's combined monthly income for rent may not be accepted. Exceptions may be made if the applicant(s) can satisfactorily demonstrate an ability to pay higher rent. This will require verification from the landlord or housing provider where applicant(s) paid the higher rent on a consistent basis, for a period of at least 6 consecutive months immediately prior to applying with THE CIVIC.
2. Income is not more than 55% of median income in the area, for the **19 BMR apartments**. Income and rent computations, documentation requirements and verification procedures are explained in Mayor's Office of Housing and Community Development Manual.
3. Maximum Income - Applicant's household income limit cannot exceed the maximum income limits for the household size as set forth in the attached income eligibility chart as stated in the **San Francisco City Income Limits and Rent Schedule published by the Mayor's Office of Housing and Community Development (MOHCD)**.
4. Mayor's Office of Housing - Meets all Mayor's Office of Housing and Community Development Inclusionary Affordable Housing Program criteria. Income is not more than 55% of median income in the area ("Low Income"), for the **19 BMR apartments**. Income and rent computations, documentation requirements and verification procedures are explained in the MOHCD Inclusionary Affordable Housing Program Manual.

Minimum Income:

Household must have a verifiable monthly income that equals at least **2.0 times** the rent each month.

Household must have a verified household income which is below the Maximum Income Limits allowed by program regulations.

Minimum Income Allowable

	Studio	1 Bed	2 Bed
Minimum Income Limits- 55% AMI	\$2,77200	\$3,170.00	\$3,568.00

Maximum Income:

Applicant’s household income limit cannot exceed the maximum income limits for the household size as set forth by the United States Department of Housing and Urban Development and the Mayor’s Office of Housing and Community Development Inclusionary Housing Program **(See Below):**

Maximum Income Allowable

Household Size	One Person	Two Person	Three Person	Four Person	Five Person
55% of Median Income 2023	\$55,450.00	\$63,400.00	\$71,350.00	\$79,250.00	\$85,600.00

Non-Homeowner Requirement

“No member of the qualifying household must own any interest in a dwelling unit, any commercial real estate or a land upon applying to qualify for the rental of a BMR unit”.

This definition is a legal requirement and includes, among other properties, those in which an applicant’s name appears on title regardless of whether or not that interest results in a financial gain, is in another state or country, or if they have ever used the property as a primary residence.”

Occupancy Standards

Must be at least as many people in the household as there are bedrooms in the unit to apply. Household size must be appropriate for the unit. The size of the unit that an applicant qualifies for is dependent on the size of the household and any verifiable special needs of the household. In general, maximum occupancy is calculated as two persons per bedroom, plus one additional household member per apartment. Children under age 6 do not count towards the maximum occupancy levels. Household must meet occupancy standards. The minimum and maximum standards are as follows:

Unit Size	Minimum Number Of Persons in Household	Maximum Number of Persons in Household
Studio	1	2
1 Bed	1	3
2 Bed	2	5

Pet Policy

THE CIVIC is a pet friendly building. Pets will only be allowed that follow our pet policy. Appropriate documentation will be required and verified prior to move in. Pet license and all current vaccinations are mandatory. The pet fee is \$50.00 per month and the pet deposit fee is \$500.00 per pet in accordance with THE CIVIC’s Pet Addendum and Pet Policies and Qualifications.

Companion and service animals are not considered pets.

Pet Occupancy to be as follows:

2 Pets maximum, breed and weight restrictions apply as follows:

Pet Restrictions

Dogs

- Dogs that are purebreds or mixes of the following breeds are prohibited: Akita, Alaskan malamute, Chow-Chow, Doberman, German shepherd, Great Dane, Pit Bull (American Staffordshire terrier, American Pit Bull Terrier, and Staffordshire bull terrier), Rottweiler, Saint Bernard, Shar- Pei, and Siberian husky.

Cats

- **Pet Restrictions**-Domesticated cats only.

Current pet vaccination records for each pet are required upon move in.

Fees:

Pet Deposit Fee: \$500.00
 Pet Fee Policy: \$ 50.00/month

Other

All animals other than cats or dogs are prohibited. No animal is authorized without management's prior written permission and the execution of an animal addendum.

Maximum number of dogs in any rental unit is limited to 2, not to exceed a total combined weight of 40 lbs.

Preferences

A. Local Preferences

In accordance with the City and County of San Francisco's Inclusionary Housing Affordable Housing Program policies and procedures, preference will be given in the lottery ranking process to those households as follows:

- 1) Applicant households in which one member holds a *Certificate of Preference from the former San Francisco Redevelopment Agency.
- 2) **Displaced Tenant Housing Preference holders are primarily households displaced by Ellis Act Evictions, Owner move-in, households displaced by fire and who will experience an unaffordable rent increase due to affordability restrictions expiring.
- 3) Applicant households that live or work in San Francisco
- 4) All other applicant households.

At least one applicant in each BMR household must live or work in San Francisco in order to be considered as having a preference for a BMR unit. This household member must have lived or worked in San Francisco by the application deadline.

Primary Residence

Household must live in unit as their primary residence within 60 days of signing lease for the unit.

Rental History:

The following criteria will be considered in conjunction with the Mitigating Circumstances Policy.

1. References from applicant's current and previous landlords for a period of **twenty-four months** will be reviewed.
2. All applicants must have positive prior landlord references indicating ability to care for the property and pay rent on time, as well as the ability to peacefully cohabitate with other residents.

3. Demonstrated ability and willingness to keep lease agreements, including: pay rent on time, maintain the unit in good condition, respond to recertification requirements, cooperative occupancy habits (noise, trash, etc), no family member uses illegal drugs. This information is obtained from prior landlords and credit references.
4. A landlord reference check of an applicant's rental history for the past **24 months** is conducted to determine the following:
 - a) Demonstrated ability to pay rent on time and in full;
 - b) Demonstrated ability to live peacefully with others
 - c) Followed the rules and regulations of rental companies;
 - d) Kept rental unit in a manner which did not create an unsafe or unhealthy environment or pose a health danger to other residents;
 - e) Kept rental unit undamaged;
 - f) No history of receiving notices for lease violations;
 - g) Gave sufficient notice of intent to vacate;
 - h) No noise complaints;
 - i) No disturbances or illegal activities, as permitted under the City of San Francisco Fair Chance Ordinance;
 - j) No unpaid Non-Sufficient Funds (NSF) checks;
 - k) No unauthorized household members
 - l) No blatant disrespectful, disruptive or antisocial behavior toward the management or staff, the property, or other applicants/residents
 - m) No convictions for the manufacture or distribution of controlled substances
 - n) No eviction for cause
 - o) No destruction or theft of property
 - p) No acts that threaten the health, safety or welfare of other residents
5. Section 8 Certificate Vouchers Holders are welcome to apply and must meet all other eligibility requirements for the unit. The rent standard for Section 8 holders will be based on the amount of rent that tenant pays under Section 8.
6. To protect the residents from undue rent burden which could cause rent loss or delinquency, persons spending **more than 2.0 times** the household's combined monthly income on rent may not be accepted. This requirement may be waived if the applicant can prove that his or her current rent is at least equal to or greater than, the rent the resident would be paying at THE CIVIC or if applicant is a Section 8 voucher holder. At least twelve consecutive months of rent payments immediately prior to applying at THE CIVIC must be verified at such level.
7. Applicants who have past evictions or negative landlord references strictly for non-payment of rent, but who now have a verified payee to guarantee timely rent payment, will not be automatically declined under the eviction or rental history criterion described above. However, subject to reasonable accommodations, applicants will be declined for evictions for other causes.
8. In cases where applicants do not have any previous landlord, or if no previous landlord is available, staff will request personal references from someone not related to the applicant, such as a counselor or caseworker. However, lack of such references is not an automatic basis for denial.

Retired or Unemployed Individuals

Retired or Unemployed Individuals must supply the previous two year's signed tax returns.

Security Deposit

Household must be able to pay a deposit equal to one month's rent.

Seasonal Employment

Individuals who receive income from seasonal employment will need to provide the previous years signed tax returns.

Self-Employed Individuals

Self-employed individuals must be able to provide last three years of signed tax returns; past, present and projected Profit and Loss Statements. Self-employed individuals must also sign a Self-Employment Declaration.

Smoke Free Building

THE CIVIC is an entirely smoke-free building.

Student Status**Non-Student Household Requirement**

100% student Households are ineligible for BMR Rental or Ownership Units. A full-time student is defined as a person who attends an educational institution with regular facilities including enrollment in on-line classes, other than a correspondence or night school, during at least five months of the calendar year during the BMR application and eligibility review. Certain exceptions apply and student Households should note the exceptions carefully.

Households with full-time students may be BMR-eligible if one or more of the following applies:

- Any member of the Household is married or in a Domestic Partnership and either filing or is entitled to file a joint tax return.
- The Household consists of a single parent and his or her minor children, and neither the parent nor children are a dependent of a third party.
- At least one member of the Household receives assistance under Title IV of the Social Security Act such as AFDC, TANF, CalWORKs, etc. (SSA or SSI do not qualify). At least one member is enrolled in a job training program receiving assistance under the federal Workforce Innovation and Opportunity Act, or similar federal, state or local laws.
- The Household consists of a member who recently exited the Foster Care system who is no older than 24 years old.
- The Household consists of one or more United States Veterans.

Supporting Documentation

Each household member age 18 and above must be able to provide the following supporting documentation:

- a) Past two (2) years IRS Tax Return
- b) Past two (2) years W-2
- c) Three current and consecutive pay stubs or equivalent
- d) Three (3) recent and consecutive statements from every liquid asset account and personal cash savings, including all custodial accounts held for minors

Qualifying Household

A qualifying household is one who meets the following BMR Rental Criteria per the Mayor's Office of Housing and Community Development Inclusionary Housing Program:

- a) Household is income qualified.
- b) Household is a non-homeowner household.
- c) The household must live in the unit as their primary residence within 60 days of signing the lease or the unit.
- d) The household includes one member who has lived or worked in San Francisco by the application deadline for the BMR unit, if claiming such lottery preference.
- e) The household must be of a size that is equal or greater than the number of bedrooms in the BMR unit.
- f) The household is defined in terms of financial relationships and can include any rental partnerships as long as the combined household meets the eligibility requirements.
- g) All non-dependents must appear on the lease for the unit.

Statement of Non-Discrimination

It is the policy of **THE CIVIC** to comply fully with 24 CFR, Part 1 Title VI of the Civil Rights Act of 1964 Title VIII and Section 3 of the Civil Rights Act of 1968 (As amended by the Community Development Act of 1994), Executive Order 11063, 24 CFR, Part 8 Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act; 24 CFR, part 100 et seq Fair Housing Amendments Act; Subpart M of 24 CFR, Part 108 Affirmative Fair Housing Marketing Plan for the property, 24 CFR Part 146 Age Discrimination Act of 1975 and any legislation protecting the individual rights of residents, applicants or staff members, which may subsequently be enacted.

Non-discrimination and accessibility. THE CIVIC provides equal housing opportunity for all eligible persons. There is no actual or implied placement based on race, ethnic origin, religious affiliation, sexual preference or marital status. All units are specially designed for accessibility. THE CIVIC will provide reasonable additional accommodation for disabled persons including permission to use assistive animals when needed.

THE CIVIC will not discriminate because of race, color, sex, religion, age, disabled, disability, marital status, familial status or national origin in the rental of housing or in its use or occupancy. **THE CIVIC** will not on account of race, color, sex, religion, age, disabled, disability, marital or familial status or national origin:

THE CIVIC will not:

- 1) Deny to any household the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to rent housing suitable to their needs.
- 2) Provide housing, which is different than that provided for others; subject a person to segregation or different treatment.
- 3) Restrict a person's access to any benefit enjoyed by others in connection with the housing program
- 4) Treat a person differently in determining eligibility or other requirements for admission.
- 5) Deny a person Access to the same level of services.
- 6) Deny a person the opportunity to participate in Planning or Advisory group, which is an integral part of the housing program.
- 7) Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons.
- 8) Discriminate against someone because of that person's relation to or association with another individual; or retaliate against, threaten, or act in any manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

THE CIVIC will not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

THE CIVIC will seek to identify and eliminate situations or procedures, which create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, THE CIVIC will provide reasonable accommodation for individuals with disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures or services.

Statement of Privacy Policy

It is the policy of THE CIVIC to guard the privacy of individuals in accordance with the Federal Privacy Act of 1994 and to ensure the protection of individual records.

THE CIVIC management staff will not disclose any personal information contained in Resident records to any person or agency unless the individual about whom the information is requested has given written consent to such disclosure.

This privacy policy in no way limits the management's capacity to collect such information as it may need to determine eligibility, compute rent or determine an applicant's suitability for tenancy.

Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on disabled or disability will be treated in the same confidential manner.

THE CIVIC complies with all Federal, State and local fair housing and civil rights laws, as well as with all equal opportunity requirements.

THE CIVIC does not discriminate against prospective residents on the basis of race, color, religion, sex, national origin or ancestry, familial status, handicap or disability, marital status, sexual orientation, age, source or income, or any arbitrary basis.

THE CIVIC also does not discriminate against prospective residents on the basis of their receipt of, or eligibility for, housing assistance under any Federal, State or local housing assistance program or on the basis that prospective residents have minor children. A holder of a certificate of family participation under 24 CFR Part 887 (Rental Certificate Program) or a rental voucher under 24 CFR Part 887 (Rental Voucher Program) or a holder of a comparable document evidencing participation in a HOME resident-based assistance program shall not be refused for leasing because of the status of the prospective resident as a holder of such certificate, voucher or comparable HOME resident-based assistance document.

DEFINITIONS

AFFORDABLE HOUSING PROJECT

A housing project or mixed use project, whether new construction or conversion of use, which contains units satisfying affordable housing requirements imposed by the Inclusionary Housing Ordinance, planning approvals or other use restrictions.

BMR RENTAL UNIT

Below Market Rate (“BMR”) Rental Unit. A BMR unit rented and occupied by a qualifying household.

BACKGROUND CHECK REPORT

Any criminal history report, including but not limited to those produced by the California Department of Justice, the Federal Bureau of Investigation, other law enforcement or police agencies, or courts, or by any consumer reporting agency or business, employment screening agency or business, or tenant screening agency or business. (As defined in the San Francisco Fair Chance Ordinance).

CITY

The City and County of San Francisco.

DIRECTLY-RELATED CONVICTIONS

In the housing context, means the conduct for which a person was convicted or that is subject of an Unresolved Arrest has a direct and specific negative bearing on the safety of persons or property, given the nature of housing. In determining whether the conviction or Unresolved Arrest is directly related to housing, the Housing Provider shall consider whether the housing offers the opportunity for the same or a similar offense to occur and whether circumstances leading to the conduct for which the person was convicted will recur in the housing, and whether supportive services that might reduce the likelihood of a recurrence of such conduct are available on-site. Those matters identified in Sections 4904(a) and/or Sections 4906(a) about which an Employer and/or Housing Provider may not inquire and as to which they may not base an Adverse Action may not qualify as “Directly-Related Convictions.” (As defined in the San Francisco Fair Chance Ordinance).

DWELLING UNIT

A room or suite of two or more rooms that is designed for, or is occupied, one family doing its own cooking therein and having only one kitchen.

EVIDENCE OF REHABILITATION OR OTHER MITIGATING FACTORS

Evidence of Rehabilitation or Other Mitigating Factors may include but is not limited to a person’s satisfactory compliance with all terms and conditions of parole and/or probation (however, inability to pay fines, fees, and restitution due to indigence shall not be considered noncompliance with terms and conditions of parole and/or probation); employer recommendations, especially concerning a person’s post-conviction employment; educational attainment or vocational or professional training since the conviction, including training received while incarcerated; complete or active participation in rehabilitative treatment (e.g., alcohol or drug treatment); letters of recommendation from community organizations, counselors or case manager, teachers, community leaders, or parole/probation officers who have observed the person since his or her conviction; and age of the person at the time of the conviction. Examples of mitigating factors that are offered voluntarily by the person may include but are not limited to explanation of the precedent coercive conditions, intimate physical or emotional abuse, or untreated substance abuse or mental illness that contributed to the conviction. (As defined in the San Francisco Fair Chance Ordinance).

GROSS INCOME

All income from whatever source derived as provided in the Internal Revenue Code (26 USC Section 61), whether or not exempt from federal income tax. Such income includes, but is not limited to, the following:

- Alimony and separate maintenance payments
- Annuities
- Compensation for services, including fees, commissions, and similar items
- Distribution share of partnership gross income
- Dividends
- Gross income derived from business
- Gains derived from dealings in property
- Income from assets
- Income from discharge of indebtedness
- Income from an interest in an estate or trust
- Income in respect of a decedent
- Income from life insurance and endowment contracts
- Interest
- Pensions
- Public Benefits including but not limited to Cal Works, Disability, SSI and SSA Income
- Rents
- Royalties

HUD AREA MEDIAN INCOME

Unadjusted income levels derived from the department of Housing and Urban Development (“HUD”) on an annual basis and used to calculate income levels to qualify BMR households and to price BMR units.

IMPUTED INCOME

A cap of \$30,000 of Household liquid assets will not be counted toward Household income. Ten percent (10%) of the value of Household liquid assets that exceeds \$30,000 will be added to the total Household income.

Asset Exemption for Seniors

For any senior aged sixty-two (62) or older who is a single household or a Head of Household, the first \$150,000 of total liquid assets will be disregarded prior to calculating income from assets. For married seniors (or in a domestic partnership) where (i) both are the only applicants for the BMR Unit, (ii) both are aged 62 or older, and (iii) at least one of them has been nonworking, MOHCD will disregard the first \$250,000 of total liquid assets (rather than 2x the single rate) prior to calculating income from liquid assets. Balances held in retirement accounts are counted as liquid assets if the money is accessible to the Household member without a withdrawal penalty.

INCLUSIONARY PROGRAM

The Inclusionary Affordable Housing Program.

INCOME TABLE

Income information that is based on a specific federal source and geographic area.

MAYOR’S OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT or “MOHCD”

Mayor’s Office of Housing and Community Development (“MOHCD”) or its successor

MAXIMUM MONTHLY RENT

The monthly monetary consideration paid by a qualifying household for use of the designated BMR rental unit as the household’s principal residence; it shall be determined at the time of first occupancy by a qualifying household based on either the income limit established for the percentage of median income specified in the planning approvals or other use restrictions for the BMR unit.

The rent at first occupancy of a BMR unit shall not exceed the maximum monthly rent. Subsequent rents may be increased on each anniversary of a tenant’s occupancy of a BMR Rental Unit according to the formula set forth in the Inclusionary Affordable Housing Program Manual.

MEDIAN INCOME

The income that reflects the halfway point between all incomes for a certain-sized household based on a sample representation of the population. The income table used to determine the median income is determined by the date on which a housing development received its first site or building permit.

QUALIFYING HOUSEHOLD

A household that satisfies the following criteria:

Annual income at the time of initial occupancy of a BMR unit, adjusted for household size, does not exceed the percentage of median income limits specified in the planning approvals or other applicable use restrictions of the project;

The household must occupy the unit as a principal residence;

The size of the unit must be compatible with the household size, at a minimum of one person per bedroom;

UNBUNDLED PARKING

A parking space that is not an amenity included in the price of a residential unit.

UNRESOLVED ARREST

An arrest that is undergoing an active pending criminal investigation or trial that has not yet been resolved. An arrest has been resolved if the arrestee was released and no accusatory pleading was filed charging him or her with an offense, or if the charges have been dismissed or discharged by the district attorney or the court. (As defined in the San Francisco Fair Chance Ordinance).

Applicant Signature

Date

Applicant Signature

Date

Management Agent Signature

Date