

# PEACOCK COMMONS

3661 PEACOCK COURT  
SANTA CLARA, CA 95051

TELEPHONE/EFAX (408) 850-6144

## RESIDENT SELECTION PLAN

Peacock Commons is an affordable housing community in Santa Clara, CA, that provides housing for extremely low (30% AMI) and very low (50% AMI) income youths and who are homeless or at risk of becoming homeless and low (80% AMI) income mentors, without regard to based on race, traits historically associated with race including, but not limited to hair texture and protective hairstyles, including braids, locks and twists, age\*, ancestry, color, religious creed (including religious dress and grooming practices), disability (mental and physical) including HIV and AIDS, marital or family status, medical condition (cancer and genetic characteristics), genetic information, military and veteran status, national origin (including language use restrictions), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth and breastfeeding), gender, gender identity, gender expression and sexual orientation or any other basis protected by federal, state, or local law, ordinance or regulation. It also prohibits discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Seven units are reserved for homeless youths and those who are at risk of homelessness and who have a mental illness.

It is the policy of Peacock Commons to comply fully with 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 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and any legislation protecting the individual rights of residents, applicants or Staff which may subsequently be enacted.

*Peacock Commons is an Equal Opportunity Housing Facility, admitting people in accordance with local, state and federal Fair Housing laws, the Affirmative Fair Housing and Marketing Plan (AFHMP) HUD Form 935.2, and in accordance with applicable program regulations of the City of San Jose, the City of Santa Clara, the City of Sunnyvale and the California Housing Finance Agency (CalHFA). All marketing, resident selection and residential management policies and procedures shall be conducted in accordance with these laws and regulations.*

## SECTION 504 AND FAIR HOUSING ACT COMPLIANCE

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from HUD.

Management staff operates and administers the property to enable persons with disabilities to have equal access to participate in the program. Peacock Commons will ensure effective communications with applicants, residents, and the public to ensure that policies regarding how the property is operated do not adversely affect applicants, residents and the public.

When a family member requires an accessible feature(s), policy modification, or other reasonable accommodation to accommodate a disability, Peacock Commons will provide the requested accommodation unless doing so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden.

A reasonable accommodation is a change, exception, or adjustment to a program, service, building or dwelling unit that will allow a qualified person with a disability to:

1. Participate fully in a program;
2. Take advantage of a service; or
3. Live in a dwelling.

To show that a requested accommodation may be necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

The requirement to provide a reasonable accommodation is present at all times throughout the tenancy of a person with disabilities, including during lease enforcement. Reasonable Accommodation Request forms are available upon request from management.

## PRIVACY POLICY

It is the policy of Peacock Commons to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' records maintained by Peacock Commons. Therefore, neither Peacock Commons nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure.

This privacy policy in no way limits the ability of staff of Peacock Commons 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 handicap or disability will be treated in a confidential manner.

## NON-SMOKING POLICY

Peacock Commons 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, except for the designated smoking area located on the deck of the second floor.

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 will result in a violation notice.

Peacock Common'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.

## APPLICATION PROCEDURES

Applications will be available in the office during normal business hours or by requesting an application by telephone. Application fees are \$25.00 per each household member 18 years of age and older. The maximum charge per household is \$75.00. Prospective tenants for 7 MHSA-designated units and 9 Continuum-of-Care designated units are exempt from application fees.

### Mail applications to:

Peacock Commons  
3661 Peacock Court  
Santa Clara, CA 95051

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.

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.

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.

**Peacock Common's Property Manager is available to assist any applicant(s) who might have trouble completing the application form.** This assistance might take the form of answering questions about the application, reading the question or contacting Language Line for language interpretation.

## ACCESSIBLE UNITS

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 first priority for those units.

In the event that an apartment with special design features is vacant and an applicant requiring the special design features is not available to rent the apartment, another applicant may be housed in the accessible apartment after signing a statement that he/she will move to a non-accessible apartment when one is available and move at his/her own expense.

## ELIGIBILITY AND RESIDENT SELECTION

Eligibility for Peacock Commons is based on age, income, homeless status and disability. Ineligible applicants may not be admitted to Peacock Commons. An applicant must meet the following eligibility requirements:

### INCOME LIMITS

To qualify for a unit, the household's gross income may not exceed the maximum income limit per household size. The income limits are designed to be consistent with the requirements of the financing programs and regulatory agreements governing the property.

**The income maximums are attached and will be posted in the Peacock Commons Office.**

Rental subsidies for residents may change based on their annual verification of income to meet low-income thresholds as set by HUD.

**Over-income residents will not be required to move solely because their household income exceeds the eligible income for their housing unit.** However, as per 24 CFR Part 92.252(i)(2), they must pay rent equal

to 30% of the household's income or the market rent for comparable, unassisted units in the neighborhood, whichever is less.

## HOMELESS STATUS

Applicants applying for units designated for homeless or at risk of homeless youths will need to have their homeless status and history verified by a referring provider. Peacock Commons will obtain the documents from the referring provider and retain in the resident files.

## DISABILITY

A qualifying disability will need to have written verification from a professional third party source. During the screening process, applicants must complete a standardized form that authorizes his/her physician or professional third party source to release such information.

## HOME AFFORDABILITY & AGE REQUIREMENTS

Peacock Commons restricts housing to youths **between the ages of 18 and 24** for units designated for youths at risk of homelessness. Under California Government Code Section 11139.3, the provision of housing for homeless youth is specifically authorized and shall not constitute unlawful age discrimination, notwithstanding any other provision of California law prohibiting housing discrimination.

For the purposes of Section 11139.3 the term "homeless youth" means an individual who is between 18 and 24 (including emancipated youth under the age of 18) and who are homeless or at risk of becoming homeless, and shall include an individual who is no longer eligible for foster care on the basis of age.

## HOME Affordability Criteria

1. Head-of-household must be 18 years or older, or a legally emancipated youth (for units designated for youths at risk of homelessness);
2. Leaseholder is under the age of 25 at the time of lease signing ("homeless youth") (for units designated for youths at risk of homelessness);

3. Applicant must be homeless or at-risk of homelessness – meeting State definition as defined in Government Code Section 11139.3(e)(2) (for units designated for youths at risk of homelessness);
4. The household must have an annual income at or below the program income limits described herein;
5. Each household member must have a Social Security Number or can certify to the Property Manager’s satisfaction why they do not have a Social Security Number;
6. The household size at the time of application must be appropriate for an apartment that is available;
7. In addition to being eligible, the following applicants will be admitted:
  - i. One or more persons living together, whose income and resources are available to meet the household’s needs; including Live-in Aides, and members temporarily absent, may be considered a part of the household group if they are living or will live regularly with the household. However, income from Live-in Aides is not included in calculation of rent payments, and they do not pay rent.

***Residents have no requirement to move based on age. Residents may remain living at Peacock Commons as long as they meet all requirements of their lease agreement.***

Peacock Commons will not restrict occupancy of an otherwise homeless youth who has a dependent. Caretakers or family members of qualified residents do not have a right to remain in the unit if the qualified resident’s tenancy is terminated.

**MHSA RESIDENT ELIGIBILITY**

**Seven (7)** units are designated as MHSA restricted units and only applicants **referred** by the Santa Clara County Office of Supportive Housing will be considered for tenancy for these seven units.

Qualified applicants must meet the requirements established by the Mental Health Services Act housing Program. Individuals must be:

1. “Seriously mentally ill”:
  - i. Children with severe emotional disorders as defined in California Welfare and Institutions Code 5600.3(a)(1), and their families.
  - ii. Who, at the time of assessment for housing services, meet the criteria for MHSA services in their county of residence.
2. “Homeless,” which means living on the streets, or lacking a fixed, regular, and adequate nighttime residence. (This includes shelters, motels and living situations in which the individual has no tenant rights.)
3. Or “at risk of homelessness,” which includes:
  - i. Transition-age youth (as defined in Welfare and Institutions Code Section 5487(c), and in Title 9, California Code of Regulations, Section 3200.80) exiting the child welfare reform or juvenile justice systems.
  - ii. Individuals discharged from institutional settings including:
    1. Hospitals, including acute psychiatric hospitals, psychiatric health facilities (PHF), skilled nursing facilities (PHF), skilled nursing facilities (SNF) with certified special treatment program for mentally disordered (STP), and mental health rehabilitation centers (MHRC).
    - iii. Individuals released from local city or county jails.
    - iv. Individuals temporarily placed in residential care facilities upon discharge from one of the institutional settings cited above.
    - v. Individuals who have been assessed and are receiving services at the county mental health department and

who have been deemed to be at imminent risk of homelessness, as certified by the county mental health director.

Qualified applicants must have a household income below 30% of the current Area Median Income (AMI) for a given household size.

Note: Applicants income may increase and become subject to other regulatory limitations and rent may be increased to the maximum allowable rent.

When a MHSA household income exceeds 30% of AMI, the household will be placed on the internal transfer list for the applicable new income level (40% or 50% AMI).

In addition, to be qualified, applicants must meet one of the following two Santa Clara County requirements:

1. Be users of services at clinics/contract agencies, that is, seriously emotionally disturbed transition age youth who do not currently need 24-hour, institutional care and are able to live independently with supportive services. These are consumers who are homeless or at risk of homelessness (according to MHSA Housing Program Application) and who:

- i. Are connected to outpatient services and are usually dependent on such;
- ii. Are able, with support, to manage their Activities of Daily Living and medications in an independent living situation; and
- iii. Have severely limited income or are assumed to have a continuing income deficiency for the next 12 months;

**Note: If an applicant is approved for tenancy in a MHSA housing unit, participation in services is voluntary.**

If eligible, the Office of Supportive Housing (OSH) will complete the *MHSA Housing Program Tenant Certification form* and **certify** applicant's eligibility based on MHSA eligibility criteria.

MHSA certification does not take into consideration factors such as credit history, eviction history, or criminal history. Background

information will be collected after a certified applicant is referred for a particular unit. *See Landlord Reference, Credit and Criminal Section of this Resident Selection Plan for details.*

Management will work with OSH service providers to provide reasonable accommodations to individuals with negative landlord history given the intention of the MHSA Housing Program.

OSH certified applicants must complete, sign and return Peacock Commons Application for Housing to be considered for a MHSA designated unit. If an OSH certified applicant is not approved for tenancy for a MHSA designated unit, Peacock Commons will notify the applicant in writing, provide a basis for non-selection and notify the applicant of his/her right to appeal the decision.

**\*The following statements are derived from a letter dated June 10, 2011 prepared by the Law Offices of Gubb and Barshay, LLP on the preference for the qualification restrictions:**

The Development restricts housing to youth between the ages of 18 and 24

Under California Government Code Section 11139.3, the provision of housing for homeless youth is specifically authorized and shall not constitute unlawful age discrimination, notwithstanding any other provision of California law prohibiting housing discrimination. For the purposes of Section 11139.3, the term "homeless youth" means an individual who is between 18 and 24 (including emancipated youth under the age of 18) and who are homeless or at risk of becoming homeless, and shall include an individual who is no longer eligible for foster care on the basis of age. Provided these conditions have been met, the Development may restrict housing to homeless youth between the ages of 18 and 24.

Section 11139.3 was adopted to facilitate and support the development and operation of housing for homeless youth. While discrimination against a resident's family member would normally be disallowed in a typical multifamily development, Section 11193.3 was intended to override the housing discrimination laws

in California, although Section 11193.3 specifically states that it shall not be construed to permit discrimination against families with children. Accordingly, the Development may restrict occupancy for a family member who is over the age of 24, but the Development cannot restrict occupancy to an otherwise qualifying homeless youth who has a child. Caretakers or family members of qualified resident do not have a right to remain in the unit if the qualified resident's tenancy is terminated.

While Section 11139.3 allows discrimination against persons who do not meet the definition of homeless youth, there is nothing in Section 11139.3 that would give a caretaker or family member the right to occupy the unit after the qualified resident has been evicted. While the California legislature specifically provided for the rights of caretakers and family members, the Development will prohibit a family member or caretaker of a qualified resident an independent right to remain in the unit after the qualified resident is evicted.

A lease written with a qualified resident can exclude the family member of the qualified resident from the lease so the family member does not acquire rights of the lease

As discussed above, Section 11139.3 was intended to support the development of housing for homeless youth and makes no mention of the rights of the family member or caretaker of homeless youth. The Development will exclude any family members or caretakers from the lease. However, the income of any family member will be taken into account when determining if the unit meets any income restrictions imposed on the Development.

If the qualified youth vacates the unit, the family member or caretaker does not acquire the rights to the unit.

A family member or caretaker of a qualified resident has no rights to occupancy of the unit if the qualified tenant vacates the unit.

## **HUD-SUPPORTIVE HOUSING UNITS**

Following Housing First principles, **nine (9)** units are designated as HUD Supportive Housing units that are governed by title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq and the Continuum of Care Program regulations. Only applicants referred from the Continuum of Care Coordinated Entry System will be considered for tenancy in these nine units.

The household must have an annual income at or below the program income limits as described herein and residents will pay 30% of adjusted monthly income for rent.

Applicant must meet the definition of homeless and meet the definition of a person with a disability. Homelessness (night before entry) and disability verifications/certifications are required. Documentation of Social Security Income (SSI) is an acceptable form of verification of disability.

Third party verifications will be obtained to verify homelessness and disability. Where third party verifications cannot be obtained, Peacock Commons will document efforts to obtain third party verification and will accept second party statements or self-certifications as the last resort.

## **QUALIFYING FOR ADMISSION**

**Based on the property's regulatory agreements, ineligible applicants may not be admitted into the Development. In order to be eligible to reside at the Development an applicant must meet the following eligibility requirements:**

### **A. Non-Mentor / Homeless Youth Apartment**

- 1. Head-of-household must be 18 years or older, or a legally emancipated youth;**
- 2. Leaseholder is under the age of 25 at the time of lease signing;**
- 3. Applicant must be homeless or at-risk of homelessness – meeting State definition as defined in Government Code Section 11139.3(e)(2);**

4. **The household must have an annual income at or below the program income limits described herein;**
5. **Each household member must have a Social Security Number or can certify to the Property Manager's satisfaction why they do not have a Social Security Number;**
6. **The household size must be appropriate for an apartment that is available;**
7. **In addition to being eligible, on the following applicants will be admitted:**

ii. **One or more persons living together, whose income and resources are available to meet the household's needs; including Live-in Aides, and members temporarily absent, may be considered a part of the household group if they are living or will live regularly with the household. However, income from Live-in Aides is not included in calculation of rent payments, and they do not pay rent.**

iii. **Whose household income will meet or exceed the Resident Section Criteria set forth in this Plan.**

**Residents have no requirement to move based on age. They may remain living at Peacock Commons as long as they meet all requirements of their lease agreement. Rental subsidies for residents may change based on their annual verification of income (to be done by Property Manager) to meet low-income thresholds as set by HUD. Over-income tenants will not be required to move solely because their household income exceeds the eligible income for their housing unit. However, as per 24 CFR Part 92.252(i)(2), they must pay a rent equal to 30% of the household's income or the market rent for a comparable, unassisted unit in the neighborhood, whichever is less.**

## **MENTOR UNITS**

In addition to the units described above, **six (6)** units at Peacock Commons will house low-income mentors for the Development meeting the following eligibility requirements:

1. Meets income eligibility standards as per HUD and HCD guidelines (maximum 80% AMI);
2. Works at least 20 hours per week as a residential counselor, case manager, or similar position with an incorporated entity that operates one or more residential facilities that are licensed by the California Department of Social Service Community Care Licensing Division. This will ensure mentors will have a background in working with youth and have passed a LiveScan fingerprinting check (a requirement of employment for working with youth);
3. Mentor staff living in the complex will be required to provide 10 – 15 hours per month mentoring and supporting youth in the complex. Mentoring requirements will be part of the lease agreement;
4. Being eligible, however, is not entitlement to housing. In addition, every applicant must meet the Resident Selection Criteria outlined in this Plan. This criterion is used to demonstrate the applicant's suitability as a resident using verified information on past behavior to document the applicant's ability, either alone or with assistance, to comply with essential Lease provisions and any other rules governing tenancy;
5. The applicant will be judged based on past habits and practices related to tenancy and not on any attribute or behavior which may be imputed to a particular group or category of persons of which an applicant may be a member;
6. In addition to being eligible, only the following applicants will be admitted:
  - i. One or more persons living together, whose income and resources are available to meet the household's needs; including Live-in Aides, and members temporarily absent, may be considered a part of the household group if they are living or will live regularly with the

household. However, income from Live-in Aides is not included in calculation of rent payments, and they do not pay rent.

**UNIT TRANSFER POLICY**

A Unit Transfer List is maintained for those residents who have been approved for transfer on the basis of:

- a change in household size or household composition;
- a medical reason certified by an appropriate third party professional; or
- a need for an accessible unit.

Transfers for accessibility or medical reasons will have priority over those for changes in household composition. 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. Occupancy guidelines will be followed as such to avoid under or over utilization of the units as follows:

<b>Bedroom</b>	<b>Household Minimum</b>	<b>Household Maximum</b>
Studio	1	2
One Bedroom	1	3
Two Bedroom	2	5
Three Bedroom	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.

**GROUND FOR DENIAL**

1. Total family income exceeds the applicable income limits published by HUD.
2. Applicant’s household size either exceeds or is below reasonable occupancy limits for the available unit or unit applied for: studio-bedroom units 1-2 persons; one-bedroom units 1-2 persons; two-bedroom units 2-4 persons; three- bedroom units 4-7 persons. (Note: an unborn child will be considered a household member to determine family size).
3. Household cannot pay the full security deposit at move-in. Leasing staff will coordinate with the Service Provider to connect applicants with deposit assistance programs. Applicant will be given two weeks from the date an offer is made to obtain security assistance.
4. Household refuses to accept the second offer of an apartment after communicated to the applicant and their listed alternate contacts on the application.
5. Household fails to respond to interview letters or otherwise fails to cooperate with the certification process. Failure to sign consent forms.
6. ANY adult household members fail to attend eligibility interview.
7. Applicant has failed to provide adequate verification of income or we are unable to adequately verify income and/or income sources.
8. Providing or submitting false or untrue information on your application or failure to cooperate in any way with the verification process.
9. Unit assignment will NOT be the family’s sole place of residency.
10. Family members, age 6+ failed to provide proof of a social security number or refused to certify that they have never been assigned a number.

## LANDLORD REFERENCE

11. Negative landlord references that indicate lease violation, disturbing the peace, harassment, improper conduct or other negative references against the household. Evictions reported in the last 5 years.
12. Inappropriate household size for the unit available (see Occupancy Standards).

## CREDIT

13. Unpaid Collections and grossly delinquent past due balances exceed \$1500. Peacock Commons will consider whether the applicant has a satisfactory history of meeting financial obligations, including timely payment of rent within the past 12 months, outstanding judgements or a history of late payment bills.

Consideration will be given to reasonable justification of nonpayment, such as substandard housing, loss of a job, etc.

Peacock Commons will consider special circumstances in which credit has not been established (homelessness, income, etc.) Lack of credit history will not cause an application to be denied. Peacock Commons may review the applicant's history of making other regular payments, such as utility, telephone or cable charges.

## CRIMINAL

14. Conviction of any adult household member of a felony within the past five (5) years.
15. Conviction of any household member of more than one (1) misdemeanor related to threatening property staff or residents in the past year.

## VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

## OF 2013

**The Violence Against Women Reauthorization Act of 2013 (VAWA) applies to all federally funded units (Peacock Commons) and offers the following protections against eviction or denial of housing based on domestic violence, dating violence, sexual assault or stalking:**

1. An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.
2. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or 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.
3. Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking, engaged in by a member of a tenant's household or any guest or an **affiliated individual** of yours, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.
4. **Affiliated individual** means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control; or any individual, resident, or lawful occupant living in your household.
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 or stalking engaged in by a member of the household, may not be construed to limit Peacock Commons 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 Peacock Commons 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, Peacock Commons 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 or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.

### **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. A copy of the notice will be sent to Site Services. This notice must indicate that the applicant has 14 business days to dispute the decision from date of the written notice.

An appeal meeting with the Property Supervisor will be held within 10 business days of receipt of the applicant's request.

Within five business days of the appeal meeting, the property will advise the applicant in writing of the final decision regarding eligibility.

### **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.

Peacock Common's will keep a waitlist for applicants containing 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. Class of occupancy applying for: homeless youth or mentors
9. Date/ Time of Application

Applicants must report changes to items 1 – 8 above in writing to Peacock Commons 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. Should an applicant become eligible for another size apartment while on the Waiting List, his/her name will be transferred to the appropriate list with the original date of his/her application. If an applicant's household size increases and there are no appropriate size apartments at Peacock Commons, the applicant will be notified.

There are two additional waitlists used at Peacock Commons that are kept and monitored by Santa Clara County. Those waitlists are for HUD and MHSA units only. Site Services will ensure that all eligibility

requirements are met for all units prior to moving forward in the application process.

### **REMOVAL OF APPLICATIONS FROM A WAITING LIST**

The Property Manager will not remove an applicant's name from the Waiting List unless:

1. An applicant requests that his/her name be removed; or
2. An applicant was clearly advised of the requirement to tell the Property Manager of his/her continued interest in housing by a particular time (annually) and failed to do so; or
3. The Property Manager made a reasonable effort to contact the applicant to determine if there is continued interest in housing but has been unsuccessful; or
4. The Property Manager has notified the applicant (with a Waiting List removal letter sent by regular mail) of its intention to remove the applicant's name because the applicant no longer qualifies for housing or the Property Manager has had no response from the applicant (applicant is given 2 weeks to respond); or
5. An applicant has been offered two apartments and each has been refused. A letter will be sent to the applicant telling him/her that his/her name is being removed unless he/she notifies that he/she is still interested in remaining on the Waiting List. If the applicant responds to the letter, his/her name will be placed at the bottom of the Waiting List.

### **PURGING THE WAITING LIST**

The Waiting List will be purged periodically. 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 in order 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.

### **ANNUAL RECERTIFICATION REQUIREMENTS**

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

### **PETS**

Pets shall be allowed on the premises in accordance with the Pet Agreement. 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**

**Peacock Commons** 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.

