



# TENANT SELECTION PLAN

1628 West Market Street Louisville, Kentucky 40203

This tenant selection plan has been developed to disclose the policies and procedures that will be implemented in the marketing and selection of eligible households to occupy REBOUND, Inc. HOME-assisted units in full compliance with HOME regulations at 24 CFR Part

## Non-Discrimination Policy (92.350)

It is the policy of the Owner and Management to promote equal opportunity and non-discrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing. These enactments include The Fair Housing Amendments Act of 1988, 42 U.S.C.A. §§3601-3620, as modified by the Housing for Older Americans Act of 1995, 42 U.S.C.A §3607(b)(2)(C), Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A §794 et seq., The Americans with Disabilities Act of 1990, 42 U.S.C.A. §§12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.A §2000d, the Age Discrimination Act of 1975, 42 U.S.C.A. §6101-6107, and Executive Order 11063.

In carrying out the Plan, Management will not discriminate based on race, color, creed, religion, national or ethnic origin, citizenship, ancestry, class, sex, sexual orientation, familial status, disability, military/veteran status, source of income, age or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy.

No person may be refused the right to apply for housing unless the development's waiting list is closed for a particular unit size or type.

Management will make reasonable accommodations in policies or reasonable modification of common or unit premises for all applicants with disabilities who require such changes to have equal access to any aspect of the application process or the development and its programs and services. (24 CFR 92.350 & 24 CFR 8.27)

Management will take affirmative steps to communicate with persons who need services or information in a language other than English. (Executive Order 13066)

Management will not discriminate against an applicant or tenant on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

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## Affirmative Marketing Procedures (92.351(a))

If 5 or more HOME-assisted units are in the project, affirmative marketing procedures approved by DCA are as follows:

*(List all affirmative marketing activities and procedures)*

If any units have been adapted for persons with disabilities, affirmative marketing procedures specifically for the accessible units must be described herein and approved by the Division of Compliance and Administration (DCA)'s

Household Eligibility Requirements

The following requirements apply to any household applying for occupancy of a HOME-assisted unit.

## Income Eligibility (92.252(a) – (b))

REBOUND Inc., Section 42, and HOME properties have rents and income limits that are based on the Income and Rent Tables that are released by the U.S. Department of Housing and Urban Development (HUD) annually. These tables are based on current median incomes from HUD. Income limits/rents are published annually and updated on all applications when the new income limits/rents go into effect for that year.

## Student Eligibility (92.2)

If a household contains an adult student enrolled in a higher education institution who is under age twenty-four (i.e., age 18-23), then the household must meet an exemption to qualify for HOME assistance. This is true whether the student is full or part-time.

If the student meets one of the following criteria, then the household is eligible:

The student is a veteran of the U.S. military;

The student is married;

The student is a parent with dependent children;

A student is a person with disabilities who was receiving Section 8 assistance before 11/30/05;

The student is independent from his or her parents based on the following:

- Of legal contract age under state law; AND

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- Has established a separate residence from parents (not counting a dormitory) for at least one year, or meets the US Department of Education definition of independent which includes an individual who was an orphan or ward of the state through age eighteen (18), is living with a legal dependent, or is a graduate or professional student; AND
- Is not claimed on parents' tax returns; AND
- Parents certify the financial assistance they are providing to the student (this does not affect student eligibility but could affect income eligibility).

If none of the above apply, the household can qualify only if the student's parents are income-eligible under the HOME income limits for the county in which they live.

## Rental Assistance Recipients (92.253(d)(4))

Applicants may not be denied occupancy because of the status of the prospective tenant as a holder of a federal or state certificate, voucher, or comparable tenant-based rental assistance.

## Legal Residency

The Personal Responsibility and Work Opportunity Reconciliation Act restricts federal public benefits, including HOME-assisted unit occupancy, to aliens that do not meet the definition of a qualified alien. Applicants must provide evidence of their citizenship or immigration status as a condition of selection.

## Other Preferences (92.253(d)(3))

Other preferences are permitted only to the extent they are consistent with 92.253(d)(3) and are approved by REBOUND INC. The following preferences have been approved:

Direct referrals from a US HUD Approved Comprehensive Housing Counseling Program. The counseling must include, One-on-One Counseling and group Education for applicants to obtain safe, decent affordable rental housing opportunities. This includes but is not limited to household budgeting assistance to consumers and access to other resources for applicants who want to achieve their goal of residential independence.

## Application Intake

To be considered for selection, applicants must submit a completed application and relevant consent forms. Applications will be accepted:

In-person at 1628 West Market Street Louisville, KY 40203;

By mail sent to 1628 West Market Street Louisville, KY 40203; or electronically at

<https://reboundinc.managebuilding.com/Resident/rental-application/new>

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Other reasonable accommodations were provided by Management at the request of the applicant.

Management will offer assistance to the applicant in completing the application, explaining the tenant selection process, defining preferences, and explaining the verification process concerning preferences.

Upon receipt of the application, Management will:

- Review the application for completeness and return an incomplete application;
- Make a preliminary determination of eligibility based on the application without verification; and
- Place the applicant on the waiting list in the order the completed application was received, or provide a Notice of Rejection if ineligible.

To determine eligibility for placement on the Waiting List, the application may be accepted as a self-certifying statement. Third-party verification will not be required until the final screening for occupancy. All adult household members must sign a Consent for the Release of Information before receiving assistance, and annually thereafter.

It is the policy of the Management to guard the privacy of individuals in accordance with the Federal Privacy Act of 1974 and to ensure the protection of records maintained by the property concerning the applicants or tenants.

## VAWA Disclosures (24 CFR 92.253(a) & .359(c))

Management will provide all applicants with the HUD HOME Program Notice of Occupancy Rights under the Violence Against Women Act (VAWA).

The Notice explains applicant and tenant rights under the Violence Against Women Act (VAWA) for victims of domestic violence, dating violence, sexual assault, or stalking. An applicant cannot be denied occupancy on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.

A VAWA Certification of Domestic Violence must accompany the Notice.

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## Waiting List (92.253(d)(5))

Management will place applicants on a written waiting list by Local Preference then, First come, First served. Waiting lists will be maintained by unit size and income level (VLI and LI, as applicable for HOME-assisted units.)

In addition, waiting lists will be maintained according to the preferences noted above.

As units become available, applications will be taken in the order of the waiting list. Applicants who meet the preferences noted above will be reviewed in order until all preferences have been considered.

The waiting list will be maintained throughout the period of affordability. It will remain open unless closed by approval of REBOUND Inc. Management may periodically update the waiting list or conduct outreach to applicants to determine if they continue to be eligible and interested in housing. Failure to respond to update requests will result in removal from the waiting list.

## Accessible Units

A separate waiting list will be maintained for units with accessibility features. Persons with mobility, visual, or hearing impairments, or households containing at least one person with such impairment, will have first priority for units with the required accessibility features.

## Applicant Screening & Selection

Selection will be made on the basis of the written application and supplemental materials provided or collected as part of the application, including verifications of income and family composition and other data. All screening will be non-discriminatory and uniformly applied to all applicants.

## Income Eligibility

The household's total annual gross anticipated income will be calculated to determine if the household meets the applicable HOME income limit based on the household size as published at:

<https://www.hudexchange.info/programs/home/home-income-limits/>.

Annual gross anticipated income is the gross income the household anticipates it will receive in the 12-month period following the effective date of certification of income. The head of household and every adult member of the household (i.e., any person age 18 and over) must identify all income sources and assets held by the tenant or prospective resident.

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Assets will be included as part of household income. The HUD Passbook Rate (as determined by HUD's Office of Multifamily Housing) is used to determine imputed income from assets.

Verifications will be obtained by the owner/management for every income source. All income verifications must use **at least 2 months of source documentation**. [§92.203(a)(1)(i) & (a)(2).]

Once all the income and asset verifications have been obtained, Management must prepare a Tenant Income Certification form or Community Planning and Development (CPD) Income Eligibility Calculator worksheet for each household.

Note: Income eligibility does not constitute acceptance and further screening is required to determine an applicant's ability to maintain a successful tenancy.

## Suitability Screening (92.253(d)(2))

All applicants age 18 or older will be screened for suitability prior to residency. Screening criteria will be non-discriminatory, applied consistently to all applicants for HOME-assisted and unassisted units, and related to the ability to perform lease obligations.

## Applicant Screening Criteria and Rejection Procedures

- A Social Security Number (SSN) for the Head of Household is required to process a credit/criminal background check per agency policy. Applicants must provide adequate documentation (i.e., a social security card issued by the Social Security Administration or other acceptable evidence of the SSN). If an applicant has an SSN but does not have documentation, the applicant may submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided. Other household members 18 years and older, may submit an SSN but minimally must provide accurate information regarding name, date of birth, and most recent address for REBOUND to run a criminal background check.
- A review and update of the application will be conducted by the site staff, before offering an applicant an available apartment. If an applicant is interested in a possible opening and their name has come up on the waiting list, a Credit/Criminal **and sexual offender** Background check will be run on the applicant. The two most recent years of Landlord references will be required, **but if not obtained would not be reason for denial**.
- Any court-awarded judgment for non-payment of rent, or rental damages, with no evidence of payment plan acceptable to the creditor and current status, (within the last 2 years) is cause for automatic rejection of the applicant. Any rental amount showing on credit owed to a Federal or State subsidized housing program must be paid in full before acceptance into a REBOUND unit.

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- Any eviction, within the past two years, is cause for automatic rejection of the applicant. Any written, negative landlord references within the past two years as to disturbances, unwillingness to comply with lease requirements, a record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences which may adversely affect the health, safety or welfare of other residents, or cause damage to the unit or complex, is cause for rejection.
- Any eviction from federally assisted housing within the last three years for drug-related criminal activity is cause for automatic rejection of the applicant.
- All applicants must provide landlord references which are 2 years before the date the housing application is received. Any applicant, who has been incarcerated for the two years prior, must establish two years of landlord references in the community.
- Federal Felony convictions will be reviewed and may cause denial of application.
- Any applicant who shows any evidence of involvement in any violent, sexually criminal, or illegal drug activity within the past three years will automatically be rejected.

Any applicant or household member currently engaged in the illegal use of drugs or whose pattern of illegal use may interfere with the health, safety, or peaceful enjoyment of residents will be rejected.

Any applicant or household member whose behavior is due to alcohol abuse which there is reasonable cause to believe may interfere with the health, safety, or peaceful enjoyment of residents will be rejected.

- Any applicant who has been, at any time, sentenced as a habitual offender will be rejected.
- Any violent, illegal drug-related, or sexual conviction reflected on the criminal background report within the last seven (7) years, is an automatic cause for rejection.
- Any Applicant or household member who is subject to a state sex offender lifetime registration is cause for automatic rejection. All adult members of the household and juvenile members of the household (to the extent allowed by state and local law) will be screened for lifetime sex offender registration. The screening will be done through the DruSjodin National Sex Offender Database (<http://www.nsopw.gov/Core/Conditions.aspx>). The screening will be done before move-in and annually at recertification. Failure to respond to the lifetime sexual offender information will jeopardize the approval of an application. If an applicant/Tenant falsifies information relevant to the lifetime sexual offender registration it will jeopardize current housing.

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The site staff where the applicant applied is responsible for applicant rejection. Upon determination of the rejection of ineligible applicants, a letter will be sent by the site staff to the applicant's address or EMAIL address, indicating the reason for rejection and the time frame and instructions as to the appeal process. Upon the applicant's receipt of the rejection letter, the applicant has 14 days in which to request a hearing. A hearing will be held, within 10 days of the applicant's request, with **at least 2 REBOUND staff members with no decision-making authority in the initial Occupancy.**

The following procedures apply to the assignment of a selected tenant to a HOME-assisted unit and the execution of the approved lease.

## Occupancy Standards

Household characteristics, such as the number, age, relationship, and gender of family members, must be appropriate to the size of the unit and adaptations made therein. The following standards will be applied:

it causes the unit to be under-occupied (less than one person per bedroom), is required to transfer as soon as the next appropriate size unit becomes available.

If an appropriate unit size is determined by family size: no less than one person per bedroom; **and no more than 2 people per bedroom. REBOUND will attempt to maximize and maintain this 2 persons per bedroom standard whenever possible and/or practical denial of the applicant.**

## Conflict of Interest (92.356)

The conflict of interest provisions apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, of a unit of general local government, or the developer, owner, or manager. The provisions also apply to those with whom they have immediate family (spouse, parent, child, sibling, grandparents, and in-laws of the person) or business ties. No such covered person may occupy a HOME-assisted unit without prior approval of REBOUND Inc. or HUD.

An exception is made for an employee or agent of the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker. Other exceptions can be granted only in writing by REBOUND or HUD following the procedures outlined in 92.356.

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## Acceptance of Unit

Upon the offer of a unit, the applicant shall have an opportunity to inspect the unit along with management and sign a rejection or acceptance of the unit.

Applicants can turn down an offer of a unit two (2) times before having their name moved to the end of the waiting list. **If the applicant turns down a unit a third time they will be removed from the waiting list and may re-apply once their situation is more flexible.**

## Notice of Rejection (92.253(d)(6))

Rejection of an applicant is appropriate where the applicant does not meet the occupancy criteria stated in this Plan, or Management has a reasonable basis to believe that the applicant cannot meet the essential requirements of tenancy, such as:

- To pay rent and other charges under the lease in a timely manner;
- To care for and avoid damaging the unit and common areas, to use facilities and equipment in a reasonable way, and to not create health or safety hazards;
- Not to interfere with the rights and enjoyment of others and not to damage the property of others;
- Not to engage in any activity that threatens the health, safety, or right to peaceful enjoyment of other residents or staff, not to engage in activity on or near the premises that involves illegal use of controlled substances or weapons, and not to engage in any criminal activity on or off the premises that would be detrimental to the housing should it occur on the premises; and
- To comply with necessary and reasonable rules and program requirements of the housing provider.

Management must provide written notice of rejection stating the grounds for the rejection.

Records of all applications and rejections will be maintained and available for review by REBOUND Inc. or the Division of Compliance and Administration (DCA).

Applicants can be placed on all/any waiting lists at the property at the time of application, for more than one unit size as long as they meet the stated occupancy requirements and minimum income requirements.

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## **UNIT TRANSFER POLICY**

If a current tenant needs to move to another apartment within the building where they currently reside, or to another apartment at a different REBOUND building, due to a **verified** medical condition, the need for a handicapped accessible unit, or a change in family composition and that change results in the unit being over occupied (more than 2 persons per bedroom), the current tenant will receive priority over other people on the waiting list. Per the policy of REBOUND, any tenant(s) who has a change in family composition the tenant wishes to move to another property under management by REBOUND, it is not considered a transfer; it would be a move-out and move-in. In this case, the tenant would submit an application for the new property and they would be placed on the waiting list based on the date/time the property received the completed application.

Emergency Transfers are permitted for victims of VAWA if and when units are available, with proper court/police documentation, as long as the transfer does not affect the health/safety of residents and staff at the new building or property, and the victims are eligible to live at the building or property in all other areas. This may require submission of a new Application with a Move-Out/Move-In and updated criminal Background checks if moving to a different REBOUND property or a unit transfer if moving within the same REBOUND property. All moving costs are to be borne by the resident but by contacting the Site Manager, resources may be available to help with the moving costs. Strict confidentiality of victims' names and information must be adhered to.

Exceptions may be considered based on applicant requests and circumstances.

## **Rents & Fees 92.252(d) & (f)**

HOME-assisted units are subject to rent limits and tenant-paid utility allowances determined by HUD and DCA. The home-approved rents and utility allowances will be made available to tenants upon request to Management.

No fees beyond rent may be charged unless approved by REBOUND as follows:

### ***Tenant caused damages***

Contract rents and utility allowances will be approved by DCA annually during the affordability period (§92.252(f)(2)).

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## Lease & Tenant Protections (92.253)

Any household qualified and selected for occupancy must enter into a lease and agree to pay the rent approved for the unit. The lease form must be approved by DCA as complying with 92.253, including a 30-day notice for rent increases or termination of tenancy.

The Lease will contain the VAWA Lease Addendum. No tenant of HOME-assisted housing may be terminated from participation in or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking if the applicant or tenant otherwise qualifies for occupancy. Incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as a serious or repeated violation of a lease for HOME-assisted housing by the victim or threatened victim of such incident, or good cause for terminating the assistance, tenancy or occupancy rights of the victim of such incident.

Management may take action to bifurcate the lease to remove the person who committed domestic violence, dating violence, sexual assault, or stalking. The victim and other household members will be permitted to remain in the unit, subject to ongoing HOME occupancy requirements.

The victim of domestic violence, dating violence, sexual assault, or stalking may request relocation within the project or externally to a safe unit. This must be requested in writing on the REBOUND Inc. HOME Program Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking form. The lease will be terminated without penalty if the emergency transfer is approved.

Any information submitted to Management, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be maintained in confidence and may not be entered into any shared database or disclosed to any other entity or individual other than REBOUND, except to the extent that the disclosure is requested or consented to by the individual in writing, and required for use in an eviction proceeding against any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, or otherwise required by law.

## Lead-Based Paint Disclosure (24 CFR 92.355 & 24 CFR Part 35)

If the property was originally placed in service prior to January 1, 1978, tenants must be provided:

- "Protect Your Family From Lead In Your Home" pamphlet; and
- Landlord Disclosure of any known information concerning lead-based paint or lead-based paint hazards

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Acknowledgment of the disclosure compliance requirements should be included in the lease form or attached.

## Recertification

Tenant income eligibility will be determined annually. Tenants must provide Management with income information to determine continued eligibility.

If a tenant is over income, the tenant may remain in the unit, but rent will be calculated based on 30 of adjusted income as provided in 92.252(i). If HOME units are floating, replacement of the unit will occur following 92.252(i)(2) and (j).

## Modifications to this Tenant Selection Plan

Modifications to this plan will be made only with the consent of DCA.

**Receipt of Tenant Selection Plan:** The undersigned have read and understand this Tenant Selection Plan and hereby acknowledge receipt of a copy of this Tenant Selection Plan.

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
REBOUND INC.

\_\_\_\_\_  
Date

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