

**Community Housing Network, Inc.  
Unified Supportive Housing System ("USHS")  
Touchstone Field Place II  
Tenant Selection Policy**

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**PURPOSE:** To ensure that all applicants are treated fairly and tenant selection is based on the applicant meeting the income and disability eligibility criteria set by Community Housing Network, Inc. (CHN).

**POLICY:** Housing is provided to persons who are homeless or at-risk of homelessness and are disabled by mental illness, addiction, dual diagnosis, or physical disability. Tenants have been unable to maintain permanent housing due to a variety of barriers and are encouraged to link with supportive services to achieve housing stability.

**PROCEDURE:**

**I. Equal Opportunity Housing**

Community Housing Network (CHN) is pledged to the letter and the spirit of U.S. policy for the achievement of equal housing opportunity throughout the nation. In accordance with its commitment to equal housing opportunity and housing for families and the disabled, CHN will operate the project in a manner that complies with the federal Fair Housing Act of 1968 (Title VIII of the Civil Rights Act of 1966, 1981 and 1982, as amended by the Housing & Community Development Act of 1974 and the Fair Housing Act of 1988), the Rehabilitation Act of 1973, HUD's Equal Access in Accordance with an Individual's Gender Identity rule, and the Ohio Revised Code 4112.02 and Columbus City Code 2331.02.

CHN is committed to advertising, processing applications and providing housing and managing housing without regard to race, color, age, religion, sex, national origin, ancestry, familial status, military status, sexual orientation, gender identity, disability or handicap, status regards to public assistance or any other class of persons protected by applicable law. In addition, persons with disabilities shall be entitled to reasonable accommodations in rules, policies, practices and/or reasonable modifications of existing premises. CHN will continually monitor our staff, procedures and practices to maintain our commitment to equal housing opportunity.

**II. Application Process**

- A. Procedures for taking applications:** Tenants are selected through the Community Shelter Board (CSB) Unified Supportive Housing System (USHS). Each person of the age of 18 who wishes to participate in the Unified Supportive Housing System ("Applicant") must work with his or her emergency shelter case manager, rapid rehousing case manager, or homeless outreach worker to

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complete a Prospective Applicant File form to be submitted directly to CSB for homeless units.

- B.** Applications must be filled out completely and honestly. If any applicant knowingly omits information or supplies false information, the Application will be denied. CHN receives completed applications directly from CSB and reviews them to determine whether the applicant can meet the requirements of tenancy. More information on USHS can be found on CSB’s website – [www.csb.org](http://www.csb.org).

**C. Applicant Screening Criteria**

1. CHN will screen all applicants for housing, who meet the Program Requirements and the Project Requirements, and the screening will include the applicant and all other household members, including live-in aides and persons entering the household after the applicant has been accepted as a tenant. If all household members meet the screening criteria, the applicant will be offered housing.

If CHN discovers information during a background check and any household member has not revealed that information or has provided false information, CHN will review the concern and may deny the application.

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2. The objective of our tenant selection criteria is to screen and identify Applicants and their household members who will:
  - a. Pay rent and other fair charges on a timely basis and in accordance with the terms of their lease.
  - b. Respect, care for, and avoid damaging CHN properties and the property of others and not allow guests to damage CHN's property or the property of others.
  - c. Avoid interfering with the rights and quiet enjoyment of others and will not allow guests to similarly interfere.
  - d. Avoid criminal activity and not allow criminal activity on the part of their household members or guests, including drug-related criminal activity.
  - e. Demonstrate the ability and willingness to comply with the terms of the lease agreement, including the Building Rules and all health and safety codes.
  - f. Comply with Columbus Metropolitan Housing Authority requirements for accurately reporting income, assets, student status and recertifying as required if the rent subsidy is provided by CMHA.
  - g. Comply with recertification requirements for all funding partners including Ohio Housing Finance Agency and the Community Shelter Board.

These objectives apply not only to household members at initial Application but also to any people wishing to be added to an existing lease.

**3. Credit/Utility Company History:**

- a. Release of Credit Information: All Adult household members are required to sign an authorization for release of credit history. Lack of credit history or a low credit score will not be grounds for rejecting an Application.
- b. Applicants must be able to obtain utilities in their name as needed for the unit.
- c. If an applicant has an outstanding debt to CHN, the applicant must pay the debt prior to leasing.

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4. **Rental History:** For USHS clients utilizing CMHA project-based section 8 vouchers, the following applies:
- a. **Drug-Related or Violent Criminal Activity.** Prospective Applicants cannot have conviction of or eviction from CMHA or other federal voucher housing program due to drug-related criminal activity or violent criminal activity within one year of final eligibility determination date, including criminal activity by any family member listed in a family's Prospective Applicant File.
  - b. **Evictions.** Prospective Applicants who left the voucher program involuntarily due to eviction or violation of program rules are ineligible for housing for one year after said departure, which begins at the termination date of the previous housing assistance or court-approved eviction date.
  - c. **CMHA life-time ban from housing.** Applies (1) to Prospective Applicants who manufactured or produced methamphetamine on the premises of any federally assisted housing, (2) if a member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program at any time.
  - d. **Outstanding Debt.** Prospective Applicants cannot have an outstanding debt owed to CMHA or other housing authorities. Placement in USHS housing units that have CMHA vouchers or subsidies cannot occur until all outstanding debts are paid to CMHA. In the event CMHA has determined that a Prospective Applicant has committed fraud, a lifetime ban is in effect, regardless of repayment. Financial assistance through CSB may be available to assist homeless Prospective Applicants with outstanding debts owed to CMHA.
  - e. **Violation of Family Obligation.** Prospective Applicants cannot have left previous tenancy under the Section 8 Program in violation of a family obligation under the Housing Choice Voucher Program. Those individuals who have previously left tenancy in violation of a family obligation are not eligible for Section 8 vouchers and are not able to apply for most USHS housing units.

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5. **Police/Criminal Record:** CHN will have zero tolerance for violent criminal activity or crimes against property or any other activity that threatens the health, safety, and right to peaceful enjoyment of the property by other tenants or the health and safety of the owner, employees, contractors, subcontractors, or agents of the owner.
- a. CHN will check the criminal and sex offender history of all adult household members and require all adult household members to sign a release authorizing CHN to check their previous criminal history if necessary. Any new and/or pending charges must be reported at all times during the application process. Depending on the nature of the charges, application processing may be delayed or discontinued. If any applicant fails to inform CHN of new or pending charges, CHN will suspend the application if the charge is listed below as one requiring review and may delay the application review until the pending charge is resolved in court.
  - b. Arrest records, charges, expunged convictions, convictions reversed on appeal, vacated convictions, offenses where adjudication was withheld or deferred, pardoned convictions, and sealed juvenile records alone will not be used as a basis for denial of admission, termination of assistance or eviction.
  - c. If the criminal background report reveals negative information about a household member and CHN proposes to deny admission due to the negative information, the subject of the record (and the applicant, if different) will be provided notice of the proposed adverse action and an opportunity to dispute the accuracy of the record. The notice will include the name, address and telephone number of the agency that composed the criminal record report and inform the applicant of his or her right to dispute the accuracy of the criminal record report as well as his or her right to a free copy of the criminal record report.  
  
If the applicant does not contact CHN to dispute the accuracy of the criminal record within eight business days, the management company will send a written notice of ineligibility to the applicant stating the specific reason for denial and advise the applicant of their appeal rights and – if disabled – their right to request a reasonable accommodation, if applicable.
  - d. The following admission criteria will be used:
    - i. Sexual offenses:

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- Review: A conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity verdict for any felony within 20 years prior to the application involving a sexual offense requiring registration on the sex offender registry may result in denial of a rental application.
  - No Action: Except in cases of Multiple Violent Offenses, as described in detail below, a conviction, guilty plea, no-contest plea, a not guilty by reason of insanity verdict for any felony offense occurring more than 20 years from the application date involving a sexual offense shall not be grounds for denial of rental application;
- ii. Arson:
- Review: A conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity finding for any felony within 20 years prior to the application date involving arson may result in denial of a rental application.
  - No Action: Except in cases of Multiple Violent Offenses, as described in detail below, a conviction, guilty plea or no-contest plea, or a not guilty by reason of insanity verdict for any violent felony offense occurring more than 20 years involving arson from the application date shall not be grounds for denial of rental application;
- iii. Drug Manufacturing:
- Review: A conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity finding for any felony within 20 years prior to the application date involving the manufacturing or production of methamphetamine may result in denial of a rental application.
  - No Action: Except in cases of Multiple Violent Offenses, as described in detail below, a conviction, guilty plea or no-contest plea, or a not guilty by reason of insanity verdict for any violent felony offense occurring more than 20 years involving the manufacturing or production of methamphetamine from the application date shall not be grounds for denial of rental application;
- iv. Violent Felony Offense:
- Review: A conviction, guilty plea, a no-contest plea, or a not guilty by reason of insanity verdict for any violent felony offense occurring within 18 months from the application date may be grounds for denial of rental application;
  - No Action: Except in cases of Multiple Violent Offenses, as described in detail below, a conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity verdict for any violent felony

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offense occurring more than 18 months from the application date shall not be grounds for denial of rental application;

v. **Nonviolent Drug Related Felony Offense:**

- **Review:** A conviction, guilty plea or no-contest plea for any drug-related non-violent felony offense occurring within 18 months from the application date may be grounds for denial of rental application;
- **No Action:** A conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity verdict for any non-violent felony offense occurring more than 18 months from the application date shall not be grounds for denial of rental application;

vi. **Violent or Drug Related Misdemeanor Offense:**

- **Review:** A conviction, guilty plea, no-contest plea, or a not guilty by reason of insanity verdict for any violent or drug related misdemeanor offense occurring within 18 months from the application date may be grounds for denial of rental application;
- **No Action:** Except in cases of Multiple Violent Offenses, as described in detail below, a conviction, guilty plea or no-contest plea, or a not guilty by reason of insanity verdict for any violent misdemeanor offense occurring more than 18 months from the application date shall not be grounds for denial of rental application.

These categories were identified because they involve conduct by a person whose tenancy may present a current direct threat of harm to others or the risk of substantial damage to the property of others.

- e. **Multiple Violent Offenses:** An application for a household that includes a member who has any other conviction or a finding of not guilty by reason of insanity for a violent crime against a person, including menacing, stalking, battery, assault, domestic violence, murder, rape and other sexually oriented that involve multiple (2 or more) offenses will be reviewed on a case-by-case basis, regardless of the length of time since conviction or finding of not guilty by reason of insanity.
- f. **Individual Reviews:** If an applicant is identified as having a felony criminal conviction in one of the specified categories of offenses in Section 5 (d) that requires a review, the property will provide an individual review of the applicant's current situation before deciding whether to withdraw the conditional offer.

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For individuals falling under Section 5 (e), CHN will not deny applicants with two or more of the preceding convictions on the basis of their conviction history, but the applicant will be asked to demonstrate that the casual factors behind the crime(s) have been addressed. Applicants with a demonstrated history of serious violence that would endanger tenants will be denied.

The purpose of the review is to determine if the applicant is able to fulfill their obligations of tenancy at the property. CHN will first send a written notice to each applicant identified as having a reviewable criminal conviction that requires review and the notice will include specific information from the background check so that applicants can address the concern. The notice will inform the applicant that the reviewable criminal conviction was identified in the criminal background screening and will invite the applicant to provide additional information within fourteen (14) calendar days for the property to consider. The requested information could include, for example, letters from parole officers, case workers, counselors, family members, or community organizations commenting on the applicant’s responsible conduct and rehabilitation efforts.

Based on information received from the applicant, as well as the information provided by the property’s criminal background screening provider, CHN will then conduct an individual review of each applicant identified as having a reviewable criminal conviction. The property will consider all applicants equally and render decisions in a fair and consistent manner. The property will consider the following factors in determining whether to approve or reject the application:

- Whether the applicant’s offense bears a relationship to the safety and security of the other residents;
- Whether the applicant’s reviewable criminal conviction poses a safety and security concern for the community, including the property’s proximity to preschools and daycares and state laws that may prohibit certain convictions from living near such facilities<sup>1</sup>;
- A review of the offense(s):
  - The level of violence, if any, of the offense for which the applicant was convicted;
  - Length of time since conviction;

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<sup>1</sup> ORC 2950.034 states that Registered Sex Offenders in Ohio cannot live within 1,000 feet of a school or child care center.



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- The number of convictions overall and whether the number of convictions show a pattern of behavior;
- The facts or circumstances surrounding the criminal conduct;
- The age of the applicant at the time of the occurrence of the criminal offense;
- Evidence of a good tenant or employment history before or after the conviction or conduct;
- Whether the applicant's status as a survivor of domestic violence, sexual assault, stalking, or dating violence contributed to the reviewable criminal conviction;
- Whether the applicant's mental health diagnosis and/or substance use disorder contributed to the conviction;
- A review of the applicant's current status:
  - Presence of contributing factors that academic literature indicates is relevant to the potential for recidivism each reviewable criminal conviction<sup>2 3</sup>;
  - If the applicant is in recovery for an addiction, in instances where the applicant was under the influence of alcohol or other drugs at the time of the offense;
  - Any rehabilitation efforts that the applicant has undertaken since the time of conviction;
  - Employment status or efforts to seek employment;
  - Participation in any work training program or improvements in education;
  - Participation in counseling or other behavioral healthcare;
  - Involvement of family, friends or community groups in support network for applicant;
  - Recommendations on behalf of potential/existing resident by probation officer, case manager, counselor, family member, clergy, employer, community leader or other involved individuals;
  - Any other information relevant to the current lifestyle of the individual; and,
  - Any information about the applicant that indicates good conduct since the offense occurred; and
- Any other information related to whether the applicant's specific reviewable criminal convictions create the potential that the property's

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<sup>2</sup> See “Reductions in Risk Based on Time Offense-Free in the Community: Once a Sexual Offender, Not Always a Sexual Offender”, **Psychology, Public Policy, and Law**, 2018, Vol. 24, No. 1, 48-63, by Hanson, K., Harris, A., Letourneau, E., Helmus, L., and Thornton, D.

<sup>3</sup> See “Firesetting, Arson, Pyromania, and the Forensic Mental Health Expert”, **The Journal of the American Academy of Psychiatry and the Law**, Volume 40, Number 3, 2012, by Burton, P., McNiel, D. and Binder, R..

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current residents, employees, property, or the neighboring community will be exposed to a heightened risk of crime.

The applicant bears the burden of providing verified or verifiable information to negate or mitigate convictions in their criminal history.

- g. Any application for a household that includes a member with other convictions not mentioned in this Tenant Selection Policy will be reviewed on a case-by-case basis.
- h. If an applicant does not provide information for the property’s consideration within fourteen (14) days of the date of Additional Information Request Letter, the property will assess the applicant based upon available information obtained during the application process, including the information received from the property’s credit and criminal background screening provider.

If, after the individual review described above, the property decides to reject an applicant, then on the day of such determination, the property will send to the applicant a Criminal Background Adverse Action Letter.

## **6. Sobriety Requirements**

- a. CHN will take all measures necessary to maintain alcohol-free and drug-free properties, but we do not make sobriety a condition for moving into or remaining in our agency’s housing. CHN moves individuals into our housing “as they are”, without conditions or pressure. However, CHN promotes recovery as the safest approach to stability, and we work tirelessly with tenants to lessen the harmful effects of mental illness and substance abuse. Our focus is on long-term life-altering behavioral change through the practice of engaging our tenants. CHN reaches out to all tenants to understand each tenant’s barriers to self-sufficiency, and then we encourage healthy choices and offer quality supportive services.
- b. Households applying for entry that include a member for whom CHN has reasonable cause to believe is currently using illegal drugs or whose pattern of illegal drug use may interfere with the health, safety and right to peaceful enjoyment of the property by other tenants will be strongly encouraged to participate in harm reduction-informed supportive services specific to the household need. CHN will not deny housing to otherwise-

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qualified Applicants who are using or have used illegal drugs solely on the basis of their substance abuse history. CHN will strongly encourage any applicants with active substance abuse to resolve their drug problems by enrolling in a drug/alcohol rehabilitation program.

**7. Previous Community Housing Network Tenants and Visitors**

- a. A former tenant must wait twelve months after exiting CHN housing before submitting a new application for housing if the exit was due to a failure to comply with the terms of the lease.
- b. Before Community Housing Network will enter into a new lease agreement with a former tenant, CHN will review the history of the tenant's compliance with the lease and the circumstances regarding their departure from the housing program. Former tenants who exited CHN housing either due to violence or criminal activity may not return to CHN housing for a minimum of 36 months and must provide a housing retention plan that demonstrates that the causal factors behind the behavior have been and will continue to be addressed if they return to CHN housing. CHN will determine if the former tenant may return to CHN after reviewing the proposal and assessing whether sufficient supports are in place to address the previous noncompliance with the lease.
- c. Former tenants who left CHN housing due to non-payment, may be required to obtain a representative payee in order to return to CHN housing.
- d. Former tenants must resolve any outstanding debt to CHN before entering into a new lease agreement. The former tenant must pay one-hundred percent of the outstanding balance at which time, CHN will write off the remaining debt.
- e. Applicants for CHN housing who have violated CHN rules or engaged in criminal activity on CHN property as a visitor may be denied on this basis.
- f. Transfers: Applicants for CHN housing who have violated CHN rules or engaged in criminal activity on CHN property as a resident who seek to transfer from their current CHN housing to Touchstone Field Place will be denied transfer to Touchstone Field Place.

**8. Adding a Household Member to an Existing Lease**

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Before Community Housing Network will add a household member to an existing lease, the applicant must complete an intake with a CHN staff person and meet the screening criteria. CHN will also review whether there is a history of domestic violence in the relationship, which may be a basis for denying the application. In doing so, CHN may consider dismissed charges and protection orders solely as they relate to domestic violence between the parties. A history of domestic violence in a different relationship will not be a barrier so long as it does not conflict with CHN's screening criteria. The proposed household member must meet the eligibility requirements for Columbus Metropolitan Housing Authority if the rent subsidy is provided by CMHA and comply with any other funding requirements including LIHTC and OHFA.

**9. Eligibility Requirements for Live-in Aide Screening Criteria**

Any live-in aide who has been convicted of a felony including, but not limited to murder, rape, sexual offenses, robbery, burglary, weapons charge, arson or theft will be denied as a live-in aide. A live-in aide will also be disqualified for a conviction for menacing, stalking, battery, assault, or any other violent crime against a person; any crime against property such as vandalism, criminal damaging or theft; and any drug related activity unless the conviction is over eight years old.

**D. Accessible Unit Documentation:** Any Application for a household that includes a member requesting a unit that has handicapped-accessible features or a reasonable accommodation or reasonable modification will be required to submit supporting documentation in order to verify whether the member is a qualifying individual with a disability.

**E. Family Composition:**

1. Documentation for Each Household Member: Applicants must provide documentation of actual family composition, including children.
2. All adult household members must present birth certificates and a valid State of Ohio identification card or other valid government-issued picture identification card, and a Social Security card.
3. Birth certificates and Social Security cards must be presented for all minors (all individuals under the age of 18 years). If the name of a household member does not appear as a parent on the birth certificate of any minor being claimed as a household member, an Applicant must present official custody documents

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from the courts granting them physical custody of the minor for at least 50% of the time. If official court custody documents are not available, for school age minors, verification that the Applicant is the custodial parent or caretaker and verification of the Applicant's current address as the address of the minor is required. For minors under school age, written verification from public assistance that the minor is considered a part of the Applicant's household or verification from child protective services or other government agency is required to verify that the minor is living with the Applicant.

**F. Intentional Misrepresentation of Information during the Application**

**Process:** If an applicant intentionally misrepresents information relevant to a determination of eligibility or qualification for tenancy or assistance, including financial capacity, screening criteria, or the ability to satisfy the other Program or Project Requirements, the applicant will be rejected. If the applicant has already become a tenant when the misrepresentation is discovered, the tenant will be evicted.

**G. Privacy Policy:** It is the policy of CHN to guard the privacy right of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the project.

Therefore, neither the project 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 has consented in writing to such disclosure. This privacy policy in no way limits the ability of CHN 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, CHN will treat any information regarding a disability in a confidential manner.

**H. Procedures for Rejecting Ineligible Applicants**

1. In denying admission or assistance to an applicant, CHN will not discriminate on the basis of race, color, religion, sex, national origin, familial status, or disability. CHN will promptly notify the applicant in writing of the denial of admission or assistance. CHN may reject an applicant for the following reasons:
  - a. The applicant is ineligible for occupancy because the applicant does not meet the Program or Project Requirements for occupancy;

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- b. The applicant is unable to disclose and document social security numbers of all household members or does not execute a certification stating that no social security numbers have been assigned to the person(s) failing to comply;
- c. The applicant does not sign and submit verification consent forms or the Authorization for Release of Information;
- d. The applicant's family has characteristics that are not appropriate for the type of unit available at the time, or has a family size that is not appropriate for the unit sizes that are available at the project;
- e. The applicant does not meet the project's Tenant Selection Policy.
- f. The applicant, or any applicant guest or minors while applying exhibit disruptive or threatening conduct.
- g. The applicant rejects two (2) units after showing and offering of housing.

If an applicant and the applicant's household members are rejected for one of the reasons listed above, CHN will promptly notify the applicant in writing that the application has been rejected. The notice will state the specific reasons for rejection of the application and of the applicant's right to respond in writing to, or request a meeting with, CHN within fourteen (14) days after the applicant receives the rejection notice.

If the applicant requests a meeting to dispute the rejection, a supervisor who was not involved in the decision to reject the application will meet with the applicant. The supervisor's decision will be documented, and the applicant will receive written notice of the final decision within five (5) business days following the meeting. All records relevant to the application, rejection, notice, meeting, if any, and final decision will be maintained for three (3) years.

### **III. Project Specific Requirements**

Housing is provided to persons who are homeless and disabled. Housing is also provided to the family members of these individuals. CSB ensures that eligible applicants are prioritized for vacant units in accordance with HUD and local prioritizations standards, and CHN will follow established USHS Policies & Procedures around prioritization.

### **IV. Program Eligibility**

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To establish program eligibility, all Applicants must meet all program eligibility criteria associated with certain housing units. Note that applicants meeting program eligibility criteria must also meet Tenant Selection criteria to qualify for housing.

- A. Age:** To be eligible to apply for CHN Housing, at least one member of the household must be 18 years of age or older (hereinafter referred to as an "adult") or, if a person is under 18 years of age (hereinafter referred to as a "minor"), the person must have documentation proving that he or she has been emancipated. In addition, any and all adults wishing to reside in a CHN unit must fill out an Application. All information requested on the application must be filled out completely, with accurate information. If any information is omitted or falsified, the application will be denied.
- B. Income:** Total annual gross income of the household must be below the applicable program's income guidelines. These guidelines differ from project to project and will be addressed by the Housing Facilitator.
- C. Unit Size:** A Unit is assigned based on the number of proposed occupants as listed in the chart below. Applicants must indicate what size unit is desired on the application. A unit of appropriate size must be available in order to permit the admission at an assisted rental rate. In addition, CHN does not determine what age and/or sex is appropriate for sharing a bedroom.

**MINIMUM AND MAXIMUM OCCUPANTS PER UNIT**

<u>Apartment Size</u>	<u>No. of Occupants (Min/Max)</u>
0 Bedroom	1 min/1 max
1 Bedroom	1 min/2 max
2 Bedroom	2 min/4 max
3 Bedroom	3 min/6 max
4 Bedroom	6 min/8 max

Every household member, regardless of age, shall be counted as a person. Unborn children shall be counted as family members for the purpose of determining unit size qualifications. Children must be verified as a legal dependent, or an adult in the household must have, or be in the process of, obtaining legal custody of the child(ren). A certified copy of each Applicant's birth certificate is required. No more than 2 persons may be assigned to occupy a bedroom, regardless of unit size or age/sex of the persons.

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Exceeding the above occupancy standards, during residency, may require that the occupants move to an appropriately sized unit if one is available in the project.

**D. Social Security Numbers:** Applicants must disclose social security numbers for all proposed household members. Children under the age of 1 have 90 days in which to provide proof of such numbers.

**E. Number of Residences:** The unit will be the ONLY place of residence for the proposed household members. No duplicate housing assistance may occur.

**F. Release of Information:** All adults must sign an Authorization for Release of Information prior to receiving rental assistance and prior to CHN considering any Application and annually thereafter. Failure to do so will result in a denial/loss of rental assistance and possibly loss of the unit.

## **V. Unit Transfer Policies**

**A.** CHN permits unit transfers within this project for the following reasons:

1. Tenants who are occupying units which are smaller than appropriate for their family size will be offered appropriately sized units before such units are offered to other applicants.
2. Tenants who are occupying units which are larger than appropriate for their family size will be required to move to the first appropriately sized unit that becomes available, if there is a market for the larger-sized unit. Tenants who have given indication that they will move within the next few months need not be transferred.
3. Tenants who require a transfer for medical reasons, as verified by a doctor or other professional agency, may be transferred.
4. Tenants who are occupying non-accessible units and require a transfer for accessibility requirements, as verified by a doctor or other health care professional will be offered an accessible unit when one is available.
5. A resident who is a victim of domestic violence, dating violence, sexual assault or stalking as provided in HUD's regulations at CFR part 5, subpart L is eligible for an emergency transfer.



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6. Transfers will be offered in the following order:
- a. Current tenants within the project who are victims of domestic violence, dating violence, sexual assault or stalking.
  - b. Current tenants within the project that require the unit based on reasons above.
  - c. Current tenants within other CHN owned projects that require the unit based on reasons above and meet the project and program eligibility requirements.
- B.** Due to Federal Home Loan Bank funding requirements, projects have limited capacity to accept transfers based on a commitment to house a percentage of applicants who meet the Federal Home Loan Bank's definition of homeless.

**VI. Policies to comply with Section 504 of the Rehabilitation Act of 1973, The Fair Housing Act Amendments of 1988 and Title VI of the Civil Rights Act of 1964.**

- A.** It is the policy of CHN to comply with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in any program receiving federal financial assistance from HUD.
- B.** A person is considered disabled for purposes of legal entitlement to reasonable accommodations if he or she is an individual with a physical or mental impairment, including impaired sensory, manual, or speaking ability that substantially limits one or more major life activities; the person has a record of such impairment; or the person is regarded as having such an impairment, all as defined HUD regulations. In addition to operating the project in a nondiscriminatory manner, CHN will also consider requests for reasonable accommodation from qualified applicants with disabilities. A reasonable accommodation for a qualified applicant with a disability is a change, exception, or adjustment to a program, service, building, or dwelling unit that will allow a qualified applicant with a disability to participate fully in a program; take advantage of a service; or live in a dwelling.
- C.** It is the policy of CHN to provide equal opportunity housing according to the federal Fair Housing Act of 1968 (Title VIII of the Civil Rights Act of 1966, 1981 and 1982, as amended by the Housing & Community Development Act of 1974

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and the Fair Housing Act of 1988), the Rehabilitation Act of 1973, Ohio Revised Code § 4112.02 and Columbus City Code § 2331.02.

- D.** In compliance with Title VI of the Civil Rights Act of 1964, CHN prohibits discrimination on the basis of race, color or national origin in any program or activity receiving federal financial assistance from HUD.

**VII. Violence Against Women Act**

- A.** The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women; protections are available equally to all individuals regardless of sex, gender identity, or sexual orientation.
- B.** Protections for Applicants: If an applicant otherwise qualifies for assistance, the applicant cannot be denied admission or denied assistance because he or she is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.
- C. Protections for Tenants**
1. A tenant may not be denied assistance, terminated from participation, or be evicted from rental housing because he or she is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.
  2. Also, if a tenant or an affiliated individual is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of the household or any guest, he or she may not be denied rental assistance or occupancy rights solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.
  3. Affiliated individual means a spouse, parent, brother, sister, or child, or a person to whom the tenant stands in the place of a parent or guardian (for example, the affiliated individual is in the tenant's care, custody, or control); or any individual, tenant, or lawful occupant living in the household.
- D. Removing the Abuser or Perpetrator from the Household**
1. CHN may divide (bifurcate) a lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser

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or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

2. If CHN chooses to remove the abuser or perpetrator, CHN may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, CHN must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.
3. In removing the abuser or perpetrator from the household, CHN must follow federal, state, and local eviction procedures. In order to divide a lease, CHN may, but is not required to, ask for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

**E. Moving to Another Unit**

1. Upon request, CHN may permit a tenant to move to another unit, subject to the availability of other units, and still keep the assistance. In order to approve a request, CHN may ask the tenant to provide documentation requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask for submission of a written request or a form certifying that the tenant meets the criteria for an emergency transfer under VAWA. The criteria are:
  - a. The tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. If CHN does not already have documentation that the tenant is a victim of domestic violence, dating violence, sexual assault, or stalking, CHN may ask for such documentation, as described in the documentation section below.
  - b. The tenant expressly requests the emergency transfer. CHN may choose to require that a tenant submit a form or may accept another written or oral request.
  - c. The tenant reasonably believes he or she is threatened with imminent harm from further violence if the tenant remains in the current unit.

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- d. OR if the tenant is a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before the requested transfer. If the tenant is a victim of sexual assault, then in addition to qualifying for an emergency transfer because the tenant reasonably believes he or she is threatened with imminent harm from further violence if the tenant remains in the unit, the tenant may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which he or she is seeking a transfer, and that assault happened within the 90-calendar-day period before the tenant expressly request the transfer.
  2. CHN will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families. CHN's emergency transfer plan provides further information on emergency transfers, and CHN must make a copy of its emergency transfer plan available.
- F. Documenting that a Tenant Is or Has Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**
1. CHN can, but is not required to, ask a tenant to provide documentation to "certify" that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from CHN must be in writing, and CHN must give the tenant at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day the request is received to provide the documentation. CHN may, but does not have to, extend the deadline for the submission of documentation upon request.
  2. If CHN receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), CHN has the right to request that a tenant provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If a tenant fails or refuses to provide third-party documentation where there is conflicting evidence, CHN does not have to provide the protections contained in this notice.
- G. Confidentiality:** CHN must keep confidential any information related to the exercise of rights under VAWA, including the fact that a tenant is exercising his or her rights under VAWA.

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1. CHN must not allow any individual administering assistance or other services on behalf of CHN (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable federal, state, or local law.
2. CHN must not enter the information into any shared database or disclose the information to any other entity or individual. CHN, however, may disclose the information provided if:
  - a. The tenant gives written permission to CHN to release the information on a time limited basis.
  - b. CHN needs to use the information in an eviction or termination proceeding, such as to evict an abuser or perpetrator or terminate an abuser or perpetrator from assistance under this program.
  - c. A law requires CHN or the landlord to release the information.
3. VAWA does not limit CHN's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

#### **VIII. Changes to the Tenant Selection Policy**

CHN will review the Tenant Selection Plan annually and will revise it as necessary to comply with applicable laws and regulations. If CHN revises the Tenant Selection Policy, CHN will also make the revised plan available to the public.

#### **IX. Availability of the Tenant Selection Policy**

CHN will make the Tenant Selection Policy available to members of the public upon request.