

Tenant Selection Policy Template

*Thomas Jefferson Planning District Commission
Thomas Jefferson HOME Consortium*

Regarding Tenant-based rental assistance, (TBRA), as detailed in 24 CFR 92.209; and regarding rental housing, as detailed in 24 CFR 92.252: The participating jurisdiction must select low-income families in accordance with written tenant selection policies and criteria that are based on local housing needs and priorities established in the participating jurisdiction's consolidated plan. An owner of rental housing assisted with HOME funds must comply with the affirmative marketing requirements established by the participating jurisdiction pursuant to § 92.351(a).

Rental Housing through the Thomas Jefferson HOME Consortium:

- (1) HOME-assisted rental housing must be limited to very low-income and low-income households.
- (2) Applicants must be able to perform obligations of the lease, such as ability to pay rent, not to damage housing, or interfere with the rights and quiet enjoyment of other tenants.
- (3) Tenants will be selected from a written waiting list in the chronological order of their application, as is practicable.
- (4) Any limitation of eligibility or preference given to a particular segment of the population is only permitted insofar as it is written in the original HOME Agreement, and does not violate non-discrimination requirements in 24 CFR 92.350.
- (5) In no way may a Subrecipient exclude an applicant with a certificate or voucher under the Section 8 Tenant-Based Assistance: Housing Choice Voucher Program.
- (6) Subrecipient must provide prompt written notification to any rejected applicant of the grounds for any rejection.
- (7) Subrecipient shall comply with the Violence Against Women Act (VAWA) requirements prescribed in 24 CFR 92.359, including:
 - a. If a family living in a HOME-assisted rental unit separates under 24 CFR 5.2009(a), the remaining tenant(s) may remain in the HOME-assisted unit.
 - b. The participating jurisdiction must develop a VAWA lease term/addendum to incorporate all requirements that apply to the owner or lease under 24 CFR part 5, subpart L, and this section, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c). This VAWA lease term/addendum must also provide that the tenant may terminate the lease without penalty if the participating jurisdiction determines that the tenant has met the conditions for an emergency transfer under 24 CFR 5.2005(e).
 - c. For tenants who qualify for an emergency transfer, and who wish to make an external emergency transfer when a safe unit is not immediately available, the Subrecipient must provide a list of properties in the jurisdiction that include HOME-assisted units. The list must include the following information for each property:
 - i. The property's address, contact information, unit sizes, and any eligibility restrictions if known.
 - d. In HOME-assisted units, there will be a preference for any who qualify under VAWA, as fleeing or attempting to flee domestic violence, sexual assault, stalking, or human trafficking.
 - e. Rental coordinators must coordinate with victim service providers and advocates to develop emergency transfer plans, make referrals, and facilitate emergency transfers to safe and available units.

Rental Housing using HOME-ARP funds; additional requirements:

- (1) The Subrecipient will maintain a project-specific waiting list. This list must prioritize applicants based on the Qualifying Populations listed in the signed HOME-ARP Written Agreement between TJPDC and the Subrecipient.
- (2) Subrecipient must maintain compliance at all times with fair housing, civile rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a).
- (3) Housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.