



## Helzer Courts

### GROUNDS FOR DENIAL OF RENTAL APPLICATION

*This document must be attached to all applications*



TDD # (415) 345-4470 or  
California Relay Service (711)

We welcome your application to rent an apartment at Helzer Courts. It is the responsibility of each applicant to provide any and all information required to determine eligibility. Any household members added at a later time and live-in-aides will be subject to the same screening criteria described below. The following lists the reasons why we might deny your application:

#### 1) **Credit**

- (a) Total unmet credit problems (including governmental tax liens) in excess of \$2,500.
- (b) A bankruptcy (within the last three years).
- (c) A total of seven (7) unmet credit obligations of any value.

An exception for extraordinary medical and/or student loan expenses may be permitted.

#### 2) **Rental History**

- (a) A judgment against an applicant obtained by the current or previous landlord.
- (b) An unmet obligation owed to a previous landlord.
- (c) The applicant must have made timely payments of the last year's rental payments.
- (d) Negative landlord reference

#### 3) **Criminal Background Check and Personal History**

A check will be made of criminal conviction records for the past 7 years for all adult Applicants of the household. Reports will be obtained from local and/or state records and may also include local Police records. If the Applicant has resided in a state other than California and has a past felony conviction, a report will be required from that state or federal organization. Generally, public records of this sort are only available for the past seven (7) years. However, if information becomes known during the screening process regarding criminal activity that happened before the past ten year period which could impact the Applicant household's eligibility to live at the property, the Management Agent reserves the right to consider this information as well. Serious felony offenses and/or continued and ongoing criminal activity will be grounds for rejection if such offenses involve physical violence to persons or property, domestic violence, sexual abuse, manufacturing or sale of narcotics, illegal weapons possession, any form of assault, breaking and entering, burglary or drug related criminal offenses. The nature, severity and recency of such felony offenses and/or ongoing criminal activity will be considered when reviewing the Applicant and only those potentially impacting the health, safety, security or right to peaceful enjoyment of the property of and by other residents, visitors or employees will be considered. Additionally, applicants may be rejected due to:

- A history of violence or abuse (physical or verbal), in which the applicant was determined to be the antagonist.
- Any household containing a member(s) that has been evicted from federally assisted housing for drug-related criminal activity, unless that person has successfully completed an approved, supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist (household member has moved out).
- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of use of a drug may interfere with the health, safety, security or right to peaceful enjoyment of the property of and by other residents, visitors or employees. Use shall constitute abuse for illegal drugs (unless required by doctor's verification).
- Any household member who is subject to a state sex offender lifetime registration requirement. In order to implement this federal screening requirement, management will request the head of household to list all states they have lived in. The applicant/tenant file will contain written proof that this screening has been completed. Registered sex offenders will not be admitted. There is a new website that owners and management agents can use to search for registered sex offenders. Go to <http://www.nsopr.gov>.
- Any household member, if there is reasonable cause to believe that a member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, security or right to peaceful enjoyment of the property by other residents, visitors or employees.

Consideration may be granted to Applicants with past nonviolent criminal records occurring seven or more years in the past with no further criminal record. Applicants will be provided the criminal background record and provided an opportunity to respond and to provide evidence of mitigating factors.

#### 4) **Full Time Student Status**

- (a) If you are the Head or Co-Head of the household and a full-time student, you must have lived independent of parents or guardians at the time of application for at least one year, nor can you be claimed as a dependent.
- (b) No assistance shall be provided under Section 8 of the 1937 Act to any individual who is enrolled as a student at an institution of higher education, as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) **and**: is under 24 years of age; is not a veteran of the United States military; is unmarried; does not have a dependent child, and is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive assistance under Section 8 of the 1937 Act.



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(c) College students with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)), are exempt from the restriction on providing Section 8 rental assistance to college students if the student with the disability was receiving the assistance as of November 30, 2005.

### 5) Annual Income/Occupancy standard/other program regulations

- (a) Annual Income (including assets) not within the established restrictions of the property as published annually by the U.S. Department of HUD.
- (b) Household size must meet the established occupancy standard for the property as defined in the Tenant Selection Plan.
- (c) Applicant must meet all program regulated eligibility requirements in accordance with HUD Handbook 4350.3 and the Tenant Selection Plan.

### 6) Documentation

Each potential occupant must provide all documentation required by the selection process. If an applicant does not show up for an interview, fails to update an application for the waiting list within the specified time when notified, and/or fails to provide at a minimum the following documentation, it is grounds for denying your application.

- (a) Completed and signed application, release of information, grounds for denial, and application fee (if required).
- (b) Landlord references covering the last five years of residency. *Please note: Applicants who have not held a rental agreement for a minimum period of twelve months within the last five years will be required to provide references from a person not related to the applicant who has known the applicant for at least five years.*
- (c) Proof of all income sources and assets, including the two most recent income payments (i.e. pay check stub, social security or other independent verifications).
- (d) Copy of most recent bank statements and/or other accounts (IRA, stocks, mutual funds, etc.)

### 7) Offer of an Apartment

Applicants will be offered only two apartments. Declining the second offer of an apartment is considered to be a withdrawal of the application by the applicant unless there are verifiable medical circumstances that prevent you from moving at the time of offer.

### 8) Nondiscrimination

In the performance of its obligations The John Stewart Company will comply with the provisions of any federal, state or local law prohibiting discrimination in housing on the basis of race, color, creed, ancestry, national origin, sex, sexual orientation, familial status, source of income, age, disability, AIDS, or AIDS related condition. If an applicant feels they have been discriminated against based on a disability, they may contact the local 504 Coordinator, Mari Tustin (831) 438-5725.

### 9) Appeal

Applicants who are not accepted will have 14 days to appeal in accordance with the Grievance Procedure. During the hearing mitigating circumstances will be considered. Persons with a disability have the right to request reasonable accommodations to participate in the informal hearing process. Any meeting with the applicant to discuss the applicant's rejection will be conducted by a member of the Management Agent's staff who was not involved in the initial decision to deny admission or assistance. Prior to making a final decision to reject an applicant, the project will consider mitigating circumstances and evaluate reasonable accommodations and/or structural modifications which might make rejection unnecessary. Within 5 business days of our response or meeting we will advise the applicant in writing of the final decision on eligibility. No unit will be held during the appeal process. If the appeal is successful, applicants will be offered the next available unit of the applicable unit type.

**I HAVE READ AND UNDERSTAND THE FOREGOING AND FIND THEM TO BE REASONABLE REASONS MY RENTAL APPLICATION CAN BE DENIED. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ATTACHED HOUSING AND INCOME STATEMENTS ARE TRUE AND CORRECT.**

**Applicant #1:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant #2:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant #3:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant #4:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant #5:** \_\_\_\_\_ **Date:** \_\_\_\_\_