

FDI MANAGEMENT SERVICES  
TENANT SELECTION CRITERIA

# Harrisburg Lofts

Effective September 1, 2023

**Welcome to our community. Before you apply to rent an apartment, please take time to review our rental application and approval criteria. The following information is offered so that all applicants will have available to them a detailed statement of the rental qualifying policies.**

We will not discriminate against any person in the rental of an apartment because of race, color, religion, national origin, sex, age, familial status, sexual orientation or mental or physical handicap.

The term “applicant(s)” under these criteria means the persons that will be signing the Lease as a “resident”; the term “occupant(s)” in these criteria means the person or persons that are authorized occupants under the lease. Please also note that these are our current rental criteria; nothing contained in these requirements shall constitute a guarantee or representation by us that all residents and current occupants currently living here have met these requirements. There may be residents and occupants that have resided on the premises prior to these requirements going into effect; additionally, our ability to verify whether these requirements have been met is limited to the information we receive from the various credit reporting services used.

### Apartment Community:

No person under the age of 18 is allowed to be a leaseholder unless emancipated at this property.

### Application for Residency:

An Application for Residency must be completed and maintained for each adult applicant. Each applicant must complete the rental application fully and accurately. Falsification of information will result in denial of residency.

“Personas con discapacidades tienen derecho de pedir  
acomodaciones razonables para participar en el  
proceso de aplicación.”

Las Aplicaciones seran aceptadas solamente por vía, correo, fax, y correo electrónico, y las aplicaciones no serán procesadas, hasta no recibir la cuota por procesar las apliciones. Gracias.

“Individuals/people with disabilities have a right to request reasonable accommodations to participate in the application process.”

Applications will be accepted in the community office as well as mail, fax or email and the applications will not be processed until the application fee is received, thanks.

### Occupants:

Occupancy will be limited to no more than three (3) persons in a one-bedroom apartment, five (5) persons in a two-bedroom apartment or seven (7) persons in a three-bedroom apartment. At no time during the residency shall the occupancy exceed four (4) persons in a one-bedroom apartment, six (6) persons in a two-bedroom apartment or eight (8) persons in a three-bedroom apartment.

All adult occupants will be considered as responsible residents under the Lease Agreement and will be asked to sign the Lease as a resident.

### Harrisburg Lofts Rental Application Approval Criteria (continued):

### Application Fee:

Each applicant must pay a non-refundable application fee of \$20.00 for each single applicant, \$35.00 for married applicants and \$14.00 for each additional adult. Because there are no exceptions, it is important that you review this information carefully before submitting an application, making certain that, to the best of your knowledge you meet the rental application approval criteria stated.

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**Deposit:**

Each applicant must pay a security deposit with a minimum of \$250.00 for a one bedroom, \$350.00 for a two, \$450 for a three. Deposit is due in full prior to move in.

**Rent:**

First full month's rent is due in full prior to taking possession of the apartment, otherwise, only the prorated rent will be due. Office personnel will notify applicants prior to move in as to the total amount due.

**Identification:**

All visitors must present a valid driver's license or other photo identification in order to view the community. Other acceptable forms of identification are: Valid state issued ID card, valid Military ID card or a valid Passport. In addition, each applicant must provide one of the following forms of identification in order for the verification process to begin: United States government issued Social Security number, ITIN number, student visa, (I-20), current work visa, (I-94) or temporary resident alien card verifying approved entry by the United States government, (I-94W.) All applicants must either be an eligible citizen or an eligible non-citizen. Proof of citizenship is required. All applicants must be at least 18 years of age or older unless emancipated.

**Income/Employment:**

Applicants must have a gross income source that can be verified and is at least: 2.5 (two- and one-half times) their monthly rent portion of the apartment being leased. Acceptable income verification required includes the applicant's last two (2) months' worth of pay stubs or an employment verification signed by a direct supervisor, payroll, or human resources department representative. In the event of a job change, the previous employment will be verified, and the applicant must provide a copy of an employment contract or written offer letter from the new employer.

Self-employed applicants will be required to provide the last 2 years' worth of Tax Returns. Proof of retirement benefits, disability income or full-time student status will be required.

For properties that participate in government sponsored programs, income may not exceed TDHCA limits. Third party verification may be required due to Federal Programs income guidelines which may apply. The community representative will provide complete income information.

Applicants with no income must provide evidence of their ability to pay utility bills and meet basic household living expenses.

**Credit History:**

A credit report is part of the approval process and can disqualify an applicant from renting an apartment home at this community. A credit report that could result in denial is one which reflects past or current bad debts, late payments or unpaid bills, liens, judgments or bankruptcies. The credit report will be run by a 3<sup>rd</sup> party provider.

**Harrisburg Lofts will run a credit check and obtain a credit report on all Adult applicant(s).**

The purpose of the credit report is to obtain information on the applicant's past history of meeting financial obligations, future ability to make timely rent payments and to determine whether the applicant has ever been evicted from a rental unit. **Harrisburg Lofts** will contact the current housing provider to determine the applicant's current lease.

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**Student Eligibility:**

Households occupied exclusively by full-time students are not allowed unless all members of the household are married and file a joint IRS tax return, or, the household consists of single parent(s) and minor child (or children) and no one in the household is a dependent of a third party, or, at least one member of the household receives assistance under title IV of the social security act, or, at least one member of the household is participating in an officially sanctioned job training program.

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## **VIOLENCE AGAINST WOMEN ACT**

VAWA 2013 is designed to protect both child and adult victims of domestic violence, dating violence, sexual assault, and stalking.

The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights of the victim of abuse.

The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.

The Landlord may request in writing that the victim, or a family member on the victim’s behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

### **Reasonable Accommodations**

**Harrisburg Lofts** will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehabilitation Act of 1973, **Harrisburg Lofts** will make reasonable accommodation for individuals with handicaps or disabilities (applicants or residents). **Harrisburg Lofts** will make **reasonable** adjustments to rules, policies, and services in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy the unit and the common area of dwelling, or to participate in or have access to other activities conducted or sponsored by **Harrisburg Lofts**. **Harrisburg Lofts** will respond to the resident within two (2) business days with a decision.

In reaching a reasonable accommodation with, or performing structural modifications for otherwise qualified individuals with disabilities, **Harrisburg Lofts** is not required to:

- Make structural alterations that require the removal or altering of a load-bearing structural member;
- Provide support services that are not already part of its housing programs;
- Take any action that would result in a fundamental alteration in the nature of the program or service;
- Take any action that would result in an undue financial and administrative burden on Property Name Apartment, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

**Harrisburg Lofts will comply with state and federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodations requested to complete the application process. Chapter 1, Subchapter B of the title provides more detail about reasonable accommodations.**

### **Harrisburg Lofts Rental Application Approval Criteria (continued):**

#### **Residence History:**

Up to 3 (three) years of rental history must be verified. All rental history will require 3<sup>rd</sup> party verification. A positive record of prompt monthly payment, sufficient notice, with no damages is expected. A record of disturbance to neighbors, destruction of property or living or housekeeping habits which adversely affect the health, safety, or welfare of other residents will be denied occupancy. For applicants who are homeowners, permission must be granted to verify payment history with the bank or lending institution. An unsatisfactory residence history would include owing previous landlord money, eviction for non-payment of rent or eviction for non-monitory reasons.

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Applicants with no rental history may provide letters from their family or guardians certifying the applicant has never rented anywhere and has not established rental history but will be handled on a case by case basis.

### **Wait List:**

All applicants will be placed on a wait list. The applicant will have 10 days to provide requested information to the leasing staff. All applicants that have not provided the necessary information to qualify the apartment will be closed on the wait list. It will be necessary to re-apply if the information becomes available. No application will be processed until all required information has been provided. Applicants will be selected according to date applied for a selected unit type. Applicants that qualify under VAWA will be considered without regard for the qualifying event. Complete information regarding VAWA is available in the leasing office. Persons displaced due to natural disaster or fire will be moved to the top of the wait list with proper verification of the event.

Lower rent restricted units will each have their own separate wait list. Residents and Applicants may request which rent restricted unit they prefer to be on. Residents may take precedence over Applicants.

*Applicants that indicate need for accessible units will be prioritized over those applicants who do not when an accessible unit is available.*

### **UNIT TRANSFERS**

A resident can transfer units for the following reasons:

- Reasonable Accommodations, which includes transferring into a unit that is specially designed for a person or household member that needs the features of a handicapped accessible unit.
- Transferring to meet Occupancy Standards
- Transferring because they have been on the wait list for a lower rent restricted unit.

A new security deposit will be required for anyone transferring into another unit.

Rent and late fees must be paid in full prior to transferring into any other unit.

All persons transferring will be required to have a detailed inspection done on the unit that they are transferring from, and must correct any deficiencies, such as cleaning, prior to being allowed to transfer units. Any damages found from this detailed inspection, that is not normal wear and tear, must be paid, or payment arrangements made, per the damage cost list, prior to transferring into the new unit. Resident and management must conduct a move out inspection together. All cleaning or damages not corrected or missed during the detailed inspection will be deducted from the security deposit that is being held for that unit. Within 5 working days of the transfer, the resident will receive a Security Deposit Disposition that shows what deductions are being held from your deposit and what you will be receiving in refund. If the resident owes after deducting any charges from the security deposit, the resident must pay these charges within 30 calendar days. Failure to pay any cleaning or damage charges from the unit that resident transferred from, will result in termination of lease from the new unit.

All 2 buildings are EACH treated as part of a multiple building project for purposed of section 42. Each 8609 line 8(b) has box "yes" checked.

### **Denied Applications:**

Within 7 days of determining whether or not an application is approved or denied, the applicant will be provided a written notification of grounds for rejection along with contact information for any third party used to gather information used in this process.

A Denied Application Log will be kept on-site that documents, at minimum, basic demographic information, the reason for the denial along with the current selection criteria in place at the time the applicant applied and a notice of the denial notice.

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## Non-Renewal Notice/Termination:

Non-Renewal and Termination Notices will be delivered to residents by either mail or hand-delivered to the inside of their apartment door. These notices will contain required VAWA language and will inform residents how they can request reasonable accommodations in relation to the notice. The notice will also include information on any appeals process that is used or can be utilized.

## Criminal History:

A criminal background check will be run on all Applicants, any occupant or lease holder over the age of 18.

1. Applicants will be denied if convicted of offenses listed under Section 3g(a) of the Texas Code of Criminal Procedure including the following offenses:
  - Murder
  - Capital murder
  - Indecency with a child by contact
  - Aggravated kidnapping
  - Aggravated sexual assault
  - Aggravated robbery
  - An offense under Chapter 481 of the Texas Health and Safety Code, for which punishment is increased under:
    - Section 481.140 of the Texas Health and Safety Code; or
    - Section 481.134(c), (d), (e), or (f) of the Texas Health and Safety Code, if it is shown that the offender has been previously convicted of an offense for which punishment was increased under the aforementioned subsections
  - Sexual assault
  - Injury to a child, elderly individual, or disabled individual, if the offense is punishable as a felony of the first degree and the victim of the offense is a child
  - Sexual performance by a child
  - An offense under Section 15.03 of the Texas Penal Code, if the offense is punishable as a felony of the first degree
  - Compelling prostitution
  - Trafficking of persons
  - Burglary, if the offense is punishable under Section 30.02(d) of the Texas Penal Code and the actor committed the offense with the intent to commit a felony under Section 21.02, 21.11, 22.001, 22.021, or 25.02 of the Texas Penal Code
  - Any offense where the offender used or exhibited a deadly weapon during the commission of a felony offense or during immediate flight therefrom
2. Applicant(s) will be denied if receiving a reportable conviction or adjudication, as defined by Article 62.001 of the Texas Code of Criminal Procedure which requires offenders to be registered as a sex offender.
3. Applicant(s) will be denied if convicted or subject to deferred adjudication for a felony not listed above if the incarceration, probation or deferred adjudication period was completed within 10 years from the date of application.
4. Applicant(s) will be denied if convicted or subject to deferred adjudication for a Class A or B misdemeanor involving drug-related or violent crimes if the incarceration, probation or deferred adjudication period was completed within 5 years from the date of application.

Applicant will be automatically denied if the applicant's name appears on the list of known terrorists and wanted fugitives as provided by the Office of Foreign Asset Control (OFAC), federal agencies to include the FBI and other state and local enforcement agencies. Applicant will be automatically denied if the applicant's name appears on the list of known terrorists and wanted fugitives as provided by the Office of Foreign Asset Control (OFAC), federal agencies to include the FBI and other state and local enforcement agencies.

Other convictions or deferred adjudication of offenses will be reviewed on an individual basis.

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No applicants will be admitted who have been evicted from federally assisted housing for drug-related criminal activity in the last three years.

**Note:** This requirement does not constitute a guarantee or representation that residents or occupants residing at this apartment community have not been convicted of a crime or are not subject to deferred adjudication for a crime.

### **Pet Policy: Pets and Service Animals:**

Regarding communities that allow pets, only dogs, cats, fish and birds are allowed. No more than two (2) pets of any kind are permitted per apartment. Dogs and cats will require an additional deposit of \$300.00 for the first pet and an additional \$300.00 for the second pet. There is a maximum of 2 pets per household. An Animal Addendum must be executed as an Addendum to the lease contract. No visiting pets are permitted on the property. Dogs whose breed or dominant breed weight exceeds 99 lbs. at full maturity are restricted.

Pets must be restrained on a leash at all times in common areas. Pet owners are required to walk pets in the designated pet areas and will be responsible for cleaning and disposing of pet waste from these areas.

**Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service / assistance animal(s).**

### **IT IS YOUR RESPONSIBILITY TO MAKE SURE YOUR PET QUALIFIES BEFORE MOVING IN.**

#### **Lease Guarantors and Co-signers:**

Note that this company does not permit co-signers. A Lease Guarantor and/or Additional Security Deposit may be required upon evaluation of rental application(s). Lease guarantors may only be accepted for income qualification purposes, discharged Bankruptcy and/or Foreclosures in lieu of the additional deposit. Guarantor must reside in the USA and qualify based not only on the proposed rent amount for the applicant's apartment, but the combination of the proposed rent plus their own housing obligation.

#### **Harrisburg Lofts Rental Application Approval Criteria (continued):**

##### **Validity Period:**

Approved applications remain in good standing for a period of ninety (90) days from the approval date. If the lease is not signed and/or the applicant fails to occupy an apartment within the viable time period, the application must be re-submitted for verification and approval AND a new application fee must be paid. The applicant will be placed at the bottom of the wait list.

##### **Disclaimer:**

The property owner, through its managing agent, will make reasonable efforts to verify information contained on the rental application to determine if the applicant meets the minimum leasing criteria. If information is not available, then the applicant may not meet all leasing criteria and the application may be refused.

The property owner and its managing agent reserve the right to modify its leasing criteria at any time without notice.

Falsification of any information will result in forfeiture of all deposits. Additionally, providing any false, misleading or incomplete information on the application will be sufficient for rejection.

**Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and the Department's rules.**

#### **Grievance Procedure:**

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**General:**

(1) This policy is furnished so that you will know, at all times, what procedure we will follow should a dispute develop. The intent of these procedure is to provide a fair and equitable process for addressing tenant or prospective tenant concerns.

(2) Any tenant or prospective tenant seeking occupancy in or use of FDI Property Management facilities who believes he or she is being discriminated against because of age, race, color, religion, sex, familial status, disability, or national origin may file a complaint by mail to our Director of Fair Housing, 26303 Oak Ridge Dr. Spring, TX 77380. Interpretation services for tenants or prospective tenants with limited English proficiency are also available upon request.

**Rejected/Ineligible:**

Rejection letters will be mailed to the applicant within 7 days of rejection designation. You will be advised as to the reason for the rejection. Information will include the agency providing the information from which the rejection was based.

*The screening of all applicants will be applied uniformly and in a manner consistent with all applicable laws including the Texas and Federal Fair Housing Acts, the Federal Credit Reporting Act, program guidelines and the Departments rules.*

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