

## 2016 AOCR- Written Policies and Procedures (“WPP”) Rule Cheat Sheet

The Written Policies and Procedures questions follow the structure of the rule found in [10TAC §10.610](#). For each section of the rule, you will be asked if that policy/procedure is in effect. You will only be directed to the questions related to a specific section when you answer “Yes”:

Question	Yes	No
<b>Is there a Tenant Selection Criteria (“TSC”) in effect?</b>	<b>You have a written Tenant Selection Criteria (“TSC”)</b>	<b>You <u>DO NOT</u> have a written Tenant Selection Criteria (“TSC”)</b>
1. What is the effective date:	Enter the effective date of the TSC as required in <a href="#">§10.610(a)(3)</a>	
2. Does the criteria include requirements that determine an applicant's basic eligibility for the property, including any preferences, restrictions, and any other tenancy requirements?	The requirements related to income, student status, credit history, criminal history and renters history are clearly defined so that someone applying would be aware of the expectation	<ul style="list-style-type: none"> <li>• Credit, criminal and rental history standards for occupancy are not listed; AND,</li> <li>• The TSC is silent on income and/or student status provisions</li> </ul>
3. Does the applicant screening criteria include what is screened (e.g. credit, criminal) and what scores or findings would result in ineligibility?	If you screen for credit, criminal and/or rental history, etc... the criteria clearly states what circumstances would result in denying the application (e.g. credit scores, types of criminal offenses, etc...)	<ul style="list-style-type: none"> <li>• Credit, criminal and rental history is not reviewed for occupancy; OR,</li> <li>• These items are reviewed, but the criteria does not make clear what scores or findings would result in ineligibility</li> </ul>
4. Are the occupancy requirements listed in the criteria?	There are occupancy standards (e.g. 2 persons per bedroom) <i>Note, if fewer than 2 persons (over the age of 6) per bedroom for each rental unit are required for reasons other than those directed by local building code or safety regulations, a written justification must be provided) (see HUD’s <a href="#">Keating Memo</a> for reasonable justification)</i>	No occupancy standards
<i>Are the following statements included:</i>		
a. The Development 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 this title provides more detail about reasonable accommodations	This specific statement is included in the TSC as required in <a href="#">§10.610(b)(1)(D)(i)</a>	This specific statement is NOT included in the TSC
b. 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.	This specific statement is included in the TSC as required in <a href="#">§10.610(b)(1)(D)(ii)</a>	This specific statement is NOT included in the TSC
c. Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service/assistance animal(s).	This specific statement is included in the TSC as required in <a href="#">§10.610(b)(1)(D)(iii)</a>	This specific statement is NOT included in the TSC

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5. Notice to applicants and current residents about Violence Against Women Reauthorization Act of 2013 ("VAWA") protections included?	Notice is provided to all applicants about VAWA	Applicants are not notified of VAWA protections
6. Are there any occupancy preferences?	There are occupancy preferences (e.g. for families, the elderly, disabled, or homeless) <b>COMMENT REQUIRED</b>	There are no occupancy preferences
<b>Is there a Reasonable Accommodation Policy in effect?</b>	<b>You have a written Reasonable Accommodation Policy</b>	<b>You <u>DO NOT</u> have a written Reasonable Accommodation Policy</b>
1. What is the effective date?	Enter the effective date of the Reasonable Accommodation Policy as required in <a href="#">§10.610(a)(3)</a>	
2. Does the policy contain information on how an applicant or current resident with a disability may request a reasonable accommodation?	The policy is clear about where a person would go to request such an accommodation and what to expect when they do so	The policy is silent on how and where one would request a reasonable accommodation
3. Does the policy include a timeframe in which the Owner will respond to a request?	The policy outlines how long it will take the property to respond to a person requesting a reasonable accommodation <i>Note: timeframe cannot exceed 14 days under <a href="#">10TAC §1.204(b)</a></i>	Policy does not define the time frame
4. Does the policy require a household to make a reasonable accommodation request in writing?	Reasonable Accommodation requests are required to be made in writing	The policy does not require a reasonable accommodation request to be made in writing (note: policy can state preference for a written request, just not require)
5. Does the policy require a household to provide specific medical or disability information other than the disability verification that may be requested to verify eligibility for reasonable accommodation or special needs set aside?	<ul style="list-style-type: none"> <li>• The specific medical nature of the disability for a person requesting a reasonable accommodation is required</li> <li>• The specific medical nature of the disability for a person whose unit will count toward a special needs set aside is required</li> </ul>	Only documentation needed to verify the existence of a disability is requested for purposes of verifying a <b>need</b> for reasonable accommodations or eligibility to meet a special needs set aside
<b>Is there a Waitlist Policy in effect?</b>	<b>You have a written Waitlist Policy</b>	<b>You <u>DO NOT</u> have a written Waitlist Policy</b>
1. What is the effective date?	Enter the effective date of the Waitlist Policy as required in <a href="#">§10.610(a)(3)</a>	

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2. Does the policy include how the waitlist will be managed (e.g. selecting applicants, closing the waitlist)	A waitlist policy is available and it identifies: 1)the process for taking application when a applicant is interested in being placed on your waitlist; 2)how you will select applicants from the waitlist when unit(s) become available; and 3)how and when you will open and close the waitlist	There is a waitlist policy, but it does not include these factors
3. Are procedures for prioritizing applicants needing accessible units in accordance with 24 CFR 8.27 ?	The policy addresses how a household that expresses a need for an accessible unit, where none are available, will be treated on the waitlist (see <a href="#">24 CFR 8.27</a> for guidance)	There is a waitlist policy, but it does not address how applicants needing an accessible unit will be treated
4. Is there a waiting list for lower rent restricted units?	A waitlist is available that a current/prospective tenant could get on to get a unit with a lower rent. <i>Note: the rule does not prohibit prioritizing current tenants over external applicants</i>	<ul style="list-style-type: none"> <li>• All of the units are restricted to one rent level; OR,</li> <li>• No waitlist for units with a lower rent restriction.</li> </ul>
<b>Is there a Denied Application Policy in effect?</b>	<b>You have a written Denied Application Policy</b>	<b>You <u>DO NOT</u> have a written Denied Application Policy</b>
1. What is the effective date?	Enter the effective date of the Denied Application as required in <a href="#">§10.610(a)(3)</a>	
2. Does the policy address how rejected applications will be handled (including timeframes and appeal procedures)?	If an application is rejected, the criteria lists how the denial will be handled (e.g. mailed, hand delivered, etc...)	The criteria is silent on how the property will handle the denial of an application
3. Is a log of all denied applicants that completed the application maintained?	A log, written or electronic, of denied applicants is maintained	A log is not maintained
4. Are rejected applications kept?	Rejected applications are maintained	Reject applications are discarded
<b>Is there a Non-renewal and/or Termination Notices Policy in effect?</b>	<b>You have a written Non-renewal and/or Termination Notices Policy</b>	<b>You <u>DO NOT</u> have a written Non-renewal and/or Termination Notices Policy</b>
1. What is the effective date?	Enter the effective date of the Non-renewal and/or Termination Notices as required in <a href="#">§10.610(a)(3)</a>	

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2. Do any non-renewal or termination notices include the specific reason for the action?	Termination notices list specific reasons occupancy is terminated. An example of this type of notice would be one where if the household takes, or fails to take, an action it would result in the termination of their tenancy (e.g. failure to pay rent)	The notice does not list the specific reason(s) for termination
3. Do notices include information on rights under VAWA?	The notices include information to make any affected party aware of their rights under VAWA	Information about rights under VAWA are not included in the notice(s)
4. Do the notices state how a person with a disability may request a reasonable accommodation in relation to the notice?	The notices include how a person with a disability, in response to the notice, can make a reasonable accommodation request	Reasonable accommodation policies are not included in the notice(s)
<b>Is there a Unit Transfer Policy in effect?</b>	<b>You have a written Unit Transfer Policy</b>	<b>You <u>DO NOT</u> have a written Unit Transfer Policy</b>
1. What is the effective date?	Enter the effective date of the Unit Transfer Policy as required in <a href="#">§10.610(a)(3)</a>	
2. Does the policy detail how security deposits will be handled for both the current unit and the new unit?	The policy is clear about: 1) If the tenant paid a deposit for the unit they currently live in, what happens to that deposit; and 2) Is a new deposit required for the new unit	The policy does not have information about deposits for either the current or the new unit
3. Does the policy address transfers related to a reasonable accommodation?	The policy addresses how a transfer to a new unit is handled when it is a transfer because of a reasonable accommodation. <i>Note: even if transfers are prohibited, they must be considered if related to a reasonable accommodation</i>	The policy does not address how a transfer that is a result of a reasonable accommodation will be handled