

The Life at Brighton Estates

Resident Selection Criteria

Thank you for choosing our community! We are delighted you are interested in our community and the following resident selection criteria is being provided to identify the evaluation process through which your application will be processed. This community uses great care and will always abide by Federal, State, and Local Fair Housing Laws when processing all potential residents' applications.

If you meet the applications' standards and are accepted, you will have peace of mind of knowing that you will be joining other residents who have been processed with equal care.

NOTE: We provide equal and fair housing opportunities. We do not discriminate based upon race, color, religion, sex, national origin, familial status disability, age, marital status, or any other qualifications not related to the application process.

If your application meets all the following criteria, you will be approved. If it does not, you may be approved with conditions which may require you to pay an additional security deposit, make payments with certified funds only, or obtain a cosigner or guarantor (in communities where permitted). If you do not meet the requirements set forth, we will have to deny your application.

APPLICATION SCREENING REQUIREMENTS

A complete application: All lines must be filled in and questions answered for the application to be processed. ALL Applicants over the age of 18 must complete an application, in addition, all occupants must be named on the lease as a leaseholder, and all occupants over the age of 18 must sign the lease along with the lease holder(s).

Two forms of identification are required for all applicants over the age of 18: We require a photo ID (a driver's license or photo identification card issued by the government, state or federal) and a second form of identification to verify your identity once you begin the application process. Your second form of identification may be a social security card, birth certificate, or a non-resident alien card, etc.

Verifiable rental history: The standard approval process requires verifiable rental history for the most recent past 2 years. It is your responsibility to provide necessary information that allows us to contact your past landlord(s) for this information. You must have a history of paying your rent on time, have given proper notice, have no dispossessory warrant(s) filed and must not owe any money to your landlord. If we are unable to verify your previous landlords and/or references, we reserve the right to charge additional security deposit and/or deny your application if the other criteria set forth are not met. Verifiable for these purposes means THIRD PARTY verification from someone other than a relative. We will consider a mortgage as rental history if it has been active within the past 2 years. However, if the mortgage is late or in default, you will be asked to give the reason, show documentation to support the reason, and may be required to pay additional security deposit providing the other criteria set forth are met.

Landlord history may be verified in writing. The application can be denied for a negative landlord reference. A negative landlord reference constitutes any of the following:

- Balance owed to a prior landlord within the last 5 years
- Unpaid balance owed to a prior landlord over 5 years ago
- Evictions occurring within the past five years
- Complaints or lease violations to a current or previous landlord in the past five years

Income eligibility: In order to become eligible for approval you must meet the monthly requirements set forth by this community. The standard is 2.25 times the rent per month. Income will be verified by the 3rd party. Some examples are Employment Verification, the collection of paystubs (6 consecutive), the collection of SSI, SSD, SSA confirmation letters, the collection of legal settlement and divorce agreements and any other legal paperwork reflecting income (i.e.- Child

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Support documentation, the collection of bank statements (when applicable), the collection of IRA, 401K, or other asset statements). A complete list of income documentation will be provided to you by the property staff once the initial interview for application is complete. For applicants that are reporting on income from a contributor (a person who makes regular monthly contributions to the applicant), the following applies:

25% of income or less from contribution- A notarized affidavit from the contributor (form to be provided by office) AND 6 months bank statements showing the amount of the contribution as a deposit. If the applicant cannot provide bank statements proving the contribution, then the contributor must be added as a GUARANTOR.

More than 25% of the income from a contribution- The above must happen and IN ADDITION, the contributor must become a GUARANTOR for the leaseholder and earn at least FOUR (4) times the monthly rent and have impeccable credit and score automatic approval (no conditions). Criminal history will not be considered. Guarantors must complete a Guarantor Pre-Leasing Application and pay the applicable application fee. Guarantors must also sign a Lease Contract Guaranty which must be signed in the office or notarized. Guarantors must sign a new Lease Contract Guarantee with each renewal.

Credit History: Credit accounts should have satisfactory ratings, and all utility accounts must be current with no balance owing. If credit has been slow but all other qualifications for residency have been met, an additional security deposit may be required.

Bankruptcy results will be automatically denied for further review. If the bankruptcy has been dismissed or discharged, we may require documentation. Once all information is reviewed, we may still approve your application and may require additional security deposit.

Occupancy standards: the household size must be appropriate for the available apartments.

- Applicants must meet the established occupancy standards.
- Children who are away at school who have established residency at another address or location as evidenced by a lease agreement are not counted in occupancy (children temporarily away at school may be counted as household members).
- Children under the age of one at the time of lease signing are considered infants and are not required to be counted toward household occupancy for purposes of the occupancy standards during the initial lease term.
- Any household placed in a unit size different than that defined in these occupancy standards shall agree to transfer to an appropriate apartment size unit when one becomes available at their own expense.
- Dwelling units will be assigned in accordance with the following standards:

Persons per Household

| Bedroom Size: | Maximum: |
|---------------|----------|
| 1 | 3 |
| 2 | 5 |
| 3 | 7 |
| 4 | 9 |

Each Head, Co-Head, or Spouse must be of legal age to enter into a binding contract based on prevailing State law.

Student Rules do apply (as applicable) based on Program Regulations:

- Tax Credit/Tax Exempt Bond Program: If all household members are Full Time students (as defined by the institution) for at least 5 months of the calendar year (months need not be consecutive), one of the following exceptions must be met:

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- Any household member participates in a program receiving assistance under the Job Training Partnership Act, Workforce Investment Act or under similar Federal, State, or local job training program
- Any household member receiving Temporary Assistance for Needy Families (TANF/Title IV of the SS Act)
- Head of household is a single parent with dependents, none of whom are dependent of a third-party other than the parent of such children.
- Students are married and eligible to file a joint tax return
- Any household member is a former Foster Care participant

HOME Program/Section 8/Rural Development: Any student attending an “institution of higher learning” (full or part-time) must be:

- Living with their parents/guardian currently receiving or applying for Section 8 or
- At least 24 years of age or
- A veteran or
- Married or
- Has a dependent child or
- Is a person with disabilities and receiving Section 8 assistance as of November 30, 2005, or
- Can prove independence from parents including providing certification that the parents did not claim the student on the most recent tax return or
- Has parents who are income eligible for the Section 8 program.

All applicants must be able to provide a Social Security card or other proof of eligibility to reside in the United States for the term of the intended lease.

Criminal history will be checked. See attached Exhibit A for details on criminal screening requirements.

Incomplete or falsified documentation will result in denial of the application. All documentation provided while processing your application must comply with Federal, State, LIHTC/HOME/Tax Exempt Bond/Rural Development Program criteria where applicable. Management must be notified of all changes to household composition, income, and student status.

A live-in aide is someone who resides with elderly, near elderly, or disabled person and is **essential to their care and well-being**. Under HUD and Fair Housing regulations, this is considered *reasonable accommodation*, meaning housing providers must allow it if the tenant qualifies.

Here are some key points:

- The aide **must not be obligated to support the tenant** and would not be living there except to provide care.
- The aide's **income is not counted** toward household income for rent calculations.
- The aide is **not considered a tenant** and has no right to remain in the unit if the tenant moves out or passes away.
- **A family member can be a live-in aide**, if their sole purpose for living there is to provide care.

This community operates in accordance with the Violence Against Women Act (VAWA) and the Justice Department Reauthorization Act of 2005. Applicants cannot be rejected if the applicant is a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for admission.

If this community operates as an Older Persons community requiring at least one household member to be 55 or older. Verification of age must be provided to meet this requirement. In addition to the age requirement of 55 for one household member, all other people residing in the household must be at least 19 years of age.

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If this community operates as an Elderly community requiring all members to be 62 or older. Verification of age must be provided to meet this requirement.

THE RENTAL APPLICATION FEE OF \$25.00 PER ADULT APPLICANT IS NONREFUNDABLE, regardless of the circumstances.

A Holding Deposit of \$500.00 is also required at the time of application. The Holding Deposit will be refunded if the application is denied.

Please review these policies carefully before applying. We will consider all applications. However, if the rental qualifications as stated in this document are not met the application fee will not be refunded.

Warning: section 1010 of title 18 of the US code makes it a criminal offense to make willful false statements or misrepresentations to any department or agency of the United States as to any matter within its jurisdiction. The section 42 program is regulated by the US Internal Revenue Service. If any requirement contained within this document is against any local, state, or federal rule or law, the appropriate local, state, or federal rule or law will prevail.

Agreement and understanding:

Applicant Signature Date

Applicant Signature Date

Applicant Signature Date

Applicant Signature Date

THANK YOU FOR CHOOSING OUR COMMUNITY!

Exhibit A: Policy regarding Criminal History

It is the policy of BREP TX, LLC. to screen applicants, residents and household members for criminal history, and to reject applicants, or terminate the leases of residents, if it is determined that current or past criminal activity of an applicant, resident or household member may indicate a present threat or a demonstrable risk to the health, safety, or right to peaceful enjoyment by other residents, property management staff or persons residing in the immediate vicinity of the apartment community.

Applicants will be screened for criminal conduct, and will be excluded for any of the following reasons:

- I. AUTOMATIC EXCLUSIONS
 - a. Conviction or adjudication of a felony, other than acquittal, for any sexual offense or for a violent crime in which the offender uses or threatens force, such as murder, manslaughter, rape, terrorism, kidnapping, robbery, battery, deadly conduct, injury to a child or elderly person, felon in possession of a firearm, manufacture of a destructive device, throwing missiles, assault with a deadly weapon, child pornography, prostitution, public lewdness, sex abuse, sex exploitation of a minor, sodomy, statutory rape, failure to register as a sex offender, indecent exposure, peeping.

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- b. Conviction or adjudication, other than acquittal, for the following drug- related felonies: attempt to purchase illegal drugs, maintaining a place for drug use, manufacture for sale of drugs, drug smuggling or trafficking.
 - c. If any applicant or household member is subject to a lifetime registration requirement under a state sex offender registration program.
- II. TIME-BASED FELONY EXCLUSIONS
- a. Conviction or adjudication, other than acquittal, during the past 7 years for any of the following felonies:
 - i. Arson
 - ii. Breaking and entering
 - iii. Burglary or theft
 - iv. Criminal damage or malicious injury to property
 - v. Discharging or negligent use of a firearm
 - vi. Grand larceny
 - vii. Receiving stolen property
 - viii. Abuse of a person
 - ix. Domestic violence
 - x. Endangering a child or injury to a child
 - xi. Criminal mischief
 - xii. Criminal attempt to commit a crime
 - xiii. Engaging in a riot
 - xiv. Hit and run
 - xv. Harassment
 - xvi. Stalking
 - xvii. Abandonment
 - xviii. Blackmail
 - xix. Extortion
 - xx. Racketeering
 - xxi. Gang participation
 - xxii. DUI, DWI, DUI or DWI causing injury, drunk and disorderly
 - Conviction or adjudication, other than acquittal, during the past 5 years for any of the following felonies:
 - Aiding and abetting theft
 - Petty theft
 - Shoplifting
 - Tampering
 - Vandalism
 - Affray
 - Menacing behavior
 - Reckless endangerment
 - Terroristic threats
 - Conviction or adjudication, other than acquittal, during the past 3 years for any of the following felonies:
 - Assault on a police officer
 - Contempt
 - Delivery of drugs or weapons to a prisoner
 - Escape or fleeing police
 - Hindering apprehension
 - Obstruction of justice
 - False statement to officer
 - Resisting arrest

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- Abandonment or neglect of an animal
- Animal abuse
- Animal bites or attack
- Dog fighting
- Counterfeiting
- Credit card abuse
- Embezzlement
- Forgery
- Identity theft
- Insurance fraud
- Obtaining items by false pretenses
- Welfare fraud
- Contributing to the delinquency of a minor
- Harboring a runaway
- Truancy
- Non-support
- Accessory to a crime
- Disturbing the peace
- Failure to pay fare
- Loitering
- Disorderly conduct
- public swearing
- Brandishing a weapon
- Carrying a weapon without a permit
- Conspiracy
- Attempt to engage in organized crime
- Probation violation
- Trespassing
- Conviction or adjudication, other than acquittal, during the past 1 year for any of the following felonies:
 - Cyberstalking, hacking, wiretapping, damage to computer software
 - Bribery
 - Disobeying a police officer
 - Failure to appear
 - Misuse of 911
 - Drug abuse, possession of marijuana, possession of paraphernalia

III. TIME-BASED MISDEMEANOR EXCLUSIONS

- Conviction or adjudication, other than acquittal, in the past 3 years for any of the following misdemeanors:
 - Arson
 - Breaking and entering
 - Burglary or theft
 - Criminal damage or malicious injury to property
 - Receiving stolen property
 - Theft
 - Assault or battery
 - Deadly conduct
 - Injury to child or elderly person
 - Kidnapping

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- Manslaughter
- Robbery
- Abandonment
- Abuse or domestic violence
- Endangering or injury to a child
- Criminal mischief
- Criminal attempt to commit a crime
- Engaging in a riot
- Hit and run
- Harassment
- Stalking
- Assault with a deadly weapon
- Discharging a firearm
- Felon possessing firearm
- Manufacture of destructive devices
- Negligent use of weapons
- Attempt to purchase illegal drugs, maintaining a place for drug use, manufacture for sale of drugs, drug smuggling or trafficking
- Sex related crimes, such as prostitution, public lewdness, sex abuse, sex exploitation of a minor, statutory rape, failure to register as a sex offender, indecent exposure, peeping
- Conviction or adjudication, other than acquittal, in the past 1 year for any of the following misdemeanors:
 - Assault on a police officer
 - Contempt
 - Delivery of drugs or weapons to a prisoner
 - Escape or fleeing police
 - Hindering apprehension
 - Obstruction of justice
 - False statement to officer
 - Resisting arrest
 - Throwing missiles
 - Blackmail
 - Extortion
 - Racketeering
 - Gang participation
 - DUI, DWI, DUI or DWI causing injury, drunk and disorderly

IV. OTHER EXCLUSIONS

- Eviction from housing for drug-related criminal activity within the past 5 years.
- Reasonable cause to believe that applicant is currently engaging in the illegal use of a drug.
- Reasonable cause to believe that applicants or a household member's illegal drug use or pattern of illegal drug use threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
- If there is reasonable cause to believe that applicant or a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.