



# Member Selection Plan

## Highlands Cooperative

6294 Haag Road  
Lansing, MI 48911  
(517) 882-0796  
1-800-649-3777 TTY

**June 30, 2020**

This Selection Plan is for new applicants, existing Members purchasing a new membership and existing Members wishing to add adult individuals to their household living at Highlands Cooperative.

### **Management Agent**

This property is managed by Legacy LLC, 950 Corporate Office Drive Suite 200, Milford, MI 48381. For any questions, please call 248-769-7370.

### **Purpose of Plan**

The purpose of this Member Selection Plan is to establish guidelines for the selection of Members from a pool of applicants in accordance with state/federal civil rights and fair housing legislation, and to preclude admission of applicants whose habits and practices would have a detrimental effect on other residents, the property, or the neighborhood environment.

### **Availability of Plan**

This Member Selection Plan is available to the public upon request. It may be reviewed in the site office at the address listed above during normal office hours.

### **Modification of Plan**

Management will review this Member Selection Plan at least once annually to ensure that it reflects current operating practices. If the property feels the plan needs to be modified in any way, a notice of such modification will be provided by public forum to other interested persons.

### **Non-Discrimination**

It is the policy of this property to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Michigan Elliot-Larsen Civil Rights Act of 1976 (See attached excerpt 37.2102) and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted.

The property will not discriminate on the basis of race, color, sex, religion, age, handicap, disability, or national origin in the screening process for new Members, or use or occupancy thereof.

In addition, according to the Michigan Civil Rights Commission Ordinance, the Lansing Human Rights Ordinance the property will not discriminate on the basis of race, religion, ancestry, national origin, color, sex, age, height, weight, student status, marital status, familial status, veteran status, political affiliation, sexual orientation, gender identity or expression, mental or physical limitation, HIV status, housing status, military status, education, and source of income.

In addition, the property will not:

- Deny to any applicant the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to purchase a membership suitable to its needs;
- Provide housing which is different from that provided others;
- Subject a person to segregation or disparate treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services; or
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the program.

The property shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

### **Section 504 of the Rehabilitation Act of 1973**

It is the policy of this property to assure that qualified individuals with handicaps or disabilities are not discriminated against on the basis of their handicap or disability. The property also assures that these individuals will have equal opportunity to receive and enjoy the benefits of living at the property.

#### **Reasonable Accommodations**

The property 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 Rehab Act of 1973, the property will make reasonable accommodation for individuals with handicaps or disabilities (applicants or Members). Such accommodations may include changes in the method of administering policies, procedures, or services at this property where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps.

In reaching a reasonable accommodation with, or performing structural modifications for otherwise qualified individuals with disabilities, the property 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 the property, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

### **Information Regarding Handicaps**

The property ensures that any questions related to handicapped information on the application for housing have to do with program eligibility. It is not required that any information regarding a possible handicap be revealed other than for program eligibility requirements.

### **Neutral Policies**

The property will make reasonable adjustments to rules, policies, practices, and procedures in order to enable an applicant or Member with a disability to have an equal opportunity to use and enjoy the unit and the common areas of a dwelling, or to participate in or have access to other activities conducted or sponsored by management.

### **Auxiliary Aids to Ensure Effective Communication**

The property will seek to effectively communicate with applicants, Members, occupants and members of the public who are individuals with handicaps or disabilities. The property requests 7 days' notice in order to make any service, meeting, interview, appointment, or any business accessible through the use of auxiliary aids. Requests for auxiliary aids may include visual alarms, tactile signs, visual doorbells, readers, interpreters, large print or Braille applications, leases, and other information/communications, recordings of such information, and a community room television that provides closed-captioning service.

### **Assistance Animals**

Management will allow assistive animals which are defined as animals that are used to assist, support, or provide service to persons with disabilities. Assistance animals – often referred to as “service animals”, “assistive animals”, “support animals”, or “therapy animals” – perform many disability-related functions including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection, or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.

### **Reasonable Modifications**

In accordance with the Fair Housing Act, management will permit Members with handicaps or disabilities to make reasonable modifications to their individual units or common areas at the Member's own expense. When the Member vacates the unit, s/he must agree to restore the premises to the condition that existed before the modification, if requested by the property. The property will not require this restoration if the modification benefits the property or is needed by another Member. Management will require that the work be done utilizing licensed contractors, and that any required building permits will be obtained.

**Mitigating Circumstances and Equal Access**

Section 504 and Fair Housing regulations state that consideration for mitigating circumstances shall be given to all persons applying for occupancy. If an applicant feels there is a mitigating circumstance or reasonable accommodation to be considered for determining occupancy, they should contact the property immediately to schedule a meeting. Management will provide assistance to insure equal access to a Member’s documents. An individual with disabilities is responsible for providing her/his own transportation to and from the location where all documents are kept.

**Privacy Act of 1974/ACT 5 U.S.C 552a**

It is the policy of the property to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of such individuals’ records maintained by the property. Management has established safeguards to deter any of its agents or employees from disclosing or inappropriately inspecting any documents.

**Consent to Disclose an Individual’s Information to Another Person or Entity**

The Privacy Act prohibits the disclosure of an individual’s information to another person without the written consent of such individual.

**Information on Handicaps/Disabilities**

Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on an applicant’s/ Member’s handicap or disability will be treated in a confidential manner.

**Investigations into Fraud/Criminal Activities**

This privacy policy is not intended to preclude the cooperation of management/agent with local, state, or Federal investigations into fraud or criminal activity. With proper identification, the property is permitted to advise the investigating officer whether or not an individual is a Member, how long an individual has been a Member, and any other appropriate answers to questions related to the investigation. The property will not make files, forms, or documents available to the investigating officer unless a court order for such action is provided.

**PROOF OF IDENTITY/AGE RESTRICTIONS**

All Applicants 18 years of age or older must provide documentation of their identity in the form of a picture ID (Driver’s License, State ID, School ID, etc.). Applicants must be at least 18 years of age at the time of application submission.

**APPLICATION INTAKE AND PROCESSING** - All persons wishing to be admitted to the property, or placed on the property’s waiting list, must complete an application. Initial applicants are required to complete an application package prior to being considered for admission.

If an applicant is initially classified as eligible, they will be placed on the property’s waiting list. All approved applicants are notified of memberships for sale for the specified bedroom size they have been qualified as eligible for. **Exception:** If the outgoing Member finds an applicant that is approved through the Member Selection Criteria process, the property waiting list will not be utilized. If the applicant requests “how long” the waiting list is, the applicant will only be advised as to the number of applications on the specified bedroom size they have applied for.

The applicant will remain active on the waiting list for one year. If the applicant has not made a membership sales agreement with an outgoing Member, within one year, the initial application will be voided and removed from the waiting list. The applicant may submit a new application and begin the process again. If the applicant makes a membership sales agreement within the year, they will be asked to certify any income changes since the time of their application. If the applicant initially meets the Member Selection Criteria but at the time of the membership sale does not meet the criteria, the applicant will be rejected.

- A. Notification of available memberships are given to all current applicant at the time the application is approved and any time a new membership goes on the market.
- B. No preference for units will be given.

Applicants can submit applications by mail, email, fax or in-person. If an applicant(s) need further assistance or reasonable accommodations Highlands Cooperative will provide any reasonable request to assistance in the application process. Example, but not limited to: verbal submission through staff, translator (by availability) or TDD.

### **Applicant Screening Policy**

Certain key questions relating to the applicant’s eligibility and resident history will be asked, including Social Security numbers. Failure to provide this information will result in cessation of application processing. Property staff will assist applicants, as needed, in understanding the application process and completing forms. Applicants will be instructed on what aspects of their background will be checked. An applicant has the right to voluntarily withdraw from the application process at any time.

### **MISINFORMATION/FRAUD**

The applicant will be rejected if it is determined that they purposely mislead, misinformed, misrepresented or committed fraud in completing the application, associated documents or application process. This includes but is not limited to criminal background information. If a determination is made to deny admission to the applicant, the property must notify the applicant (s) of the proposed denial of admissions, provide the subject of the record and a copy of the information the action is based on. Management will also provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

### **Prohibited Screening**

- The property/board will comply with all applicable federal, state or local fair housing and civil rights laws and with all applicable civil rights related program requirements;
- The property/board will not discriminate in its screening process based on race, color, religion, sex, national origin, age, familial status, or disability;
- The property/board will uniformly require all applicants to furnish evidence of ability to meet the obligations of tenancy, but will not impose greater burdens on persons with disabilities.

Persons with disabilities may meet the requirements of the occupancy agreement with the assistance of others such as attendant care providers;

- The property/board will not require physical examinations or medical testing as a condition of admission;
- The property/board will not make an inquiry to determine whether an applicant has a disability, or to make inquiry as to the nature of severity of a disability.

## **Procedures to determine an applicant's eligibility**

### **Screening for Credit History**

Management will screen all applicants for their credit activity using FICO scoring through Screening Reports which takes into account activity for the past 7 years (see attached). Management will not reject an applicant for a lack of a credit history or medical. Any non-telecommunication accounts or rental debt that shows delinquency, with a qualifying score will be an automatic denial.

### **Record of Eviction**

Management will check court records for evidence of evictions or judgments against the applicant, to determine the applicant's past history of meeting financial obligations, and their future ability to make timely carrying charge payments. If it is determined by management that the applicant is not credit worthy, or has landlord court records within the last twelve months, the applicant will be rejected.

An applicant will in no way be held accountable by the property for the rental delinquency or other problems of a former household of which the applicant was a member, but not a leaseholder.

### **Screening for Marijuana Use**

The Controlled Substances Act (CSA) categorizes marijuana as a Schedule 1 substance and therefore the manufacture, distribution, or possession of marijuana is a federal criminal offense. Because the CSA prohibits all forms of marijuana use, the use of marijuana for recreational purposes or medical purposes is illegal under federal law even if it is permitted under state law. In addition, the property will terminate the tenancy for any household with a Member who the property determines is illegally using a controlled substance, or whose illegal use, or pattern of illegal use, of a controlled substance is determined by the property to interfere with the health, safety, or right to peaceful enjoyment of the premises by other Members.

### **Screening for Drug Abuse and Other Criminal Activity**

If applicant meets the property credit screening criteria, the property will then process the criminal background check through Screening Reports (see attached). The applicant will be denied if they have engaged in the following criminal activity:

- Any household member is currently engaging in illegal drug use.
- Management determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety,

or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)

- Management determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Other criminal activity as outlined in the attached document on criminal screening.

### **Screening for Sex Offender Status**

Management will deny admission to any member of the household that is subject to a lifetime registration requirement or any current sex offender registration requirement pursuant to the Sex Offender Registration Act (or a similar law in another jurisdiction; and/or a current child sex offender residency restriction. During the admission screening process, management will perform the necessary criminal history background checks in the state where the housing is located, and in every state where all household members are known to have resided. Management will use Screening Reports when screening for sex offender status.

If management learns that a lifetime sex offender was erroneously admitted, the property will offer the family the opportunity to remove the ineligible family member from the household. If management learns that a Member or occupant is committing criminal activity while living on the property, management will terminate tenancy.

### **Misrepresentation of Information**

If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, history, or behavior in a manner that would affect eligibility, applicant selection criteria qualification, the application shall be rejected.

### **New Additions to the Household**

In order to add adult family members to the household the person or persons must complete an application package and are subject to the same criminal screening criteria as all incoming residents. If they do not pass the criminal screening criteria, they will not be allowed to move into the household.

### **Appeal Process**

All denied applicants have 14 days to respond in writing as stated in the adverse action letter, or to request a meeting to discuss their rejection. Appeal letters should be sent to the management agent address on the cover page of this plan or emailed to [appeals@legacypmc.com](mailto:appeals@legacypmc.com). An appeals committee who was not involved in the initial decision to deny admission will conduct any meeting with the applicant. A written response will be sent to the applicant within 5 days following the review meeting with the final decision.

## Occupancy Standards

Townhouse size Minimum # of persons:

One (1) Bedroom	1
Two (2) Bedroom	2*
Three (3) Bedroom	3

\*If there are no one bedroom memberships for sale, the minimum household size requirements for a two-bedroom townhome can be waived.

This property has adopted the International Property Maintenance Code minimum occupancy standards (see attached) by floor plan (see attached) since the City of Lansing has established maximum occupancy as no limit for related occupants (see attached City of Lansing code). The maximum occupancy limits are subject to change, subject to the local ordinance code revisions. In addition, this property may allow nor more than 3 unrelated occupants per the City of Lansing policy (see attached).

Unit Type	Total Bedroom Sq. Ft.	Maximum Occupancy
1.1	146	3
2.15	111 + 140	5
2.1	99 + 168	5
3.15	135 + 79 + 110	7

## INCOME QUALIFICATIONS

Total household monthly income must be at least 30% of the monthly carrying charge rate to ensure that the applicant(s) has the ability to pay the carrying charges. Applicant must have been receiving current source of income within 120 days prior to application.

Maximum Income – At the time of move in, the current combined household income for everyone 18 years or older must be certified as not exceeding the following amounts according to size of household. Highlands Cooperative follows the Department of Housing and Urban Development's (HUD) published guidelines.

Household Size	1	2	3	4	5	6
Income	\$42,700	\$48,800	\$54,900	\$61,000	\$69,500	\$70,800

## TRANSFER POLICY

### Requests from Members

Once an applicant has become a Member, a transfer of units may be warranted. There is one bedroom, two bedrooms and three bedrooms unit sizes at this property. All transfer requests must be made in writing and must state the reason for the request. The request will then be forwarded to the property manager/board for final approval.

A member initiated transfers must also qualify under the following:



- Current on account for previous six months, including any maintenance charges
- No policy violations or complaints in the previous twelve months
- Must be a Member for one year in the same unit before transferring
- Pass required pre-inspection regarding unit condition