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**HOUSING AUTHORITY OF THE CITY OF SEATTLE**  
**MANUAL OF OPERATIONS**

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**SUBJECT:** Admission - Suitability Factors

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**SCOPE:** This Section shall apply to all applicants of public housing programs administered by the Seattle Housing Authority.

**POLICY:**

All interested persons will be screened for suitability in accordance with sound management practices and HUD regulations. All eligible and suitable applicants will be approved and placed on an appropriate waitlist for placement.

It is the policy of the Seattle Housing Authority to provide equal opportunity in the provision of housing for low-income persons. No qualified person applying for housing assistance, or resident of the Housing Authority is to be discriminated against because of race, color, religion, sexual orientation, marital status, age, veteran status, or disability. In circumstances where an otherwise qualified applicant or resident requires an accommodation, the Housing Authority will review the request in accordance with Manual Section L17, to determine if such accommodation is reasonable and within the scope of SHA.

Where there are partnership agreements, regulatory agreements and/or financial agreements, that have been incorporated into a management plan approved by HUD and / or SHA, the suitability criteria set forth in these documents shall take precedence over this Section.

**IMPLEMENTATION POLICY:**

**A. General Guidelines.**

In addition to being eligible, applicants for SHA public housing must be determined to be *suitable*, which is defined as:

1. Having an income and a housing history which supports the ability to pay rent in accordance with SHA's policies and lease provisions;
2. able to maintain a rental unit and its premises properly, in accordance with SHA's policies and lease provisions and generally accepted standards of cleanliness and housekeeping, including the ability to comply with health and safety codes, ordinances, and/or laws which apply to the leased premise;
3. able to live harmoniously with other residents and neighbors and maintain conduct that is **not** likely to interfere with other residents and neighbors in such a way as to materially diminish their enjoyment of the premises by adversely affecting their health, safety, or welfare, or to affect adversely the physical environment of the community, or to adversely affect the health, safety or welfare of SHA staff or agents of SHA;

4. able **not** to engage in criminal activity including illegal drug-related activity either on or off SHA premises; and able to comply with necessary and reasonable rules and program requirements of HUD and SHA.

SHA shall screen all members of the applicant's household who are 18 years or older. The assessment is made on the basis of current and past behavior. An applicant may not be excluded from participation in the Housing Authority's programs simply because of characteristics or behavior of a group or class of which the applicant may be a member.

For the purposes of this Section, "applicant" shall mean the head of household and each and every member of the household who is included in the application and who will live in the home, regardless of age.

1. *Suitability criteria may vary by public housing community*

SHA may have additional suitability criteria for specific SHA public housing communities, based on:

- a. the level of responsibility residents are expected to take in maintaining their housing and independently managing relationships with neighbors (e.g., SHA scattered site units); and/or
- b. the specific requirements for occupancy of the community (e.g., education and employment requirements for public housing residents of mixed income communities, as described in the management plans for those communities).

## **B. Suitability Point System**

An applicant must demonstrate suitability both through the presence of positive indicators and through the absence of negative ones.

SHA shall employ a point system for weighing and balancing the different *positive* aspects of suitability (housing history, employment, sponsorship, services agreements, etc.).

A determination of suitability will be based on an applicant's achievement of a specified number of "suitability points" *plus* the absence of unacceptable negative indicators.

Six positive suitability points are required within a single housing history category. A minimum of four points must be achieved through positive housing history. No more than two additional points can be achieved through any combination of professional references, employment history, school enrollment, sponsorship, commitment of services, or credit rating.

The purpose of the point system is to maximize every applicant's opportunity to demonstrate suitability for SHA housing and to insure fair treatment of applicants in similar situations. A Suitability Worksheet shall be employed in each applicant file to calculate suitability points in a specific housing category, following the codified subcategories contained therein. The codified subcategories shall be further defined and clarified in a separate supporting document which is also part of this policy.

## **C. Housing History**

The primary basis for a determination of suitability is an applicant's positive residential history, which is defined as a current or recent verifiable record of successfully maintaining a residence

with the level of independence required of a resident of SHA's public housing program. As part of the application process, applicants will complete a housing history showing where and with

whom they have lived for the past three years, with all gaps satisfactorily explained. Housing history must support the income resources claimed by the applicant and the information provided on the application must be true and accurate.

As part of housing history all applicants must also disclose if they are currently receiving HUD housing assistance. SHA shall use HUD's Enterprise Income Verification System (EIV), Existing Tenant Search report, to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Applicants currently receiving HUD assistance are not prohibited from applying for SHA housing assistance however, under no circumstances may an applicant or member of the applicant household receive HUD assistance in two separate residences.

In accordance with the Violence Against Women Act of 2005, otherwise qualified, housing applicants shall not be denied housing because they have been victims of domestic violence. Applicants will be required to certify their victim status. Only victim service providers, medical professionals, or attorneys who have counseled the victim can provide third-party verification of the applicant's status as a domestic violence victim.

**Suitability points for Housing History.** Applicants will be allotted two suitability points for providing an accurate, continuous housing history, if their tenant screening background report credibly supports the housing history they have claimed with regard to location, time span, continuity, affordability, and the relationship between themselves and the persons providing the housing. The additional four points must be earned in one of the following categories:

1. *Rental History*

SHA shall give the most weight in suitability determinations to positive *rental* history. Applicants may meet the rental history requirement with 12 months of continuous independent, positive rental history at a single location within the past 36 months, where all other conditions described in this section are met.

An applicant's rental history must have the following characteristics:

- a. *Continuous*.. The rental history is continuous with no gaps at a single location.
- b. *Independent*. The previous landlord is not a relative or friend of the applicant.
- c. *Same household*. All the members of the applicant household were members of the household for which a landlord reference is provided, or, alternatively, all the members of the household can individually provide positive landlord references if they were not all members of the same household previously.
- d. *Lease relationship*. The head of household was included on the prior lease, and the household was responsible for the normal requirements of a residential lease agreements (pay rent on time, take care of unit, live peacefully with neighbors and management).

2. *Transitional Housing History*

Applicants who do not have independent rental history meeting the standards outlined above may substitute a year of current, positive, successful performance in a local

transitional housing program, if the applicant's performance is positively referenced by a transitional housing provider and all other conditions described in this section are met.

References must support the ability of the applicant to:

- a. Pay fees on time;
- b. Take care of the premises;
- c. Get along well with other program participants;
- d. Follow the program rules;
- e. Show the relationship is enforced by written agreement.

Applicants who do not have the transitional housing history meeting the standard outlined above may substitute a minimum of six months of current, positive, successful performance in a local transitional housing program, if the transitional housing provider and /or an associated social service agency formally commits to follow an applicant into SHA housing for at least six months, and provide services targeted to help ensure the success of the applicant's tenancy. The commitment must be made in accordance with the section "Commitment of Social Services," below. The minimum requirement must be met at the point of the application interview.

Transitional housing providers and associated social service agencies must refer applicants to SHA in good faith. Where they have provided non-substantive, inaccurate, or untruthful references or references based essentially in advocacy, or are known to have previously failed to keep their commitments, SHA reserves the right to decline any or all references from the provider and deny the associated applications.

Rehabilitative programs and residential facilities such as halfway houses, group homes and other facilities established for the purpose of mainstreaming felons, drug addicts, alcoholics, the mentally ill, and others following institutionalization, incarceration, court mandated treatment, or other socially based intervention, cannot be used as the basis for transitional housing history. (See section "Rehabilitative Housing History")

**Suitability points for rental and transitional housing history.** In addition to earning the first two suitability points for providing an accurate housing history which is credibly supported in their background report, applicants will be allotted one suitability point for every three months of current, independent rental or transitional housing history as described above. A minimum of two points are required with four points being the maximum available. Applicants who can earn only two or three points from rental or transitional housing history must earn the additional one or two points from a combination of employment, sponsorship, commitment of Social Services, a credit rating of good or better, and other substantive reference of specific ability which supports the elements of suitability.

### *3. Stable Residential History*

Applicants who do not have a conventional independent rental history or transitional housing history, but who have an established residential history through home ownership, in a long-term stable living arrangement with relatives, friends, or roommates; or who are adults employed as domestic workers, live-in aides, or in some other arrangement which includes in-kind housing benefits, may substitute the last five years of such stable residential history, provided two consecutive years of the five years of the housing history are at a single address and the housing reference conclusively and credibly supports the continuity of the

housing history claimed by the applicant, where all other conditions described in this section are met.

The prescribed documentation verifying specific circumstances may vary from time to time, and shall be outlined in detail in the Applications Procedures Manual. The supporting documentation must provide:

- a. Evidence of home ownership and of satisfactory maintenance of that home; or
- b. Evidence that the applicant has been responsible for maintaining a home he or she did not own; or
- c. Evidence of long-term (at least three consecutive years) peaceful residence at a single address, *and*
  - (1) Evidence of independent ability to care for self and home, *or*
  - (2) Evidence of ability to maintain a home with the assistance of services or personal support which will be available to the applicant when he or she is admitted to SHA housing, as evidenced by formal commitments of social services provider or executed sponsor agreements described below.

Where applicants show positive stable residential history but other elements in the applicants background are inconclusive, a responsible relative or other personally invested individual may guarantee their support in a Sponsorship Agreement as described in the section "Sponsor Agreement." Applicants must agree to accept the services of sponsorship.

Formerly minor householders who have aged into adulthood in the family home cannot establish suitability with stable residential history.

**Suitability points for stable residential history.** In addition to earning the first two suitability points for providing an accurate housing history which is credibly supported in their background report, applicants will be allotted two suitability points for two years at a single address within a five year period in accordance with the criteria described above. Applicants must earn an additional two points from having a credit rating of good or better, employment, sponsorship, commitment of social services, or other substantive reference of specific ability which supports the elements of suitability.

#### 4. *Minors Aged into Adulthood*

Applicants who are transitioning out of their family home, where they have "aged into adulthood", including foster children aged out of foster care, who do not have rental or transitional housing history meeting the standards outlined above, may substitute, where all other conditions described in this section are met, three years of positive, continuous housing history in the family home and the engagement in positive, on-going, productive activity, which shall include the following:

- a. Graduation from an accredited high school or having earned a General Education Diploma (GED)
- b. Gainful employment for a minimum of one year at a level of at least 20 hours per week with positive reference from the employer OR
- c. Continuing enrollment as a full-time student in a university, community college, or vocational school/program, pursuing a specific curriculum intended to lead to employment.

Applicant must provide supporting documentation such as diplomas, school registration, and independent references from employers, job assistance programs, school administrators, teachers, and others who can verify positive participation and good standing in such programs, activities, and employment.

Where applicants or applicants with children are not employed or in school due to a disability or due to the necessity of caring for their own children, a social service agency engaged in providing life skills or other services to the applicant may guarantee their commitment in a Commitment of Social Services Agreement, as described in the section "Commitment of Social Service." All information provided must reasonably and conclusively support the ability of the applicant to live independently and successfully in Housing.

**Suitability points for minors aging into adulthood.** In addition to earning the first two suitability points for providing an accurate housing history which is credibly supported in their background report, applicants may be allotted one point for having a high school diploma or GED, one point for employment or other positive activity, and two points for having a background report wholly free of negative implications, such as juvenile and adult criminal activity, a poor credit history, civil judgments, and negative references from any source.

#### 5. *Rehabilitative Housing History*<sup>1</sup>

Successful participation in rehabilitative housing programs established for the purpose of mainstreaming felons, drug addicts, alcoholics, and the mentally ill following institutionalization, incarceration, court mandated treatment, or other socially based intervention, may establish suitability provided:

- a. The rehabilitative housing program provides a wholly positive reference covering at least one year of successful participation in such program and shows that the applicant paid rent or fees on time, took care of the premises, got along well with other program participants, followed program rules and that the relationship was enforced by written agreement.
- b. The applicant has a least six months of current, successful independent rental history or non-rehabilitative transitional housing history following the completion of the rehabilitative housing program.
- c. The applicant has a current, positive reference from a psychologist, rehabilitative counselor, mental health professional, parole officer, or other credentialed individual engaged in the profession of rehabilitation, which conclusively supports the applicant's ability to maintain a clean, sober, stable, responsible life style. Such reference must reflect a current assessment of the applicant's performance, and must be independent of the reference obtained from the rehabilitative housing program.
- d. The applicant meets all other conditions described in this section are met.

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<sup>1</sup> Rehabilitative housing history does not include: the period of commitment which precedes actual participation in the rehabilitative housing program, such as incarceration, institutionalization, court-mandated rehabilitative program, hospitalization or other form of intervention; programs organized for the purpose of on-going daily supervision of individuals with rehabilitative needs.

**Suitability points for rehabilitative housing history.** In addition to earning the first two suitability points for providing an accurate housing history which is credibly supported in their background report, applicants must earn one point for completing 12 months of rehabilitative housing history as described above, two points for completing an additional six months of conventional transitional or rental history as described above, and one point for having a credible physician's reference of successful rehabilitation.

#### 6. *Previous SHA Residents*

Previous SHA residents must qualify for housing under the same requirements as other applicants. Previous SHA residents must be found to be currently suitable, regardless of their past history with SHA. Where applicants have a documented good rental history with SHA, it shall be held as a positive indicator of suitability, but only as it conforms to the requirements in one of the categories described above.

#### 7. *Commitment of Social Services*

As part of its evaluation of an applicant's suitability, SHA may accept a statement or **SHA-976R**, Social Service Agreement, from a social services agency providing services to an applicant. The statement must include:

- a. the agency's qualifications to provide appropriate services;
- b. the agency's assessment of what services the applicant needs in order to live independently; and
- c. the level and duration of services the agency is committed to providing to the applicant after lease-up with SHA. Services must include assistance in relocating the applicant to more suitable housing if this becomes necessary;
- d. the signature of an officer or designated employee of the agency able to make commitments on behalf of the agency; and
- e. a signature by the applicant agreeing to participate in the services provided by the agency.

SHA may choose to accept social service commitments only from agencies with a proven track record of fulfilling obligations under previous agreements with SHA.

#### 8. *Sponsor Agreements*

As part of its evaluation of an applicant's suitability, SHA may allow relatives of an applicant to execute a sponsor agreement, **SHA-976Q**, which commit the sponsor to provide support for a period of two years following admission, should the applicant experience difficulty maintaining an independent living situation in SHA housing.

The purpose of the sponsor agreement is to insure that applicants who may be able to live independently but who have no previous verifiable record of doing so are provided with the information and instruction they may need by a responsible family member. If an applicant is not able to live independently without supportive services, and it is reasonable to expect that the applicant will need the services indefinitely, the applicant must provide a social services commitment as described above.

A sponsor agreement must include the sponsor's statement of commitment:

- a. for a period of two years following the applicant's admission to SHA housing, to respond to SHA staff requests to help address housing problems that the applicant develops after moving in to SHA housing, including assistance in relocating the applicant to more appropriate housing if necessary;
- b. for a period of two years following the applicant's admission to SHA housing, to keep SHA informed of the sponsor's address and contact information at all times, including contact information for an alternate sponsor should the sponsor no longer be able to respond to the applicant's housing issues.

Sponsor agreements must be signed, dated, and notarized by the sponsors.

Sponsor agreements must be signed by the head-of-household and co-head, with a statement indicating that the household will cooperate with the sponsor in resolving any housing problems the sponsor attempts to address.

#### *Qualifications of Sponsors*

To be eligible to execute a sponsor agreement on behalf of an applicant, an individual must:

- a. be at least 25 years old;
- b. be employed full-time or have retired from full-time employment;
- c. currently reside in the greater Seattle area (as generally defined by the Seattle-Everett PMSA) and be willing to certify that he or she intends to continuing living in the area;
- d. be physically and otherwise capable of fulfilling obligations of the sponsor agreement; and
- e. be closely connected to the applicant. The sponsor must *either* :
  - (1). be a close relative (parent, former guardian, grandparent, child, grandchild, or sibling of the applicant); *or*
  - (2). have a demonstrated involvement with the applicant (at least 5 years) that supports a claim of obligation for the applicant's welfare.

An applicant may achieve up to two suitability points for a Sponsorship or Commitment of Services Agreement as described above.

#### **D. Employment of adult family members**

Up to one suitability points may be achieved by applicants for current employment history at the time of the eligibility interview, working at least 20 hours a week, for at least 6 months duration. To gain any points for this indicator, the employment must be verified by a statement from the employer.

#### **E. Credit history**

Where credit history is positive and shows careful responsibility for personal financial management within means, it shall reflect positively on an applicant's ability to pay rent on time and maintain a successful household. Negative, insufficient or no credit will generally not reflect negatively on the suitability of the applicant. In situations where negative ratings are noted in the applicants credit report such as a foreclosure, and evidence shows it due to

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issues of affordability or unanticipated changes in life circumstances, such as illness or loss of job, these negative ratings will not be held against an otherwise positive history of financial management. Credit reports may be used to identify previous residences, to confirm reported housing history and review the applicant's financial liabilities vs. reported income.

**F. Criminal history**

SHA shall deny admission to any applicant who has been convicted, or who has been found not guilty due to "reasons of insanity" or "diminished capacity," or who has a family member who will reside with the applicant who has been convicted, or who has been found not guilty due to "reasons of insanity" or "diminished capacity" of any of the crimes listed below for the designated years following their conviction, or following the end of their incarceration, whichever is later. It shall be the applicant's responsibility to prove when their period of incarceration began and ended.

When it is shown by clear and convincing evidence that an applicant or family member is currently engaged in drug related criminal activity or violent criminal activity, or is attempting to defraud the Housing Authority, the application may be denied even though the applicant has not been arrested or convicted.

SHA shall deny admission to an applicant who has been incarcerated for any reason within the previous six months from the date of interview.

**A. Serious Violent and Sexual criminal activity:**

1. Murder / Homicide within 20 years
2. 4 or more assaults of any kind within 10 years from date of interview
3. Felony assault within 5 years
4. Armed robbery within 10 years
5. Arson within 10 years
6. Kidnapping within 7 years
7. Sexual assault / Rape within 10 years
8. Sex Offenders who are subject to any Washington State sex offender registration requirement. [CFR 960.204(a)(4)]

**B. Drug-related criminal activity:**

- a. Controlled substance delivery within 5 years
- b. Current use of illegal drugs. [CFR 960.204(a)(2)]
- c. Any conviction for the manufacture or production of methamphetamine . [CFR 960.204(a)(3)].
- d. Intent to sell drugs within 5 years

C. Other Criminal Behavior.

- a. Controlled substance possession or use within 2 years
- b. Misdemeanor assault within 2 years
- c. Burglary within 2 years
- d. Robbery within 5 years
- e. Prostitution within 2 years
- f. Domestic abuse within 5 years
- g. Any other felony convictions within the past 3 years

D. Habitual criminal activity:

Frequent and repeated crimes or arrests of any kind that indicate habitual criminal behavior

**G. Other indicators of negative suitability**

1. *Negative residential history*

Applicants may be denied for housing references that reveal:

- a. Applicant disturbed other tenants;
- b. Chronically late rent payments;
- c. Damaged unit;
- d. Owed rent at time of move-out;
- e. Applicant was evicted<sup>2</sup>;
- f. Guest in unit caused disruptions; or
- g. Guests engaged in criminal activity.

Applicants facing denial for poor landlord reference will be given the opportunity to respond in writing within 10 days of being notified of the pending denial. If an applicant provides a satisfactory explanation for the issues raised in the landlord reference, which can be corroborated by a third party, SHA may disregard the negative landlord reference.

2. *Pattern of Abuse of Alcohol*

HUD-mandated required denial of public housing assistance, SHA shall deny admission to a household if it has reasonable cause to believe that 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 [CFR 960.204(b)].

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<sup>2</sup> Applicants who can provide evidence that the eviction was due strictly to unaffordability of rent, and the evicting landlord gives an otherwise positive housing reference for the applicant, SHA may disregard the negative landlord reference. SHA shall deny admission to any SHA housing program to applicants who have been evicted from public or other federally assisted housing due to drug-related activity within the last three years. [CFR 960.204(a)(a)]

*3. Menacing or abusive behavior during application process*

SHA may deny admission to any household that engages in physical abuse or has threatened abusive or violent behavior toward a resident, a member of the public, or SHA personnel.

- a. "Abusive or violent behavior" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered profane, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for denial.
- b. "Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.

*4. Fraud / Deceitful manipulation of the application process*

Any lie or deceitful manipulation of the application process will result in a denial of admission. Applicants must disclose criminal history on the application. If the criminal background check reveals convictions not reported on the application, the application will be denied. Fraudulent landlord references, or fraudulent documentation of income, disability, citizenship, or any other aspects of eligibility, suitability, or preference, will result in a denial of the application.