

# Board Policy Regarding Applications for Occupancy/Ownership

Revised August 22, 2024

All applicants must complete a required background check application packet from Applicant Information or the current background check provider.

Once the complete application and \$100 processing fee is returned to the Golf Lakes office, the application will be sent to the vendor for processing. Processing times vary and may take up to 30 days.

Upon receipt of the report, the Manager will review and notify the applicant(s) and property owner if approval is being granted or if there is cause for denial.

If the application is denied, the applicant will be provided with an Adverse Action Notice as drafted and directed by counsel. Applicants may request a copy of the report directly from Applicant Information and the adverse action notice will include how to obtain a copy.

It is the policy of the Golf Lakes Residents' Association that all applicants for residency and/or ownership meet a minimum credit score standard. Applicants with a credit score of at least 700 can be approved, subject to a clean criminal background report. Applicants with a credit score between 650 and 699 can be denied solely on score but may ask for an appeal which may be granted, based on testimony proving that their low score was caused by factors outside of the applicant's control. Single applicants with a score of 650 or less will be denied. Dual applicants with one score of less than 650 may seek an appeal if the co-applicant meets the minimum credit score set forth herein.

Appeals, if requested, will include all applicants meeting with at least two Board members. Given the minimum standards set forth herein, to deviate from the standard provided, there would have to be significant evidence to support such an appeal at the sole and absolute discretion of Golf Lakes Residents' Association.

Other factors that may cause denial of an applicant include prior convictions; a guilty plea to a felony; sexual offender; no credit history; bankruptcy, liens, or judgements; false/incomplete applications.

## Additional Information Regarding Criminal Records/Standards

Felony criminal records will be reviewed for a period of up to seven years for any history of criminal activity involving physical violence against persons, malicious destruction of property, and drug related criminal activity. Any history of habitual criminal convictions that would adversely affect the health and safety of other residents or illustrate a disrespect of property rights will also be reviewed – this review will be a 7-year lookback for felony convictions and a 2-year lookback for misdemeanor convictions.

In screening applicants, we shall not reject an applicant solely for any of the following reasons:

- i. Any arrest in an inactive case that did not result in conviction;
- ii. Participation in or completion of a diversion or a deferral of judgment program, including stays of adjudication and continuances for dismissal or without prosecution;
- iii. Any conviction that has been vacated or expunged, or for which the applicant received a stay of imposition of sentencing and complied with the terms of the stay;
- iv. Any conviction for a crime that is no longer illegal in the state of Florida;
- v. Any conviction or any other determination or adjudication in the juvenile justice system, except for violent offenses;
- vi. Any conviction for a class B misdemeanor offense, prostitution, alcohol related crimes, or low-level property crimes (theft) (unless there is a pattern of habitual convictions);
- vii. Any conviction for misdemeanor offenses for which the dates of sentencing are older than two (2) years (unless there is a pattern of habitual convictions); or
- viii. Any criminal conviction for felony offenses for which the dates of sentencing are older than seven (7) years (unless there is a pattern of habitual convictions).

Applicants who have been convicted of the illegal manufacture or distribution of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802) or for those same offenses that mandate denial of tenancy in federally assisted housing subject to federal regulations, including but not limited to, when any member of the household is subject to a lifetime sex offender registration requirement under a state sex offender registration program, may be denied.

An applicant may provide additional information with a completed application to explain, justify, or negate the relevance of potentially negative information that may be revealed by screening and that the applicant believes to be relevant to the applicant's predicted performance as a resident. The review of this information may occur after reviewing the screening report to assist Golf Lakes in considering all circumstances related to applicant's history. Golf Lakes must evaluate this information before a final determination of acceptance or denial of applicant and must also consider:

- a. The nature and severity of the incidents that would lead to a denial;
- b. The number and type of the incidents;
- c. The time that has elapsed since the date the incidents occurred;
- d. The age of the individual at the time the incidents occurred; and
- e. The extent to which the applicant has taken all reasonable steps to prevent or mitigate any negative history.

If an applicant is denied based on any criminal conviction record, Golf Lakes will provide a

written notice of the determination and permit the applicant to submit relevant mitigating information at that time with a request for reconsideration. This notice shall include the applicable sections of this policy. Golf Lakes will provide a summary of its individualized assessment and consider the nature, severity, and recency of the conviction(s), along with evidence that the applicant has taken steps to reform the adverse behavior that formed the basis for the denial.


If an applicant requires a reasonable accommodation based on a disabling condition, the applicant will be provided with a request for reasonable accommodation/modification form. Golf Lakes will respond to the request within ten (10) business days. If additional information is required, Golf Lakes will respond within an additional ten (10) business days after receiving all requested information. All decisions to grant or deny reasonable accommodations/ modifications will be communicated in writing.

Board Approved:

Signed by:  
  
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Jim Hofman, President

Signed by:  
  
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Pat Mandjack, Secretary

9/5/2024

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Date