After the Zoning:

Collaborating with the LIP Local Action Program

October 20, 2025

Elizabeth Rust, Regional Housing Services Office

Sponsored by Mass Housing Partnership

Agenda 10-2pm

Morning: 10-12pm

- Introduction (15 min)
- LIP Local Action Unit Program (30 min)
- Break (10 min)
- Process Overview
  1. Permit sets the stage (40 min)
     - ❖ Meghan Roche /Lexington
  2. LIP Application fills the details (20 min)

Afternoon: 12:30-2

3. Execution and Occupancy (15 Min)
4. Regulatory Agreement (15 Min)
5. EOHLC View – best practices (20 min)
6. Monitoring and life after (15 min)
7. Recap, Q&A and Closing (25 Min)

Welcome

- Introduction: Who's here?
- Name, role, session objective

1. ***Municipal staff*** tasked with administering LIP LAU
2. ***Consultant*** tasked with preparing LIP LAU materials
3. ***Subsidizing Agency staff*** tasked with overseeing LIP LAU
4. ***Planning Commission/RHSO staff*** tasked with assisting municipalities administering program

What is an RHSO?

REGIONAL HOUSING SERVICES OFFICE, *ESTABLISHED 2011*

ACTON BEDFORD CONCORD LEXINGTON LINCOLN MAYNARD NATICK SUDBURY WAYLAND WESTON

Town of Concord

Lead Community

RHSO Personnel deliver services through Lead Community.

Member Towns receive housing services for an annual fee per Inter- Municipal Agreement:

- Local Support (Studies, analysis, feasibility, project review)
- Monitoring and Inventory Management
- Program Development and Administration
- Assessment Valuations
- Other affordable housing services
- RHSO Website
- Regional Efforts, Trainings

	Housing Units	SHI Units	SHI%
Acton	9151	738	8.06%
Bedford	5424	989	18.23%
Concord	7172	715	9.97%
Lexington	12252	1,341	10.95%
Lincoln	2322	298	12.83%
Maynard	4730	425	8.99%
Natick	15563	1,545	9.93%
Sudbury	6523	775	11.88%
Wayland	5227	477	9.13%
Weston	3999	151	3.78%
	72,363	7,454	10.30%

Concord Provides:

- Staffing and Contracting
- Administrative expenses
- Accounting
- Office support
- Technology
- Other

RHSO Background

Experience

- Preparation of 70+ LIP Applications
- 55 lotteries, ~500 units total , ~2500 new residents,
- Initial occupancy: New construction, resales. Rental, ownership
- Annual Monitoring: Ownership and rental
- Many Programs: EOHLC LIP 40B/LAU, MassHousing 40B NEF, EOHLC 40R, HOME

Monitoring Agent/Compliance

- MassHousing, EOHLC, Town

Clients

- Municipalities, Developers, Property Managers

Why use the LIP Program

- Why LIP Program
  - Eligible Program for SHI inclusion (handout)
  - Regulatory Framework
    - Program Guidelines, Legal forms of Regulatory Agreement, Deed Rider, Consent/sub-ordination, ex..
  - Technical support – Municipalities, Developers, Residents
- What it isn’t
  - Zoning relief
  - Source of financial subsidy (LIHTC, AHTF, HOME, or other)
  - 40B: NO agency review BEFORE permit
  - Automatic approval for SHI

LIP LAU Process

Permit Issued Framework requirements	Requirements established
LIP Application Drafted Presented by Developer	Details established
LIP Application Approved Locally Municipality – HP, SB	Review and approval
EOHLC Approval LAU Approval, Marketing, RA recorded	Constitutes Final Approval
Execute Marketing, Build and Occupy Per the AFHMP	Close to occupancy (6 months)
Annual Monitoring Municipality, EOHLC	Annual certification to EOHLC

Players

Applicants

Future Resident

Municipality

Building, Zoning Permit
Monitoring Agent
Holds Restriction

EOHLC

Subsidizing Agency
Monitoring Agent
Holds Restriction

LIP LAU Development

Developer

Property Owner
Owns Compliance

Foundational Requirements

All units that are intended to go onto the ***Subsidized Housing Inventory ("SHI")*** must be marketed under an approved Affirmative Fair Housing Marketing Plan

Detailed requirements in the EOHLC 40B Guidelines, Section 3.

- https://www.mass.gov/doc/guidelines-gl-c40b-comprehensive-permit-projects-subsidized-housing-inventory
- Applies to all activities from outreach and marketing to occupancy and waiting lists.
- Developers (and lottery agent) responsibility to follow guidelines.

These guidelines are also used with other programs, and in conjunction with HUD- approved Tenant Selection Plans

SHI Eligibility

Five required elements to 'count' units on the SHI

1. Occupancy limited to households earning up to 80% of AMI
2. Housing units created under an approved housing subsidy program (Binder)
3. Property has a recorded use restriction, restricting occupancy and specifying other details
4. Housing units subject to an Affirmative Fair Housing Marketing Plan
5. Maximum housing cost parameters are met

SHI timing for LIP LAU

- Ownership: LIP Deed Restriction recorded at closing for individual unit; not at recording of Regulatory Agreement
- Rental (new): Regulatory Agreement is recorded and building permits issued
- Rental (existing property): Regulatory Agreement is recorded and executed leases

Note: 40B units are eligible at issuance of 40B permit, not the same as LIP LAU

LIP LAU Municipal Actions

1. Issue Zoning Permit
2. Approve LIP Application
3. Issue Building/Occupancy Permits
4. Execute Regulatory Agreement
5. Support Marketing Period
6. Annually Certify Compliance
7. Other Activities
   - Rental: Approve Rents
   - Ownership: Resales, Refinances, other
   - Respond to resident inquiries

Step 1: Issue Zoning Permit

Set the Framework

- Number and specific locations of the affordable units
- Floor Plans:
  - Unit detail – size, bedrooms, bath, affordability level
  - Closets and storage
- Parking
- Timing
- Preferences
- Suggested Permit Conditions (Binder)
- Monitoring Agreement, consider

View from the Field -

<u>Meghan Roche –</u>

Lexington Assistant Planning Director

Step 2: Approve LIP Application

Review

Approve

Execute

Review LIP Application

Compare to the Permit and Other Submitted Materials

Section 1: Application and AFHMP

- LIP LAU Application: Unit table
- AFHMP: Use Checklist (handout)
- Application and Flyer

Section 2: Plans

- Permit
- Site plan
- Floor plans, units identified
- Parking!

Section 3: Legal components

- Regulatory Agreement
- Lease/Deed Rider
- Condo documents
- Good standing/Other

Review LIP Application

Section 1: Areas for Review (Binder)

- LIP LAU Application: Unit table (Binder)
- Property and Unit Information
- What is rent/sales price? What fees are resident paying for?
- Eligibility: Income, Assets, Other
- Preference: Clear description of preferences.
- Documentation: Materials needed
- Lottery description and process, timeline
- Non-discrimination, Reasonable Accommodations Statement, Certification and Authorization
- Lease and Deed Rider information

Income Limits

Based on Area: http://www.huduser.gov/portal/datasets/il/il15/area_definitions.pdf

Based on the number of persons per household

Income Definitions

- 100% Area Median Income, Base Income Number
- 30% Extremely low income
- 50% Very low income (may not be arithmetically determined from the others)
- 80% Low income (may not be arithmetically determined from the others)

Barnstable Town, MA MSA									
FY 2025 MFI: $124,100	EXTR LOW INCOME	28700	32800	36900	41000	44300	47600	50850	54150
	VERY LOW INCOME	47850	54700	61550	68350	73850	79300	84800	90250
	LOW-INCOME	74800	85450	96150	106800	115350	123900	132450	141000
Boston-Cambridge-Newton, MA-NH MSA									
Boston-Cambridge-Quincy, MA-NH HMFA									
FY 2025 MFI: $160,900	EXTR LOW INCOME	34750	39700	44650	49600	53600	57550	61550	65500
	VERY LOW INCOME	57900	66200	74450	82700	89350	95950	102550	109200
	LOW-INCOME	92650	105850	119100	132300	142900	153500	164100	174650
Brockton, MA HMFA									
FY 2025 MFI: $131,400	EXTR LOW INCOME	27600	31550	35500	39400	42600	45750	48900	54150
	VERY LOW INCOME	46000	52600	59150	65700	71000	76250	81500	86750
	LOW-INCOME	72950	83400	93800	104200	112550	120900	129250	137550
Lawrence, MA-NH HMFA									
FY 2025 MFI: $141,300	EXTR LOW INCOME	29700	33950	38200	42400	45800	49200	52600	56000
	VERY LOW INCOME	49500	56550	63600	70650	76350	82000	87650	93300
	LOW-INCOME	72950	83400	93800	104200	112550	120900	129250	137550

Calculating Rents

Gross Rent = 30% of the monthly Income Limits, adjusted for household size

– MassHousing: # bedrooms *1.5
– EOHLC: # bedrooms +1

Subtract Utility Allowance (from local subsidized housing agency or provider)

– Subtract from rent the amount of utilities that the tenant will pay
– Note the utility allowance provider in the AFHMP

2025 LIP Sample Rents (80% AMI)		
	1BR	2BR
Income Limit	$105,850	$119,100
Gross rent	$2,646	$2,977
Utility Allowance	$302	$389
Net rent	$2,344	$2,588

Utility Allowance		
	1BR	2BR
Elec heat	$105	$128
Elec	$97	$130
HW heat	$34	$45
Water	$18	$23
Sewer	$48	$63
Total	$302	$389

NOTES:

- *Rents for units funded by other programs may differ*
- *These are not Section 8 Fair Market Rents*

Calculating Sales Prices

	May 2022 (5.25%)		Nov 2023 (8.01%)		Oct 2025 (6.59%)	
	2BR condo	3BR SFH	2BR condo	3BR SFH	2BR condo	3BR SFH
Price	$279,900	$329,600	$241,200	$293,000	$301,000	$351,300
Income	$100,700	$111,850	$106,650	$118,450	$119,100	$132,300

Condo - 2BR 80%	
Housing Cost:	
Sales Price	**$301,000**
5% Down payment	$15,050
Mortgage	$285,950
Interest rate	**6.59%**
Amortization	30
Monthly P&I Payments	$1,824.36
Tax Rate	**$14.72**
monthly property tax	$369
Hazard insurance	$100
PMI	$186
Condo/HOA fees (if applicable)	**$125**
Monthly Housing Cost	**$2,605**
Necessary Income:	$104,191
Household Income:	
# of Bedrooms	2
Sample Household size	3
HUD 80% AMI	$119,100
Target Housing Cost (80%AMI)	$2,978
10% Window	$104,213
Target Housing Cost (70%AMI)	**$2,605**

Fee Simple 3BR 80%	
Housing Cost:	
Sales Price	**$351,300**
5% Down payment	$17,565
Mortgage	$333,735
Interest rate	**6.59%**
Amortization	30
Monthly P&I Payments	$2,129.22
Tax Rate	**$14.72**
monthly property tax	$431
Hazard insurance	$117
PMI	$217
Condo/HOA fees (if applicable)	
Monthly Housing Cost	**$2,894**
Necessary Income:	$115,767
Household Income:	
# of Bedrooms	3
Sample Household size	4
HUD 80% AMI	$132,300
Target Housing Cost (80%AMI)	$3,308
10% Window	$115,763
Target Housing Cost (70%AMI)	**$2,894**

Preferences

Different From Eligibility Requirements

1. Accessible Features/Units
2. Household Size Preference
3. Local Preference – initial occupancy only
   - Use all allowable categories
   - Municipality provides justification, at most 70%
   - Minority Balancing (to mitigate disparate impact)

Note: Age Restriction is a ***project*** parameter, not a preference or eligibility

Step 2: Approve LIP Application

Approve

- Housing partnership/Trust
- Mayor/Select Board
- Developer submits to EOHLC

Execute Regulatory Agreement

- Once approved by EOHLC (Binder)
- Marketing can start
- RA: ***Three Originals***
  1. Developer and Bank first
  2. Municipality
  3. EOHLC

Time for Break

RETURN 10 Minutes

Timeline

Final AFHMP
- 3 months before marketing (at least)
- After all permits
- Obtain formal approvals

Open Application Period
- 6 months prior to occupancy
- 60 day minimum, two times in print media
- Information session mid-way

Lottery
- 15-30 days after close of application period
- Careful review and assignment of tickets
- Allow time for reconsideration

Occupancy
- Leasing – ~30 days
- Purchasing – ~60 days

Post-lottery
- Wait list: No local preference
- Advertise/post
- Follow AFHMP, update every 5 years

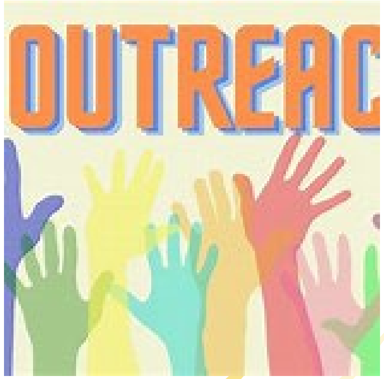
Step 3: Marketing, Lottery, Occupancy

- Final sales prices/rents
  - Might involve local approval
- Local outreach
  - KEY ACTIVITY for municipality
- Lottery information
  - Attend sessions
  - Demographics
- SHI eligibility
  - Request when eligible

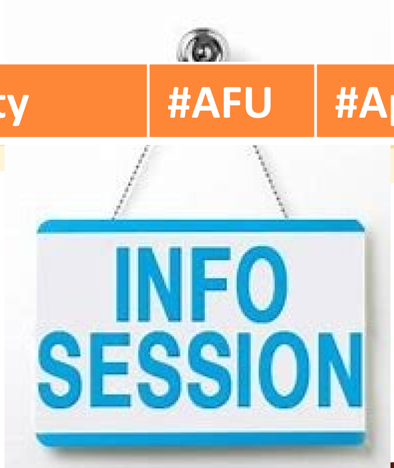
Local Outreach

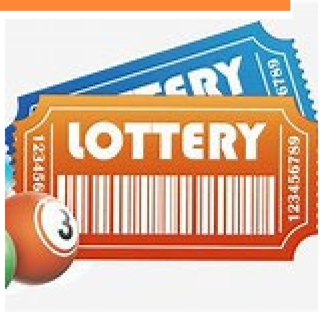
Municipal Opportunity!

- Website
- Employees, Boards, Committees
- Who keeps the 'interest list'?
- From each lottery,
  - How many applicants by bedroom size
  - How many local applicants
  - Consolidate



Lottery Date	Property	#AFU	#Applicants (by #br)	#Local (by #br)





View from the Field -

Alyxandra Sabatino

LIP/HOP Coordinator

Executive Office of Housing and Livable Communities

Regulatory Agreement

- Use Standard EOHLC form (Binder)
- Municipal Certification
  - Section 2g (rental), section 7a (ownership)
  - "Throughout the term of this Agreement, the Chief Executive Officer shall annually certify in writing to EOHLC that each of the Low- and Moderate-Income Units continues…."
- Rental:
  - Fixed/Floating
  - Rent increases

Monitoring

Scope of Municipal Monitoring

1. Rental:
   - Rent Approvals, Review Property Annual Reports, Marketing Review
2. Ownership:
   - Annual certifications, refinancing, capital improvements, resales, annual reporting
3. Annual reporting
4. General resident inquiries

Rent Increases

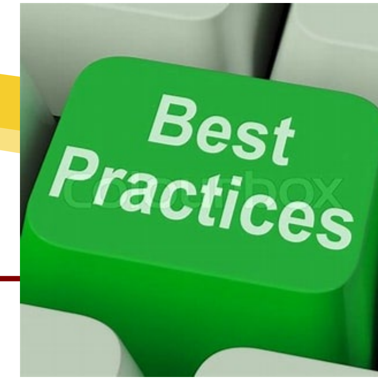
1. Expect requests annually after Income Limit update
2. Have Annual Report and last year's rent increase available
3. Regulatory Agreement allows for rent based on income limit
   - Increased Income Limits, Decreased Utility Allowances raise rents
   - For 2025, HUD used median family income data from the 2023 ACS and then updated with wage growth (8% since 2023)
   - Prior HUD used an inflation forecast from the Congressional Budget Office (CBO)
4. Renewals versus new tenants
   - 2021 EOHLC: Renewals: Lesser of Calculated Rent or 5%
   - 2022 EOHLC: Urged continuance
5. 30-day time frame for approval from request

	%Chg
2025	1.6%
2024	9.9%
2023	5.9%
2022	10.7%
2021	5.0%
2020	7.9%
2019	9.9%
2018	3.7%
2017	7.0%
2016	4.8%
2015	2.8%
2014	0.6%
2013	3.6%

Ownership Monitoring

1. Annual Self-certifications
2. Review Registry of Deeds
3. Review, approval Resale, refinance, capital improvements
   - Expect requests annually after Income Limit update

Recap and closing



Key Points for Success

1. Ensure the LIP Materials provide clarity about the entire process
2. Know the municipal role, and required timeframes
3. Identify internal responsibilities
4. Lead the municipal process

Closing

Q&A

Contacts:

- Liz Rust, RHSO, Liz@RHSOHousing.org
- Meghan Roche, Lexington, mmcnamara@lexingtonma.gov
- Aly Sabatino, EOHLC LIP LAU, alyxandra.sabatino@mass.gov

FROM THE PLANNER'S DESK

Meghan Roche

Assistant Planning Director

Town of Lexington

LEXINGTON, MASSACHUSETTS

- In April 2023, the Town of Lexington passed zoning to encourage multi-family housing development, consistent with State legislation requiring MBTA communities to provide multi-family housing as of right.
- Lexington zoned more than 250 acres of property for as of right multifamily housing.

TODAY

- Lexington Town Meeting in March 2025 adopted new zoning that amended the 2023 zoning by removing some of the districts and adding more limitations. Lexington's zoning has now been approved by the Attorney General and EOHLC has found Lexington to still be in compliance with the MBTA Multi-Family 3A zoning and guidelines.
- Lexington's Planning Board has approved a total of 10 multi-family development projects since the zoning was adopted for a grand total of 1,081 new dwelling units, including 158 Inclusionary Dwelling Units. This includes apartment, townhouse and garden condominium units.

ZONING BYLAW

10-13 units proposed =10% of units shall be Inclusionary Dwelling Units (IDUs) limited to households earning 80% of the AMI and eligible for inclusion on the SHI

14+ units proposed = 15% of units shall be IDU’s limited to households earning 80% of the AMI and eligible for inclusion on the SHI

Units shall be substantially similar in size, layout, parking, construction materials, fixtures, amenities, and interior and exterior finishes to the other dwelling units in the same dwelling. Shall have same access to common areas enjoyed by other occupants

No certificate of occupancy for a dwelling unit in a development permitted under this section shall be issued until the regulatory agreements for any inclusionary dwelling units are recorded.

SITE PLAN REVIEW

Pre-application Development Review Team (DRT) Meeting

Provide Inclusionary requirements with the income requirements, rental & sales limitations table at first meeting. Inform applicant that they are responsible for hiring a Certified Lottery Agent

Regulations require Applicant to provide narrative summary of the proposed Inclusionary Dwelling Unit(s)

Lexington Planning Board's general policy guide are to recommend local preference of up to 25% in rental projects containing 20 or more inclusionary dwelling units. The Planning Board does not recommend any local preference in ownership developments.

WORKED WITH RHSO TO CREATE INFORMATIONAL TABLE

Restricted Rents, Sales Prices and Income Limits (2025)

	Area Median Income				
	50%	80%	100%	120%	150%
Max Sales Prices (using estimated condo fee, 5% down)					
1BR Detached	$161,300	$282,000	$352,800	$431,300	$548,900
2BR Detached	$181,400	$317,400	$396,900	$485,200	$617,500
3BR Detached	$201,500	$352,600	$441,100	$539,100	$686,200
1BR Condo	$143,000	$263,800	$334,600	$413,000	$530,600
2BR Condo	$160,100	$296,100	$375,600	$463,800	$596,100
3BR Condo	$177,100	$328,200	$416,700	$514,800	$662,000
4BR Condo	$170,900	$356,500	$452,000	$557,900	$663,300
Max LIP Rents (gross rent)					
Studio	$1,448	$2,316	$2,816	$3,379	$4,224
1BR	$1,655	$2,646	$3,218	$3,862	$4,827
2BR	$1,861	$2,978	$3,620	$4,344	$5,430
3BR	$2,068	$3,308	$4,023	$4,827	$6,034

Max LIP Rents (net rent using an estimated allowance)					
Studio	$1,323	$2,191	$2,691	$3,254	$4,099
1BR	$1,505	$2,496	$3,068	$3,712	$4,677
2BR	$1,661	$2,778	$3,420	$4,144	$5,230
3BR	$1,818	$3,058	$3,773	$4,577	$5,784

	Income Limits (4/1/2025)				
	HH1	HH2	HH3	HH4	HH5
Effective: 4/1/2025	**1**	**2**	**3**	**4**	**5**
50%	$57,900	$66,200	$74,450	$82,700	$89,350
80%	$92,650	$105,850	$119,100	$132,300	$142,900
100%	$112,630	$128,720	$144,810	$160,900	$173,772
110%	$123,893	$141,592	$159,291	$176,990	$191,149
120%	$135,156	$154,464	$173,772	$193,080	$208,526
150%	$168,945	$193,080	$217,215	$241,350	$260,658

Site Plan Approval Decision for a 130 Unit Apartment Building w/ 20 Inclusionary Dwelling Units

The Applicant and the Certified Lottery Agent prepare the LIP-LAU application

Planning Staff will review and inform Applicant when it's ready to go

Planning Staff will work with the Town Manager to get the LIP-LAU application on the agenda's of the Housing Partnership Board and the Select Board for approval and signature.

D. Inclusionary Dwelling Units:

19. Prior to the issuance of the first building permit, the applicant shall hire a certified lottery agent to manage the Inclusionary Dwelling Units described above through the Local Initiative Program (LIP) as a LAU (Local Action Unit) for inclusion on the Subsidized Housing Inventory (SHI).

20. Prior to the issuance of the first building permit, the applicant shall submit the LIP-LAU (Local Initiative Program for Local Action Units) application package to Planning staff and the Regional Housing Services Director for review and approval. The application shall then be submitted to the Housing Partnership Board Chair, the Chair of the Select Board, and finally to the MA Executive Office of Housing & Livable Communities (EOHLC). The LIP-LAU package shall include:

    a. A project narrative;
    b. The unit mix in tabular form;
    c. The approved site plan;
    d. Floor plans with dimensions of the rooms;
    e. An Affordable Fair Housing Marketing Plan per EOHLC guidelines;
    f. A sales price/rate calculator;
    g. A Regulatory Agreement with perpetual affordability;
    h. Inclusionary dwelling units shall be available to households earning no greater than 80% of the AMI;
    i. To the extent permitted by applicable law, the Affordable Fair Housing Marketing Plan may include a local selection preference for up to 25% of the inclusionary dwelling units, provided the town justifies the request and EOHLC accepts the justification.
    j. Parking spaces for the inclusionary dwelling units shall be discounted to 60% of the cost of the parking spaces of the market-rate units if parking is rented separately from the dwelling units.

21. Prior to obtaining a certificate of occupancy, the applicant shall submit written confirmation that the project is consistent with the approved LAU-LIP application package and verifying that the inclusionary dwelling units are substantially similar to the market rate dwelling units. This shall be submitted to the Planning Office and Building Commissioner for review and confirmation prior to occupancy of the inclusionary dwelling units.

22. Prior to occupancy of any of the market rate units, a copy of the approved and Registry recorded Regulatory Agreement for the inclusionary dwelling units shall be submitted to the Planning Office.

23. The lottery for the inclusionary dwelling units shall be held prior to issuance of an occupancy permit for the 37th market rate unit in the development.

24. When any inclusionary dwelling unit receives an occupancy permit, the applicant shall notify the Planning Office staff and Regional Housing Services Director so it may be added to the SHI.

25. The inclusionary dwelling units shall have annual verification by the monitoring agent (the Town through the Regional Housing Services Office and the EOHLC).

CONSTRUCTION, POST-DEVELOPMENT, & MONITORING

- Review building permit plans to verify inclusionary dwelling units are as approved by Planning Board & consistent with LIP-LAU application.
- Lexington utilizes OpenGov online permitting, which ensures Planning Staff review any permits before issuance. Staff also use an internal tracking sheet
- Require applicants provide written confirmation that the inclusionary units are designed to the standards required as part of the Regulatory Agreement and are substantially similar to the market rate units
- Prior to planning sign off on occupancy permits, staff performs site visit and will perform visual check on units
- Submit for SHI listing after occupancy permit issued

Commonwealth of Massachusetts

EXECUTIVE OFFICE OF HOUSING & LIVABLE COMMUNITIES

Aly Sabatino, LIP/HOP Coordinator

Edward M. Augustus Jr., Secretary

Best Practices

For Local Action Units

Submit a Complete Application

&

Start the LAU Process Early

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)

2. Long-Term Use Restrictions (request documents before submission):

   For ownership projects, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes, and/or the model deed rider.

   For rental projects, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.

   For HOME-funded projects, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.

3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:

   - appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
   - mortgagee consents to the Regulatory Agreement
   - Trustee certificates or authorization for signer(s) to execute all documents
   - Copy of Site Plan

4. For Condominium Projects Only: The Master Deed with schedule of undivided interest in the common areas in percentages set forth in the condominium master deed

5. For Rental Projects Only: A copy of the lease with lease addendum and Local Housing Authority's current Utility Allowances

6. Affirmative Fair Marketing and Lottery Plan, including:

   - ads and flyers with HUD Equal Housing Opportunity logo
   - informational materials for lottery applicants
   - eligibility requirements
   - lottery application and financial forms
   - lottery and resident selection procedures
   - request for local preference and demonstration of need for the preference
   - measures to ensure affirmative fair marketing, including outreach methods and venue list
   - name of Lottery Agent with contact information

Condition Your Decision

The affordable units and ADA units shall not be segregated from the market rate units and in accordance with Article 15, Inclusionary Zoning of the Zoning Bylaw, the affordable units shall be "dispersed throughout the development and shall be comparable to the market rate units in terms of the quality of design, materials and general appearance of their architecture and landscape."

The Applicant shall submit a Local Action Unit application to DHCD under the Local Initiative Program, enter into a Rental Regulatory Agreement with DHCD and the Town, and comply with all DHCD requirements, so as to ensure that the Affordable Units will be included in the DHCD Subsidized Housing Inventory for the Town.

The Affordable Units are to remain affordable in perpetuity. Subject to DHCD approval, this requirement shall be included in the Regulatory Agreement. The affordability requirement shall remain in effect in perpetuity, even if the requirement is not included in the Regulatory Agreement or if the Regulatory Agreement is terminated.

Affordable Units shall be marketed and rented to income-eligible households in accordance with DHCD regulations and guidelines for the Local Initiative Program ("Guidelines"), which require the approval by DHCD of an affirmative fair housing marketing plan. The costs associated with the development and implementation of the marketing plan, including advertising and processing for the Affordable Units, shall be borne by the Applicant.

Subject to the approval of DHCD, a qualified agent shall be engaged by the Applicant to administer the initial marketing and lottery for the Affordable Units, and to maintain a waiting list for subsequent rentals, in compliance with the income eligibility requirements for tenants of the Affordable Units.

The affordable units shall be designated and shown on a floor plan provided to the Planning Department prior to the issuance of any building permit.

The affordable units shall be available and the tenant selection process shall be in process at the time of any full or partial certificate of occupancy for completed units. However, at the discretion of the Building Commissioner, a certificate of occupancy may be issued and exclude the affordable units until the tenant selection process has been completed and Inspection Services has been provided documentation of the completed selection process. The affordable units shall be occupied at all times only by qualifying tenants in accordance with the Regulatory Agreement.

Talk to us Beforehand

Example:

What happens if affordable units are occupied without an approved LAU application & Marketing Plan?

Affordable Units are a Long-Term Town and City Commitment

Rent Determination:
Project sponsor must submit annually a proposed schedule of monthly rents to the municipality and EOHLC for review and approval.

Rental Annual Reporting:
Project sponsor submits Annual Compliance Report to the EOHLC and the Municipality certifying compliance of the Project with the Affordability Requirement.

Affordable Units are a Long-Term Town and City Commitment

<u>Ownership Annual Reminder:</u>

You will keep this home as your primary residence; you must live in this home. It is not permissible to rent it or allow a third party to use it without approval from [Name of Monitoring Agent].

You cannot refinance the home without prior approval from (Name of Monitoring Agent)

If you decide to improve your property we strongly suggest that you contact us before getting started. You cannot add the value of improvements to your home without prior approval from [Name of Monitoring Agent].

If you decide to sell the home, you will notify us of your intention.

Contact Information

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