

# **BROOKVIEW ESTATES**

**MENDON, MA**

**AFFORDABLE HOUSING LOTTERY INFORMATION  
PACKAGE AND APPLICATION**



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## Section One

### Questions & Answers



## AFFORDABLE HOUSING LOTTERY



**Development Name: Brookview Estates**  
**Location: Mendon, MA**

### INTRODUCTION

A private developer and officials of the Town of Mendon have collaborated to provide this affordable housing opportunity in Mendon. The development will consist of 16 Townhouse duplex homes of which 4 will be designated as affordable.

The initial sales price is **\$244,200** for the 3-bedroom homes and the estimated Condominium Association fee will be **\$150** monthly.

The homes that will be built will have 3 bedrooms, 1.5 baths and a garage. The new townhouse condominiums will be approximately 1,720 square feet.

It is estimated that the total monthly cost of your mortgage payment including Principal, Interest, Real Estate Taxes, Private Mortgage Insurance (PMI), Hazard Insurance and Condo fee of \$150 will be approximately \$1,717. This assumes a 30-year fixed rate mortgage at current Freddie Mac rate of 2.91% plus .25% with a 5% down payment. You cannot rely on this estimated amount, this is only an estimate. Your actual mortgage payment may be different based on the actual interest rate and other factors. This monthly mortgage payment is pre-tax and does not include the tax advantage of home ownership. To determine your monthly payment and net expense post tax effect, you should consult with your accountant or tax advisor.

Your down payment can be 3% of which half can be a gift. There are some housing programs such as USDA in which the down payment may be as low as \$0.

All affordable homes will have a "Deed Restriction" that will be recorded with the mortgage at the time of purchase. This deed restriction in part, limits the amount the home can be resold for or refinanced for and requires that it be resold to another affordable buyer. A summary of the Deed Restriction is included herein. You may also log onto our web site [www.DelphicAssociates.com](http://www.DelphicAssociates.com) for a complete typical Deed Rider or the Department of Housing and Community Development's web site [www.Mass.Gov/DHCD](http://www.Mass.Gov/DHCD).

## **AVAILABILITY OF APPLICATIONS**

### **INFORMATION AND APPLICATIONS ARE AVAILABLE ON THE FOLLOWING WEBSITES:**

- MassAccess Accessible/Affordable Housing Registry [www.massaccesshousingregistry.org](http://www.massaccesshousingregistry.org)
- Mass Affordable Housing Alliance – [www.massaffordablehomes.org](http://www.massaffordablehomes.org)
- Delphic Associates [www.DelphicAssociates.com](http://www.DelphicAssociates.com)

### **APPLICATIONS WILL BE AVAILABLE FOR PICK UP AT THE FOLLOWING LOCATIONS:**

Mendon Town Hall  
Town Clerk's Office  
26 Evergreen Street  
Mendon, MA 02364

Mendon Public Library  
6 Green Street  
Mendon, MA 02364

Delphic Associates, LLC  
651 Orchard Street, Suite 308  
New Bedford, MA 02744

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Should you not have access to the internet you may call Delphic Associates at 508 994-4100 and an application will be sent to you.

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It is anticipated that there will be more interested and eligible applicants than available homes. A lottery will be held as further described herein.

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## FREQUENTLY ASKED QUESTION FOR HOUSING LOTTERIES

### **Q. Why is there a Lottery?**

A: The Lottery selection process is for use in the typical situation where the number of affordable applicants exceed the number of affordable homes.

### **Q: Who is eligible to apply for Affordable Homes?**

A: **Applicants must be first-time homebuyers.** A person is a “first-time home buyer” if no person in his or her household has, within the preceding three years, owned a home or owned an interest in a home with one or more people, such as through joint ownership with the **exception of:**

- Displaced homemakers where the displaced homemaker (an adult who has not worked full-time, full-year in the labor force for a number of years but has, during such years worked primarily without remuneration to care for the home and family), while a homemaker, owned a home with his or her partner or resided in a home owned by the partner
- Single parents where the individual owned a home with his or her partner or resided in a home owned by the partner and is a single parent, unmarried or legally separated from a spouse and either has 1 or more children of whom the individual has custody or joint custody, or is pregnant
- Elderly households (where at least one household member is 55 or over);
- Households that owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; and
- Households that owned a property that was not in compliance with State, local or model building codes and that cannot be brought into compliance for less than the cost of constructing a permanent structure.

**Individuals who have a financial interest in the development and their families shall not be eligible.**

### **Q. If I Presently own a home could I qualify to purchase an affordable home?**

A: Yes. Only if you meet the exceptions to the First time Homebuyer rule as listed above. The equity in the home must be determined which is to be included in the determination of Assets.

### **Q. If I am currently in the process of a separation and plan on being legally divorce can I still apply?**

A: Your divorce does not need to be finalized when you apply for the lottery; however it must be finalized before you sign the purchase and sale agreement. You will not be allowed to purchase an affordable home until the terms regarding the allocation of assets and custody of children must be finalized, so your income and assets eligibility can be accurately be determined. If you have only filed for separation and your divorce is not finalized, you will not be allowed to purchase one of the affordable homes.

### **Q: I am disabled; will the home be modified based on my disability?**

A: Developer, staff and consultants are committed to the intent and the spirit of both **state and federal fair housing laws** in the selection of lottery applicants. They will not discriminate against any protected class in the selection of applicants. Furthermore, the developer has pledged that reasonable accommodations will be taken into consideration for an approved qualified disabled applicant, to adapt the home for the applicants’ particular disability.

**Q: What is the maximum family income and asset eligibility requirement?**

A: To be eligible to purchase an affordable home, annual income and assets of all **household members** must be below the maximum level as adjusted for family size.

**MAXIMUM INCOME - 2020**

Maximum allowable household, total income cannot exceed:

<b>Household Size</b>	1	2	3	4	5	6
<b>* Max. Income</b>	\$54,950	\$62,800	\$70,650	\$78,500	\$84,800	\$91,900

Generally on an annualized basis the US Department of Urban Development (HUD) publishes income guidelines. The applicant will be subject to the published guidelines in effect at the time of their application. Incomes as stated above represent 80% of AMI as defined by HUD.

**MAXIMUM ASSETS**

Household assets shall not exceed \$75,000

**DEFINITION OF ASSETS**

The value of necessary items of personal property, such as furniture or automobiles shall be excluded. Determination of assets shall be based upon a full and fair present cash value of the asset at the time of application to the program. If a potential purchaser divests himself or herself of an asset for less than full and fair present cash value of the asset, the full and fair cash value of the asset at the time of its disposition must be declared and shall be included for purposes of calculating eligibility.

Applicants are not permitted to reduce household assets in order to meet the appropriate asset limit (property, cash or total limits) by paying off loans or other debts or gifting money at any point after initiation of the marketing period. For projects with extended marketing periods, asset cannot be reduced by paying off loans or other debts or gifting money up to 90 days prior to the date of application. Any reductions in assets or changes in household assets during these periods will not be taken into consideration in establishing the applicant’s eligibility.

**Household Assets include the following:**

1. Cash held in savings and checking accounts, safe deposit boxes, homes, etc: For savings accounts, use the current balance. For checking accounts, use the average balance for the last six months. Assets held in foreign countries are considered assets.
2. Revocable trusts: The cash value of any revocable trust available to the applicant.
3. Equity in rental property or other capital investments: The current fair market value less (a) any unpaid balance on any loans secured by the property and (b) reasonable costs that would be incurred in selling the asset (e.g., penalties, broker fees, etc.).
4. Stocks, bonds, Treasury bills, certificates of deposit, mutual funds, and money market accounts: The value of stocks and other assets vary from one day to another and should be determined within a reasonable time in advance of the applicant’s submission of an application to participate in the subject housing program.
5. Individual retirement, 401K, and Keogh accounts: When the holder has access to the funds, even though a penalty may be assessed. If the applicant is making occasional withdrawals from the account, determine the amount of the asset by using the average balance for the previous six months. (Do not count withdrawals as income.)

## 6. Retirement and pension funds.

a) While the person is employed: Amounts the applicant can withdraw without retiring or terminating employment. Count the whole amount less any penalties or transaction costs.

b) At retirement, termination of employment, or withdrawal: Periodic receipts from pension and retirement funds are counted as income. Lump-sum receipts from pension and retirement funds are counted as assets. Count the amount as an asset or as income, as provided below. If benefits will be received in a lump sum, include the lump-sum receipt in net household assets. If benefits will be received through periodic payments, include the benefits in annual income. Do not count any remaining amounts in the account as an asset.

If the applicant initially receives a lump-sum benefit followed by periodic payments, count the lump-sum benefit as an asset as provided in the example below and treat the periodic payment as income. In subsequent years, count only the periodic payment as income. Do not count the remaining amount as an asset.

NOTE: This paragraph assumes that the lump-sum receipt is a one-time receipt and that it does not represent delayed periodic payments. However, in situations in which a lump-sum payment does represent delayed periodic payments, then the amount would be considered as income and not an asset.

7. Cash value of life insurance policies available to the applicant before death (e.g., the surrender value of a whole life policy or a universal life policy): It would not include a value for term insurance, which has no cash value to the applicant before death.

8. Personal property held as an investment: Gems, jewelry, coin collections, or antique cars held as an investment. Personal jewelry is NOT considered an asset.

9. Lump-sum receipts or one-time receipts: Inheritances, capital gains, one-time lottery winnings, victim's restitution, settlements on insurance claims (including health and accident insurance, worker's compensation, and personal or property losses), and any other amounts that are not intended as periodic payments.

10. A mortgage or deed of trust held by an applicant: Payments on this type of asset are often received as one combined payment of principal and interest with the interest portion counted as income from the asset. This combined figure needs to be separated into the principal and interest portions of the payment. (This can be done by referring to an amortization schedule that relates to the specific term and interest rate of the mortgage.)

To count the actual income for this asset, use the interest portion due, based on the amortization schedule, for the 12-month period following the certification. To count the imputed income for this asset, determine the asset value at the end of the 12-month period following the certification.

### **Household Assets DO NOT include the following:**

- Personal property (clothing, furniture, cars, wedding ring, other jewelry that is not held as an investment, vehicles specially equipped for persons with disabilities).
- Interests in Indian trust land.
- Term life insurance policies (i.e., where there is no cash value).
- Equity in the cooperative home in which the applicant lives.
- Assets that are part of an active business: "Business" does NOT include rental of properties that are held as investments unless such properties are the applicant's main occupation.
- Assets that are NOT effectively owned by the applicant: Assets are not effectively owned when they are held in an individual's name, but (a) the assets and any income they earn accrue to the benefit of someone else who is

not the applicant, and (b) that other person is responsible for income taxes incurred on income generated by the assets.

**Q: How do you determine household income?**

A. The Lottery Agent will determine a household's income based on all sources of income for all Household members ages 18 or older with the exception of full-time students.

**Q: What constitutes a household?**

A. A household constitutes the number of persons who plan to reside the home regardless of marital status. Gross income from all household members over the age of 18 (except for full time students) shall be considered in determining compliance with income eligibility requirements.

**Q. I am expecting a child do I add the child to our household size?**

A: You must submit documentation from your Obstetrician/Gynecologist or Adoption Agency stating you are expecting a child. This will determine if the child can be included in the household.

**Q. How will applicants for the affordable homes be selected?**

**Only complete applications will be entered into the lottery.**

A: Each applicant shall be assigned a confirmation code once all required information is received. Those confirmation codes are placed in each lottery pool (family size) in which they qualify.

**Late applications will not be considered for the lottery. NO EXCEPTIONS.** Applicants will be ranked according to their lottery number drawn in each category.

After the lottery, the highest ranked participants' applications (by category) will be submitted for approval of eligibility by the Monitoring Agent. Upon approval and within 120 day of the anticipated completion of the home, the approved applicants will be invited to enter into a Purchase and Sale agreement and subsequently thereafter apply for a mortgage loan to purchase an affordable home. Affordable homes will be offered among the highest-ranking applicants who are found to be eligible and qualify for a mortgage loan. Applicants shall not be allowed to pick the style or location of the home. They shall be offered to purchase the next affordable home.

**Q. When will the affordable home be available for occupancy?**

A. The minimum rate of construction of the affordable home is based on the comprehensive permit.

**Q. Is there any preference or priorities for any applicants?**

A. Preference shall be given to households requiring the total number of bedrooms in the home based on the following criteria:

- There is at least one occupant and no more than two occupants per bedroom.
- A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- A person described in the first sentence of (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.

*Example: A household with two parents and two children (family of 4) would have the same preference as a single parent with two children (family of 3) because they both NEED three bedrooms. However, a household with 2 parents and one child (family of 3) would be second preference because they only NEED two bedrooms.*

**Q: Do I have to be a resident of the Town to apply?**

A: No. All households that meet the income guidelines specified above may apply for an affordable unit.

**Q: How is the Lottery conducted?**

A: Each applicant shall be assigned a registration code once all required information is received. Those registration codes are placed in each and every lottery pool in which they qualify.

**Q: Who will receive priority for the opportunity to purchase the affordable homes?**

A: Applicants participating in the lottery will be categorized based upon one of two groups as shown below.

B. A preference within each category will be determined based on family size as explained above.

**Q: What are the group categories?**

A: Two drawing pools will be required. One pool is for the “Local Applicants” and the other pool is for the “At- Large Applicants”. The number of homes designated in each category are listed below:

LOCAL POOL	2	AT-LARGE POOL	2
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Each group is defined as follows:

**LOCAL POOL:**

- **Priority for current town residents:**

A household in which one or more members is living in the town at the time of application. Documentation of residence should be provided such as rent receipts, utility bill, census listing or voter registration.

- **Priority for Municipal Employees:**

Employees of the municipality, such as teachers, janitors, firefighters, police officers, Librarians or Town Hall employees.

- **Employees of Local Businesses:**

Employees of businesses located within the municipality.

- **Household with children attending the Mendon school district.**

**AT-LARGE POOL:**

All applicants other than local preference applicants.

If either lottery pool is exhausted, applicants from the remaining pool will then be offered the next available home until all remaining lottery pools have been exhausted or all homes have been sold. At which time applications will be accepted on a “First Come, First Serve” basis.

**Q: How is the Lottery conducted?**

A: Each applicant shall be assigned a registration code once all required information is received. Those registration codes are placed in each and every lottery pool in which they qualify.

After the application deadline has passed, a determination shall be made to determine the number of local resident minority households in the municipality and the percentage of minority applicants in the local preference pool. If the percentage of minority applicants in the local resident households and in the local preference pool is less than the percentage of minorities in the surrounding HUD-defined area, the following adjustment to the local preference pool shall be made:

A preliminary lottery comprised of all minority applicants who did not qualify for the local preference pool shall be held, and the applicants shall be ranked in order of the drawing. Minority applicants shall be added to the local preference pool in order of their rankings until the percentage of minority applicants in the local preference pool is equal to the percentage of minorities in the surrounding HUD-defined area.

**MINORITY APPLICANTS:**

A minority applicant is defined as:

- Black or African American
- Asian
- Native American or Alaska Native
- Native Hawaiian or Pacific Islander
- Hispanic or Latino
- Other (not White)

**Q: I have been selected in the lottery; do I automatically get a home?**

A: No. Because you rank high in the lottery process does not mean that you automatically “win” a home. It means that you have won the opportunity not the obligation to purchase a home. You must still meet all program eligibility requirements and will need to receive a financing commitment to purchase the property. If you meet the eligibility requirements but are unable to secure financing you will lose the opportunity to purchase the home.

**Q: I did not receive a high ranking in the lottery process will I be able to purchase a home?**

A: Many times there is a movement on the ranking list. Applicants who received a high lottery ranking may have withdrawn their application or may not be able to obtain a financing commitment or decided not to go forward for a variety of reason. From time to time applicants can inquire of their status on the lottery list.

If there is an insufficient number of qualified applicants after all lottery lists have been exhausted, then, applications will be received on a “Rolling Basis” and homes will be given to qualified applicants on a first come first serve basis (“FCFS”).

**Q. Once I am entered into the lottery drawing will additional documents be required.**

A: Not for eligibility into the lottery drawing.

**Q. If I presently own a home could I qualify to purchase an affordable home?**

A: Yes, with special limitations as specified within this Section. However, the home must be sold prior to purchasing (closing) on the affordable home. In addition, you must not exceed the maximum assets, including equity as defined within this Section.

**Q. Once the lottery drawing has been held, will additional documents be required?**

A: Not for eligibility into the lottery drawing. However, additional documents may be required after the lottery drawing such as but not limited to five most recent paystubs, W2's, state and federal tax returns for the last three years, financial statements, etc.

### **FINANCING:**

**Q: Do I need to attend homebuyer education classes?**

A: All financing programs offered by “MassHousing” [www.MassHousing.com](http://www.MassHousing.com) and “MassHousing Partnership” [www.MHP.net](http://www.MHP.net) and USDA [www.rurdev.usda.gov](http://www.rurdev.usda.gov) require the borrower to complete a pre-homebuyer education course or you can go to [www.MAHHome.org](http://www.MAHHome.org) ([Massachusetts Affordable Housing Alliance \(MAHA\)](http://www.MAHHome.org))

We strongly suggest that all applicants complete a pre-purchasing homebuyer course prior to Entering the lottery. A schedule of upcoming first-time homebuyer Information Session is posted on CHAPA's website at [www.chapa.org](http://www.chapa.org) under “Looking for Housing?”

**Q. Do we need to get a pre-approval from a lender?**

A: A pre-approval is required for the application process

**Q. How or where do I apply for a mortgage?**

A: We strongly recommend that applicants apply for financing with banks that are familiar with the affordable housing deed restrictions (see Deed Rider Summary) and guidelines for affordable housing programs.

There are many institutional lenders and mortgage brokers that are familiar with the qualifying process to purchase the affordable homes. We are willing to share these references upon request by email or phone request. In addition there are other lenders and mortgage brokers who may participate in this process. Your lender must be an institutional lender.

There are many programs available for First Time Home Buyers including those offered by MassHousing. We suggest you or your lender refer to the MassHousing website [www.MassHousing.com](http://www.MassHousing.com)

There are programs being offered by the MassHousing Partnership (MHP) such as the “ONE Mortgage” which is offered to buyers typically at a rate of 1% less than lenders typical best rate to a conventional buyer. We suggest that you contact a lender who is on the list of lenders participating in the program as shown on the MHP website. [www.MHP.net](http://www.MHP.net)

**Q. Are there any requirements on the type of loan I receive?**

A. Yes. The program requirements are:

- Down payment must be 3% of which 1.5% must come from the buyers own funds.
- Mortgage amount cannot exceed 97% of the purchase price. (\*)
- Mortgage loan must be 30-fixed rate.
- The loan has a current fair market interest rate of no more than 2 percentage points above the current Mass Housing rate. ([www.MassHousing.com](http://www.MassHousing.com))
- The Buyer may pay no more than 2 points.

Households should demonstrate availability of sufficient funds for a down payment, closing costs and pre-paids. Applicants should inquire with their lender as to what closing costs will be. Closing costs can include but may not be limited to fees for Loan Origination, Appraisal, Credit Reports, Inspection, Document Preparation, Attorney and Title Insurance. Pre-Paids can include interest that accrues from the date of settlement to the first monthly payment. Pre-Paids can also include insurances such as Hazard, Flood, and Mortgage Insurance.

Non-Household members cannot be co-signers on the mortgage.

**Q: What are the minimum income requirements?**

A: To qualify for a mortgage loan the total annual household income as determined by the lender and DHCD, must be adequate to support the requested mortgage amount.

Monthly housing costs (inclusive of principal, interest, property taxes, hazard insurance, private mortgage insurance and condominium fees) shall not exceed 38% of monthly income for a household earning 80% of area median income, adjusted for household size.

**Q: Once I am approved by the lender are there additional approvals required.**

A: Yes. Typically, your lender will re-qualify you for the loan a few days prior to closing, including but not limited to an additional credit check, job verification, marital status, etc. As a result your lender could deny your loan even though it may have been previously approved.

Therefore, before any household members decide to make any lifestyle changes, such as but not limited to; job changes, marital status, substantial additional debt for payments for large purchases, etc., consult with your lender as to what effect this could have on your loan.

**Q. Are there restrictions for ownership and upon resale?**

A: Yes, the intention of the Affordable Housing Programs is to give persons the opportunity to purchase homes at reduced prices that otherwise may not qualify for a conventional purchase. There is a likely possibility that the home you are purchasing could be worth substantially more on the open market without the deed restriction. However, you would not be able to sell the home at market rate prices and pocket the difference

All affordable homes will have a “Deed Restriction” that will be recorded with the mortgage at the time of purchase. This deed restriction in part, limits the amount the home can be resold for or refinanced for and requires that it be resold to another affordable buyer. The deed restriction insures that the home stays affordable for perpetuity. You may find a summary of the Deed Restriction herein.

Prior to resale or refinance you must notify the community and the Monitoring Agent, DHCD, in accordance with the requirements in the Deed Rider.

The Monitoring Agent, DHCD, will determine the Maximum Resale or refinancing amount. The price you paid for the property will be divided by the Base Income Number (which is the Area Median Income for a 4-person household). This determines the Resale Price Multiplier which is inserted into your Deed Rider. The Resale Price Multiplier will be multiplied by the Base Income Number at the time of your resale of the Property to determine the Maximum Resale Price. In addition, the resale fee as indicated in the Deed Rider would be added to the Maximum Resale Price along with capital improvements of the home that had been approved by the Monitoring Agent, Housing Solutions for Southeastern MA which is to be credited upon resale.

**Q. If my circumstances change, can I rent my home?**

**A:** No. For as long as you own the Affordable home it must be your principal residence and may not be rented out. If you are no longer able to live in the home then it must be sold. However, with extenuating circumstances there could be an exception granted to this rule.

**Q. What if I do not fully understand the conditions of the Deed Rider?**

**A:** Attached to the application section (Section Two) of the lottery package is a Deed Rider Summary explaining some of its key components. If you have further questions and our office is unable to answer those questions to your satisfaction **we urge that you seek legal counsel.**

The Deed Rider is a critical legal document explaining your responsibility regarding re-sale, re-finance and household improvements.

**Q. What if my understanding of the English language is limited?**

**A.** Delphic and the developer are committed to broadening access for persons with limited English proficiency (LEP) as a general Fair Housing principal.

Delphic Associates LLC and the developer have the capacity to address matters relating to limited English proficiency (LEP). This capacity includes language access planning and providing reasonable language assistance, at no cost to the applicant.

Persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be considered a LEP person. The developer, shall upon request, make reasonable accommodations, at no cost to the applicant to assist an LEP applicant of their understanding of important vital documents including but not limited to:

- Application materials
- Consent documents
- Notices concerning program eligibility
- Lease materials
- Other compulsory program materials

*Keep this document accessible. It contains valuable contact information.*

## **NEW ENGLAND FUND (NEF) HOMEBUYER DISCLOSURE STATEMENT**

This Deed Rider Summary summarizes your rights and obligations in purchasing this home. You are about to purchase a home at less than the home's fair market value, under the New England Fund (NEF) Program. When you sell the home, that same opportunity will be given to the new buyer. In exchange for the opportunity to purchase the home at less than its fair market value, you must agree to certain use and transfer restrictions. These restrictions are described in detail in the Deed Rider that will be attached to the deed to your home and recorded at the Registry of Deeds.

### **PLEASE REMEMBER:**

- You must occupy this home as your primary residence;
- You must obtain consent from the monitoring agent and the Municipality before renting, refinancing or granting any other mortgage, or making any capital improvements to your home;
- You must give written notice to the Monitoring Agents when you decide to sell your property.

The contact information for the Monitoring Agents is listed in the Deed Rider.

Please read the Deed Rider restriction in its entirety because it describes and imposes certain important legal requirements. It is strongly recommended that you consult an attorney to explain your legal obligations and responsibilities.

### **Primary Residence**

You must occupy your property as your primary residence.

### **Renting, Refinancing and Capital Improvements**

You must obtain the prior written consent of the Monitoring Agents before you do any of the following:

- Rent your home;
- Refinance an existing mortgage or add any other mortgage including a home equity loan; or
- Make any Capital Improvements (for example, a new roof or a new septic system - see attached Capital Improvements Policy) if you wish to get credit for those costs (at a discounted rate) when you sell your home.

Before taking any action, please contact the Monitoring Agent for instructions on renting, mortgaging, or making capital improvements to your home. If you do not obtain the required consent from the Monitoring Agents, you can be required to pay all of the rents or proceeds from the transaction to the Municipality.

### **Resale Requirements**

When you sell your home, you are required to give written notice to the Monitoring Agents of your desire to sell so that they may proceed to locate an Eligible Purchaser for your home. Your sale price will be computed by the Monitoring Agent based on the formula set forth in the Deed Rider to reflect your original purchase price plus certain limited adjustments.

The allowed sale price is defined as the "Maximum Resale Price" in the Deed Rider. It is calculated by adjusting the purchase price you paid for the home to reflect any change in the area median income from the time you purchased the home to the time of the resale plus:

- (a) The Resale Fee as stated in the Deed Rider;
- (b) Approved marketing fees, if any; and
- (c) Approved Capital Improvements, if any.

The Maximum Resale Price can never be more than the amount which is affordable to an Eligible Purchaser earning 70% of the area median income, as determined by a formula set forth in the Deed Rider. The sales price will also never be less than the purchase price you paid, unless you agree to accept a lower price.

The Monitoring Agents have up to 90 days after you give notice of your intention to sell the home to close on a sale to an Eligible Purchaser, or to close on a sale to a Monitoring Agent, or to a buyer that one of them may designate. This time period can be extended, as provided in the Deed Rider, to arrange for details of closing, to locate a subsequent purchaser if the first selected purchaser is unable to obtain financing or for lack of cooperation on your part.

It is your obligation to cooperate fully with the Monitoring Agents during this resale period.

If an Eligible Purchaser fails to purchase the home, and none of the Monitoring Agents (or their designee) purchases the home, you may sell the home to a purchaser who does not qualify as an Eligible Purchaser (in this event, this purchaser is referred to as an ineligible purchaser), subject to the following:

- (i) the sale must be for no more than the Maximum Resale Price;
- (ii) the closing must be at least 30 days after the closing deadline described above;
- (iii) the home must be sold subject to a Deed Rider; and
- (iv) if there are more than one interested ineligible purchasers, preference will be given to any purchaser identified by Monitoring Agent as an appropriately-sized household whose income is more than 80% but less than 120% of the area median income.

Any sale by you to an Eligible Purchaser, or to an ineligible purchaser (as described in the Deed Rider), is subject to the normal and customary terms for the sale of property, which are set forth in the Deed Rider and which will be included in your Purchase and Sale Agreement.

There is no commitment or guarantee that an Eligible Purchaser will purchase the home, or that you will receive the Maximum Resale Price (or any other price) for your sale of the home. A sale or transfer of the home will not be valid unless (1) the total value of all consideration and payments of every kind given or paid by the selected purchaser do not exceed the Maximum Resale Price, and (2) the Compliance Certificate that confirms that the sale or transfer was made in compliance with the requirements of the Deed Rider is executed by the Monitoring Agents and recorded at the Registry of Deeds by the closing attorney.

If you attempt to sell or transfer the home without complying with the Deed Rider requirements, the Monitoring Agents may, among their other rights, void any contract for such sale or the sale itself.

### **Foreclosure**

In the event that the holder of a mortgage delivers notice that it intends to commence foreclosure proceedings, the Deed Rider gives the Municipality an option to purchase the home (or to designate another party to purchase the home) for a period of 120 days after notice of the Lender's intent to foreclose.

If this foreclosure purchase option is exercised, the purchase price will be the greater of (i) the amount of the outstanding balance of the loan secured by the mortgage, plus the outstanding balance of the loans secured by any mortgages senior in priority, up to the Maximum Resale Price as of the date the mortgage was granted, plus any future advances, accrued interest and/or reasonable costs and expenses that the mortgage holder is entitled to recover, or (ii) the Maximum Resale Price at the time of the foreclosure purchase option, except that in this case the Maximum Resale Price may be less than the purchase price you paid. By signing the Deed Rider, you are agreeing that you will cooperate in executing the deed to the Municipality (or its designee) and any other required closing documents.

If the foreclosure purchase option has not been exercised within 120 days of delivery of the foreclosure notice to the Monitoring Agents, the mortgage holder may conduct a foreclosure sale. The mortgage holder or an ineligible purchaser may purchase the home at the foreclosure sale, subject to the Deed Rider.

If the sale price at the foreclosure sale is greater than the purchase price that would have applied for the Municipality's foreclosure purchase option as described above, the excess will be paid to the Municipality. By signing the Deed Rider, you are agreeing to assign any rights and interest you may otherwise have in the balance of any foreclosure proceeds available after satisfaction of all obligations to the holder of the foreclosing mortgagee, for delivery to the Municipality.

There is no commitment or guarantee that the Municipality will exercise the foreclosure purchase option, or that your Lender will receive the Maximum Resale Price (or any other price) in any foreclosure sale of the home. In addition, the foreclosing lender retains the right to pursue a deficiency against you.

**Violation of Restriction Requirements**

If you violate any of the Restriction terms, you will be in default and the Monitoring Agents may exercise the remedies set forth in the Deed Rider.

If one or more of the Monitoring Agents brings an enforcement action against you and prevails, you will be responsible for all fees and expenses (including legal fees) for the Monitoring Agent(s). The Monitoring Agent(s) can assert a lien against the home to secure your obligation to pay those fees and expenses.

**Acknowledgements**

By signing below, I certify that I have read this Home Buyer Disclosure/Deed Rider Summary and understand the benefits and restrictions described. I further certify that I have read the Deed Rider and understand the legal obligations that I undertake by signing that document.

I also certify that I have been advised to have an attorney review this document and the Deed Rider with me.

Dated: \_\_\_\_\_, 2020

Homebuyer \_\_\_\_\_ Witness \_\_\_\_\_

Homebuyer \_\_\_\_\_ Witness \_\_\_\_\_

# **LDS Consulting Group**

## **Policies and Procedures on Capital Improvements**

### **Definition:**

Defined a capital improvement as a necessary maintenance improvement but not covered by a condominium fee, that if not done would compromise the structural integrity of the property. Examples of necessary capital improvements include the following:

- New roof
- The replacement of windows due to damage or long-term wear
- The replacement of siding, shingles or clapboard due to damage or long term wear
- Exterior painting due to deterioration
- Heating or plumbing replacement
- Structural deficiencies such as termites or other pest damage, water damage or other maintenance as required
- Septic tank replacement
- Appliance replacement (stove, dishwasher, refrigerator)
- Other improvements identified by the owner and reviewed by the Monitoring Agent

Improvements such as the installation of air conditioning, outdoor decks, flooring (except in cases of replacement due to damage or long term wear), additions or finishing of unfinished spaces, garages, landscaping and other items identified by the owner that are upgraded or luxury improvements will not be considered capital improvements and cannot be added to the resale price when the property is sold.

### **Getting Capital Improvements Approved:**

Capital improvements must be approved by the monitoring agent in order to be considered and added to the resale price. The monitoring agent requires that a request be made in writing for the improvement including a description of the work to be done, an estimate of the cost and an explanation of why the work is a capital improvement. If the request is approved, the monitoring agent will require a copy of the paid invoice after the completion of the work.

If the owner is purchasing materials and is completing the project on their own, only the cost of materials can be taken into consideration.

If a condominium or homeowners' association has a special assessment, the monitoring agent will take into consideration the cost to the homeowner on a case by case basis. Additional documentation may be requested.

At the time of resale, the monitoring agent will determine the current value of improvement. For example, if a new heating system is installed for \$5,000 and the owner sells the property 5 years later, the full \$5,000 will not be added to the resale price. As with market rate properties, the value of the heating system is the greatest when it is new and it depreciates over time.

Contacting the Monitoring Agent: Requests for capital improvements or questions can be directed to:

LDS Consulting Group  
Lynne Sweet  
233 Needham Street  
Newton, MA 02464  
Phone: (617) 454-1144  
Email: [ldsweet@ldsconsultinggroup.com](mailto:ldsweet@ldsconsultinggroup.com)  
Fax: (617) 454-1145  
[www.ldsconsultinggroup.com](http://www.ldsconsultinggroup.com)

# **APPLICATION DEADLINE**

**January 6, 2021 at 5pm**

# **PUBLIC ZOOM VIRTUAL Q&A WORKSHOP**

**December 1, 2020 at 7pm**

Meeting ID: 990 7462 6155

Passcode: 857738

## **IT IS STRONGLY SUGGEST THAT APPLICANT'S ATTEND THE WORKSHOP**

A representative from Delphic Associates, the developer and representatives of lending institutions will be available to answer any questions about the eligibility requirements, priorities for selection and the lottery process.

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# **LOTTERY DRAWING**

**January 13, 2021 at 7pm**

All applicants will be notified on how to join the Live ZOOM Lottery Drawing

**WE RECOMMEND SUBMITTING APPLICATIONS AS EARLY AS POSSIBLE. DO NOT WAIT UNTIL THE DEADLINE TO MAIL IN YOUR APPLICATION.** To ensure your application is received, we recommend mailing applications via certified mail prior to the due date of **November 12, 2020**. We are not responsible for lost or late applications.

**Delphic Associates LLC  
651 Orchard Street, Suite 308  
New Bedford, MA 02744**

**RE: Brookview Estates Housing Lottery**

**Late and incomplete applications will not be entered into the lottery.**

**\*\* NO WALK-INS PLEASE \*\***

---

## **LOTTERY NOTIFICATION AND IMPORTANT DATES:**

**January 11, 2021 on or about:** Applicants shall be notified that their applications have been received and the confirmation code that has been assigned to their application.

**Applicants are encouraged to attend the informational workshop and the lottery drawing.**

All applicants will be notified of their lottery status on or about **January 20, 2021**. The Monitoring Agent will be reviewing income and asset information for final eligibility approval.

## Section Two

# AFFORDABLE HOUSING LOTTERY APPLICATION



**Brookview Estates  
Mendon, MA**



**AFFORDABLE HOUSING LOTTERY APPLICATION**

Date: \_\_\_\_\_

<b>Name</b>	<b>Home Phone</b> ( )
<b>Address</b>	<b>Cell Phone</b> ( )
<b>Address</b>	<b>Work Phone</b> ( )
	<b>Email Address</b>

**Number of Household Members (circle one): 1 2 3 4 5 6 7 8**

Complete the following section for each Household Member

	<b>Applicant</b>	<b>Member #2</b>	<b>Member #3</b>	<b>Member #4</b>
Name				
Age				
D.O.B.				
Employer				
School Name				
Relationship				
	<b>Member #5</b>	<b>Member #6</b>	<b>Member #7</b>	<b>Member #8</b>
Name				
Age				
D.O.B.				
Employer				
School Name				
Relationship				

The developer, staff and consultants are committed to the intent and spirit of both state and federal fair housing laws in the selection of lottery applicants. They will not knowingly discriminate against any protected class in the selection of applicants



**MARKETING INFORMATION:**

(Write your answer in the space provided and please be as specific as possible)

How did you find out about this affordable housing opportunity?

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Have you or will you apply to other housing lotteries? (Circle one) YES NO

Please list the names of the developments and their location for which you are applying for.

---

**INCOME AND ASSET INFORMATION:**

Please complete the following section listing income for **ALL** household members including children. Include the most recent statements for each account and all other supporting documentation.

Type of Acct. or Income	Name:			Type of Acct. or Income	Name:			
	Acct. Number	Balance	Amt. Pd. Monthly		Acct. Number	Balance	Amt. Pd. Monthly	
Checking				Checking				
Savings				Savings				
Unemployment				Unemployment				
Worker's Comp.				Worker's Comp.				
SS Disability				SS Disability				
Alimony				Alimony				
Child Support				Child Support				
Type of Acct. or Income	Name:			Type of Acct. or Income	Name:			
Acct. Number	Balance	Amt. Pd. Monthly	Acct. Number	Balance	Amt. Pd. Monthly	Acct. Number	Balance	Amt. Pd. Monthly
Checking				Checking				
Savings				Savings				
Unemployment				Unemployment				
Worker's Comp.				Worker's Comp.				
SS Disability				SS Disability				
Alimony				Alimony				
Child Support				Child Support				

If you need additional space, please use a separate piece of paper.

**Credit Score:** Applicant \_\_\_\_\_ Co-Applicant \_\_\_\_\_

## EMPLOYMENT INFORMATION:

Name:	_____	Name:	_____
Occupation:	_____	Occupation:	_____
Employer Name:	_____	Employer Name:	_____
Employer Address:	_____	Employer Address:	_____
Employer Phone:	_____	Employer Phone:	_____
Employer Email:	_____	Employer Email:	_____
Supervisor's Name:	_____	Supervisor's Name:	_____
Date of Hire:	_____	Date of Hire:	_____
Hourly Wage:	_____	Hourly Wage:	_____
Average Weekly Tips:	_____	Average Weekly Tips:	_____
Hours per Week:	_____	Hours per Week:	_____
Weekly Gross Amount:	_____	Weekly Gross Amount:	_____
Annual Salary:	_____	Annual Salary:	_____
Avg. Gross Last 4 wks x 52:	_____	Avg. Gross Last 4 wks x 52:	_____

If Applicant or Co-Applicant has more than one (1) job or other adult household members over the age of 18 that are employed, please attach a separate sheet of employment information.

## ASSET INFORMATION:

Include but not limited to stocks, bonds, retirement accounts such as 401K, Keogh, etc. For a comprehensive explanation, please refer to the section of the application titled "Frequently Asked Questions".

- **MONETARY GIFTS:** Applicants may receive monetary gifts from friends or relatives to assist with down payment. Applicants must be able to prove that 1.5% of down payment is from their own funds when submitting application.

Do you expect a monetary gift? (Circle one)

YES

NO

If yes, attach a gift letter, from the person giving the gift, indicating their source of funds and that no repayment is expected.

- **STOCKS, BONDS & CD'S:** Applicant must list the average value and provide documentation such as bank account numbers and value.

Do you have any stocks, bonds or CD's? (Circle one)

YES

NO

If yes, list value \$\_\_\_\_\_ and enclose the last three quarterly portfolio statements.

- **RETIREMENT, 401K AND KEOUGH ACCTS:**

Do you have any of these accounts? (Circle one)

YES

NO

If yes, are you employed or retired? \_\_\_\_\_

Are you making occasional withdrawals? (Circle one)

YES

NO

If yes, how much are you receiving per month? \$\_\_\_\_\_

What is the total value of **all** accounts? \$\_\_\_\_\_ Enclose last 3 quarterly statements.

## SECTION 8:

Do you currently have a Section 8 Voucher from a Housing Authority? (Circle one)

YES

NO

If yes, which agency issued your voucher or subsidy? \_\_\_\_\_

**ANTICIPATED CHANGES IN INCOME:**

Are you expecting a change in any household members income in the next 12 months? (Circle one)    YES            NO

If yes, please explain. \_\_\_\_\_

**REAL ESTATE:**

Are you, or anyone on this application, entitled to receive any amount of money from the sale of ANY property currently owned or through an upcoming court settlement? (**Circle one**)    YES            NO

If yes, please explain. \_\_\_\_\_

For property you plan on selling you must submit all of the following:

- Attach a copy of a broker's opinion of the property
- Attach a statement from your lender showing your current balance on your mortgage or outstanding loans

# HOME BUYER CERTIFICATION

Initial  
Here

- \_\_\_\_\_ I/We certify that I/We have read the entire lottery package including the Frequently Asked Questions.
- \_\_\_\_\_ I/We certify that we are first time homebuyers as defined within the Frequently Asked Questions.
- \_\_\_\_\_ I/We certify that our household is \_\_\_\_\_ persons; and that our household income does not exceed the income limits provided in the Lottery Information Packet.
- \_\_\_\_\_ I/We certify that our household is able to provide the minimum down payment required and closing costs.
- \_\_\_\_\_ I/We certify that I/we have read the Deed Rider Summary and understand the purchaser obligation there under or shall seek legal or other counsel for further explanation and understanding.
- \_\_\_\_\_ I/We certify that we comply with the maximum asset limitations of \$75,000.
- \_\_\_\_\_ I/We certify that Lottery Agent or any other employee shall not be held liable for any decisions made pertaining to the applicants' eligibility or their application.
- \_\_\_\_\_ Information missing from the application, including, but not limited to the following could be considered an incomplete application, thus being ineligible for the lottery.
- Lender pre-approval letter (not pre-qualification)
  - Income documentation (as indicated on checklist)
- \_\_\_\_\_ We understand that the **initial determination of eligibility** (for entry into the lottery) does not guarantee that we are eligible to purchase one of the affordable homes. A final determination of eligibility will be made by the Monitoring Agent. This determination will require additional documentation including but not limited to 3 years tax returns, 5 most recent pay stubs, last 3 months bank statements, etc.
- \_\_\_\_\_ I/We understand that if selected I/we will be offered a specific home. I/we will have the option to accept or reject. If I/we reject the available home I/we will be moved to the bottom of the waiting list and may not have another opportunity to purchase at this development.
- \_\_\_\_\_ Program requirements and guidelines are established by the DHCD, MassHousing and the Monitoring Agent. I/We agree to be bound by whatever program changes that may be imposed at any time throughout the process. If any program conflicts arise, I/we agree that any determination made by the project-monitoring agent, is final.
- \_\_\_\_\_ I/We certify that no member of our family has a financial interest in this development.
- \_\_\_\_\_ I/We have completed the application and have reviewed and understand the process in qualifying to purchase one of the affordable homes.
- \_\_\_\_\_ I/We believe we are qualified based upon the information in the Lottery Packet.
- \_\_\_\_\_ I/We certify that the information in this application and in support of this application is true and correct to the best of my/our knowledge and belief under full penalty of perjury.

\_\_\_\_\_  
**APPLICANT SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CO-APPLICANT SIGNATURE**

\_\_\_\_\_  
**DATE**

**AUTHORIZATION TO RELEASE**

I/We hereby authorize the developer, Lottery Agent, Monitoring Agent and the Municipality to inquire of credit agencies, employer(s), banking institutions and lending institutions to allow and assist them to determine my/our determination of eligibility for a mortgage loan to purchase a home.

In addition, I/we hereby authorize any lender, Mortgage Company or mortgage broker to whom we apply for a mortgage to release any and all information regarding our loan application and approval.

This authorization includes all mortgage application information provided to the lender including, but not limited to credit reports, bank accounts, stock holdings and any other asset needed to process my loan application.

Authorization also allows the inquiries of my employer regarding employment information.

It is understood that a photo copy of this document shall also serve as an authorization to provide the information requested.

\_\_\_\_\_  
**APPLICANT SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CO-APPLICANT SIGNATURE**

\_\_\_\_\_  
**DATE**

# **CHECK LIST**

## **DID YOU REMEMBER TO ENCLOSE THE FOLLOWING:**

**Your application may not be considered complete without the following documents. Incomplete or ineligible applications will not be entered into the lottery.**

- Completed and signed application
- Last five pay stubs (*regardless of weekly or bi-weekly pay periods*)
- Last three years Federal tax returns including W-2's, 1099's, etc.
- Pre-Approval letter from a bank stating your household qualifies for a mortgage to purchase an affordable home. Pre-Approval must state interest rate and term (30 yr fixed)
- Any additional income documentation such as but not limited to social security, pension, and alimony.
- Last three months checking and savings account bank statements from each bank that you hold accounts in. (*All financial documents must show the account holders name, address and account number. **All pages** of banking statements must be submitted even if blank.*)
- Last three quarterly statements for asset information including evidence of the value of CDs, brokerage statements, etc.
- Signed Homebuyer Disclosure Statement
- Narrative stating applicant's history for last 2 years including work, and information such as marriage, divorce and personal information you may want us to know. (attach to application)
- Child support documentation
- Copy of your credit score(s)
- Copy of your divorce decree or separation agreement if within the past three years

**Here's a Tip for you! It is always best to send in your application and documentation a few weeks earlier than the due date to allow yourself time to obtain additional or missing information if it is needed.**

All applications must be received **BY MAIL RETURN RECEIPT or HAND DELIVERED** no later than **January 6, 2021**. It is recommended that the application be submitted as soon as possible and should be mailed in sufficient time to arrive no later than the due date, preferably one week early. Late and incomplete applications received after the due date of **January 6, 2021** will not be accepted under any circumstances.

In order to obtain proof of delivery, we suggest that you mail your application and supporting documentation "Certified Return Receipt" or if hand delivered with a request of proof of delivery to:

**Delphic Associates, LLC  
651 Orchard Street - Suite 308  
New Bedford, MA 02744  
REF: Brookview Estates**

A "Certified Return Receipt" or proof of hand delivery will provide you proof of when your application was received. We are not responsible for lost or late applications.

## Section Three

# ARCHITECTURALS

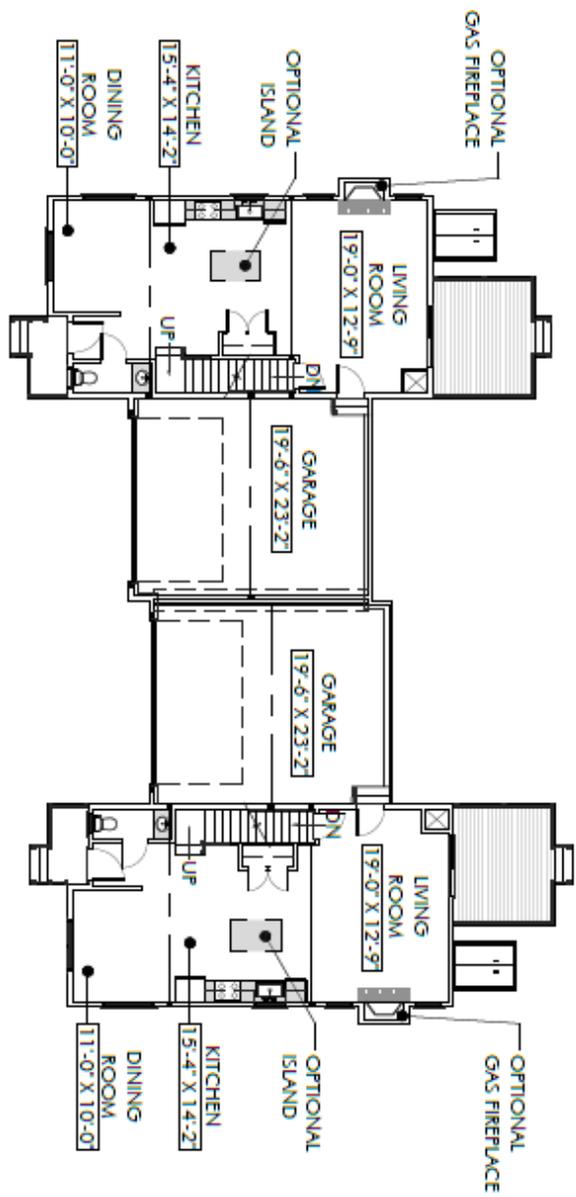
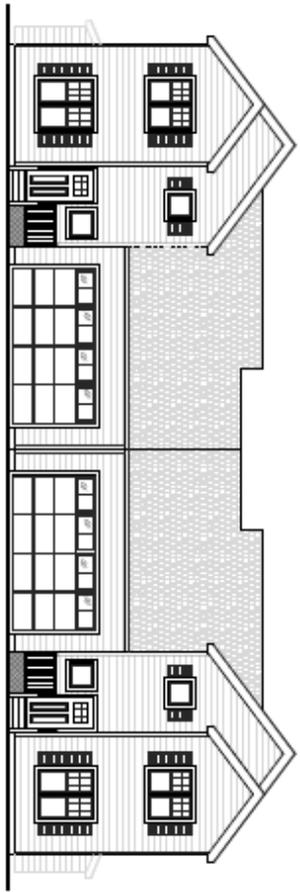
(Architecturals Subject to change without notice)

PROJECT: "THE BROOKVIEW"  
 BROOKVIEW, LLC.  
 LOT 1, BROOKVIEW LANE  
 MENDON, MA

**DENNIS COLWELL ARCHITECTS**  
 132 CENTRAL STREET, SUITE 203  
 FOXBOROUGH, MA 02035  
 P. 508-241-2122 F. 508-455-4466  
 WWW.DC-ARCHITECT.COM



FOR NBMA REFERENCES ONLY TOTAL SQUARE FOOTAGE: 1,720 SQ. FT.



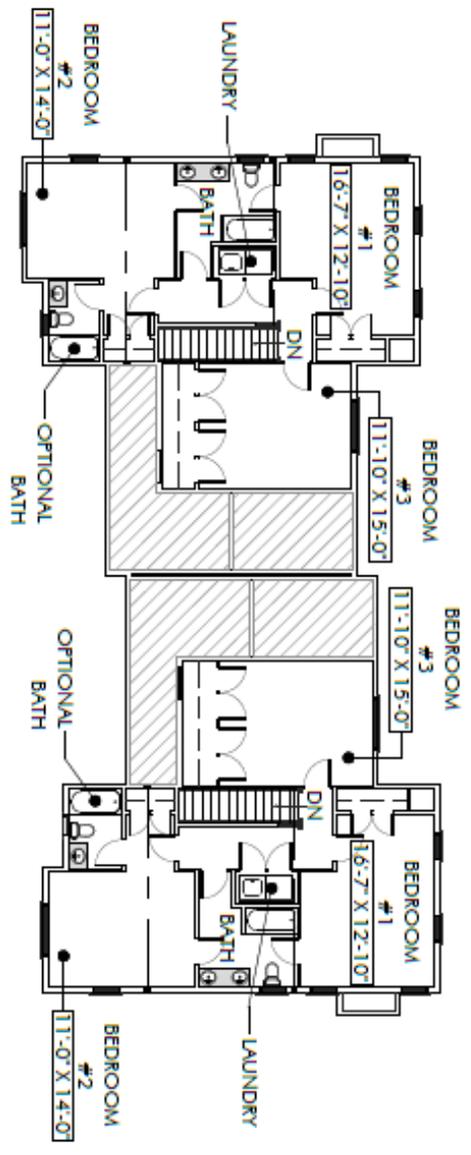
FIRST FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

PROJECT:  
 "THE BROOKVIEW"  
 BROOKVIEW LLC.  
 LOT 1, BROOKVIEW LANE  
 MENDON, MA  
 PROJECT NUMBER: 19045



DENNIS COLWELL ARCHITECTS  
 132 CENTRAL STREET, SUITE 203  
 FOXBOROUGH, MA 02035  
 P. 508.241.2122 F. 508.455.4466  
 WWW.DC-ARCHITECT.COM

FOR VISUAL REFERENCES ONLY TOTAL SQUARE FOOTAGE: 3,801



SECOND FLOOR PLAN  
 SCALE: 1/8" = 1'-0"