

Information Packet

Harmony Bellingham, MA

An Affordable and Workforce Housing Lottery Facilitated on behalf of Fargon LLC

This packet contains specific information on the Affordable and Workforce housing program as well as background, eligibility requirements, selection priority categories, and application process for the Affordable and Workforce homes being offered through this lottery for Harmony in the Town of Bellingham.

Harmony and the Town of Bellingham invite you to read this information and submit an application. This lottery is the first step in the application process and does not assure you a unit.

The first affordable and workforce homes should be ready for occupancy by Winter 2023/2024.

Application Deadline

January 9, 2024 at 2:00 PM

Applications must be delivered or postmarked by this date. Applications postmarked by the deadline must be received within 5 business days.

Please see the cover page of the application for the location where the application can be mailed, emailed or faxed. This information is also on the signature page of the application.

For Affordable Unit Information call (617) 782-6900 x2 (voicemail)

Or Email: info@sebhousing.com

For TTY Dial 711

Free Translation Available. **Traducción gratuita disponible. Tradução gratuita disponível.**

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Table of Contents

General Overview and Sales Prices.....pg. 3

General Eligibility Requirements..... pg. 4

Maximum Income and Asset Limits..... pg. 6

Mortgage Pre-Approval Standards..... pg. 9

Household Size and Composition..... pg. 10

Step-By-Step Process and Timeline..... pg. 12

Step 1a: Applying for the Program.....pg. 13

Step 1b: The Lottery..... pg. 14

Step 1c: The Waiting List.....pg. 15

Step 1d: Monitoring Agent Review..... pg. 16

Step 2a: Unit Selection and Reservation Agreement..... pg. 17

Step 2b: Sign Purchase & Sale Agreement.....pg. 18

Step 2c: Obtain Mortgage Commitment..... pg. 18

Step 1e: Final Review of Eligibility..... pg. 19

Step 2d: Closing and Move-In.....pg. 19

Local Preference.....pg. 20

Deed Rider Summary/Property Restrictions..... pg. 21

GENERAL OVERVIEW AND SALES PRICES

Harmony is a new community of 103 single family homes located in Bellingham. Through this lottery, 3 units will be made available to households earning less than 50% of Area Median Income (AMI), 2 units will be made available to households earning between 50% and 80% of AMI (above 5 units are “Affordable” units), and 2 units will be made available to households earning between 80% and 120% of AMI (above 2 units are “Workforce” units). Homes will feature approximately 2,500 square feet, four bedrooms, two and a half bathrooms, quality kitchen appliances, washer/dryer hookups, all electric utilities, high speed internet, central air conditioning, and a garage.

# of Affordable Units	Area Median Income (AMI) Limits	Sales Price	Monthly HOA Fees*	Bedrooms	Bathrooms	Parking Spots	Square Footage <i>** (subject to change during construction)</i>
3	50% AMI	\$182,200	\$25	4	2.5	2 car garage 2 driveway spaces	2,500** square feet
2	50% - 80% AMI	\$320,300	\$25	4	2.5	2 car garage 2 driveway spaces	2,500** square feet
2	80% - 120% AMI	\$509,100	\$25	4	2.5	2 car garage 2 driveway spaces	2,500** square feet

All affordable and workforce units will have a “Deed Rider” that will be filed with the deed at the time of purchase. This Deed Rider limits the amount that the unit can be resold for and requires the resale to another affordable or workforce buyer. The Deed Rider ensures that the unit stays affordable in perpetuity. We recommend that potential buyers review the Deed Rider with an attorney so as to fully understand its provisions. For more information on the Deed Rider and resale restrictions please see the Deed Rider Summary in the last section of this Information Packet.

Since it is anticipated that there will be more interested and eligible applicants than available units, the Developer will be sponsoring an application process and lottery to rank the eligible applicants for the program. The application and lottery process, dates, and eligibility requirements can all be found within this Information Packet.

Harmony does not discriminate in the selection of applicants on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance reciprocity, religion, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law. Persons with disabilities are entitled to request a reasonable accommodation in rules, policies, practices, or services, or to request a reasonable modification in the housing, when such accommodations or modifications may be necessary to afford persons with disabilities an equal opportunity to use and enjoy the housing.

GENERAL ELIGIBILITY REQUIREMENTS

Q: Who is eligible to apply for the Affordable and Workforce units?

- A: In order to qualify for an Affordable or Workforce unit, households must meet each of the following criteria:
- Everyone in the household must qualify as a “first time homebuyer.”
 - The entire household’s income and, for Affordable applicants, assets, must be below the maximum allowable income and asset limits (see page 6)
 - Households must be pre-approved for a mortgage if a mortgage is required (see page 9)
 - Households, or their families, cannot have a financial interest in the development and a household member cannot be considered a Related Party.

Q: Who is a “first-time home buyer”?

A: A person is a “first-time homebuyer” if no person in his or her household has, within the preceding three years, either owned the house they lived in or owned an interest in one or more other houses, such as through joint ownership. Exceptions may be made in the following instances:

1. A displaced homemaker: A displaced homemaker is an individual who is an adult who meets ALL the following criteria:
 - 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
 - Owned a home with his or her partner or resided in a home owned by the partner
 - Does not own the home previously owned with a partner
 - Is unmarried to or legally separated from the spouse
2. A single parent, 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 (is unmarried or legally separated from a spouse and either has 1 or more children of whom they have custody or joint custody or is pregnant).
3. An age-qualified household, where at least one member is age 55 or Over.
4. A household that owned a property that was not in compliance with State, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.
5. A household that owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations.

Q: What are the income and asset eligibility requirements?

A: Please see the following pages for details on allowable household income and assets. Note, there is no asset limitation for Workforce Applicants.

Q: If someone in my household is age 55 or over, or if I am a displaced homemaker or single parent, can I currently own a home?

A: No. While households meeting the above exceptions may have owned a home within the preceding three years, they cannot own a home at the time of applying for the lottery. If a household owns a home at the time of lottery application, they will be ineligible for this lottery. If a household who meets one of the first-time home buyer exceptions sells their home, they are free to apply later once the home has been sold, however, there is no guarantee that a unit will be available.

Q: Does my separation or divorce have to be finalized when I apply?

A: Your separation or divorce does not need to be finalized when you *apply for the lottery* but it must be finalized *before you reserve a home*. You will not be allowed to purchase an affordable home until your separation or divorce is complete because the terms specifying the allocation of assets and custody of children must be finalized so that your income and asset eligibility can be accurately reviewed. If you have only filed for separation when it comes time to purchase an affordable home and you haven't finalized your divorce, you will not be allowed to purchase a home at that time. Therefore, you may try to expedite all divorce/separation hearings as your divorce/separation will need to be finalized in the next few months. Also note that if you currently own a home with your current spouse at the time of application, you will not be eligible, regardless whether the divorce is subsequently finalized in the allotted time.

Q: If I reserve a home and then a home that was not available when I was selecting my home becomes available, can I "switch" my home for this newly available home?

A: No. If you are given the opportunity to reserve a home, you are allowed to pick from all the available homes at that time. It does not entitle you to pick any home that may become available at any point in the future (specifically because another household was unable to close). Once you have reserved your home, you may not swap that home for another home.

MAXIMUM INCOME AND ASSET LIMITS

Q: How is a household's income determined?

A: A household's income is the total anticipated amount of money received by ALL members of the household over the next 12 months (starting from the date of application and projecting forward 12 months) based on their current income and assets. In an effort to provide as accurate an income estimation as possible, the Lottery Agent will also review historical income data to provide a basis for future income estimates. Any monies you anticipate receiving in the next 12 months will be counted as income and monies received over the previous 6 months will be analyzed to help estimate future income. This includes, but is not limited to, Social Security, alimony, child support, overtime pay, bonuses, unemployment, severance pay, part-time employment, matured bonds, monies to be received in court settlements, and actual or imputed interest and dividends on bank accounts and other assets. ALL SOURCES OF INCOME ARE COUNTED with the exception of income from employment for household members under the age of 18 and any income over \$480/year for full time students who are dependents (but note that all such income must still be documented even if it is exempt from the household income calculation).

It will be assumed that all applicants will continue to receive any monies they have received over the past 12 months unless supporting documentation proves otherwise. It is also not up to the household to determine what monies received over the past year should and should not be counted as their calculated income. Therefore, all monies should be listed on the application and the inclusion of these monies in determining a household's eligibility will be based on affordable housing guidelines.

Households must submit their 3 most recent tax returns for proof that they have not owned a house within the past three years.

Maximum and Minimum Allowable Income

To be eligible to apply to purchase an affordable or workforce unit, the combined annual income for all income sources of all income-earning members in the household must be under or within the area median income ranges for the local area (Boston-Cambridge-Quincy HMFA) as shown below. The maximum and minimum incomes allowed for this program are:

Maximum Annual Income (for the 50% AMI Restricted Units)

Household Size	Maximum Income Limit
1	\$51,950
2	\$59,400
3	\$66,800
4	\$74,200
5	\$80,150
6	\$86,100
7	\$92,050
8	\$97,950

Minimum and Maximum Annual Income (for the 50%-80% AMI Restricted Units)

Household Size	Minimum Income Required	Maximum Income Limit
1	\$51,951	\$82,950
2	\$59,401	\$94,800
3	\$66,801	\$106,650
4	\$74,201	\$118,450
5	\$80,151	\$127,950
6	\$86,101	\$137,450
7	\$92,051	\$146,900
8	\$97,951	\$156,400

Minimum and Maximum Annual Income (for the 80%-120% AMI Restricted Units)

Household Size	Minimum Income Required	Maximum Income Limit
1	\$82,951	\$125,412
2	\$94,801	\$143,328
3	\$106,651	\$161,244
4	\$118,451	\$179,160
5	\$127,951	\$193,492
6	\$137,451	\$207,825
7	\$146,901	\$222,158
8	\$156,401	\$236,491

Approximate Minimum Income

There are minimum income requirements for the 80% Affordable and 120% Workforce units as shown above. There are no minimum income requirements for the 50% AMI units. For Affordable Homes, households must qualify for a mortgage loan to purchase an affordable unit. For Workforce Homes, if a household does not have sufficient assets to purchase the unit without a loan, the household must qualify for a mortgage loan. The minimum income limits to qualify for a mortgage will be determined by a lender/bank. All applicants who need a loan must receive mortgage pre-approval and submit it with their application to be considered eligible for this lottery. The mortgage requirements are listed on page 9 of this information packet.

Asset Limits

For affordable units (50% AMI and 50%-80% AMI), households cannot have more than \$75,000 in total assets. For workforce units (120% AMI), there is no asset limitation. Household Assets are calculated at the time of application. Any monies you would use as a future down payment on the home will still be counted as assets. Assets may include cash, cash in savings and checking accounts, net cash value of stocks, net cash value of retirement accounts (such as 401k), real property, bonds, and capital investments.

Q: I cannot withdraw money from my 401k or retirement fund, do I have to include it when I list my assets?

A: Yes. You need to include the *net cash value* of all your current retirement funds. We realize that most retirement funds assess large penalties for early withdrawal, but this does not technically mean that you cannot withdraw your funds or don't have access to them. The post-penalty amount is what you need to provide along with supporting documentation.

Q: Are there eligibility exceptions for households that are barely over the income limit but considerably under the asset limit (or vice versa)?

A: No. All households must be under the income limit, and, for Affordable applicants, the asset limit. For Affordable Units, eligibility isn't based on only one or the other.

Age Qualified Households, Displaced Homemaker and Single Parent Exception:

Only households qualifying under the exceptions listed on page 4 may have owned a home in the past 3 years, however, the home must have been sold at the time of applying.

MORTGAGE PRE-APPROVAL STANDARDS

Immediately after reading this entire Information Packet, all applicants (and any Workforce applicant who does not have sufficient assets to purchase their unit without a loan) should apply for mortgage pre-approval. ***Mortgage pre-approval is required with the application.*** Households applying for Affordable Homes can apply with any lender but the pre-approval must meet the following standards. **Workforce applicants may select any mortgage product of their choosing, however, such buyers should still ensure that their lender has seen the Workforce Deed Rider!!**

Affordable Unit Mortgage Standards

- The loan must have a fixed interest rate through the full term of the mortgage.
- The loan must have a current fair market interest rate.
(No more than 2 percentage points above the current MassHousing rate*)
- The loan can have no more than two points.
- The loan cannot be an FHA loan (as FHA will not accept the terms of the Deed Restriction)
- The buyer must provide a down payment of at least 3% - half of which must come from the buyer's own funds.
- Any Adult Household Member who is not claimed as a dependent on the tax return of another household member must be on the Mortgage, P&S, and Title to the home, unless the Household Member is married to the Head of Household.

MassHousing (617) 854 1000 or www.masshousing.com

We strongly encourage households to apply through banks who are aware of the resale restrictions and guidelines for affordable and workforce housing programs. These banks will likely be aware of additional first-time homebuyer programs that may be of great assistance such as the Massachusetts Housing Partnership's ONE Mortgage. The following lenders are familiar with the process and the mortgage requirements and should be happy to help you with questions or pre-approvals.

Any lenders found here: www.mhp.net/one-mortgage/why-one#find-lender

Households will need to bring the copy of the EXAMPLE Deed Rider to their lender. A copy can be downloaded directly off our website at www.sebhousing.com. ***All lenders will be made aware of the resale restrictions regardless of whether you tell them up-front or not.*** The Deed Rider is a document that will be signed at the closing. Therefore, it is in all households' best interest to show all lenders a copy of the Deed Rider when applying for a mortgage. Otherwise, they may find a lender who grants pre-approval but backs out at the time of purchase once they are made aware of the resale restrictions, thus eliminating the opportunity to obtain an affordable or workforce unit.

The lender will ask you for association fees and taxes. The condo/HOA fees are on page 3 of this Information Packet and **taxes are assessed to the affordable or workforce price (not the market-rate equivalent).**

Q: Can a non-household member co-sign on the mortgage?

A: For Workforce Applicants, Yes. For Affordable Applicants, No. Only members of the applying household can sign on the mortgage for an Affordable Home. All monies gifted to household members to assist in down-payment or other costs will be counted as household assets.

HOUSEHOLD SIZE AND COMPOSITION

Q: How is appropriate household size determined?

A: According to the Massachusetts Executive Office of Housing and Livable Communities guidelines:

Within an applicant pool first (priority) shall be given to households requiring the total number of bedrooms in the unit based on the following **criteria**:

- a. There is at least one occupant and no more than two occupants per bedroom.
- b. A married couple, 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.
- c. 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.

Household size shall not exceed state sanitary code requirements for occupancy of a unit.

In **Step 1b: The Lottery**, you will find a detailed explanation on priorities given to certain household sizes and compositions.

TYPE IV

(Priority for a 4BR unit)

- All 8 person households
- All 7 person households
- All 6 person households
- All 5 person households
- 4 person household: 1 head-of-household plus 3 members/dependents
- 4 person household: 2 heads-of-household under criteria c (described above) plus 2 members/dependents

TYPE III

(May apply for a 4BR unit, but will receive 2nd priority for a 4BR unit)

- 4 Person household: 2 heads-of-household plus 2 members/dependents
- 3 person household: 1 head-of-household plus 2 members/dependents
- 3 person household: 2 heads-of-household under criteria c (described above) and 1 member/dependent

TYPE II

(May apply for a 4BR unit, but will receive 3rd priority for a 4BR unit)

- 3 person household: 2 heads-of-household plus one member
- 2 person household: 2 heads-of-household under criteria c. (described above)
- 2 person household: 1 head-of-household plus one member

TYPE I

(May apply 4BR unit, but will receive 4th priority for a 4BR unit)

- 2 person household: 2 heads-of-household
- 1 person household

Q: Does the unborn child of a currently pregnant household member count towards our household size?

A: Yes. A household may count an unborn child as a household member. You will have to submit proof of pregnancy with all the income and asset documentation that needs to be submitted with your application.

Q: Can a Type I, II, or III Household apply for a four-bedroom home?

A: Yes, however, please see “The Waiting Lists” for how order will be given from the Lottery Results. Type I, II, and III Households will not have first priority for 4BR homes.

Q: If I am currently going through a divorce/separation or planning on being divorced / separated soon, can I still apply?

A: Your separation or divorce does not need to be finalized when you *apply for the lottery* but it must be finalized *before you sign Reserve an Affordable or Workforce Unit* (see the Step-by-Step details). You will not be allowed to purchase an affordable or workforce home until your separation or divorce is complete because the terms specifying the allocation of assets, alimony, and custody of children must be finalized so that your income and asset eligibility can be accurately reviewed. If you have only filed for separation when it comes time to purchase an affordable or workforce home and you haven’t finalized your divorce, you will not be allowed to purchase a home at that time. Note that any household who has not finalized their divorce at the time of application and who owns a home will not be eligible for the lottery.

STEP-BY-STEP PROCESS AND TIMELINE

Q: What is the application, selection, and move-in process for the Affordable and Workforce units being offered in Harmony?

A: The process is essentially a two-step process. The following pages explain each step in greater detail.

The first steps all involve qualifying for the Affordable or Workforce Housing Program and being given a position on the Waiting Lists.

The second steps all involve the actual process of reserving and buying a home (and unit availability will be determined by your position on the Waiting Lists).

Step 1a: Applying for the Housing Program

Through January 9, 2024

Step 1b: The Lottery

January 24, 2024 at 6:00pm via Zoom. Go to zoom.com/join or call (646) 558-8656 and enter Meeting ID: 857 2736 5609, Passcode: 276410

Step 1c: Waiting List

Within 3 days of the Lottery

Step 1d: Monitoring Agent Approval

Approximately 10 days

Step 2a: Unit Selection and Reservation Agreement

Households given approx. 3 days after Monitoring Agent Approval

Step 2b: Sign Purchase & Sale Agreement

Takes approximately 10 days after the Reservation Agreement has been signed

Step 2c: Obtain Mortgage Commitment

Most banks take approx. 30 days to provide a mortgage commitment

Step 1e: Final Review for Program Eligibility

This is done 3-4 weeks prior to the closing date

Step 2d: Closing and Move-in

First units ready Winter of 2023/2024

Information Session

There will be a Public Information Session on December 4, 2023 at 6:00 pm via Zoom where questions about the lottery and the development can be addressed directly. Go to zoom.com/join, or call (646) 558-8656 and enter Meeting ID: 818 9317 7595, Passcode: 088159. Attendance is not required at Info or Lottery sessions. To view the recorded sessions at a later date, please search for Harmony on the SEB Housing YouTube channel.

Step 1a: Applying for the Lottery

Once a household reads this Information Packet in its entirety, they will need to fill out a Program Application. The applying household must include all income, asset, tax documentation as directed by the Program Application for every person that will be living in the home. The Program Application must be signed and dated by all heads of household. A mortgage pre-approval **MUST** be submitted with the application, unless the Applicant is Workforce Applicant who has sufficient assets to purchase the home without a loan. The Program Application and Required Documentation must be received (or postmarked) by the Lottery Agent by 2 pm on January 9, 2024. All applications should be sent to:

SEB Housing
Re: Harmony
257 Hillside Ave
Needham, MA 02494
Fax: 617.782.4500
Email: info@sebhousing.com

To ensure applications arrive in time, we recommend sending them in at least a week prior to the application deadline. **Late applications will not be accepted.** If you want to ensure your application is received, we recommend sending it by certified mail. The Lottery Agent and other affiliated entities are not responsible for lost or late applications.

Once a completed Program Application is received with ALL Required Documentation, SEB Housing will determine initial eligibility and compliance. If the applicant is determined to be eligible for the Lottery, they will receive an **Application Number** in the order in which their application was completed. The purpose of the Application Number is simply to keep all household names unknown at the lottery. **The Application Number has no bearing on a household's final Waiting List position.**

Households that are deemed ineligible by the Lottery Agent will be notified by mail (or by email if an email address is provided). Entrance into the Lottery does not guarantee that a household is eligible to buy a home. Please read all of the following steps for further details on the review process.

Q: What happens if I don't submit all necessary documentation or fail to correctly complete my Affordable Housing Program Application?

A: Households that submit incomplete documentation will be mailed a notice detailing the additional documentation that is needed to make their application complete. Their application will remain in an "Incomplete Application Pool" until all requested materials have been received. Households with applications in the Incomplete Application Pool will not be entered into the Lottery.

Step 1b: The Lottery

The Lottery will be held on January 24, 2024 at 6:00pm via Zoom. To join, go to zoom.com/join or call (646) 558-8656 and enter Meeting ID: 857 2736 5609, Passcode: 276410. Households do not have to attend the lottery to remain eligible. All results will be mailed to every applying household after the Lottery.

There will be one lottery* with two drawings. For the drawings, a representative from SEB Housing will pull Application Numbers from a box. The Application Numbers are randomly drawn and placed in the order drawn on the **Lottery Result List**.

The order drawn does not necessarily reflect the order that households will get to select units as Application Numbers of smaller households are mixed in with Application Numbers of appropriately sized households (see: Household Size and Composition) and the drawing will include households eligible for the homes at different AMI tiers. It is only how a household is drawn relative to other eligible households of the same Household Type for units in the same AMI tier that matters.

Regardless of the order drawn, all households of appropriate size for each unit size will be given the opportunity to buy a unit before any smaller household within the same lottery pool.

To help clarify the actual order that applicants will be given the opportunity to buy units, Waiting Lists will be created from the Lottery Results Lists (*see next step*).

Step 1c: The Waiting Lists

The Waiting Lists will be compiled immediately after the lottery. There will be 3 separate Waiting Lists created from the Lottery Results Lists to illustrate the order households will choose units based on household size and AMI tier. **The purpose of the Waiting Lists is merely to illustrate the actual order that opportunity will be given. The position each household has on the Waiting Lists is determined by the order in which their Application Number is drawn in the Lottery relative to households of similar qualifications. Please see “Household Size and Compositions” for details on Household Types.**

The Waiting Lists

Waiting List for 50% AMI Homes. Three (3) 4BR Homes

Top Tier: Type IV Households

Second Tier: Type III Households

Third Tier: Type II Households

Bottom Tier: Type I Households

Waiting List for 50%-80% AMI Homes. Two (2) 4BR Homes

Top Tier: Type IV Households

Second Tier: Type III Households

Third Tier: Type II Households

Bottom Tier: Type I Households

Local Priority Waiting List for 80%-120% AMI Homes. Two (2) 4BR Homes

Top Tier: Type IV Local Preference Households

Second Tier: Type IV Non-Local Preference Households

Third Tier: Type III Local Preference Households

Fourth Tier: Type III Non-Local Preference Households

Fifth Tier: Type II Local Preference Households

Sixth Tier: Type II Non-Local Preference Households

Seventh Tier: Type I Local Preference Households

Bottom Tier: Type I Non-Local Preference Households

Within one day of the lottery, the Waiting Lists will be sent to every household who was entered into the lottery. The Lottery Results establish the Waiting Lists. Every household with an Application Number will have a position on a Waiting List.

Step 1d: Monitoring Agent Review

Immediately after the Lottery, SEB will send the files of the top households to the Monitoring Agent for program certification. It is ultimately the Monitoring Agent who will determine if a household is eligible and can move forward to the next step of the process.

SEB goes through great lengths to ensure that files are complete when sent to the Monitoring Agent but if the Monitoring Agents needs any additional documentation to complete their eligibility review, they will notify SEB and SEB will notify the applicant. The applicant must submit any documentation requested by the Monitoring Agent within 5 business days. Applicants who do not provide additional documentation and applicants that the Monitoring Agent disqualifies will be removed from the Waiting List and lose their opportunity to move forward in this process. Once the Monitoring Agent has certified a household as eligible, they will contact SEB and SEB will direct the household to the next step.

Step 2a: Unit Selection & Reservation Agreement

The top household on each **Waiting List** will be notified by the Lottery Agent when they can move forward with the purchase of any of the available affordable or workforce units. When a household is notified, they will be put “on the clock”. When they are “on the clock”, they will be given the contact information for Sales Office and they will have 3 business days to contact the Sales Office and complete a Reservation Agreement.

When a household is at the top or near the top of a Waiting List (and is therefore about to be put “on the clock”), it is recommended that they obtain an attorney who can assist with the review and execution of the Purchase and Sale Agreement.

The Reservation Agreement is a contract between the applicant and the developer which details what unit has been selected and the time and date when a Purchase and Sale Agreement must be executed (*see next step*). **When a Reservation Agreement is signed, a refundable deposit of \$500 is required.** The deposit is refundable if the buyer is unable to secure a mortgage for the unit.

A household that is “on the clock” can choose from ANY of the available affordable or workforce units. If one or more units have been reserved, then the next household “on the clock” will be given the opportunity to reserve one of the remaining affordable or workforce homes. The date that a Purchase and Sale Agreement will be executed will be approximately 10 business days from the day the Reservation Agreement fully executed.

The next applicant on the list will then be notified that they are “on the clock” when the applicant ahead of them either signs a Reservation Agreement or 3 business days elapse and no reservation has been signed.

If an applicant fails to sign a Reservation Agreement, their Application Number will be removed from the top of the Waiting List and will be dropped to the bottom. This applicant will not get a chance to sign a Reservation Agreement again until all other applicants on the Waiting List are given a chance. Once the applicant who was dropped to the bottom is given a second chance, they must sign a Purchase and Sale Agreement or they will permanently lose their opportunity to purchase an affordable unit at Harmony through this lottery.

Divorce:

Based on the lottery results and their positions on the Waiting List, households will be able to estimate when they are about to reach the top of the Waiting List and will therefore know how much time they will have to finalize their divorce/separation. **Applicants who were in the process of being separated/divorced when they applied for the lottery** will need to provide a copy of their Divorce Decree or Separation Agreement **before** reaching the top of a Waiting List for any unit.

If the above households fail to provide the required documentation before reaching the top of a Waiting List, they will not be put “on the clock” (meaning they will not be able to purchase a unit) and they will be dropped from all Waiting Lists.

Step 2b: Sign Purchase and Sale Agreement

Once a household signs a Reservation Agreement, they will have approximately 10 business days to sign a Purchase & Sale Agreement (P&S) and put down the required deposit. This deposit will be 1.5% of the sales price minus the \$500 deposited with the Reservation Agreement. The Purchase and Sale Agreement will have the actual closing date on it.

After the Reservation Agreement is signed, the Harmony Sales Team will give the applicant the Purchase and Sale Agreement, the Deed Rider (which should be attached to the P&S), and the HOA or Condominium documents. You may also have the bank that is offering your mortgage commitment review these documents.

If the applicant fails to sign the Purchase and Sale Agreement by the agreed upon date (or chooses not to sign it), they will be dropped from the Waiting Lists and the next applicant in line will then be notified that they are “on the clock” to sign a Reservation Agreement.

Q: If I reserve a unit (through the Reservation Agreement and/or P&S) and then a unit that was not available when I was selecting my unit becomes available (ex: a household who had reserved a unit with a Reservation Agreement never signs their P&S or a household fails to close on a unit), can I “switch” my unit for this newly available unit?

A: No. If you are given the opportunity to reserve a unit, you are allowed to pick from all the available units at that time. It does not entitle you to pick any unit that may become available at any point in the future (specifically because another household was unable to close). Once you have reserved your unit, you may not swap that unit for another unit.

Step 2c: Obtain Mortgage Commitment

Mortgage pre-approval does not ensure a mortgage commitment. Once a household has a signed Purchase and Sale Agreement, they will need to go back to their lender that issued them their pre-approval letter and obtain a Mortgage Commitment. This process will begin immediately after signing the P&S. Households do not need to go back to the same lender that gave them their pre-approval letter but it is recommended.

If a household fails to obtain a Mortgage Commitment by the mortgage contingency date in their Purchase and Sale Agreement, their deposit will be refunded and they will be dropped from all Waiting Lists.

Please note that each lender will handle the Mortgage Commitment differently and this packet only serves as a guide through this process. Generally, the lender will want to see the Purchase and Sale Agreement, the Master Deed, and the Deed Rider. They will also do an appraisal of the property once the property is ready to move into. Once the appraisal is complete, the household will be able to close on the home.

Step 1e: Final Review for Program Eligibility

Before a household can close on their affordable or workforce unit, SEB must do a final review of the household's eligibility income and, for Affordable Homes, asset eligibility and the Monitoring Agent must do a review of the household's mortgage commitment in order to prepare the Resale Price Certificate and Deed Rider that must be recorded at the closing.

It is therefore essential that all households continue to maintain records of all income and assets until they close on their affordable or workforce unit **and maintain program eligibility!**

One month prior to the closing date, households will need to complete a Final Review Application and submit all recent income and asset documentation to SEB. SEB will review the Final Review Application and determine if the household is still eligible according to affordable and workforce housing program guidelines. If a household is no longer eligible (over the allowable income and, for Affordable Units, asset limits), the household will not be able to purchase an Affordable or Workforce Home.

Additionally, approximately 1 month prior to closing, households must submit a copy of the MORTGAGE COMMITMENT LETTER from the buyer's lender including interest rate, points, length of loan, and annual percentage rate.

SEB will forward the final package of documentation to the Monitoring Agent who requires the documents no less than 2 weeks before the loan closing date. They will review the P&S, Master Deed and mortgage. They will then mail and fax the Resale Price Certificate to the developer's closing attorney who will then complete the Deed Rider to record at the closing.

Step 2d: Closing and Move-in

The Purchase and Sale Agreement will set the Closing Date. If all the steps above are followed, the closing should go smoothly. Your lender and lawyer will be able to guide you with all the steps starting with the Reservation Agreement. Once you have closed on the unit, you may move in.

Additionally, once you have closed on the unit, there is NO future income or asset eligibility reviews.

LOCAL PREFERENCE INFORMATION

Q: What is Local Preference?

A: The Town of Bellingham has established a local preference requirement for the two (2) 80%-120% AMI (“workforce”) homes at this property. Through the lottery process, these two homes will be first offered to households that qualify for **Local Preference**. An applicant qualifies for local preference if the applicant or a member of their household fit into one of the following categories:

- Current resident of Bellingham
- An employee of the Town of Bellingham (including employees of the Bellingham School district working at schools located in Bellingham).
- An individual who works for a business located in Bellingham
- A household with children attending Bellingham schools

Q: Do households which meet all Local Preference criteria get priority over households which meet only one?

A: No. If a household meets any one of the Local Preference criteria, they will qualify for Local Preference. A household that meets all Local Preference criteria will have the exact same chance of being drawn first as a similar household type that meets only one of the Local Preference criteria.

Q: What if a household does not qualify for Local Preference?

A: There are several affordable homes that all appropriately sized households (Local Preference and Non-Local Preference) will be given an equal opportunity to purchase.

Q: Does Local Preference take priority over household size/composition?

A: No. For example, on the Waiting Lists for the Workforce 4BR Local Preference homes, if there are not enough eligible Type IV Local Preference Applicants, the units will be made available to a Type IV Non-Local Preference household before being made available to a Type III Local Preference Household who would be over-housed in a 4BR unit Please see the way the Waiting Lists are compiled in the section on Waiting Lists.

Adjustments in the Local Preference Pool

As stated by the Massachusetts Executive Office of Housing and Livable Communities, “If the percentage of minorities in the local preference pool is less than the percentage of minorities in the surrounding HUD (U.S. Department of Housing and Urban Development) defined area, the following adjustments will be made to the local preference pool. The Developer will hold a preliminary lottery comprised of all minority applicants who did not qualify for the local preference pool and rank the applicants in order of the drawing. Minority applicants should then 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.” The Percent Minority for the Metropolitan Statistical Area of Boston is 33.4%. This is the minimum percentage of minority applicants that must be in the local preference pool. Minority applicants are defined as a person who is a member of the following groups: Black or African American; Asian; Native American or Alaska Native; Native Hawaiian or Pacific Islander; or other (not White); and the ethnic classification Hispanic or Latino.

DEED RIDER SUMMARY/ PROPERTY RESTRICTIONS

This is not the Deed Rider. The actual Deed Rider will be prepared by the Monitoring Agent and the Closing Attorney and provided on the day of each home closing. A copy of an Example Deed Rider will be on the SEB website.

The purpose of this *summary* is intended to be informational only and it is not a substitute for independent legal advice. It is intended to highlight some of the obligations a purchaser will have upon resale. The Deed Rider is an especially important legal document; in part it ensures that the home remains affordable for future buyers of your property. Purchasers are encouraged to read carefully and to seek legal counsel to have a full understanding of their obligations of the Deed Rider in its entirety.

All of the deeds for the homes designated as affordable or workforce will have a deed rider, which you will be required to sign. The rider in part will ensure that the home will stay affordable at the relevant AMI tier in perpetuity.

Assuming you qualify, you will be given an opportunity to purchase a home at a substantial discount (“the affordable price”) of the property’s fair market value.

However, significant deed restriction provisions must be observed:

PRINCIPAL RESIDENCE

To occupy the home as a principal residence, where you regularly live, eat, sleep, are registered to vote, etc.

LEASING AND REFINANCING

You may not rent, lease or refinance your home without the prior written consent from the Monitoring Agent. In addition, you must notify the Monitoring Agent if you are going to refinance your mortgage.

CAPITAL IMPROVEMENTS

Capital improvements must be approved by the Monitoring Agent in order to be considered and added to the resale price. Capital improvements are defined as a necessary maintenance improvement, not covered by a condominium or homeowner association fee, that if not done would compromise the structural integrity of the property. Examples of necessary capital improvements include new roof, heating or plumbing replacement, repair due to termite or water damage, etc. Improvements such as the installation of outdoor decks, flooring (except in cases of replacement due to damage or long-term wear), additions, 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.

NOTICES WHEN SELLING YOUR HOME

When you wish to sell your home, you must notify the Monitoring Agent. This notice is referred to as the "Conveyance Notice" in the Deed Rider. The notice must include the Resale Price Multiplier (see below) and the maximum resale price, which the Monitoring Agent must approve.

MAXIMUM RESALE PRICE

The Maximum Resale Price is limited by the percentage change in the area median income, with credit for certain capital improvements that must be pre-approved by the Monitoring Agent.

As an example only, the maximum resale price is calculated assuming a base number (most recent published Area Median Income as determined by HUD). At the time of initial sale the AMI is \$ **95,500 (A)** and the initial sales price is \$ **200,000 (B)** the Resale Price Multiplier would equal $B/A = (C) = 2.094$. Upon resale, assuming the base number has increased to \$ **99,300 (D)**.

The Maximum Resale price (E) would then be:

Base number (D) x Resale Price Multiplier (C) = \$99,300 x 2.094= \$207,934 (E)

If there have been capital improvements pre-approved by the Monitoring Agent (ex. new roof, \$5,000), the Maximum Resale Price would be:

$(E) + \text{Approved Capital Improvements} = \$207,934 + \$5,000 = \$212,934$

Please note that the Deed Rider requires that the Maximum Resale Price must still be affordable!

RESALE PROCESS

Under no conditions can the home be sold for more than the Maximum Resale Price.

Once the Monitoring Agent receives the notice to sell, the Monitoring Agent has 90 days to find an eligible buyer (a homebuyer who meets the income and asset requirements). The Monitoring Agent can also decide within those 90 days to purchase the home.

If the Monitoring Agent finds an eligible buyer within the 90-day period, an Eligible Purchaser Certificate will be issued to the new buyer. The certificate states that the sale complies with the Deed Rider. If the Monitoring Agent purchases your home, a Municipal Purchaser Certificate is issued.

If the Monitoring Agent finds an eligible buyer within 90 days, but that buyer cannot obtain financing or is otherwise unable to purchase the home, the Monitoring Agent can receive an extension of an additional 60 days.

If 120 days pass from the date of the Conveyance Notice, and the Monitoring Agent cannot find an eligible buyer and the Monitoring Agent does not want to purchase the home, you may sell your home for the Maximum Resale Price to an Ineligible Buyer who will also have to sign a Deed Rider, ensuring the home will still be subject to all the same rights and conditions.