THE RESIDENCES AT NEMASKET RIVER

A NEW AFFORDABLE HOUSING DEVELOPMENT

6 Affordable Homeownership Units

Riverside Drive & Rivers Edge Way, Lakeville, MA

3 Bedrooms, 2.5 Bath $234,500

MIDDLEBOROUGH HOUSING AUTHORITY, LOTTERY AGENT

Applications may be obtained at:

- **Download** http://middleboroha.org/links **Residences at Nemasket River app**
- **Middleborough Housing Authority (MHA) 8 Benton St Middleboro MA 02346**
- **Lakeville Public Library, 4 Precinct St. Lakeville, MA 02347**
- **Middleborough Public Library 102 No. Main St. Middleboro MA 02346**

For more information contact MHA at:

508.947.3824 or housing@middleboroha.org

Informational Sessions: Due to the coronavirus & to ensure everyone's safety, no in-person informational sessions will be held. **Zoom meeting logins are as follows:**

- **Thursday January 6, 2022 @ 2:00pm ID # 841 3793 5193 PW 266217**
- **Tuesday January 11, 2022 @ 6:00pm ID# 865 0377 3580 PW 492674**

To "attend" either by phone - Call: 1.646.558.8656

Deliver applications to: Middleborough Housing Authority
8 Benton Street
Middleboro, MA 02346

Due or postmarked no later than FEBRUARY 10, 2022 @ 2:00 PM

The Developer and the Lottery Agent do not discriminate on the basis of race, religion, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance recipient, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law.

Limited English Proficiency (LEP): MHA encourages applicants with diverse backgrounds to apply. For those with Limited English Proficiency, MHA will utilize a Language Line Service which will provide translation services in a multitude of languages at no cost to the applicant.

EQUAL HOUSING OPPORTUNITY

This is an important document. Please contact Middleborough Housing Authority at 508.947.3824 for free language assistance.

Este documento es muy importante. Favor de comunicarse con el Autoridad de vivienda de Middleborough en 508.947.3824 para ayuda gratis con el idioma. (Spanish)

Este é um documento importante. Entre em contato com o Middleborough Autoridade Habitacional no número 508.947.3824 para obter assistência gratuita com o idioma.(Portuguese)

Dokiman sila a enpòtan. Tanpri kontakte Otorite lojman Middleborough la nan 508.947.3824 pou asistans gratis nan lang. (Haitian Creole)

此文件為重要文件。如果您需要免費的語言翻譯幫助，請聯絡米德爾堡住房管理局聯絡方式：508.947.3824。(Chinese Traditional)

此文件为重要文件。如果您需要免费的语言翻译帮助，请联络米德爾堡住房管理局联络方式：508.947.3824。(Chinese simplified)

Это весьма важный документ. Свяжитесь с сотрудником Middleborough жилищного управления на предмет оказания бесплатной помощи по переводу на иностранный язык (508.947.3824). (Russian)

Đây là một tài liệu quan trọng. Vui lòng liên hệ Middleborough nhà ở Authority tại 508.947.3824 để được hỗ trợ ngôn ngữ miễn phí.(Vietnamese)

Kani waa dukumentiyo muhiim ah. Fadlan Middleborough Perumahan Otoritas kala soo xiriir 508.947.3824 si aad u hesho gargaar xagga luqadda oo bilaash ah. (Indonesian)

هذه وثيقة مهمة. يرجي الاتصال بـ 508.947.3824 هيئـه إسـكان ميـدلبورو للمساعدة اللغوية المجانية. (Arabic

Ce document est très important. Veuillez contacter le Autorité de logement de Middleborough au 508.947.3824 afin d'obtenir une assistance linguistique gratuite. (French)

Il presente è un documento importante. Si prega di contattare il Autorità di alloggiamento di Middleborough al 508.947.3824 per avere assistenza gratuita per la traduzione. (Italian)

LIMITED ENGLISH PROFICIENCY (LEP): MHA encourages applicants with diverse backgrounds to apply. For those with Limited English Proficiency, MHA will utilize a Language Line Service which will provide translation services in a multitude of languages. MHA will call the service to explain the need and an interpreter translates the information to the applicant at no cost to the applicant.

RIGHT TO REASONABLE ACCOMMODATION: Middleborough Housing Authority and the developers will consider a reasonable accommodation, upon request for qualified people with disabilities when an accommodation is necessary, to ensure equal access to the development, its amenities, services and programs. Reasonable accommodations may include changes to policies, practices, and procedures; and mitigating circumstances.

FAIR HOUSING/EQUAL OPPORTUNITY INFORMATION: Middleborough Housing Authority and the developers do not discriminate on the basis of race, color, religion, national origin, gender, disability, familial status, marital status, sexual orientation, genetic information, veteran/military status, receipt of public assistance, ancestry, age, gender identity or other basis prohibited by federal, state, or local law in the access or admission to its programs or employment or its programs, activities, functions or services.

THE RESIDENCES AT NEMASKET RIVER

Marketing and Outreach Plan

Contact:	Middleborough Housing Authority
Telephone:	508-947-3824, extension 2 or 4
Email:	housing@middleboroha.org

Construction: A total of 84 units will be constructed with 17 affordable units to be completed in three (3) phases. Phase 1 and 2 include 18 duplexes, of which 11 were affordable units. The final Phase 3 will include 33 townhouses, of which 6 will be affordable units. Phase 3 is anticipated to be completed early to mid-2022. All phases were/will be sold by a lottery process.

Affirmative Marketing: A sixty day period beginning December 8, 2021. An advertisement will be placed in a minority newspaper and mailings to minority organizations will be done to encourage minority participation.

General Marketing: For two consecutive week periods beginning December 8, 2021, an advertisement will be placed in several area newspapers such as the Middleboro Gazette, the New Bedford Standard Times and other local weekly papers. Minority publications will also receive the advertisement. This advertisement will be no less than four inches by four inches and run for two consecutive weeks announcing the details of the Lottery and the locations to obtain an application. These units will also be listed on the Metrolist at Boston Fair Housing Commission Metrolist, Boston City Hall, PO Box 5996, Boston, MA 02114-5996 (617.635.3321). Mailings will be done to Southeastern Massachusetts agencies/organizations including agencies that assist low income households such as local housing authorities, area community development and redevelopment offices; regional private assistance agencies such as Middleboro/Lakeville Area Assistance Coalition, Housing Solutions for South Eastern Massachusetts, South Shore Community Action Council and Housing Assistance Corporation; social services agencies such as area churches and Councils on Aging.

Application Distribution: December 8, 2021 until February 10, 2022. Applications will be available at the following town offices: Middleborough Housing Authority and Middleborough & Lakeville Town Libraries. Applications are also available by email at: housing@middleboroha.org or by calling the Middleborough Housing Authority at 508.947.3827 extension 2 or extension 4. Incomplete applications will not be accepted.

Deadline for Submission of Completed Application: February 10, 2022 at 2:00pm

Initial Screening:	Upon receipt of completed application
Notification of Eligibility:	On an ongoing basis, but no later than February 10, 2022
Lottery Date:	March 3, 2022 at 2 p.m.
Lottery Location:	Middleborough Housing Authority, 8 Benton Street, Middleborough, MA
Lottery Occupancy:	To be determined, Phase 3 anticipated to be completed by March /April 2022

Please note certain information, including dates and income limits, are subject to change.

EQUAL HOUSING OPPORTUNITY

THE RESIDENCES AT NEMASKET RIVER

Procedures, Process, and Requirements

DEVELOPMENT PROJECT OVERVIEW

The Residences at Nemasket River is a new Lakeville affordable new development. The Residences at Nemasket River are located in a cul-de-sac on Riverside Drive off Route 105 in Lakeville, Massachusetts, approximately 1 mile from the centers of both Lakeville and Middleborough. This tranquil location is surrounded by conservation land which borders the Nemasket River, but yet it's conveniently located near major highways (Rts 495, 24 and 105), the MBTA commuter rail, medical facilities, local schools, Massasoit Community College, restaurants and retail stores making this fabulous location a commuters dream.

Upon completion, The Residences at Nemasket River will include eighty four (84) homeownership units in thirty five (35) buildings to be constructed in 3 phases. The six (6) affordable units offered in this final phase will be available through the 40R Smart Growth Zoning Program application process.

The duplex units will consist of 1,428 square feet of 2 level living space plus a full unfinished walk-out basement and attic space. The design features a first floor open floor plan with eat-in kitchen, living room and a half bath. The second floors includes the main bedroom suite with full bath, 2 additional bedrooms, a full bath and a laundry room. Every kitchen is equipped with stainless steel appliances including an electric stove, microwave and dishwasher. The kitchens will have granite countertops and ceramic tile flooring. The full bathroom contain one sink, one tub/shower combo, ceramic tile flooring and granite countertops; the main bath has 2 sinks. The units have wall to wall carpeting in all areas except the stairs, kitchen, bathrooms and laundry area. Every unit has a private front entrance and a private rear deck from the living room. Each unit has ample closets and storage plus a washer/dryer hook up on the second floor. Each duplex unit has two driveway parking spaces. Each unit also has heating & cooling via an electric heat pump system. Lakeville is a 'stretch code" community which requires more energy conservation building requirements, resulting in cost savings for the homeowner.

The Condominium Association (HOA) fee includes master insurance, professionally landscaped grounds with irrigation system, snowplowing, trash removal, septic pumping, property management, maintenance and utilities of common areas, and a reserve for replacements. The owner of each unit is responsible for their unit's utilities. All utilities are electric (heat, cooling, cooking, dryer & hot water) provided by Middleborough Electric Company.

Price per Unit: The sale price for the affordable homes is $234,500 with an initial HOA fee of $150.00 per month otherwise approved by DHCD.

Households submitting a complete application packet prior to the deadline of February 10, 2022, at 2:00PM will be pre-screened for completeness, income and asset eligibility, appropriate household size, and first-time homebuyer status. Eligible applicants will be assigned a registration number to be used in the lottery drawing to be held on March 3, 2022 at 2:00 pm at the MHA office 8 Benton Street Middleboro.

Applications may be obtained at the following locations:

- Middleborough Housing Authority, 8 Benton Street, Middleboro
- Lakeville Public Library, 4 Precinct Street Lakeville, MA 02347
- Middleborough Public Library, 102 North Main Street Middleboro, MA 02346

Applications may also be obtained by mail, e-mail or online:

- Call the Middleborough Housing Authority at (508) 947-3824, extension 2 or 4 to request an application package.
- E-mail request to housing@middleboroha.org
- Download Residences at Nemasket River application at http://middleboroha.org/links

For questions and assistance in preparing an application, please contact the Lottery Agent, Middleborough Housing Authority, 8 Benton Street, Middleboro, MA 02346.

Phone: 508-947-3824 ext. 2 or 4
Fax: 508-947-6393
E-mail: housing@middleboroha.org

LOTTERY OVERVIEW

INITIAL MARKETING - The initial marketing for the units will be carried out by the Middleborough Housing Authority ("Agent"). All ownership units will be available on an equal opportunity basis. In carrying out this Affirmative Marketing Plan, the Agent will not discriminate against applicants on the basis of race, creed, color, religion, national or ethnic origin, citizenship, ancestry, class, marital status, disability, military/veteran status, presence of children, source of income, age, gender, sexual orientation, or any other basis prohibited by local, state, or federal law. The units will be advertised in a way that will provide ample opportunities for people from diverse backgrounds with a variety of language skills to learn about and apply for the ownership opportunities.

Every person has the right to submit an application for housing at the Residences at Nemasket River. Under Section II.A.3.c of the Subsidized Housing Inventory Guidelines, family members of the developer are not eligible for the affordable units. *Individuals who have a financial interest in the development and their families are not eligible for affordable units. Therefore, affordable units leased or sold to individuals who have a financial interest in the development or a Related Party, or to their families, shall not be eligible. For the purposes of this Section II.A.3, "financial interest" shall mean anything that has a monetary value, the amount of which is or will be determined by the outcome of the Project, including but not limited to ownership and equity interests in the Developer or in the subject real estate, and contingent or percentage fee arrangements; but shall not include third party vendors and contractors.*

The Agent will supply translation services should an applicant have difficulty understanding material because of Limited English Proficiency. This service will be at no cost to the applicant.

Marketing, outreach, and collection of applications for the units of affordable homeownership units will begin on December 8, 2021.

Households submitting a complete application packet prior to the application deadline of February 10, 2022, at 2:00PM will be pre-screened for completeness, income and asset eligibility, and appropriate household size. Eligible applicants will be assigned a registration number to be used in the lottery.

Two (2) public information sessions will be held, to discuss the units available and explain eligibility, application procedures, the lottery, the selection process, sale price, deed rider terms and restrictions, and other details to members of the public. Attendance at an information session is not mandatory for participation in the lottery. In an abundance of caution, all informational sessions will be via Zoom.

The informational sessions will be held:

1. Date / Time: **Thursday January 6, 2022 at 2:00pm**
   Meeting ID #: **841 3793 5193**
   Pass Code: **266217**
2. Date / Time: **Tuesday January 11, 2022 at 6:00pm**
   Meeting ID #: **865 0377 3580**
   Pass Code: **492674**

You can also attend both info sessions by phone by calling +1 646 558 8656 US (New York)

The Lottery will be held remotely on March 3, 2022 at 2:00 PM. The lottery will be held at Middleborough Housing Authority, 8 Benton Street, Middleborough, MA 02346 and viewed via Zoom. Applicants are encouraged, but not required to attend the lottery; applicants do not need to be present to win.

For questions regarding the lottery, assistance in preparing an application, request a reasonable accommodation, or language translation service, please contact the lottery agent:

Middleborough Housing Authority
8 Benton Street, Middleborough MA 02360.
Phone: 508-947-3824 ext 2 or 4 Fax: 508-947-6393
E-mail: housing@middleboroha.org

ELIGIBILITY REQUIREMENTS

Applicants must meet specific requirements to qualify for the affordable homes. Individuals, and their families, who have a financial interest in the development are not eligible. **ONLY APPLICANTS WHO MEET THE APPLICABLE ELIGIBILITY REQUIREMENTS SHALL BE ENTERED INTO THE LOTTERY**

Disabled persons are entitled to request reasonable accommodations of rules, policies, or services; or to request a reasonable modification of the housing. MHA encourages applicants with diverse backgrounds to apply. For those applicants with Limited English Proficiency, MHA will utilize a Language Line Service which will provide translation services in a multitude of languages. MHA will call the service to explain the need and an interpreter translates the information to the applicant

Income and Asset Eligibility

To be eligible to purchase an affordable unit at The Residences at Nemasket River, annual income and assets must be within the guidelines listed below. There is no minimum income, but the applicant must be able to support a mortgage that is sufficient to purchase the affordable home. ***For information regarding the definition of income and assets please see the attached, APPENDIX I:***

Maximum Income

Eligible applicants must have a combined annual household income from all sources, for all income-earning members of the household, of not more than 80% of area median income, as defined by HUD and adjusted for household size. Per the 2021 HUD Income Guidelines, 80% of the area median income for Lakeville, MA, and therefore the maximum allowable household income is as follows:

Household Size	Maximum Income

3	$71,950
4	$79,900
5	$86,300
6	$92,700

Maximum Assets
The asset limit is $75,000 for all assets. ***For information regarding the definition of assets please see attached, APPENDIX I:***

PREFERENCES - HOUSEHOLD SIZE/LARGER HOUSEHOLD/LOCAL PREFERENCE

Household/Unit Size: A "household" shall mean one or more persons who will live regularly in the unit as their primary residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual. Household size should be appropriate for the number of bedrooms in the home. A minimum of one person will be assigned per bedroom. Maximum household size will be based on the State Sanitary Code, applicable local bylaws and will not violate state or federal civil rights. Household size shall not exceed the Massachusetts State Sanitary Code requirements. (105 CMR 400).

Households with disabilities shall not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation.

Units may have adaptive features installed for persons with mobility impairments and/or hearing, vision or other sensory impairments.

Households that are eligible by income and household size will be ranked according to the following priorities

Local Preference: Within the applicant pool, the **first preference** shall be given to applicants who qualify for the local residency preference and that require a three bedroom unit, for up to eleven (11) affordable units. In no event shall the local preference exceed more than 70% of the affordable units of the project. A local residency preference is defined as:

- families residing in Lakeville,
- applicants with a family member who works or who has been hired to work in the Town of Lakeville,
- applicants with a child currently enrolled in the Lakeville school system.

Although it is anticipated that the local preference pool will contain a range of households in need of the number of bedrooms in the four local preference units during initial sales, if once the local preference pool is established there is not a household in the local preference pool that is in need of the number of bedrooms in such units, selection will proceed to households in the local preference pool that do need the number of bedrooms in the unit. The same will apply to households requiring the number of bedrooms in the unit minus one.

Within the applicant pool, the **second preference** shall be given to families 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 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.

c. A person described in the first sentence of (b) shall not be required to share a bedroom if a consequence of sharing would cause 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.

Within an applicant pool the **third preference** shall be given to families requiring the number of bedrooms in the unit minus one, based on the above criteria.

The lottery drawing shall result in each applicant being given a ranking among other applicants with households receiving preference for units based on the above criteria.

LOTTERY PROCESS FOR ALL UNITS

As of October 2021, the Lottery Agent has 6,140 families on wait lists for its 366 affordable rental units. Approximately 20 of these units become available annually. At that rate, it will be well over 50 years before all households on the present waitlist are housed. Additionally, many area private property managers have closed their wait lists because the large number of applicants will not be housed within 2 years. Many of these families have sufficient income to support a mortgage, but are unable to locate affordable homes in this area. Although typically viewed as an affluent community, 26% of Lakeville households earned less than $50,000 annually, with a median household income of $93,691. As the median income levels rise in the community, housing costs also rise, leaving residents with limited housing options. Prior to these recent lotteries, there has not been an affordable homeownership project in the area since 2005. The affordable units offered at the Residences at Nemasket River will offer a choice to families living on an income at the median area limit. For these reasons, the Town of Lakeville Smart Growth District Zoning Bylaws allow for local preference to the extent permitted by DHCD as part of its approval of the respective Affirmative Fair Housing Marketing and Resident Selection Plan. This Phase 3 of the Residences at Nemasket River project will include 6 more affordable units in the lottery of which not more than 70% (4) will be subject to a local preference lottery pool in accordance with state Affordable Housing regulations.

The lottery will have two applicant pools: a local preference pool (only available during initial sale) and an open pool for each type of unit available in the following order:

1. applicants who have the local preference;
2. all applicants, whether local or non-local.

Each eligible applicant will be given a registration number and placed on a list in the order they are received. After the application deadline has passed, the Lottery Agent will determine the percentage of minorities in the local preference pool. If the percentage of minority local resident households in the local preference pool is less than the percentage of minorities in the surrounding HUD-defined area (33.4%), the Lottery Agent will make the following adjustments to the local preference pool:

- The Lottery Agent 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 drawing.

- Minority applicants will 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.

- Applicants will be entered into all pools for which they qualify. For example, a local resident should be included in both pools.

- Minorities will be identified in accordance with the classifications established by HUD and the U.S. Census Bureau, which are the racial classifications: 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.

- The 2010 US Census Minority percentage for Lakeville is 33.4%. This is the minimum percentage of minority applicants that must be in the local preference pool

Applications will be drawn at the office of the Lottery Agent, Middleborough Housing Authority, 8 Benton Street, Middleborough) and will be numbered in the order that they are selected. The list will be retained and used as a waiting list, only for the initial sale of each affordable unit, with units being offered to households in that order if any of the initial buyers fall through.

When the applicant is notified that they have been approved, the applicant will have two weeks to sign the Purchase & Sale Agreement (P & S) with an occupancy date of no more than 60 additional days from the signing. **Selected applicants who are unable to proceed within these time frames will forfeit their right to purchase and the next application in the order selected by the Lottery will be offered the unit.**

MORTGAGE STANDARDS

Applicants are required to submit, as part of their application, a **pre-approval** letter for a mortgage in an amount sufficient to purchase an affordable home at The Residences at Nemasket River.

In accordance with the 40R Smart Growth Zoning Program under which these affordable homeownership units will be reviewed, the mortgage to be obtained by the household must meet certain standards. ***Please see attached, APPENDIX II: 40R Smart Growth Zoning PROGRAM STANDARDS FOR NEW MORTGAGE LOANS and APPENDIX V: AFFORDABLE HOUSING RESTRICTION and DEED RIDER.***

Potential applicants may take **APPENDIX II** and **APPENDIX V** to their lender to ensure that their pre-approval conforms to these standards. Potential applicants are advised to seek out advantageous loan programs such as Mass Housing, USDA Rural Housing, and the Massachusetts Housing Partnership Soft Second Loan. The Middleborough Housing Authority will assist any potential applicant in locating a lender for one of these programs.

Non-household members are **not** permitted to be co-signers on the mortgage.

FIRST TIME HOMEBUYER STATUS

For this ownership project, which is not age-restricted, applicants must be first-time homebuyers. To be a first-time homebuyer, applicant households must **not** have had an ownership interest in a residential property for the preceding 3 years. Exceptions may be made for:

1. Displaced homemakers, where the displaced homeowner (an adult who has not worked fulltime, 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.
2. 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 (is 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.
3. A household that owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations.

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.

Please note, any home owned under one of the exceptions above must be sold prior to purchase of this affordable home.

DEED RESTRICTION; RESALE AND FORECLOSURE

You are buying an affordable home at a substantial discount price under the 40R Smart Growth Zoning Program (40R); because of this there are requirements that the home remain affordable for future buyers of your property.

You will sign a "deed rider" which describes your responsibilities under this affordable housing program. **The deed restriction is in perpetuity**. The restrictions will apply to you and to future buyers of your home. The Department of Housing & Community Development (DHCD) and the Middleborough Housing Authority (MHA) strongly urge you to review the deed rider with your attorney and lender. You should only complete the purchase if all your questions have been answered and you are comfortable with the deed rider and the restrictions. For a copy of the deed rider see attached Appendix III

A GENERAL DESCRIPTION OF IMPORTANT DEED RESTRICTIONS ARE AS FOLLOWS:

- **Principal Residence**

The property must be your principal residence, where you regularly live, eat, sleep, are registered to vote, etc.

- **Leasing and Refinancing**

You may not rent or lease your home without the prior written consent of the monitoring agency, Middleborough Housing Authority and the Department of Housing & Community Development. In addition, you must get approval from the monitoring agency and the Department of Housing and Community Development if you are going to refinance your mortgage or make capital improvements. Certain restrictions apply.

- **Selling your Home**

If you want to sell your home, you must notify the Town of Lakeville, the Middleborough Housing Authority and the Department of Housing and Community Development. This notice is called a Conveyance Notice in the Deed Rider. The notice must include the Resale Price Multiplier and the maximum resale price. DHCD must approve the maximum resale price.

- **Maximum Resale Price**

If you choose to sell your home, there is a limit on the resale price.

- **Resale Process**

Upon notice that the owner wishes to sell in accordance with the provisions of the Deed Rider, the Town of Lakeville, Middleborough Housing Authority and/or the Massachusetts Department of Housing and Community Development will try to find an eligible buyer. The seller may also assist in finding an eligible homebuyer. Even if the unit is sold to an ineligible buyer in the future, the deed rider remains in place and limits the profit to the seller.

- **Foreclosure**

In the event of foreclosure proceedings, the 40R Deed Rider does not protect you against the foreclosing lender's right to pursue a deficiency against you. Even if the foreclosure sale is greater that the funds due to

the lender, the excess will be paid to the Town of Lakeville. By signing the 40R Deed Rider, you are agreeing to assign any rights and interest you may otherwise have in the balance of any foreclosure proceeds.

APPLICANTS SELECTED TO PURCHASE AFFORDABLE HOMES

Applications will be assigned numbers and on **March 3, 2022 at 2:00 PM** a lottery will be held to develop a list of eligible applicants. The first eligible application number on the list will be offered the first unit. Units will be offered to the next eligible applicant until all units are sold. The list will be retained and used as a waiting list with the unit being offered to households in that order if the initial buyers fall through.

The eligible applicant's information is then sent to the Massachusetts Department of Housing and Community Development for final approval.

Upon final approval notification, the applicants/purchasers will have **two weeks** to sign a Purchase and Sales Agreement. When notified the home is ready for sale, the applicants/purchasers will then have **60 days** to obtain financing and close on the property. **Selected applicants who are unable to proceed within those time frames will forfeit their right to purchase and the next application in the order selected by the Lottery will be offered the unit.**

SCREENING AND APPLICANT SELECTION

The Lottery Agent will interview all applicants. During the interview process, applicants will be asked a number of standard questions. The Agent will also send out verification forms as a means to verify eligibility. The Middleborough Housing Authority will be responsible for the obtaining and reviewing the verification forms for all of the affordable units with the project.

Each adult member of an applicant family will be required to sign the necessary consent forms to secure third-party verifications of income and employment. Once information has been verified, the appropriate certification forms will be completed.

All applicants will be notified by mail of their preliminary eligibility. Note: Eligibility does not constitute acceptance and further screening is required to determine an applicant's ability to maintain a successful tenancy.

Reasons for an ineligible determination at this point may include, but are not limited to, total family income is insufficient to afford monthly mortgage, insurance and real estate tax payments, and/or total family income exceeds the maximum guidelines.

Statement of Non-discrimination/No Conflict of Interest

In carrying out this applicant Selection Plan, the Lottery Agent will not discriminate against applicants on the basis of race, creed, color, religion, national or ethnic origin, citizenship, ancestry, class, marital status, disability, familial status, military/veteran status, presence of children, source of income, age, gender, sexual orientation, or any other basis prohibited by local, state, or federal law in any aspect of applicant selection

Privacy Policy

It is the policy of the Lottery Agent to guard the privacy of individuals in accordance with the Federal Privacy Act of 1974 and the Massachusetts Privacy Act, and to ensure the protection of records maintained by the property concerning the applicants

The Agent shall not disclose any personal information contained in its records to any persons or agencies other than the Owner, the Management Agent or other authorized agency unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions in the state or federal privacy acts.

This privacy policy in no way limits the Agent's ability to collect such information as it may need to determine eligibility, determine an applicant's suitability for tenancy or to gather information to process reasonable accommodations requests under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Fair Housing Act.

The above policies in no way limit the right or duty of the Agent to make abuse, neglect or other protective service or emergency reports. Additionally, such policies do not forbid management from sharing information in the public domain with relevant service or government agencies.

CONCLUSION

The Lottery Agent acknowledges that this plan may not address every activity relating to the lottery process. Questions concerning this lottery and the application process should be directed to Middleborough Housing Authority, Lottery Agent, 8 Benton Street Middleboro, MA 02346 or by calling 508.947.3824. This plan is also subject to the Department of Housing & Community Development's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines which can be found on DHCD's website at:
https://www.mass.gov/files/documents/2016/07/oj/afhmp.pdf

APPENDIX I

DEFINITION OF INCOME

Annual gross income means all amounts, monetary or not, which go to, or on behalf of, the family head or spouse or to any other family member received from a source outside the family during the 12-month period following application.

Annual income includes but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, and bonuses, and other compensation for personal services.
2. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted as provided by the Internal Revenue Service regulations.
4. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount that is the delayed start of a periodic payment.
5. Payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.
6. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
7. All regular, special pay, and allowances of a member of the Armed Forces.
8. Income derived from assets to which any member of the family has access.

Annual Income Does NOT include the following:

1. Income from employment of children (including foster children) under the age of 18 years.
2. Payments received for the care of foster children or foster adults. (usually persons with disabilities, unrelated to the applicant family, who are unable to live alone)
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses.
4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
5. Income of a live-in-aid.
6. The full amount of student financial assistance paid directly to the student or to the educational institution.
7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
8. Temporary, nonrecurring, or sporadic income such as gifts.
9. Deferred periodic amounts from Supplemental Social Security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.

10. Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
11. Amounts specifically excluded by any other Federal statute from consideration as income for the purpose of determining eligibility or benefits under a category of assistance program.

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 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 within two years prior to application, the full and fair cash value of the asset at the time of its disposition must be declared and shall be included for the purpose of calculating 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 (6) months.
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 cost 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 any money market accounts: The value of stocks and other assets vary from one day to another and should be determined no more than one month in advance of the applicant's submission to participate in the subject housing program.
5. Individual retirement, 401K, and Keogh accounts: When the applicant 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 (6) months. (Do not count withdrawals as income.)
6. Retirement and pension funds:
    a. While the person is employed: Amounts the applicant withdraws 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 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 onetime receipt and that it does not represent delayed periodic payments; if it is, 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 surrendered value of whole life policy or a universal policy): Do 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 investment. Personal jewelry is NOT considered an asset.
9. Lump-sum receipts or one-time receipts: Inheritance, capital gains, onetime lottery winnings, victim's restitution, settlement 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 for 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.)
11. A life estate: A life estate is an interest in real property which entitles the life applicant to benefit from the property until his or her death. Usually, the life applicant is entitled to the use of a house for life and may be entitled to sell his or her interest. This right is of value to the applicant, but is rarely sold on an open market. (Purchasers of real property would typically not be tempted by such an uncertain term of ownership.)

    The value of an applicant's life estate is included when calculating his or her assets based on the Internal Revenue Service's latest guidance to determine the value of life estates. (See Internal Revenue Service Publication 1457, "Actuarial Values, Book Aleph," (7-1999).)

<u>Household Assets DO NOT include the following:</u>

1. Personal property (clothing, furniture, cars, wedding rings, other jewelry that is not held as an investment, vehicles specially equipped for persons with disabilities).
2. Interests in Indian trust land.
3. Term life insurance policies (i.e., where there is no cash value).
4. Equity in the cooperative unit in which the applicant lives.
5. 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.
6. 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.

APPENDIX II

40R PROGRAM STANDARDS FOR MORTGAGE LOANS

- The loan must be a 30-year fully amortizing mortgage for not more than 97% of the purchase price with 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% above the current Mass Housing rate*)
- The loan can have no more than 2 points.
- The buyer must provide a down payment of at least 3% - half of which must come from the buyer's own funds. For these homes. 3% down payment equals $7,035 with buyer's portion at least $3,518.
- The buyer may not pay more than 38% of their monthly income for the mortgage which shall include principal, interest, real estate taxes, all insurances, and homeowner's association fees.
- Non-household members shall not be permitted as co-signers of the mortgage.

* Mass Housing: 617-854-1000 or www.masshousing.com

* DHCD: 617.573.1100 or www.mass.gov/orgs/housing-and-community-development

APPENDIX III

40R SMART GROWTH ZONING PROGRAM (40R)
HOMEBUYER DISCLOSURE STATEMENT
(Deed Restriction is a separate document signed at closing)

KEEP THIS DOCUMENT ACCESSIBLE

This Homebuyer Disclosure Statement summarizes your rights and obligations as the owner of a home located at the Residences at Nemasket River, #_____ Unit # _____, in Lakeville, Massachusetts (the "Municipality") purchased at less than the home's fair market value, under the 40R Smart Growth Zoning Program (40R). 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 a 40R 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 Department of Housing and Community Development (DHCD) and the Town of Lakeville (Municipality) and the Middleborough Housing Authority (monitoring agent) (together they are referred to as the "Monitoring Agents" in this Homebuyer Disclosure Statement) before renting, refinancing or granting any other mortgage or making any capital improvements to your 40R home;

- You must give written notice to the Monitoring Agents when you decide to sell your property.

- Your 40R property may not be transferred into a trust.

The contact information for the Monitoring Agents is listed in the 40R Deed Rider.

Please read the 40R 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 40R 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 40R 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 DHCD 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 40R home. Your sale price will be computed by DHCD based on the formula set forth in the 40R 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 40R 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 40R home to the time of the resale plus:

(a) The Resale Fee as stated in the 40R 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 80% of the area median income, as determined by a formula set forth in the 40R 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 40R 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 40R Deed Rider; and
(iv) if there are more than one interested ineligible purchasers, preference will be given to any purchaser identified by DHCD 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 40R Deed Rider), is subject to the normal and customary terms for the sale of property, which are set forth in the 40R 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 40R home, or that you will receive the Maximum Resale Price (or any other price) for your sale of the 40R 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 40R Compliance Certificate that confirms that the sale or transfer was made in compliance with the requirements of the 40R 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 40R 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 40R 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 40R 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 40R 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 40R 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 40R Smart Growth Zoning Program 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 40R Smart Growth Zoning Program 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 Homebuyer Disclosure Statement and understand the benefits and restrictions described. I further certify that I have read the 40R Smart Growth Zoning Program 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 40R Smart Growth Zoning Program Deed Rider with me.

Dated _____, 202__

_____ _____

Homebuyer Witness

_____ _____

Homebuyer Witness

40R Smart Growth Zoning Program Program (40R)
Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
617-573-1100

APPENDIX IV
THE RESIDENCES AT NEMAKET RIVER

AFFORDABLE OWNERSHIP UNITS

All 17 affordable units are three bedroom, 2.5 bathrooms units located in a new cul-de-sac in Lakeville, Massachusetts. The cul-de-sac is divided into 4 Lots.

- **Phase 3 (Lot D) - 6 townhouses located on Riverside Drive & Rivers Edge Way - Included in this lottery**
- Phase 1 (Lot A) - (prior lottery) 5 duplexes located on Bridget's Way and Riverside Drive
- Phase 2 (Lots B & C) - (prior lottery)6 duplexes located on Bernard's Way & Beverly's Way

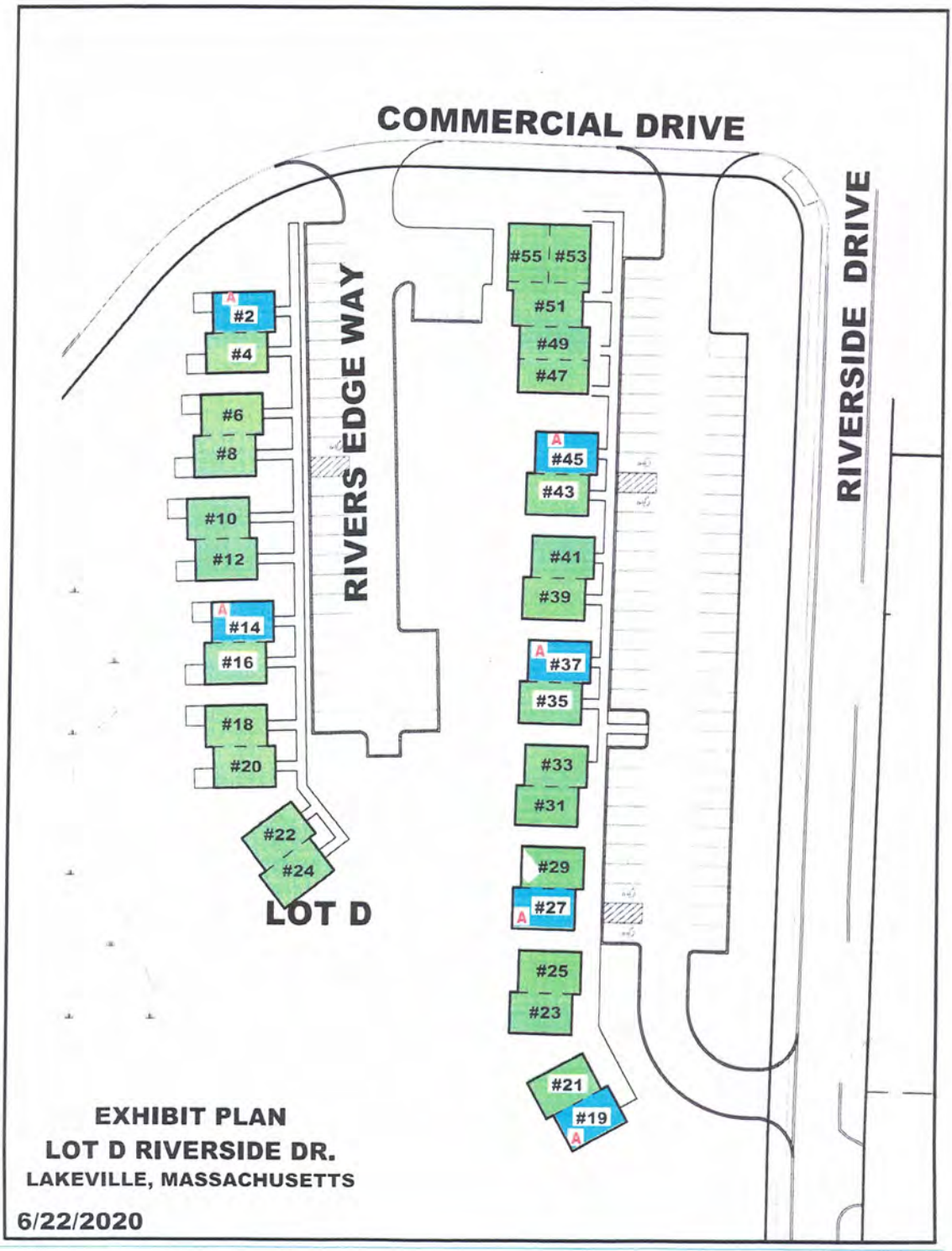
The following lists each affordable unit and are further identified on the attached map

LOT D 1,500-1600 sf units townhouses Phase 3

1. 25 Riverside Drive
2. 31 Riverside Drive
3. 47 Riverside Drive
4. 53 Riverside Drive
5. 59 Riverside Drive
6. 2 River's Edge Way

The housing units which are Low and Moderate Income Units are those designated as "A" on the attached sketch plan entitled "Exhibit Plan Lot D Riverside Dr. Lakeville, Massachusetts" dated 12/27/2018.

REVISED EXHIBIT B4
(Applicable to LOT D condominiums)

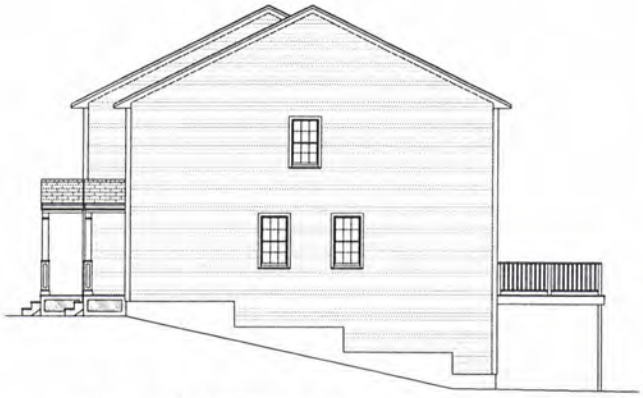


Riverside Drive

Lakeville, MA

Left Side Elevation SCALE: 1/4" = 1'-0"

Front Elevation SCALE: 1/4" = 1'-0"

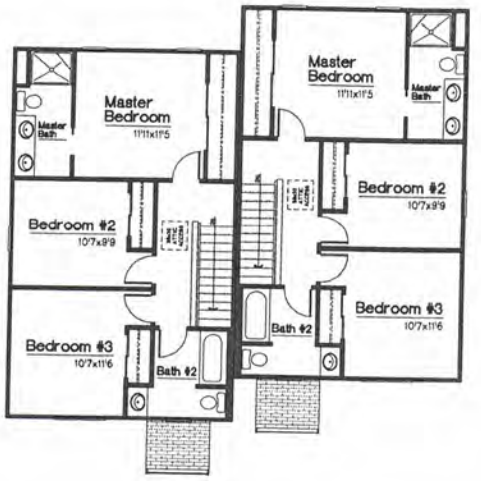


Right Side Elevation SCALE: 1/4" = 1'-0"

Rear Elevation SCALE: 1/4" = 1'-0"

First Floor Plan SCALE: 1/4" = 1'-0"

UNIT LIVING AREA — 714 GSF
TOTAL BUILDING FOOTPRINT — 1428 GSF



Second Floor Plan SCALE: 1/4" = 1'-0"

UNIT LIVING AREA — 714 GSF
TOTAL BUILDING FOOTPRINT — 1428 GSF

APPENDIX V

40R SMART GROWTH ZONING PROGRAM

CAPITAL IMPROVEMENTS POLICIES AND PROCEDURES

Dear Smart Growth Zoning Program (40R) Homeowner:

Capital improvements *must be approved by the Monitoring Agent, DHCD* <u>*and*</u> *the local community* in order to be considered and added to the resale price. DHCD defines capital improvement 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 the following:

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

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.

If a condominium or homeowners' association has a special assessment, DHCD 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, DHCD will determine the current value of the improvement based on the depreciation schedule. 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.

To begin the review process, please mail the following information to DHCD and your local community:

A letter requesting approval for the cost of a capital improvement, including:

- a description of the work to be done
- an estimate of the cost
- an explanation of why the work is a capital improvement

If the request is approved, DHCD will require a copy of the paid invoice after the completion of the work. DHCD will consider the useful life of the improvement and prepare a depreciation schedule for the cost of the improvement.

Requests for capital improvements or questions can be directed to:

Bill Reyelt

The Department of Housing and Community Development

100 Cambridge Street, Suite 300

Boston, MA 02114

Attn: Office of Sustainable Communities – 40R Program

617-573-1355 617-573-1460 (fax)

Email: william.reyelt@state.ma.us

With respect to the requesting approval from your municipality, your Monitoring Agent should be able to direct you to the appropriate municipal contact and facilitate your request.

APPENDIX VI

SELLING YOUR LOCAL 40R HOME

Dear Smart Growth Zoning Program (40R) Homeowner:

The following is a summary on how to sell your home under the 40R program. ***We wish to emphasize that before you may begin the process of selling your 40R unit, [name of designated Monitoring Agent] (the designated Monitoring Agent for your unit) and/or the [town/city] of [_____] must review your written request to sell, and issue a written response.***

To begin the review process, please mail the following ***checked*** items/information to both your Monitoring Agent and the [town/city] of [_____]:

- ☐ **Written notice of your intent to sell (Conveyance Notice).** Your written notice should include your name, the property address and an email address and phone number where you can be reached during the day.
- ☐ A copy of the **Deed Rider** for your 40R unit. If you did not keep a copy, you can obtain one at your local Registry of Deeds.
- ☐ A clear **color photograph** of the exterior of your 40R unit for posting on the DHCD Affordable Units for Sale web page.
- ☐ A copy of the completed **Property Information Form** (attached).

The above documents should be mailed to the following address:

Address of Monitoring Agent:

Middleborough Housing Authority
8 Benton Street
Middleboro, MA 02346

and

Address of municipal department/official responsible for overseeing the Monitoring Services Agreement:

Ari Sky, Town Administrator

Town of Lakeville

346 Bedford Street

Lakeville MA 02347

Email: ASky@lakevillema.org

MAXIMUM RESALE PRICE

After receiving the Conveyance Notice, the Monitoring Agent or the Town of Lakeville, as applicable, will send a written response to you stating the price for which you may sell your home. This price is called the ***Maximum Resale Price***, and is determined based on the formula in your Deed Rider. The maximum resale price of your home is calculated by multiplying the appropriate current median income by the maximum resale price multiplier factor listed in the deed rider.

For a period of 90 days, the Monitoring Agent and the Town of Lakeville reserve the right to restrict the sale of the home to a First-time Homebuyer who is income-eligible under the 40R program. If an eligible buyer is located, but is unable to secure financing within the 90-day period, the Monitoring Agent and the [Town of Lakeville have an additional 60 days to locate another eligible buyer.

MARKETING THE UNIT

During the 90-day period, the Monitoring Agent and the Town of Lakeville will market the unit to its list of eligible buyers. For communities that do not maintain such a list, the Monitoring Agent and the Town of Lakeville may assign a resale agent for marketing and qualifying applicants.

The Monitoring Agent will post information about your property on the MassAccess Housing Registry, DHCD's "Affordable Units for Sale" web page, and other locations as prescribed in the corresponding Affirmative Fair Housing Marketing Plan (AFHMP).

THE NEW BUYER

The new buyer must be income eligible under the 40R program. The Town of Lakeville or Monitoring Agent will verify eligibility. When the buyer's eligibility has been verified and has been approved for financing, both the seller and the buyer should retain legal counsel and sign a purchase and sale agreement. The Monitoring Agent and the Town of Lakeville must receive a copy of the purchase and sale agreement, and the loan commitment for the buyer, in order to prepare the closing documents.

If an eligible buyer is not located during the 90-day period (or subsequent 60-day period), you may sell your home to an ineligible buyer, although preference must be given to a household earning between 80% and 120% of area median income. The price to the ineligible buyer is the Maximum Resale Price.

The new buyer must sign a deed rider identical in form and substance to the seller's deed rider, and they are subject to the same rights and restrictions.

For more information, please contact Middleborough Housing Authority, Monitoring Agent] at 508.947.3824 x 4 or housing@middleboroha.org.

RESALE PROPERTY INFORMATION FORM

Please complete this form and return with your letter of intent to sell

Seller Name: _____

Address: _____

Phone: Day: _____ **Evening:** _____

Email: _____

Primary Contact: _____

Phone: Day: _____ **Evening:** _____

Seller's Attorney: _____

Name of Development: _____

# of Units/Homes in Development: _____ **Size of Home:** _____ **sq. ft. Age of Home:** _____

Style of Home: (Check One)

□ Single Family **Condominium/Association Fee, if applicable:** $_____ per month

□ Town Home **Estimated Annual Taxes:** $_____ per year

□ Detached Condominium □ **Town Water** □ **Septic System**

□ Garden Style Condominium

Condo Association: _____

Contact Name: _____

Address: _____

Phone: Day: _____ **Evening:** _____

About the Unit: **# of Bedrooms:** □ One □ Two □ Three

# of Bathrooms: □ 1 □ 1½ □ 2 □ 2½

Garage: □ Yes, # of cars 1 or 2 (circle one) □ No

Basement: □ Yes □ No

Heat (check one): □ Gas □ Electric □ Oil □ Forced Hot Air □ Forced Hot Water

Appliances included in home sale:

Refrigerator □ Yes □ No - Not Sure

Stove/Oven	□ Yes	□ No	- Not Sure
Microwave	□ Yes	□ No	- Not Sure
Dishwasher	□ Yes	□ No	- Not Sure
Garbage Disposal	□ Yes	□ No	- Not Sure
Washer/Dryer	□ Yes	□ No	- Not Sure

Central Air Conditioning: □ Yes □ No

Hard Wood Floors: □ Yes □ No

Please list any other applicable description of the unit:

_____

Residences at Nemasket River
APPLICATION CHECKLIST

DELIVERED OR POSTMARKED NO LATER THAN 2PM FEBRUARY 10, 2022

ENCLOSURES REQUIRED: (*Do not enclose originals – **COPIES ONLY***)

_____ Signed Application.

_____ Mortgage Pre-Approval Letter from a bank or mortgage company showing the Applicant is pre-approved for a mortgage sufficient to purchase a unit. (See mortgage requirements in Appendix II of the application manual.)

_____ If an adult member of the applicant household age 18 or older excluding the co-applicant is a full-time student, a letter from the school or college stating enrollment status and anticipated date of graduation.

_____ Proof of Wage Income (5 most recent pay stubs OR salary verification letter on employer stationary, signed by an authorized individual) (for each job – and each household member). If income is inconsistent, three months of income information may be required.

_____ Proof of Social Security, Disability, SSI, TANF, Veterans Benefits, Unemployment Compensation or other government benefits in the form of a letter from the appropriate agency (for each member of household).

_____ Complete signed Tax Returns **for the past three years**, including W2's, 1099's, all schedules and other attachments for each member of the applicants' household. If you filed electronically and did not retain copies, please visit the IRS at irs.gov and request copies and sign them. Use the current date.

_____ For Self-Employment income, submit Income and Expense data certified by an independent accountant for the past two quarters. For eligibility determination, only straight-line depreciation per IRS regulations is deductible. Expenditures for business expansion or amortization of capital indebtedness are not. Any cash or asset withdrawal is included as income except reimbursement of cash or assets invested by the family.

_____ Documentation of Assets owned by any members of the Applicants' household with valuation. This includes the value of real estate owned; investments such as stocks and bonds or mutual funds accounts; and Certificates of Deposit. This also includes any assets disposed of for less than full market value during the year preceding this application. These assets will be counted at full and fair market value for eligibility purposes.

_____ Copies of savings and checking and other investment account statements, 3 most recent for each account held by each member of the applicant household.

_____ Evidence of funds available for down payment and closing costs (may be identified from savings or a signed and notarized gift letter from a person or organization providing funds.

APPLICATION INSTRUCTIONS

To apply for the affordable home located at The Residences at Nemasket River, Lakeville, an applicant must submit a complete Application Package prior to the deadline. Incomplete applications will not be considered

Complete Application Package:

A complete Application Package shall consist of the following:

- ☐ Completed and signed Application Form
- ☐ Signed General Authorization for Release of Information Form
- ☐ Signed and completed 40R Disclosure Form
- ☐ All Required Documentation listed in the Application Checklist

The following provides guidance in completing and submitting an eligible application. Applicants are strongly urged to contact the Middleborough Housing Authority for guidance if there are any requirements you do not understand.

For those with Limited English Proficiency, MHA will utilize a Language Service which will provide translation services in a multitude of languages at no cost to the applicant.

The Middleborough Housing Authority can be reached by phone at 508-947-3824 ext. 2 or 4 or via e-mail at housing@middleboroha.org

INSTRUCTIONS:

Application Form – Page 1

Part 1 of the application form collects information about the Applicant Household. Please provide the requested information. Applicant is the Head of Household. Co-Applicant is the spouse/partner. Additional Household members include every person who will live in the affordable home as a member of the household, including children. Birth-dates are required for each household member. Describe the relationship to the Applicant for each household member (for example: Wife, Son, Daughter, Mother).

Part 2 of the application form captures information relative to a Local Selection Preference. Please check box if you request a local preference. A household is eligible for the local preference if the household currently resides in the community, is employed in the community or has a bone fide offer of employment in the community or has children attending the locality's schools, (e.g., a METCO student). You must provide documentation of residency, employment and/or school enrollment.

Part 3 of the application is optional, and designed to capture racial data on applicant households. Minority preference will only be applicable in the case of local preference. If the local preference pool does not reflect the actual racial composition of the area, minority applicants will be drawn from the regular pool of applicants until such time as the local preference pool equals the HUD regional minority percentage of 33.4% as determined by HUD for the region.

Part 4 of the application is designed to certify the applicant household as eligible under the definition of "First Time Homebuyer" as outlined in the information package. Please review the definition in the

information package. If you have owned (or co-owned) property within the last three years, please explain the circumstances.

Part 5 of the application captures income data for the applicant household. Please fill in the requested information in the appropriate spaces. A section for the full-time occupation and income for the applicant and co-applicant is provided, as well as an additional section, to capture additional income from part-time jobs, alimony, child support, disability, retirement or investment income, etc. You must provide documentation of all income (see the application form and the checklist for guidance). Please provide documentation that is current with the application date (most recent time period). Should you have any questions, please contact the Middleborough Housing Authority for guidance before submitting your application.

Part 6 of the application captures information about household assets. Assets include liquid assets such as cash in savings and checking accounts, real estate owned, investment accounts (stocks, bonds, mutual funds, etc…). You must include all retirement accounts. Please indicate in whose name(s) each account is held and name of the bank or brokerage. If it is an interest-bearing account (such as a savings account) show the interest rate (example: if your savings account pays 2.5% interest, list 2.5 in the column for interest rate). The current balance should include the principal balance (or value if a non-cash asset) as of the most recent statement. Please include documentation as outlined in the application package and checklist.

Part 7 of the application should be filled out regarding members of the applicant household who are over 18 years of age and registered as full-time students in a school or college. Please include a letter from the educational institution showing that the household member is a full-time student(s), and the anticipated graduation date(s).

Part 8 of the application is for signatures and certifications by the Applicant and Co-Applicant. Please read the certification statement and sign this page.

General Authorization for Release of Information Form

All household members over the age of 18 must sign and date this form. This form will be used to verify information provided with the application.

40R Disclosure Statement

Please read and sign this document. By doing so, you are certifying that you have read the 40R Deed Rider attached to this application and understand your responsibilities as homeowner and the implications of this deed rider as it affects the marketability of the property you are applying to purchase.

Middleborough Housing Authority
Application for The Residences at Nemasket River

DELIVERED OR POSTMARKED NO LATER THAN FEBRUARY 10, 2022 at 2:00 pm

Part I – Applicant Information

Applicant's Name			
	Mr./Mrs. Etc.	**First Name**	**Last Name**

Co-Applicant's Name			
	Mr./Mrs. Etc.	**First Name**	**Last Name**

Applicant's Mailing Address			
	Street / Apt. # / PO Box		
	City	**State**	**ZIP**

Phone / Email			
	Home Phone	**Cell Phone**	**Email**

Household Members (List all household members, regardless of age, who will occupy the affordable unit).

Name	Relationship to Applicant	Date of Birth	Social Security #
	Applicant		
	Co-applicant		

Total Number of People in Household _____

Is anyone over Age 55 (yes/no) _____

Part II – Part II – Local Preference Eligibility

APPLYING for:

☐ **Local Preference (live, work, have a bona fide employment offer or have a child enrolled in the school system in the town of Lakeville).**

1. Current residents must provide documentation of residency such as rent receipts, utility bills, street listing or voter registration.

Name	Current address	Date from	Date to

2. Applicants that work in Lakeville must provide documentation of employment such as last 5 most recent pay stubs

Household member	Current employer	Employer's address	Employer's phone #	Hired date

3. Applicants that have been hired to work in Lakeville must provide documentation of employment such as letter from employer stating start date

Household member	Employer	Employer address	Employer phone #	Hire date

4. Applicants that have a child currently enrolled in the Lakeville school system

Student's Name		School		

Part III – Minority Information for Applicant's

***Optional: Please check the appropriate Race Category for each Household Member**

Household Member	Native American/ Alaskan	Native Hawaiian / Pacific Islander	African American	Hispanic / Latino	White / Non-Minority	Other / Non-White

Does Household Qualify for Minority Preference (Yes of No) _____

Minority preference will only be applicable in the case of local preference. If the local preference pool does not reflect the actual racial composition of the area, minority applicants will be drawn from the regular pool of applicants until such time as the local preference pool equals the same minority composition as determined by HUD for the regional area.

Part IV – First Time Homebuyer

Do you currently own a home in any State?	**YES** _____ **NO** _____
Have you owned a home or joint interest in a home in the last three years?	**YES** _____ **NO** _____
If YES please explain:	
Does Household Qualify for First Time Homebuyer status (yes / no) _____	

Part V (A) –Applicant's Household Income

Applicant's Full Time Occupation				
Employer Name				
Employer Address				
	Street	City/Town	State	Zip
Supervisor	Name	Phone #	Ext.	

Total income before any deductions:					
Attach most recent pay stub	$				
Paid:					
Weekly					
Bi-Weekly					
Monthly					
Applicant's Total Gross Income:					

Part V (B) – Co-Applicant's Household Income

Co-Applicant's Full Time Occupation				
Employer Name				
Employer Address				
	Street	City/Town	State	Zip
Supervisor	Name	Phone #	Ext.	

Total income before any deductions:					
Attach most recent pay stub	$				
Paid:					
Weekly					
Bi-Weekly					
Monthly					
Co-Applicant's Total Gross Income:					

Part V (C) – Other Household Income

Household Member	Type of Income	Monthly Gross Amount

Part VI – Assets

Name on Account	Bank/Brokerage Name	Account Type/Interest Rate	Balance
		TOTAL ASSETS:	**$**

Part VII – Real Estate

Do you, or anyone on this application, own any property or have owned property in the past 3 years?	**Yes**	**No**
Are you, or anyone on this application, entitled to receive any amount of money from the sale of any property? (currently or through an upcoming court settlement)		
If yes to either question, type of property:		
Location of property:		
Appraised Market Value:	**$**	
Mortgage or outstanding loans balance due:	**$**	

Part VII – Adult Full-Time Students

Is any member of the Owner's Household over 18 years a full-time student?

If yes, list name of full-time student(s) and school attending:

Name	**School**

***Attach a letter from each school verifying the student is enrolled full-time.**

Part VIII - Certification

Part VIII - Certification

I/We certify that the information contained in this application is true and accurate to the best of my/our knowledge.

I/We understand that only applications that are complete and eligible under the guidelines, and contain all necessary documentation and certifications, will be considered.

Applicant Signature: _____ Date: _____

Co-Applicant Signature: _____ Date: _____

Received by Middleborough Housing Authority:

Date	Time	MHA Signature	

Please submit this application along with ALL of the listed documents to:

Middleborough Housing Authority
8 Benton Street
Middleboro, MA 02346

PLEASE MARK ENVELOPE "The Residences at Nemasket River Lottery"

Submission to housing@middleboroha.org in PDF Format only is also acceptable.

Application MUST be delivered or postmarked no later than:

FEBRUARY 10, 2022 at 2:00 pm.

General Authorization for Release of Information

THE RESIDENCES AT NEMASKET RIVER

I/We hereby authorize the Middleborough Housing Authority to verify any and all income, assets and other financial information and I/we direct any employer, landlord, or financial institution to release any information to the Middleborough Housing Authority for the purpose of determining income eligibility for the lottery of units at The Residences at Nemasket River.

Any information released will be kept confidential.

Applicant Signature	Social Security #	Date
Co-Applicant Signature	Social Security #	Date
Additional Family Member	Social Security #	Date
Additional Family Member	Social Security #	Date