

**AFFORDABILITY PLAN
120-C LONG RIDGE ROAD
STAMFORD, CONNECTICUT**

**SUBMISSION TO CITY
OF STAMFORD LAND USE
BUREAU**

c/o Toll Northeast V Corp.
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INTRODUCTION

Toll Northeast V Corp. (the “Owner”), submits this Affordability Plan to the City of Stamford Zoning Board for development, sale and administration of Below Market Rate Units (“BMR Units”) at the property known as 120-C Long Ridge Road (Parcel ID 003-1154), located in Stamford, Connecticut (the “Property”).

The Property will consist of 102 townhomes and carriage houses with associated amenity space. Ten (10) of the units will be designated as BMR units. A breakdown of the units and their Affordability Level is attached as Schedule A. A floor plan showing the location of the BMR Units is attached as Schedule H.

This Plan is intended to implement the land use approval issued by the City of Stamford for BMR Units in connection with Application No. 225-___ (the “Approval”) and to comply with the Affordable Housing Guidelines (the “Guidelines”) originally approved October 2001, attached as Schedule F by the Zoning Board, and with the federal and state fair housing statutes, 42 U.S.C. §§ 3601 et seq. and Conn. Gen. Stat. §§ 46a-64c et seq. It is acknowledged that this Plan must be approved by the Land Use Bureau Chief, or their designee. Further, as set forth in §7 of the Stamford Zoning Regulations, this Plan must be recorded on the land records in the City of Stamford.

ATTACHED SCHEDULES

- A. Designation of Below-Market-Rate Units
- B. HUD Income Definitions
- C. Required Documentation of Income
- D. Deed Restriction
- E. Stamford Zoning Regulations – BMR Housing Program – § 7
- F. Guidelines for Management of Below-Market Rental Units
- G. Affirmative Fair Housing Marketing Guidelines, Regs. of Conn. State Agencies, §§ 8-37ee-300 et seq.
- H. Floor Plans Showing Location of BMR Units

I. Homes Designated As Below-Market-Rate Units

Ten (10) of the dwelling units constructed in accordance with the Approval will be designated as rental BMR Units as defined in Section 3 of the Stamford Zoning Regulations and as set forth in Schedule E. The specific units designated as BMR Units are set forth in Schedule A attached hereto.

II. Affordability Period

Sale restrictions for the required minimum percentage of BMR Units shall remain in full force and effect for so long as the development exists. These restrictions shall be administered in accordance with this Plan, and with written guidelines as adopted by the Zoning Board.

III. Entity Responsible For Administration And Compliance

This Affordability Plan will be administered by Toll Northeast V Corp., which shall assume, with respect to the Ten (10) BMR Units on the Property, the role of Affordable Housing Manager (“AHM”) as defined in the Guidelines. Such role shall be subject to the enforcement powers set forth in this Plan. Toll Northeast V Corp. hereby represents that its staff has the experience necessary to administer this Plan and to carry out all duties set forth in the Guidelines and for complying with § 7.C.1. of the Stamford Zoning Regulations, Schedule E. The role of AHM may be transferred or assigned by Toll Northeast V Corp., to another entity, provided that such entity has the experience and qualifications to administer this Plan and provided that Toll Northeast V Corp., provides timely written notice to and receives prior written approval from the City.

Notwithstanding the foregoing, the City of Stamford, at the discretion of the Zoning Board and under an agreement acceptable to the City’s Law Department, reserves the right to designate an AHM to manage a citywide BMR program, and the Owner, its successors, and assigns, agree to pay reasonable compensation to said AHM for management of the BMR Units on the Property should this right be exercised.

IV. Responsibilities Of The AHM

The AHM will manage the application, income eligibility, sale/resale price, conveyance, administration, record-keeping and certification processes for the BMR Units and will maintain the information and documentation necessary to ensure and demonstrate compliance with this Plan.

V. Reporting Requirements

It is acknowledged by the Owner that the BMR Unit program constitutes an important public policy program of the City of Stamford, and therefore requires reporting to City agencies and officials as necessary to ensure proper implementation and compliance. Therefore, the AHM, no later than January 15 of each year, for the life of the building, shall file with the City’s Land Use Bureau and the Director of the Department of Social Services, the following information, accurate as of the report date:

- A. Total number of units available for sale, with unit vacancies listed.
- B. Total number of units occupied.
- C. Total number of BMR Units available for sale, with unit vacancies listed.

- D. Total number of BMR Units occupied.
- E. By number of bedrooms in the unit, the total income reported by the household during the application process and certified by the AHM as satisfying the BMR Unit program criteria; the total number of persons occupying the unit; the occupation of each adult resident of the unit, as reported during the application process; and the mortgage payment, utility allowance, and any mandatory fees paid for the current occupancy of the unit. Such information shall be reported without inclusion of or reference to the names of the occupants. The receipt, handling, custody, access to, and storage of application materials and household income information shall be subject to the enforcement and inspection provisions set forth in Section XIV of this Plan.
- F. A summary, without names, addresses, or other identifying information, of reasons given in writing by the AHM for the rejection of any household after completion of an application package, or for dismissal from the waiting list.
- G. The total number of persons/households on the Waiting List, reported by preference category and unit size qualification.

VI. Availability And Dispersion

The Ten (10) BMR Units shall be built and offered for sale as they are constructed and in accordance with the Approval issued by the Zoning Board of the City of Stamford and shall comply with § 7.C.1. of the Stamford Zoning Regulations, Schedule E, with respect to size, quality, amenities, services, utilities and standards. The proposed designation of BMR Units is identified in Schedule A. Specifically, the development will contain ten (10) BMR Units. The BMR Units shall be offered in roughly pro-rata amounts as market rate units are offered throughout the development. The minimum number of BMR Units stated in Section I shall be maintained for the duration of the affordability periods stated in Section II of this Plan.

VII. Notices Of Initial Sale Of BMR Units.

The AHM shall provide notices of the initial availability of each BMR Unit in accordance with the Affirmative Fair Housing Marketing Plan set forth in § IX. The AHM shall also provide such notice to the Zoning Board. Such notices shall include a description of the available BMR Units, the eligibility criteria for potential purchasers, the maximum sales price (as hereinafter defined), and the availability of application forms and additional information. Such notices shall be promulgated so as to reasonably come to the attention of those "least likely to apply" as defined in §§ 8-37ee-300 et seq. of the Regulations of Connecticut State Agencies, as amended, which the AHM may use as guidelines for providing notices of BMR Unit availability. All such notices shall also comply with the federal Fair Housing Act, 42 U.S.C. §§ 3601 et seq. and the Connecticut Fair Housing Act, Conn. Gen. Stat. §§ 46a-64b, 64c (together, the "Fair Housing Acts").

VIII. Initial Purchaser Eligibility

Five (5) of the BMR Units shall be available to those earning 65 percent or less of the median household income and five (5) of the BMR Units shall be available to those earning 80 percent or less of the median household income, adjusted for household size, of the Stamford Area Median Income (“AMI”). A breakdown of affordability level of each unit is attached as Schedule H. The median household income of the AMI will be determined using the statistics published and periodically revised by the U.S. Department of Housing and Urban Development (“HUD”). The AHM and Owner shall encourage the purchase and occupancy of BMR Units by families with Section 8 vouchers or other governmental housing assistance.

IX. Affirmative Fair Housing Marketing Plan

The availability of the BMR Units on the Property shall be publicized using the State regulations for affirmative fair housing marketing programs as guidelines (Schedule G). The purpose of such efforts shall be to apprise residents of municipalities of relatively high concentrations of minority populations of the availability of such units. Notices of initial availability of units shall be provided, at a minimum, by advertising at least two times in a newspaper of general circulation in such identified municipalities. The AHM shall also provide such notices to the Zoning Board or its designee. Such notices shall include a description of the available BMR Units, the eligibility criteria for potential purchasers, the maximum sale price (as hereinafter defined), and the availability of application forms and additional information.

Using the above-referenced State regulations as guidelines, dissemination of information about available affordable and market rate units shall include:

A. Analyzing census, Connecticut Department of Economic and Community Development city profiles, and other data to identify racial and ethnic groups least likely to apply based on representation in Stamford's population, including Asian Pacific, Black, Hispanic, and Native American populations.

B. Announcements/advertisements in publications and other media that will reach minority populations, including newspapers, such as the Stamford Advocate or radio stations serving Stamford and other cities and towns in the metropolitan statistical area and regional planning area, and advertisements or flyers likely to be viewed on public transportation or public highway areas.

C. Announcements to social service agencies and other community contacts serving low-income minority families (such as churches, civil rights organizations, the housing authority and other housing authorities in nearby cities and towns, legal services organizations, etc.).

D. Assistance to minority applicants in processing applications.

E. Marketing efforts in geographic area of high minority concentrations within the housing market area and metropolitan statistical area.

F. Beginning affirmative marketing efforts prior to general marketing of units, and repeating again during initial marketing and at 50 percent completion.

X. Application Process

A family or household seeking to rent one of the BMR Units (“Applicant”) must complete an application to determine eligibility. The application form and process shall comply with the Connecticut and Federal Fair Housing Acts.

A. Application Form

The application form shall be approved by the AHM and shall include forms and notices substantially in the form set forth in Schedule D. In general, income for purposes of determining an Applicant's qualification shall include the Applicant family's total anticipated income from all sources for the twelve (12) month period following the date the application is submitted (“Application Date”). If the Applicant's financial disclosures indicate that the Applicant may experience a significant change in the Applicant’s future income during the twelve (12) month period, the AHM shall not consider this change unless there is a reasonable assurance that the change will in fact occur. In determining what is and is not to be included in the definition of family annual income, the AHM shall use the criteria set forth in Schedules B and C.

B. Applicant Interview

The AHM may interview Applicants upon submission of the completed application. Specifically, the AHM shall, during the interview, undertake the following:

1. Review with the Applicant all the information provided on the application.
2. Explain to the Applicant the requirements for eligibility, verification procedures, and the penalties for supplying false information.
3. Verify that all sources of family income and family assets have been listed in the application. Make clear that the term “family” includes all individuals who are to occupy the home, and that no relationship by blood or marriage is required.
4. Require the Applicant to sign the necessary release forms to be used in verifying income. Inform the Applicant of what verification and documentation must be provided before the application is deemed complete.
5. Inform the Applicant that a decision as to eligibility cannot be made until all items on the application have been verified.
6. Review with the Applicant the process and restrictions regarding re- certification and renewal.

C. Verification Of Applicant’s Income

Where it is evident from the income certification form provided by the Applicant that the Applicant is not eligible, additional verification procedures shall not be necessary. However, if the Applicant appears to be eligible, the AHM shall require verification of the Applicant's reported income.

D. Application Fee

The AMH may charge a reasonable fee for the purpose of covering its administrative expenses in processing applications for first time occupancy, including payments for the use of third-party credit reporting services. At present, the application fee is \$50 per Applicant for BMR Units and \$50 for market rate units.

XI. Lottery

If, after publication of the notice of initial availability of units as described in § VIII hereof, the number of qualified applicants exceeds the number of BMR Units, the AHM shall conduct a lottery to select buyers. The lottery will be held upon the completion of the application process described in § X above. The BMR Units will then be offered for sale according to the lottery's results. Once all BMR units have been assigned, the remaining applicants from the lottery will be placed on a waitlist based on a first come, first served basis.

XII. Maximum Sale Price for Initial Sales

Calculation of the maximum initial sale price ("Maximum Sales Price") for a BMR Unit, so as to satisfy the BMR Unit Regulations, shall be determined, maintained, and periodically updated by the AHM. Such calculation shall utilize the median household income statistics of the SMSA, as in effect on the day Toll Northeast V Corp. signs a purchase and sale agreement with the buyer (who shall be referred to as the "Unit Owner"). The AHM may make such adjustments to calculation factors, except those expressly dictated by the BMR Unit Regulations or published data sources, as are necessary to achieve the goals of the BMR Unit Program. The criteria for pricing three bedroom BMR Units shall be priced based on the SMSA median income for families of five persons and the criteria for pricing four bedroom BMR Units shall be priced based on the SMSA median income for families of six persons. Using the 2025 data as an example, the Maximum Sales Price shall be calculated as follows:

**EXAMPLE OF CALCULATION OF SALES PRICE
FOR TWO BEDROOM UNIT FOR FAMILY
EARNING LESS THAN 65 PERCENT OF THE
AREA MEDIAN INCOME**

**SAMPLE
COMPUTATIONS
BASED ON FY
2025 DATA**

- | | | |
|----|---|-----------|
| 1. | Median family income for the Stamford
Standard Metropolitan Statistical Area (SMSA): | \$148,900 |
| 2. | Monthly income available for housing: | |
| 3. | Fixed housing costs (taxes and condo fees): | |
| 4. | Funds available for mortgage (principal/interest): | |
| 5. | Mortgage, 30 years, 6.5% interest rate, 97 percent/3
percent down payment: | |
| 6. | Maximum Sales Price: | |

XIII. Availability of Services and Amenities

BMR Units shall include, and BMR Unit occupants shall have access to, the amenities listed in Schedule B, upon payment of the mandatory condominium association fee, and to the other amenities listed in Schedule B upon payment of an additional fee.

XIV. Principal Residence

BMR Units shall be occupied only as a Unit Owner's principal residence. Leasing or subleasing of BMR Units shall be prohibited, and such prohibition shall be stated in the deed. Leasing or subleasing without express written consent of the AHM shall be deemed an act of fraud by the unit owner, and the AHM shall be permitted to pursue all civil remedies appropriate to such violation.

XV. Requirement To Maintain Condition.

All Unit Owners are required to maintain their homes. The Unit Owner shall not destroy, damage or impair the home, allow the home to deteriorate, or commit waste on the home. The AHM shall be permitted to pursue all available civil remedies for any property damage or waste beyond reasonable wear and tear. When a BMR Unit is offered for resale, the AHM may cause the home to be inspected, and repaired as needed, prior to sale.

XVI. Procedures for Resale Of A BMR Unit.

A Unit Owner shall notify the AHM in writing of his or her interest in transferring a BMR Unit. Within fourteen (14) days of receipt of such notice, the AHM shall calculate the maximum resale price of the BMR Unit as defined in § XVII below ("Maximum Resale Price") and furnish the Unit Owner, in writing, with a written determination of the Maximum Resale Price and provide the Unit Owner with guidance as to what would constitute the maximum household income for eligible purchasers.

If a waiting list of eligible purchasers exists at the time of a proposed resale, the AHM shall notify the next group of eligible purchasers on the waiting list of the availability of a BMR Unit, who shall be eligible to purchase the BMR Unit in the same order in which they appeared on the waiting list. If there are no such purchasers on the AHM's list, the AHM shall publish notice of the availability of the BMR Unit in the same manner as was followed for the initial sale, as set forth in § XII above.

Until the AHM has notified the Unit Owner that the AHM is unable to locate any eligible purchasers, the eligible purchasers shall be located solely by the AHM. The AHM shall have sixty (60) days from the date on which it is notified of the Unit Owner's intent to sell to locate a eligible purchaser. If the AHM locates one or more eligible purchasers, the Unit Owner shall accept the highest offer from the next eligible purchaser on the waiting list, in order of seniority on the list, who is able to close within a reasonable amount of time after acceptance of the offer. The Unit Owner shall have the discretion to reject any offer below the Maximum Resale Price. In the event that the AHM is unable to locate an eligible purchaser offering the Maximum Resale

Price by the end of the 60 day period, the Unit Owner may undertake his or her own efforts to locate an eligible purchaser and, in such event, may accept any offer that does not exceed the Maximum Resale Price. Upon locating a purchaser, the Unit Owner shall also provide the AHM with notice thereof and the AHM shall determine the eligibility of that purchaser in accordance with § VIII above.

The AHM shall inform any eligible purchaser of the affordability restrictions before any purchase and sale agreement is executed by furnishing the eligible purchaser with a copy of this Affordability Plan. The purchase and sale agreement shall contain a provision to the effect that the sale is contingent upon a determination by the AHM that the purchaser meets the eligibility criteria set forth in this Plan. The Unit Owner's acceptance of a purchaser's offer or bid on his or her Unit, and the closing of title thereto shall be subject to the AHM's written certification that the purchaser satisfies the eligibility criteria established by this Plan and that the sales price does not exceed the Maximum Resale Price for the Unit. The AHM shall furnish the Unit Owner with such certifications, in writing, within fourteen (14) days from the date upon which all necessary documentation required to determine eligibility is submitted. Resale without these certifications is prohibited and any sale completed without such certifications shall be void.

In the event of the Unit Owner's death, the transfer of the BMR Unit to the Unit Owner's spouse, domestic partner, party to a civil union, or child shall be permitted by the AHM, provided that the individual (a) resided with the Unit Owner in the BMR Unit for at least one (1) year immediately prior to the Unit Owner's death; and (b) satisfies the income eligibility restrictions for the BMR Unit established in § VIII above.

At the request of the AHM, the Unit Owner shall reimburse the AHM for reasonable expenses incurred in administering the transaction, including conducting the inspection required by § XVII below, in an amount not to exceed 2.5 percent of the Maximum Resale Price.

XVII. Maximum Resale Price.

For so long as the condominium community known as _____ exists, the AHM shall determine the Maximum Resale Price using the two formulas set forth in subsections A and B below. The Maximum Resale Price shall be the higher of the two prices.

A. Formula Based on Median Income.

The Maximum Resale Price shall be calculated using the formula established for the Initial Sale in § X above. That price shall be adjusted in that any Eligible Capital Improvements, as defined in subsection C below, shall be added and any Excessive Damage Amount, as defined in subsection D below, shall be subtracted.

B. Formula Based on Appreciation and Improvements.

The Maximum Resale Price shall be calculated as follows:

1. Determine the purchase price paid by the Unit Owner (not including any real estate commissions, loan origination fees, appraisal fees, title insurance premiums, closing prorations, and other similar transaction costs) (the “Start Price”).
2. Calculate the amount of permissible Appreciation derived by multiplying the number of years of ownership (starting with the date of the Unit Owner’s purchase of the Unit (the “Start Date”) to the date of the Owner’s notification of intent to sell the Unit (the “End Date”)), pro-rated monthly, by two (2) percent.
3. Calculate the amount of Eligible Capital Improvements, as defined in subsection C below.
4. Deduct any Excessive Damage Amount, as defined in subsection D below.
5. Result of Steps 1-4 shall be the Maximum Resale Price.

C. Eligible Capital Improvements.

To constitute an Eligible Capital Improvement, the improvement must satisfy each of the following requirements:

1. The AHM must pre-approve, in writing, the improvement prior to the start of its construction.
2. The improvement must be completed within 12 months of the AHM’s pre-approval and must receive final AHM approval in writing upon completion. The AHM shall have the right to inspect the improvement at times that are mutually agreeable to the AHM and the Unit Owner, to confirm that the improvement has been completed in a workmanlike manner, and to determine the appraised value thereof.
3. The improvement must constitute one of the following types of improvements:
 - Accommodation for a person with a “disability” as defined in the Americans With Disabilities Act of 1990, 42 U.S.C. §12101 et seq. or a successor United States statute;
 - Improvements to the kitchen, provided that all such improvements are part of a comprehensive renovation project for the kitchen (which may include, but are not limited to, major kitchen appliances that remain part of the kitchen until the next comprehensive renovation project, or until they wear out, whichever occurs first), the last comprehensive kitchen renovation project that qualified as an Eligible Capital Improvement was completed at least fifteen (15) years before the current one, and at least \$2,000 is spent on the comprehensive renovation project within a twelve month period;
 - Improvements to a bathroom, provided that all expenditures are part of a comprehensive renovation project for the bathroom, the last such

comprehensive renovation project for the bathroom that qualified as an Eligible Capital Improvement was completed at least fifteen (15) years before the current one, and at least \$2,000 is spent on the comprehensive renovation project within a twelve month period;

- Replacement of a unit system such as hot water heaters or furnaces, provided that the last such replacement which qualified as an Eligible Capital Improvement was completed at least 20 years before the current one (unless the AHM determines, in its sole discretion, that an earlier unit system replacement was warranted);
- Such other improvements as the AHM, in its sole discretion, may determine to allow as an Eligible Capital Improvement; and
- Capital Assessment Payments, provided that the Unit Owner's share of the cost was paid through a special assessment by the condominium association (AHM consent not required for this expense to be deemed an Eligible Capital Improvement).

4. Notwithstanding the foregoing, the following improvements do not constitute Eligible Capital Improvements:

- Upgrades or replacement of appliances, plumbing and mechanical fixtures, carpets, flooring, painting, counter tops, cabinets, tile and similar items as a result of normal wear and tear (except as they may be part of a comprehensive renovation project otherwise qualifying as an Eligible Capital Improvement);
- Jacuzzis, saunas, steam showers and other similar items; and
- Upgrades or addition of decorative items, including lights, window coverings and other similar items.

5. If an improvement constitutes an Eligible Capital Improvement, the cost of such Eligible Capital Improvement shall be included in the Maximum Resale Price formula established in subsection B above, provided that the value shall be depreciated annually at the rate of ten (10) percent of the cost, starting from the date on which the Eligible Capital Improvement is given final approval by the AHM, and ending ten (10) years from the date of the AHM approval. No depreciation beyond the cost of the improvement shall be permitted under this section. For capital assessments levied by the Association, the value shall be depreciated in the same manner, starting from the date the improvement is completed by the Association.

Nothing in these Resale Restrictions shall prohibit a Unit Owner from making an improvement to the Unit which does not qualify as an Eligible Capital Improvement, provided that such improvement does not otherwise violate this Affordability Plan.

D. Excessive Damage Amount

Upon notification of the Unit Owner's intent to sell until the time a contract is signed between the Unit Owner and a purchaser, the AHM shall have the right to inspect the BMR Unit to determine whether the Unit Owner has complied with the maintenance obligations set forth in this Affordability Plan. If, after such inspection, the AHM determines, in its sole judgment, that

the Unit Owner has not fully complied with such obligation, the AHM shall determine, in its sole judgment, the cost to complete the necessary repairs, maintenance, replacement, and other work to restore the Unit, and to bring it into full compliance with this Affordability Plan. This amount (“the Excessive Damage Amount”) shall be calculated into the Maximum Sales Price as set forth in subsection B above.

XVIII. Foreclosure.

In the event of a foreclosure, the City of Stamford shall retain an assignable right of first refusal to purchase the BMR Unit from the foreclosing lender within ninety (90) days from the date the BMR Unit is listed for sale. If the BMR Unit is purchased by the City under its right of first refusal, the Maximum Resale Price restrictions established by this Affordability Plan shall survive foreclosure. Otherwise, the Maximum Resale Price restrictions established by this Affordability Plan shall be eliminated upon foreclosure.

A lien in the amount of \$1.00 shall be placed on the land records for each BMR Unit in favor of the AHM in order to ensure that the AHM receives notice of a foreclosure sale.

XIX. Enforcement

A violation of this Affordability Plan shall not result in a forfeiture of title, but the Stamford Zoning Board shall otherwise retain all enforcement powers granted by the General Statutes or any Special Act, which powers include, but are not limited to, the authority, at any reasonable time, to inspect the property and to examine the books and records of the BMR Unit Program to determine compliance of BMR Units with the applicable regulations, the Guidelines, and this Plan. The AHM agrees to collect and maintain all books, records, files and information necessary to permit the City or the Zoning Board to determine compliance with the Guidelines or this Plan. The City Zoning Enforcement Officer and the Director of Public Safety, Health and Welfare shall be permitted to inspect the property and examine all books, records, application forms, waiting lists, and rent rolls of the BMR Unit Program, including the household income information provided by applicants or tenants, provided that all such applicant and tenant information shall be confidential and shall not be deemed a public record subject to disclosure under the Freedom of Information Act. Notwithstanding the zoning enforcement powers possessed by the Stamford Zoning Board under the Stamford Zoning Regulations, and subject to any contract or agreement providing otherwise, the City of Stamford and the Stamford Zoning Board retain all rights to pursue all legal and/or equitable remedies available to them and to assert any and all claims and causes of action against any person, firm, corporation or other legal entity arising from the administration of this Plan.

XX. Deed Restrictions.

The Deed Restrictions contained in Schedule F shall be included in each deed of a BMR Unit to provide notice of the affordability restrictions and to bind future purchasers.

XXI. Refinancing

Refinancing and any other financing occurring after the purchase of the BMR Unit shall be permitted only with the prior written consent of the AHM.

XXII. Amendment

This Affordability Plan may be amended without the consent of the Owners of the BMR Units so long as the amendment shall not cause material harm to the Owner of a BMR Unit.

**SCHEDULE A
DESIGNATION OF BELOW-MARKET-RATE UNITS**

UNIT TYPE	TOTAL UNITS	AVERAGE SIZE	% OF TOTAL
Three Bedroom			
Four Bedroom			
TOTAL:			100%

AMI LEVEL (%)	UNIT NUMBER*	SQ. FOOTAGE	UNIT SIZE
65			
65			
65			
65			
65			
80			
80			
80			
80			
80			
TOTAL:			

SCHEDULE B
HUD INCOME DEFINITIONS

1. Annual income shall be calculated with reference to 24 C.F.R. § 5.609, and includes, but is not limited to, the following:

- a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, bonuses and other compensation for personal services;
- b. The net income from operations of a business or profession, before any capital expenditures but including any allowance for depreciation expense;
- c. Interest, dividends, and other net income of any kind from real or personal property;
- d. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, or other similar types of periodic payments;
- e. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay;
- f. Welfare assistance. If the welfare assistance payments include an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance to be included as income consists of the following:
 - (1) The amount of the allowance exclusive of the amounts designated for shelter or utilities, plus
 - (2) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities;
- g. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing with the Applicant (e.g. periodic gifts from family members, churches, or other sponsored group, even if the gifts are designated as rental or other assistance);
- h. All regular pay, special pay and allowances of a member of the armed forces;
- i. Any assets not earning a verifiable income shall have an imputed interest income using a current average annual savings interest rate.

2. Excluded from the definition of family annual income are the following:

- a. Income from employment of children under the age of 18;

- b. Payments received for the care of foster children;
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains and settlement for personal or property losses;
 - d. Amounts received that are specifically for, or in reimbursement of, the cost of medical expense for any family member;
 - e. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the government to a veteran in connection with education costs;
 - f. Amounts received under training programs funded by HUD;
 - g. Food stamps; and
 - h. Temporary, nonrecurring or sporadic income (including gifts that are not regular or periodic).
3. Net family assets for purposes of imputing annual income include the following:
- a. Cash held in savings and checking accounts, safety deposit boxes, etc.;
 - b. The current market value of a trust for which any household member has an interest;
 - c. The current market value, less any outstanding loan balances of any rental property or other capital investment;
 - d. The current market value of all stocks, bonds, treasury bills, certificates of deposit and money market funds;
 - e. The current value of any individual retirement, 401K or Keogh account;
 - f. The cash value of a retirement or pension fund which the family member can withdraw without terminating employment or retiring;
 - g. Any lump-sum receipts not otherwise included in income (i.e., inheritances, capital gains, one-time lottery winnings, and settlement on insurance claims);
 - h. The current market value of any personal property held for investment (i.e., gems, jewelry, coin collections); and
 - i. Assets disposed of within two (2) years before the Application Date, but only to the extent consideration received was less than the fair market value of the asset at the time it was sold.

4. Net family assets do not include the following:
 - a. Necessary personal property (clothing, furniture, cars, etc.);
 - b. Vehicles equipped for handicapped individuals;
 - c. Life insurance policies;
 - d. Assets which are part of an active business, not including rental properties;and
 - e. Assets that are not accessible to the Applicant and provide no income to the Applicant.

**SCHEDULE C
REQUIRED DOCUMENTATION OF INCOME**

The following documents shall be provided, where applicable, to the Affordable Housing Manager to determine income eligibility:

1. Employment Income. Verification forms must request the employer to specify the frequency of pay, the effective date of the last pay increase, and the probability and effective date of any increase during the next twelve (12) months. Acceptable forms of verification (of which at least one must be included in the Applicant file) include:

- a. An employment verification form completed by the employer.
- b. Six check stubs or earnings statement showing Applicant's gross pay per pay period and frequency of pay.
- c. W-2 forms if the Applicant has had the same job for at least two years and pay increases can be accurately projected
- d. Notarized statements, affidavits or income tax returns signed by the Applicant describing self-employment and amount of income, or income from tips and other gratuities.

2. Social Security, Pensions, Supplementary Security Income, Disability Income.

- a. Benefit verification form completed by agency providing the benefits.
- b. Award or benefit notification letters prepared and signed by the authorizing agency. (Since checks or bank deposit slips show only net amounts remaining after deducting SSI or Medicare, they may be used only when award letter cannot be obtained.)
- c. If a local Social Security Administration (“SSA”) office refuses to provide written verification, the Affordable Housing Manager should meet with the SSA office supervisor. If the supervisor refuses to complete the verification forms in a timely manner, the Affordable Housing Manager may accept a check or automatic deposit slip as interim verification of Social Security or SSI benefits as long as any Medicare or state health insurance withholdings are included in the annual income.

3. Unemployment Compensation.

- a. Verification form completed by the unemployment compensation agency.
- b. Records from unemployment office stating payment dates and amounts.

4. Government Assistance.

a. All Government Assistance Programs. Agency's written statements as to type and amount of assistance Applicant is now receiving, and any changes in assistance expected during the next twelve (12) months.

b. Additional Information for "As-paid" Programs: Agency's written schedule or statement that describes how the "as-paid" system works, the maximum amount the Applicant may receive for shelter and utilities and, if applicable, any factors used to ratably reduce the Applicant's grant.

5. Alimony or Child Support Payments.

a. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.

b. A letter from the person paying the support.

c. Copy of latest check. The date, amount, and number of the check must be documented.

d. Applicant's notarized statement or affidavit of amount received or that support payments are not being received and the likelihood of support payments being received in the future.

6. Net Income from a Business. The following documents show income for the prior years. The Affordable Housing Manager must consult with Applicant and use this data to estimate income for the next twelve (12) months.

a. IRS Tax Return, Form 1040, including any:

(1) Schedule C (Small Business)

(2) Schedule E (Rental Property Income)

(3) Schedule F (Farm Income)

b. An accountant's calculation of depreciation expense, computed using straight-line depreciation rules. (Required when accelerated depreciation was used on the tax return or financial statement.)

c. Audited or unaudited financial statement(s) of the business.

d. A copy of a recent loan application listing income derived from the business during the previous twelve (12) months.

e. Applicant's notarized statement or affidavit as to net income realized from the business during at least three (3) previous years.

7. Recurring Gifts.

a. Notarized statement or affidavit signed by the person providing the assistance. Must give the purpose, dates and value of gifts and must be a monthly contribution.

b. Applicant's notarized statement or affidavit that provides the information above.

8. Scholarships, Grants, and Veterans Administration Benefits for Education.

a. Benefactor's written confirmation of amount of assistance, and educational institution's written confirmation of expected cost of the student's tuition, fees, books and equipment for the next twelve (12) months. To the extent the amount of assistance received is less than or equal to actual educational costs, the assistance payments will be excluded from the Applicant's gross income. Any excess will be included in income.

b. Copies of latest benefit checks, if benefits are paid directly to student. Copies of canceled checks or receipts for tuition, fees, books, and equipment, if such income and expenses are not expected to change for the next twelve (12) months.

c. Lease and receipts or bills for rent and utility costs paid by students living away from home.

9. Family Assets Currently Held. For non-liquid assets, collect enough information to determine the current cash value (i.e., the net amount the Applicant would receive if the asset were converted to cash).

a. Verification forms, letters, or documents from a financial institution, broker, etc.

b. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

c. Quotes from a stock broker or realty agent as to net amount Applicant would receive if Applicant liquidated securities or real estate.

d. Most recent real estate tax statements if tax authority uses approximate market value from property's tax assessor's office, most recent mortgage bill reflecting current balance in addition to any closing documents/projected expenses related to disbursing the asset.

e. Copies of closing documents showing the selling price, the distribution of the sales proceeds and the net amount to the borrower.

- f. Appraisals of personal property held as a investment.
- g. Applicant's notarized statements or signed affidavits describing assets or verifying the amount of cash held at the Applicant's home or in safe deposit boxes.

10. Assets Disposed of for Less Than Fair Market Value (“FMV”) During Two Years Preceding Application Date.

a. Applicant’s certification as to whether it has disposed of assets for less than FMV during the two (2) years preceding the Application Date.

b. If the Applicant states that it did dispose of assets for less than FMV, then a written statement by the Applicant must include the following:

- (1) A list of all assets disposed of for less than FMV;
- (2) The date Applicant disposed of the assets;
- (3) The amount the Applicant received; and
- (4) The market value to the asset(s) at the time of disposition.

11. Savings Account Interest Income and Dividends.

a. Most Recent six (6) months of account statements, passbooks, certificates of deposit, etc., if they show enough information and are signed by the financial institution.

b. Broker's quarterly statements showing value of stocks or bonds and the earnings credited the Applicant.

c. If an IRS Form 1099 is accepted from the financial institution for prior year earnings, the Affordable Housing Manager must adjust the information to project earnings expected for the next twelve (12) months.

12. Rental Income from Property Owned by Applicant. The following, adjusted for changes expected during the next twelve (12) months, may be used:

- a. IRS Form 1040 with Schedule E (Rental Income).
- b. Copies of latest rent checks, leases, or utility bills.

c. Documentation of Applicant's income and expenses in renting the property (tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or amortization schedule showing monthly interest expense).

d. Lessee's written statement identifying monthly payments due the Applicant and Applicant's affidavit as to net income realized.

13. Full-Time Student Status.

a. Written verification from the registrar's office or appropriate school official.

b. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the school.

14. Tax Documentation

**SCHEDULE D
QUALIFICATION STANDARDS FOR PROSPECTIVE
RESIDENTS**

Fair Housing

Toll Northeast V Corp., complies with the Federal Fair Housing Act. Toll Northeast V Corp., does not discriminate on the basis of race, color, religion, national origin, sex, familial status or disability, or any other basis protected by applicable state, Federal or local fair housing laws.

Applications

Each person that will occupy the apartment who is 18 years old or older must complete an application and sign the lease. Each applicant that is 18 years of age or older, and not a full-time student who can be claimed as a dependent on the primary applicant's tax return, will be qualified by Toll Northeast V Corp., in accordance with these qualification standards. Applications are to be completed in full. Applications containing untrue, incorrect or misleading information will be declined. Each application is evaluated with a scoring method that weighs the indicators of future rent payment performance. The score is based on statistical analysis of prior renters' indicators and subsequent payment performance. Based on the score, we may choose to accept or decline an applicant, or seek additional requirements for approving the lease. These additional requirements include an additional security deposit.

The following documentation **MUST** accompany ALL applications:

- Applicants must have verifiable identification and the following documentation will be required for all household members as applicable (emancipated minors presenting court appointed documentation are eligible to qualify as they meet the noted criteria):
 - Birth Certificates
 - Social Security Cards
 - Valid driver's license, age of majority card, military ID or State issued photo ID
 - Any eligible immigration documentation
 - Permanent Resident Card
 - Temporary Resident Card
 - Employment Authorization Card

Credit History

- Credit reports will be run on each applicant and will be considered in the overall credit worthiness of the application. Unsatisfactory credit history can disqualify an applicant from renting an apartment home at this community. An unsatisfactory credit report is one that reflects past or current bad debts, late payments or unpaid bills, liens, judgments or bankruptcies. If an applicant is declined for poor credit history, the applicant will be given the name, address and telephone number of the credit reporting agency that provided the report. An applicant declined for unsatisfactory credit is encouraged to obtain a copy of the credit report from the credit reporting agency.

Rent/Mortgage Payment History

Any legal proceedings/judgments/evictions/skips may result in a declined application.

Employment History

- Employment must be verified. In the case of new employment, applicant must present a signed offer letter on company letterhead stating income. Employment must begin within 30 days of the lease start date.
- Self-employed applicants must provide the most current annual tax return (submission of 1099s only is not sufficient) or a notarized statement from a Certified Public Accountant or attorney indicating the amount of anticipated annual income.

Income Requirements

- Gross monthly household income must be sufficient to cover the rent and other typical household obligations. Household income of less than twice the rent is automatically considered insufficient. For savings to be considered in lieu of income, applicant may provide a current savings account statement showing proof of at least three (3) times the annual rent.
- Official documentation must be submitted to support the following, and any other, sources of additional income you wish us to consider:

- *Investment Account *Dividends *Child Support *Interest
- *Retirement Income/Savings *Military Housing Allowance *Trust Fund Income *Alimony

Conviction Information

The application of any person who has been convicted or plead guilty or “no contest” to a misdemeanor or felony involving sexual misconduct shall be declined.

Nothing set forth in these Qualification Standards should be construed to be a guaranty by the Ground Lessee that residents of this community have not been convicted or plead guilty or “no contest” to any misdemeanor or felony involving sexual misconduct.

Guarantors/Increased Security Deposits

- Guarantors may be permitted based on the applicants’ score. Guarantors’ gross annual income or savings must be sufficient to cover the annual rental rate in order to support their current housing payments and that of the applicant(s). Guarantors must meet all other qualification standards listed. All lease-associated paperwork signed by Guarantor must be notarized if not signed at the Leasing Information Center in the presence of a AHM office associate.
- Increased security deposits may be permitted based on the score. The increased security deposit will be equivalent to two (2) months’ rent unless otherwise dictated by law.

Roommates

Each resident and Guarantor is jointly and severally (fully) responsible for the entire rental payment as well as all community rules and policies. Management will not refund any part of a security deposit until the apartment is vacated by all leaseholders.

Affordable Housing Program/Below Market Rent Programs

Applicants for the Affordable Housing Program/Below Market Rent Program (if applicable at this community) must be qualified based on the governing authority's income classifications. The income ranges are derived from the maximum low/moderate income. Please reference the Affordable Housing Rent/Income Guidelines to determine eligibility. Affordable Housing Program/Below Market Rent Program guidelines supersede these Qualification Standards.

Occupancy Guidelines

Governed by state, city, and local ordinances. In the absence of any more stringent requirements by the aforementioned agencies, the standard occupancy guidelines will be a maximum of two (2) residents per bedroom. Residents under the age of 18 months will not be considered in the occupancy guidelines. An occupant will be considered a resident and must be listed on the lease agreement if they reside at the premises more than 50 percent of the time.

NOTE: Den/study areas are not considered bedrooms.

Initial Residents will be subject to the following income limits:

City of Stamford Below Market Rate (BMR) Program 2025

SCHEDULE E
STAMFORD ZONING REGULATIONS FOR BMR HOUSING PROGRAM

SCHEDULE F
Deed Restrictions

· The language below shall be inserted in each deed for a BMR Unit:

· The property conveyed hereby is a "BMR Unit" as defined in Article III, § 7 of the Stamford Zoning Regulations. Said property is subject to the following permanent restrictions (the "Restrictions"):

· **TO BE INSERTED IN A DEED FOR A 65 PERCENT UNIT:**

· 1. The owner of said unit shall sell or transfer said unit only to a family or household whose income is equal to or less than 65 percent of the median income for the Stamford Standard Metropolitan Statistical Area (the "SMSA") as determined by the Connecticut Department of Housing and the U.S. Department of Housing and Urban Development ("HUD"). Determination of a purchaser's eligibility shall be made by the Affordable Housing Manager ("AHM") (as defined in that certain Affordability Plan (the "Affordability Plan") for _____, which is on file in the Stamford Zoning Board's office and recorded at Volume _____, Page _____ of the Stamford Land Records. Any exceptions to this income restriction shall be made solely by the AHM in accordance with the terms of the Affordability Plan and §§ 7 (Below Market Rate Units) of the Stamford Zoning Regulations, as may be amended.

· **TO BE INSERTED IN A DEED FOR A 80 PERCENT UNIT:**

· 1. The owner of said unit shall sell or transfer said unit only to a family or household whose income is equal to or less than 80 percent of the median income for the Stamford Standard Metropolitan Statistical Area (the "SMSA") as determined by the Connecticut Department of Housing and the U.S. Department of Housing and Urban Development ("HUD"). Determination of a purchaser's eligibility shall be made by the Affordable Housing Manager ("AHM") (as defined in that certain Affordability Plan (the "Affordability Plan") for _____, which is on file in the Stamford Zoning Board's office and recorded at Volume _____, Page _____ of the Stamford Land Records. Any exceptions to this income restriction shall be made solely by the AHM in accordance with the terms of the Affordability Plan and §§ 7 (Below Market Rate Units) of the Stamford Zoning Regulations, as may be amended.

**SCHEDULE G
REGULATIONS OF CONNECTICUT
STATE AGENCIES §§ 8-37ee-300 et. seq.
AFFIRMATIVE FAIR HOUSING MARKETING
GUIDELINES**

**REGULATIONS OF CONNECTICUT STATE AGENCIES
TITLE 8. HOUSING
DEPARTMENT OF
HOUSING (1)
AFFIRMATIVE FAIR HOUSING MARKETING AND
SELECTION PROCEDURES MANUAL**

The Connecticut Regulations titles are current with material published in Conn.L.J. through 2/1/05.

Sec. 8-37ee-300. General information

(a) This manual should be used in conjunction with the Fair Housing regulations under Section 8-37ee-1 through Section 8-37ee-17 of the Regulations of Connecticut State Agencies, and the instructions accompanying the Affirmative Fair Housing Market Form included in this manual.

(b) The purpose of this manual is to assist recipients of state financial assistance from the department in understanding what shall be required of them, as well as to further implement the provisions of Section 8-37ee-1 through Section 8-37ee-17 of the Regulations of Connecticut State Agencies.

(c) The Affirmative Fair Housing Marketing Plan shall be submitted on the form, and in the manner, prescribed by the department. The plan shall include all of the techniques which recipients intend to employ to assure that marketing is broad-based and that prospective buyers and/or renters of varied income groups, including persons with physical disabilities would feel welcome to apply. At least twenty percent (20%) of the units shall be promoted to the "least likely to apply" group.

Sec. 8-37ee-301. Definitions

All terms defined in Section 8-37ee-1 of the Regulations of Connecticut State Agencies shall have the meanings set forth there.

The following apply to Section 8-37ee-300 through Section 8-37ee-314 of the Regulations of Connecticut State Agencies:

(1) "Least likely to apply" means those persons who, in the main, do not live in the area of the development because of racial or ethnic patterns, perceived community attitudes, price

or other factor, and thus need additional outreach to inform them of their opportunity to live in the development. In predominantly white areas, these shall be minority groups; in predominantly minority areas, these shall be white groups.

(2) "Recipient" means a person, organization or individual who applies or may receive state financial assistance from the department.

(3) "Resident" means a person, including an applicant, living or working in the municipality in which the housing is located. Durational residency requirements are not permitted.

Sec. 8-37ee-302. Affirmative fair housing marketing process

(a) Assessing Affirmative Marketing Needs

Recipient plans shall identify the group(s) "least likely to apply" to the housing through the submission of relevant demographic data. Data may be derived from the U.S. Census, municipal sources, regional planning agencies, civil rights groups, fair housing officers, social service agencies, and like organizations. Source documentation shall be clearly identified.

(b) Affirmative Marketing Outreach

(1) Mechanisms--Recipients' plans shall determine and identify the most appropriate outreach mechanisms which should include: newspaper, radio, television, and other media advertisements as well as flyers and announcements to social service agencies and other organizations with the desire and capacity to inform potential applicants of the availability of housing. These mechanisms or organizations shall represent those most likely to be read, heard, seen by, or in contact with applicants least likely to apply.

(2) Locale--Recipients' plans shall provide for the dissemination of information at a minimum in (a) the largest city located in the nearest Primary Metropolitan Statistical Area or Areas or Metropolitan Statistical Area or Areas, (b) the regional planning area, and (c) any other areas which are likely to contain high minority populations and where public transportation or public highways and/or job availability make it likely that minorities might wish to move where the development is located.

(3) Time frame--Recipients' plans shall identify the time frame, duration, and frequency of the materials to be announced or distributed. At a minimum affirmative fair housing marketing shall begin prior to general marketing. There shall be at least three (3) documented efforts with updated materials as necessary: the first at the beginning of construction; the second at approximately 50 percent completion; and the final, six to eight weeks prior to completion.

(4) Notice of Intent to Begin Marketing--Recipients are required to give notice to the department no later than 60 days prior to engaging in sales or rental marketing activities.

(5) Prominence--Recipients' plans shall provide that any materials shall be prominently displayed or appear where they are most likely to be read or seen, e.g. not in the "legal notices" section of the paper but in more prominent ads.

(6) Content--Recipients' plans shall identify the content of the materials to be used which at a minimum shall: (a) identify the location of the housing; (b) provide a narrative description of the housing; (c) identify when the application process shall begin and end; (d) be neutral in the sense of encouraging all potentially eligible applicants to apply; (e) include a contact person and telephone number; (f) display the fair housing logo and clearly state the owner's commitment to Fair Housing and non-discrimination; (g) where relevant, be provided in both English and Spanish; (h) where there is any advertising depicting persons, depict persons of both sexes and persons of majority and minority groups; (i) describe the application and selection process as stated in Section 8-37ee-304 and Section 8-37ee-305 of these regulations; and (j) include the fair housing policy statement as stated in Section 8-37ee-311 below.

(7) Community contacts--Recipients' plans shall identify community contacts which shall include individuals and organizations that are well known in the area who can reach and assist those least likely to apply. These may include church groups, housing counseling groups, legal services organizations, labor unions, minority and women's organizations, shelters, social service agencies, housing authorities, and town officials. Each of these entities shall receive appropriate materials as described in subsection (5) with additional instructions, if necessary.

(8) Counseling and application assistance--Recipients' plans shall provide that either the contact person or a housing counseling organization, fair housing officer, or other similar party is trained in fair housing and its requirements and is ready and willing to assist all applicants including the least likely to apply with the application process.

(9) Follow-up--Recipients' plans shall provide for follow-up meetings or telephonic reports from the various outreach organizations listed in subsection (7) in order to evaluate the effectiveness of the affirmative marketing. Where organizations determine that few potential applicants are displaying an interest, alternative approaches should be considered.

(10) Public inspection--Recipient approved plans shall be available for public inspection.

Sec. 8-37ee-303. Application process

(a) The application period shall extend for at least 60 days before initial occupancy. An application deadline shall be established when all applications shall be completed and returned. Applications received after the deadline shall not be considered unless there is: (1) an insufficient number of initial applicants; and/or (2) the department determines that more affirmative marketing is necessary.

(b) Recipients shall use a standard application form furnished by the department included in this manual.

(c) Anyone seeking to apply shall be given the opportunity to do so.

(d) Anyone needing help in filling out the forms shall be assisted.

(e) Each application received shall be immediately dated and time stamped. Each applicant shall be given a receipt with the date and time on it.

(f) Each applicant shall have a control number assigned in chronological order.

(g) A file shall be opened for each applicant. The file shall remain confidential information.

(h) Selection shall occur at least thirty (30) days before scheduled occupancy to prevent vacancies.

Sec. 8-37ee-304. Selection process

(a) Recipients should develop a written selection plan which covers the tenant selection process they intend to use. Such plan should include, at a minimum, the following:

(1) Procedures for accepting applications and screening applicants;

(2) Fair housing requirements;

(3) When applicants may be rejected; and

(4) Procedures for selecting applicants from the waiting list(s).

(b) At a minimum, the following factors shall be used to screen applicants:

(1) demonstrated ability to pay rent on time;

(2) housekeeping habits based on visits to the applicant's current residence;

(3) comments from former landlords; endorsement from at least two is preferred; and

(4) Credit checks may be obtained. These may be useful when no rental payment history is available. A lack of credit history, as opposed to a poor credit history, is not sufficient grounds to reject an applicant. Recipients should try to obtain all credit checks, landlord and personal references and so forth before the interview so that if negative information is received the applicant shall be given the opportunity to explain the circumstances.

(c) Recipients shall also prepare one Occupant Selection List which shall be subdivided by the number of units available and bedroom size. The following guidelines shall be used to determine minimum and maximum housing capacity:

<u>Bedroom Size</u>	<u>Minimum</u>	<u>Maximum</u>
00 (single room occupancy)	1	1
0 (efficiency unit)	1	1

1	1	2
2	2	4
3	3	6
4	5	8

Sec. 8-37ee-305. Selection methodology

(a) For purposes of fairness and equity the department allows either a point system or a purely random lottery selection method. However, if there is a tie score under the point system method and there is a limited number of units available for persons with the same point score, the random selection method or first come, first serve (chronological order) shall be used in conjunction with the point system to select which applicant gets the unit.

(b) Point System Selection Method

(1) Point systems may be altered by the Commissioner to comply with fair housing goals. Where a program dictates other kinds of requirements, e.g. limited equity cooperatives may look for participants willing to put in sweat equity, points for such neutral categories may be added with the approval of the Commissioner.

(A) Calculation of Points--The applicant receives the full point score or none; subjective practical scoring is not allowed. Where department program requirements mandate selection criteria such as age, income, etc., applicants shall first meet that standard. Where an applicant does not meet the program requirements, the applicant may be rejected without further analysis.

(2) The following is the Department's approved point system that recipients shall use.

POINT SYSTEM METHOD

- (i) SUBSTANDARD HOUSING 25 point
 - maximum condemned or verified serious housing code violations 25 points
 - inadequate heating, plumbing, or cooking facilities 20 points
- (ii) LIVING SITUATION 25 point
 - maximum living in documented physically or emotionally abusive situation 25 points
 - living in a shelter or transitional housing 25 points

living in temporary housing with others because of conditions beyond applicant's control (condemnation, foreclosure, fire, loss of job, etc.)	20 points
living in overcrowded conditions in own housing unit (e.g. 1.5 persons per room)	15 points
(iii) INCOME/RENT RATIO	15 point
maximum currently paying more than 50% of income for rent or housing	15 points
currently paying between 31-50% of income for rent/housing	10 points
(iv)(OPTIONAL) RESIDENT OR LEAST LIKELY TO APPLY APPLICANT	10 points

(a) If this resident selection category is used, the 10 points shall be awarded to both residents and least likely to apply applicants. However, if the owner chooses, more points may be awarded to the least likely to apply applicants (e.g. 15, 20, 25 points, etc.).

(3) Points shall be added up for each applicant. The department recommends that the recipient create a pool of candidates with the highest score and which exceed the number of available units by bedroom size by at least three times. Applicants shall be selected by a lottery.

(4) If the number of applicants does not exceed the number of available units by bedroom size by at least three times applicants may be selected on a first come first serve basis.

(c) Random Selection Method--Lottery

If recipients select the random selection method the factors, they shall use in determining selection shall include:

- (1) Determining the income eligibility of all applicants;

(2) Pre-screening/interviewing for credit worthiness and other reasonable common rental or ownership criteria; and for verification of applicant information.

(3) Putting all applicants with favorable interviews, that is, having no ground for disqualification based on subsection (e) of this section, back in the pool and choosing by a lottery system.

(d) Interview or Home Visit

(1) Ideally all applicants meeting income guidelines should be interviewed. When a large number of applicants apply, recipients may conduct interviews and/or home visits with only those who meet the minimum threshold point score, so long as the number of interviewees significantly exceeds the number of available units.

(2) The interview should be used for purposes of verifying and clarifying information in the application as well as exploring the ability and willingness of the applicant to meet financial commitments and to assume the other responsibilities of tenancy or ownership. Points should not be added or subtracted as a result of the home visit and interview unless information on the application was erroneous.

(e) Grounds for disqualification

(1) Applicants may be disqualified from final selection upon documentary verification of any of the following: (A) the applicant or any member of the applicant's household has a history of disturbing neighbors, destroying property, or living or housekeeping habits which would substantially interfere with the health, safety, or peaceful enjoyment of other residents; (B) the applicant has a history of rental nonpayment within the past 12 months without reasonable justification (justification might be: substandard housing, loss of a job, etc.); (C) the applicant has knowingly falsified information in the application process; or (D) the applicant cannot demonstrate an ability to pay the base rent.

(2) Applicants deemed ineligible, for whatever reason(s), shall be notified in writing, before the final selection, of the reason(s) for rejection and their right to appeal within ten days of the rejection. Recipients should inform applicants that an appeal should be made immediately to assure their return to the applicant pool if they prevail. An impartial hearing officer shall be chosen by the recipient who shall issue a written opinion within five days of the hearing. All appeals should be heard within five days of the request.

(3) Applicants still aggrieved shall be informed of their right to appeal the decision of the hearing officer to the department's affirmative action office. Such appeal shall be made in writing and brought within ten days of the adverse decision.

(4) Recipients shall keep the following materials on file for at least three years: (1) application; (2) initial rejection notice; (3) any applicant reply; (4) the recipient's final response; and (5) all interview and verified information on which the rejection was based.

Sec. 8-37ee-306. Insufficient number of least likely to apply applicants

(a) If the Affirmative Action Office finds, at any stage, that there is an insufficient amount of least likely to apply candidates due to a lack of good faith affirmative fair marketing it shall have the right to require additional outreach until such time as a sufficient effort has been expended or a sufficient number of applicants is available. Such additional outreach may delay the occupancy of units.

(b) Where the department determines that good faith efforts have been made to recruit applicants who are least likely to apply and there is still an insufficient number of eligible applicants, recipients shall be given permission to rent or sell units to other eligible applicants.

(c) The department's determination of the owner's good faith efforts shall include, but not be limited to: substantiating that the outreach which it stated in its Affirmative Fair Housing Marketing Plan was actually completed; that such efforts met time and durational requirements; that the marketing approach was amended or enhanced when found deficient; and that there were particular local, regional, and/or market reasons for the failure of the Affirmative Fair Housing Marketing Plan to attract a sufficient pool of applicants who are least likely to apply. The owner shall develop and maintain adequate documentation in a manner prescribed by the department of its good faith efforts.

Sec. 8-37ee-307. Post occupancy requirements

(a) Following the initial lease-up or sales, recipients shall continue to affirmatively market to those least likely to apply for the life of the mortgage, assistance agreement or regulatory agreement, whichever is longer. Recipients shall make every good faith effort to maintain a racially and economically integrated housing development.

(b) Recipients should schedule application periods as in the initial lease-up or sales at reasonable intervals. Such application periods shall have a deadline and new applicants shall be chosen as in the initial selection system. Prospective applicants shall only be considered during this application period. Where point systems are used, new applicants with higher points may not displace previous waiting list applicants unless the waiting lists have been reviewed and updated.

(c) The department shall require annual updates on whether recipient affirmative fair marketing goals have been met and whether recipients have been able to sustain their goals. Upon review of the information the department may require remedial action where it is deemed necessary. Records of all affirmative fair marketing, tenant selection, and waiting lists should be retained for at least five years or as set forth in the Assistance or Regulatory Agreement with the Department.

(d) Recipients may be monitored on a yearly basis for compliance with the fair housing requirements stated herein and may be subject to random on-site monitoring.

Sec. 8-37ee-308. [Reserved.]

Sec. 8-37ee-309. Recipient training

Prior to any disbursement of financial assistance recipients shall be required to attend a seminar on implementing the department's Fair Housing regulations. Recipients are encouraged to attend other fair housing forums and participate in fair housing events. All recipient employees and agents shall be informed, in writing, and orally, of fair housing requirements.

Sec. 8-37ee-310. Affirmative marketing for other grantees

Recipients who are not producing housing shall affirmatively market their programs so that a broad range of majority and minority beneficiaries are encouraged to apply for whatever assistance is provided. Outreach should comply with the Affirmative Fair Housing Marketing Plan Guidelines.

Sec. 8-37ee-311. Fair housing policy statement and publicity

(a) Any recipient, including but not limited to sponsors of housing, technical assistance organizations, and subcontractors, shall adopt a fair housing statement prior to the receipt of department funds which shall include the following:

(1) Recipient's commitment to promote Fair Housing choice and not to discriminate against any person as prohibited in General Statutes 46a-64c as amended. Protected classes include race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, physical or mental disability, or sexual orientation. The provisions of 46a-64c should be specifically included in the pledge.

(2) Recipient's commitment to promote racial and economic integration in any housing developed or supported with department funds being sought or recipient's commitment to seek beneficiaries from all racial and ethnic groups as well as the physically and mentally handicapped and families with children, and to seek a broad range of income eligible beneficiaries, whichever provision is relevant to the kinds of services provided by the grantee.

(3) Identifies the person assigned Fair Housing responsibilities by name, position, address, and telephone.

(4) Includes a discrimination complaint procedure which shall be disseminated to applicants and posted.

(5) Is revised as needed.

(6) States how the policy shall be disseminated.

(7) Is signed by the Board President, CEO, or other comparable party.

(b) Before dissemination the policy shall be approved by the department. The policy shall be prominently posted in the recipient's offices and also on the site where building or rehabilitation is taking place.

(c) Recipients shall prominently display in all offices, in printed materials, and on housing sites fair housing posters and/or the fair housing logo which may be obtained from the department's affirmative action office.

Sec. 8-37ee-312. Modification of requirements

(a) Where another program funding requires stricter fair housing requirements, upon approval of the department those shall be followed.

(b) Where federal sources are also funding the housing, federal fair housing requirements, as well as these shall be adhered to.

(c) Where the department is funding minor rehabilitation, these requirements may be adjusted as determined by the department.

Sec. 8-37ee-314. Fair housing compliance for existing state assisted units

(a) Each owner of five or more state assisted housing units shall develop an affirmative fair housing marketing plan for each such development as described in Section 8-37ee-302, and selection procedures as described in Section 8-37ee-304 of these regulations.

(b) Each owner of state assisted housing shall evaluate its waiting list for each development to determine whether or not the waiting list provides for racial and economic diversity as required by Public Act 91-362.

(c) If there are either insufficient families who are least likely to apply on the list or near the top of the list such that they might be housed within the next year, then the units shall be affirmatively fair marketed.

(d) Eligible applicants currently on the waiting list may not be removed from such list unless duly purged. However, once any additions are to be made to the list, all requirements of this manual shall apply to the new applicants.

(e) Owners of currently assisted state housing shall be expected to comply with all other requirements of this manual within a reasonable time after its effective date and, at a maximum, within one year of such date.

AFFIRMATIVE FAIR HOUSING MARKETING PLAN TIME FRAMES/PHASES

For recipient's convenience, please find below, an outline of the Affirmative Fair Housing Marketing Plan time frames/phases.

PRE-APPLICATION/APPLICATION PHASE

(a) A pre-application briefing is held at the department before the application for funding is submitted.

(b) The affirmative fair housing marketing plan (plan) and selection procedures (procedures) are submitted with the funding application. They are reviewed and approved or returned for resubmission. They shall be approved before the final application is approved by the department.

(c) Any modifications made to the plan and/or procedures shall be submitted for approval.

MARKETING PHASE

(a) 60 days prior to affirmative fair housing marketing (which shall begin prior to general marketing), a Notification of Intent to Begin Marketing shall be submitted to the department.

(b) The plan and procedures are reviewed and a preoccupancy conference may be scheduled.

(c) Affirmative fair housing marketing begins at the start of construction.

(d) A second such marketing effort takes place at 50 percent completion.

(e) Final fair housing marketing occurs 6-8 weeks prior to completion.

(f) If inadequate numbers of "least likely to apply" candidates are applying, recipients should reassess outreach mechanisms.

APPLICATION PHASE

(a) The time for receipt of all applications shall extend for at least 90 days.

(b) Reports to the department regarding racial and economic make-up shall be submitted:

- (1) After the application period ends
- (2) After pre-screening is completed
- (3) After final selection

POST OCCUPANCY PHASE

(a) Affirmative fair housing marketing and selection procedures shall be continued for the life of the project.

(b) Yearly updates on meeting and sustaining goals shall be required.

(c) The department may randomly monitor housing to assure continuing compliance.

(d) If at any time the department determines that there are insufficient "least likely to apply" applicants or occupants due to the lack of a good faith effort on the part of the recipient, further outreach and/or a Compliance Meeting may be required.

SCHEDULE H
FLOOR PLANS SHOWING LOCATION OF BMR UNITS

By executing this agreement, the Owner is acknowledging and agreeing to comply with the contents and requirements of same for so long as residential dwelling units in addition to those located within the rectory exist on the Property. The undersigned parties further hereby agree that the recording of this agreement on the Stamford Land Records shall completely satisfy the BMR obligations in connection with the conversion of a portion of the existing building to multi-family, residential use, and no further monetary or alternative method of compliance shall be required by the Owner or any successor or assign.

Reviewed and approved by:

Toll Northeast V Corp

By: _____

Dated: _____

_____, Duly Authorized

CITY OF STAMFORD

By: _____

Dated: _____

Ralph Blessing
Land Use Bureau Chief