

## **AFFORDABILITY PLAN**

### **INTRODUCTION**

D3 Realty, LLC (the "Developer") submits this Affordability Plan in conjunction with its application to the Bethel Planning & Zoning Commission for a zoning permit regarding property located at 72 Reservoir Road, Bethel, Connecticut (the "Complex")

Under this plan, thirty percent (30%) of the homes in the Complex (two units) will be designated as "Housing Opportunity Units" that will meet the criteria for "affordable housing" as defined in Connecticut General Statutes ("C.G.S.") § 8-30g, as amended to date. Effective October 1, 2000, C.G.S. § 8-30g requires that for this application at least fifteen percent (15%) of the units must be affordable for 40 years to families earning sixty percent (60%) or less of the median income for the Bethel area (Danbury MSA) or the State median income, whichever is less, and at least fifteen percent (15%) of the units must be affordable for 40 years to families earning eighty percent (80%) or less of the median income for the Bethel area (Danbury MSA) or the State median income, whichever is less. Because the area median income for the Danbury MSA (\$147,700) as of the date of this application is greater than the statewide median (\$122,300), this plan uses the lower figure; however, please note that actual maximum sale prices and rents are to be calculated at the time of lease or conveyance.

Three buildings will contain two units each. Each building will contain a one 1-bedroom unit and a two 2-bedroom unit for a total of 6 units. This Affordability Plan, which is proposed as a condition of the above listed approval by the Bethel Zoning Enforcement Officer describes how the regulations regarding affordability will be administered.

# **AFFORDABILITY PLAN FOR THE DEVELOPER AFFORDABLE HOUSING RESUBDIVISION**

## **I. Units Designated For Housing Opportunity Development.**

Two (2) units will be designated as affordable housing units, as defined by C.G.S. § 8-30g (to be called the "Housing Opportunity Units"). Said units are shown on a plan entitled "SITE DEVELOPMENT PLANS, THREE TWO BEDROOM UNITS, 8-30G APPLICATION, 72 RESERVOIR ROAD, BETHEL – CONNECTICUT PREPARED FOR 3D REALTY, LLC, DATE: FEBRUARY 11, 2025", prepared by Trinkaus Engineering, LLC, Civil Engineers, 114 Hunters Ridge Road, Southbury, CT 06488, a copy of which is attached hereto and made a part hereof.

## **II. Forty (40) Year Period.**

The Housing Opportunity Units shall be designated as an affordable housing unit for forty (40) years. The forty (40) year affordability period shall begin on the date of initial leasing or conveyance of such Housing Opportunity Units from The Developer or its successors or assigns. PROVIDED, HOWEVER, that the Housing Opportunity Units may be sold to investors who do not qualify within the income limitations set forth in Sections 8-30g and 8-39a of the Connecticut General Statutes if such investors certify, in writing to the Bethel Planning and Zoning Commission, that they do not intend to occupy such unit, but, rather, that they will rent such unit to persons who qualify within said income limitations.

## **III. Pro-Rata Construction And Dispersion.**

The Housing Opportunity Units shall be built, receive their Certificates of Occupancy and be offered for sale or lease at the same time as the market rate units.

## **IV. Nature Of Construction Of Housing Opportunity Units And Market-Rate Units.**

The Housing Opportunity Units shall be identical in size and quality of workmanship to the market rate units. However, nothing in this Affordability Plan shall prohibit the purchaser of a market-rate unit from finishing or upgrading his or her unit differently from the Housing Opportunity Units or from utilizing materials different from those used in the Housing Opportunity Units.

## **V. Entity Responsible For Administration and Compliance.**

The initial sale or rental of the Housing Opportunity Units shall be administered by the Developer or its successors or assigns (the "Administrator"). The Developer shall continue to administer the sale or rental of the Affordable Housing Units, if any, until such time as it no longer owns a Unit in the Complex. Thereafter, this Affordability Plan will be administered by the Affordable Housing Administrator of the Town of Bethel, or its designees, successors and assigns ("Administrator"). The Administrator, or the Developer as the case may be, shall submit a status report to the Town on compliance with this Affordability Plan which shall include from the Developer a fee of \$250.00 and a certified copy of the calculations used to verify eligibility annually on or about January 1. The role of Administrator may be transferred or assigned to another person or entity, provided that such entity has the experience and qualifications to administer this Plan. In the event of any assignment of the role of Administrator, the Developer, or its successors or assigns will provide prior written notice to the Bethel Planning and Zoning Commission.

## **VI. Affirmative Fair Housing Marketing Plan.**

The sale or lease of the Housing Opportunity Units shall be publicized, using State regulations for affirmative fair housing marketing programs as guidelines. 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. The Administrator shall have the responsibility for compliance with this section. 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 the Town of Bethel. The Administrator shall also provide such notices to the Bethel Planning and Zoning Commission, the Town of Bethel and the Bethel Board of Education. Such notices shall include a description of the available Housing Opportunity Units, the eligibility criteria for potential lessees or purchasers, the Maximum Sale Price or Maximum Rental (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 Housing Opportunity and market rate units shall include:

- analyzing census and other data to identify racial and ethnic groups least represented in the Bethel population;
- announcements/advertisements in publications and other media that will reach minority populations;
- announcements to social service agencies and other community contacts serving low-income minority families (including churches, civil rights organizations, housing authorities, legal service organizations, etc);
- assistance to minority applicants processing applications;
- marketing efforts in geographic areas of high minority concentrations within the housing market area; and
- beginning affirmative marketing efforts prior to general marketing of units, and repeating again during initial marketing and at 50 percent completion.

All notices shall comply with the federal Fair Housing Act, 42 U.S.C. §§ 3601 *et seq.* and the Connecticut Fair Housing Act, C.G.S. §§ 46a-64b, 64c (together, the "Fair Housing Acts").

## **VII. Purchase And Lease Eligibility.**

Eligibility of families or households to purchase or lease a Housing Opportunity Unit shall be determined by the Administrator in accordance with § 8-30g as amended.

## **VIII. Application Process.**

A family or household seeking to purchase or lease Housing Opportunity Units ("Applicant") must complete an application to determine eligibility. The application form and process shall comply with the Fair Housing Act.

### ***A. Application Form.***

The application form shall be provided by the Administrator and shall include an income certification form. 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 Administrator shall not consider this change unless there is a reasonable assurance that the change will in fact occur. The Applicant's income need not be re-verified after the time of initial purchase or lease. In determining what is and is not to be included in the definition of family annual income, the Administrator shall use the criteria set forth by HUD and listed on Schedule A, attached.<sup>1</sup>

*B. Applicant Interview.*

The Administrator shall interview an Applicant upon submission of the completed application. Specifically, the Administrator 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. Request 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 resale or rental.

*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 Administrator shall require verification of the Applicant's reported income.

If applicable, the Applicant shall provide the documentation listed on Schedule B attached hereto, to the Administrator. This list is not exclusive, and the Administrator may require any other verification or documentation as the Administrator deems necessary.

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<sup>1</sup> See 24 C.F.R. § 5.609. Federal regulations are subject to change, and it is the intent of this Affordability Plan, including Schedules C and D, to use as guidelines HUD regulations with respect to income certification, as such regulations may be amended from time to time.

**IX. Maximum Initial Sale Price And Maximum Resale Price; Maximum Rental.**

Calculation of the maximum initial sale price or maximum resale price ("Maximum Sale Price") or Maximum Rental for Housing Opportunity Units, so as to satisfy C.G.S. § 8-30g, shall utilize the lesser of the area median income data for the Town of Bethel or the statewide median as published by HUD as in effect on the day a purchase and sale agreement is accepted by the owner of the Housing Opportunity Unit ("Owner"), or the day a lease has been executed by both lessor and lessee so as to create a tenancy.

The Maximum Sale or Resale Price and the Maximum Rental shall be calculated as follows:

Calculation steps for sale of unit at 80 percent of area or statewide median income:

1. Determine for the relevant year area median income for the Town of Bethel or statewide median income, whichever is less, adjusted for family size (calculated at 1.5 persons per bedroom), as published by HUD
2. Calculate 80 percent of Step 1
3. Calculate 30 percent of Step 2 representing the maximum portion of a family's income that may be used for housing
4. Divide Step 3 by twelve (12) to determine the maximum monthly outlay
5. Determine by reasonable estimate monthly expenses, including taxes, insurance, heat and utility costs, excluding telephone and cable television, but including any required common interest ownership or similar fee
6. Subtract Step 5 from Step 4 to determine the amount available for mortgage principal and interest
7. Apply amount available from Step 6 to standard mortgage term at then-prevailing interest rate to determine the financeable amount
8. Determine down payment (see Section X)
9. Add Steps 7 and 8 to determine the MAXIMUM SALE OR RESALE PRICE

Calculation steps for sale of unit at 60 percent of area or statewide median income:

1. Determine for the relevant year area median income for the Town of Bethel or statewide median income, whichever is less, adjusted for family size (calculated at 1.5 persons per bedroom), as published by HUD
2. Calculate 60 percent of Step 1
3. Calculate 30 percent of Step 2 representing the maximum portion of a family's income that may be used for housing
4. Divide Step 3 by twelve (12) to determine the maximum monthly outlay

5. Determine by reasonable estimate monthly expenses, including taxes, insurance, heat and utility costs, excluding telephone and cable television, but including any required common interest ownership or similar fee
6. Subtract Step 5 from Step 4 to determine the amount available for mortgage principal and interest
7. Apply amount available from Step 6 to standard mortgage term at then-prevailing interest rate to determine the financeable amount
8. Determine down payment (see Section X)
9. Add Steps 7 and 8 to determine the MAXIMUM SALE OR RESALE PRICE

Calculation steps for rental of unit at 80 percent of area or statewide median

1. Determine 2005 (or relevant year) area median income for the Town of Bethel or statewide median income, whichever is less, adjusted for family size (calculated at 1.5 persons per bedroom), as published by HUD
2. Calculate 80 percent of Step 1
3. Calculate 30 percent of Step 2 representing the maximum portion of a family's income that may be used for housing
4. Divide Step 3 by twelve (12) to determine the maximum monthly outlay
5. By reference to published HUD tables, determine the HUD Fair Market Rent for units with comparable number of bedrooms. Multiply this amount by 120%.
6. Maximum monthly payment for this rental unit is the lesser of amount calculated in Step 4 or 5 above
7. Determine by reasonable estimate monthly expenses for heat and utility costs, excluding telephone and cable television, but including any fee required of all tenants
8. Maximum monthly outlay for rent plus estimated monthly expenses may not exceed the amount determined in Step 6

Calculation steps for rental of unit at 60 percent of area or statewide median

1. Determine 2005 or relevant year) area median income for the Town of Bethel or statewide median income, whichever is less, adjusted for family size (calculated at 1.5 persons per bedroom), as published by HUD
2. Calculate 60 percent of Step 1
3. Calculate 30 percent of Step 2 representing the maximum portion of a family's income that may be used for housing

4. Divide Step 3 by twelve (12) to determine the maximum monthly outlay
5. By reference to published HUD tables, determine the HUD Fair Market Rent for comparable size unit.
6. Maximum monthly payment for this rental unit is the lesser of amount calculated in Step 4 or 5 above
7. Determine by reasonable estimate monthly expenses for heat and utility costs, excluding telephone and cable television, but including any fee required of all tenants
8. Maximum monthly outlay for rent plus estimated monthly expenses may not exceed the amount determined in Step 6

**X. Downpayment.**

The downpayment for the Housing Opportunity Unit that is sold/purchased shall not exceed the lesser of twenty percent ( 20%) of the purchase price or twenty percent (20%) of the Connecticut Housing Finance Authority (CHFA) maximum sales price for a comparable unit in the area. However, this Plan does not require, and shall not be interpreted to require, a twenty percent (20%) downpayment for the Housing Opportunity Unit, and thus the downpayment may be reduced.

**XI. Required Fees And Access To Amenities.**

All owners and lessees of the Housing Opportunity Units shall have the same rights and privileges as owners and lessees of market-rate units within the Complex. Fees charged to the owners or lessees of the Housing Opportunity Units shall not be set so as to cause such owners or lessees to pay more than the maximum monthly payment as determined in the preceding sample calculations.

**XII. Principal Residence.**

The Housing Opportunity Units shall be occupied only as an owner's or lessee's principal residence.

**XIII. Resale of the Housing Opportunity Units.**

Owners of the Housing Opportunity Units may sell the unit at any time, provided the Owner complies with the restrictions concerning the sale of such unit as set forth in this Affordability Plan and in the deed restrictions attached hereto as Schedule C (the "Deed Restrictions"). If Owner wishes to sell, the Owner shall notify the Administrator in writing. The Administrator shall then work with the Owner to calculate a Maximum Sale Price, as set forth in Section IX above. The Administrator shall publish notice in the same manner as was followed for the initial sale, as set forth in Section VI above. The Administrator shall bring any purchase offers received to the attention of the Owner.

The Owner may hire a real estate broker or otherwise individually solicit offers, independent of the Administrator's action, from potential purchasers. The Owner shall inform any potential purchaser of the affordability restrictions before any purchase and sale agreement is executed by furnishing the potential 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 Administrator that the potential purchaser meets the eligibility criteria set forth in this Plan. Once the purchase and sale agreement is executed by the Owner and potential purchaser, the potential purchaser shall immediately notify the Administrator in writing. The Administrator shall have thirty (30) days from such notice to determine the eligibility of the potential purchaser in accordance with the application process set forth in Section VIII above. The Administrator shall notify the Owner and the potential purchaser of its determination of eligibility in writing within said thirty (30) day period. If the Administrator determines that the potential purchaser is not eligible, the purchase and sale agreement shall be void, and the Owner may solicit other potential purchasers. If the Administrator determines that the potential purchaser is eligible, the Administrator shall provide the potential purchaser and the Owner with a signed certification to the effect that the sale of the particular Housing Opportunity Unit has complied with the provisions of this Affordability Plan.

#### **XIV. Enforcement.**

A violation of this Affordability Plan shall not result in a forfeiture of title, but the Bethel Planning and Zoning Commission shall otherwise retain all enforcement powers as are granted to Zoning Commissions by the General Statutes, including § 8-12. These 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 Administrator to determine compliance of Housing Opportunity Units with the affordable housing regulations.

#### **XV. Change of Income or Qualifying Status of a Tenant of a Rental Unit.**

If the Housing Opportunity Units are rented, in the event that the tenant's income changes so as to exceed the qualifying maximum, or if the tenant otherwise becomes disqualified, such tenant must provide notice to the Administrator within seven (7) days of the disqualification. Upon being disqualified, such tenant, following the procedures set forth below, shall have the option to vacate the unit within ninety (90) days, or to remain in the unit paying a market-rate rent. Within fifteen (15) days of receiving notice of a tenant's disqualification, the Administrator shall provide written notice to the tenant of the market rate for the unit. The tenant shall notify the Administrator within fifteen (15) days of receipt of such notice whether the tenant will accept the market rate or vacate. If the tenant elects to remain in the unit at the market rate, the Administrator shall offer the next available unit as an affordable unit, if necessary, in order for the Complex to comply with the minimum set aside for affordable units. So long as these procedures are followed, the project shall not be out of compliance with the minimum.

#### **XVI. Deed Restrictions.**

The Deed Restrictions shall be included in the deed of the Housing Opportunity Units during the forty (40) year period in which the affordability program is in place to provide notice of the affordability restrictions and to bind future purchasers.

#### **XVII. Binding Effect.**

This Affordability Plan shall be binding on the Developer's successors and assigns.



**SCHEDULE A**  
**DEFINITIONS AND ELEMENTS OF ANNUAL FAMILY INCOME**

1. Annual income 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:
    - (i) The amount of the allowance exclusive of the amounts designated for shelter or utilities, plus
    - (ii) 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; and
  - (i) Any earned income tax credit to the extent it exceeds the income tax liability of the Applicant.
  
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 HLTD;
  - (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 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 B DOCUMENTATION OF INCOME**

The following documents shall be provided, where applicable, to the Administrator to determine income eligibility:

### **I. 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's file) include:

- (a) An employment verification form completed by the employer.
- (b) 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 Administrator should meet with the SSA office supervisor. If the supervisor refuses to complete the verification forms in a timely manner, the Administrator 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. Earned Income Tax Credit.

(a) For credits applied in one lump sum against tax liability, use income tax return (IRS Form 1040 or 1040A).

(b) For credits applied through regular salary paychecks, use IRS Form W-5 (Earned Income Credit Advance Payment Certificate).

7. Net Income from a Business.

The following documents show income for the prior years. The Administrator must consult with the Applicant and use this data to estimate income for the next twelve (12) months.

(a) IRS Tax Return, Form 1040, including any:  
Schedule C (Small Business)  
Schedule E (Rental Property Income)  
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 previous years.
8. Recurring Gifts.
- (a) Notarized statement or affidavit signed by the person providing the gifts. Must give the purpose, dates and value of gifts.
  - (b) Applicant's notarized statement or affidavit that provides the information above.
9. 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 check 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.
10. 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) Real estate tax statements if tax authority uses approximate market value.
- (e) Copies of closing documents showing the purchase price, the distribution of the sales proceeds and the net amount to the Applicant.
- (f) Appraisals of personal property held as an 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.

11. Assets Disposed of for Less Than Fair Market Value ("FMV") During Two Years Preceding Application Date.
- (a) Applicant's certification as to whether he or she has disposed of assets for less than FMV during the two (2) years preceding the Application Date.
  - (b) If the Applicant states that he or she did dispose of assets for less than FMV, then a written statement by the Applicant must include the following:
    - (i) A list of all assets disposed of for less than FMV;
    - (ii) The date the Applicant disposed of the assets;
    - (iii) The amount the Applicant received; and
    - (iv) The market value of the asset(s) at the time of disposition.

12. Savings Account Interest Income and Dividends.

- (a) 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 Administrator must adjust the information to project earnings expected for the next twelve (12) months.

13. 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 the Applicant's affidavit as to net income realized.

14. 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.

## **SCHEDULE C DEED RESTRICTIONS**

(The language below shall be inserted in each deed for the Housing Opportunity Units.)

The property conveyed hereby is an "affordable housing unit" as defined in C.G.S. § 8-30g. Said property is subject to the following restrictions (the "Restrictions"):

A. The owner of said property shall sell or transfer said property only to certain eligible families or households as specified in C.G.S. § 8-30g as amended by Public Act 99-26 1. Applicable income limits shall be determined by the Connecticut Department of Housing and the U.S. Department of Housing and Urban Development ("HUD"). Determination of a potential purchaser's eligibility shall be made by the Administrator (as defined in that certain Affordability Plan (the "Affordability Plan") on file in the Office of the Bethel Town Clerk in Volume \_\_\_\_\_ at Page \_\_\_\_\_ .

B. Said owner shall convey or lease said property at a price that will preserve said property as affordable housing. Calculation of the maximum initial sale price or maximum resale price ("Maximum Sale Price") and of the maximum rental price ("Maximum Rental") for said property, so as to satisfy C.G.S. § 8-30g, shall utilize the lesser of the area median income data for the Town of Bethel or the statewide median income, as published by HUD as in effect on the day a purchase and sale agreement is accepted by said owner or on the day a lease is accepted by a lessee.

The Maximum Sale or Resale Price and the Maximum Rental shall be calculated as set forth in Section IX of the Affordability Plan.

C. In the event said owner desires to make said property available for sale or lease, said owner shall follow the procedures of Section XIII of the Affordability Plan.

D. Said owner or the owner's lessee shall occupy said property as said owner's principal residence.

E. Said owner or the owner's lessee shall maintain said property. Said owner shall not destroy, damage or impair said property, allow said property to deteriorate, or commit waste on said property.

F. The Restrictions shall run with the land for a period of forty (40) years from the date of initial conveyance or lease of said property by the Developer or its successors or assigns to an eligible family or household.

G. This development was approved by the Bethel Planning and Zoning Commission based in part on the condition that a defined percentage of the homes in the project would be preserved as affordable housing units. The Restrictions are required by law to be strictly enforced.

H. A violation of the Restrictions shall not result in a forfeiture of title, but the Bethel Planning and Zoning Commission shall otherwise retain all enforcement powers granted by the General Statutes, including § 8-12, which powers include, but are not limited to, the authority, at any reasonable time, to inspect said property and to examine the books and records of the Administrator to determine compliance of said property with the affordable housing regulations.