

# Proposed Carlisle Affordable Accessory Apartment (AAA) Program 2006-2010

A chronology of Program  
Development

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## May 2006

- Annual Town Meeting Article 28 vote to amend amend Section 5.6, Accessory Apartments of the Town Bylaw to allow for Affordable Accessory Apartments. Units qualifying as Affordable Accessory Apartments count towards Town's affordable housing inventory. Vote received a 2/3 majority.
- The Department of Housing and Community Development (DHCD) through its Local Initiative Program (LIP) determines whether a community's efforts to provide low and moderate-income housing, including Affordable Accessory Apartments, qualify towards a community's affordable housing production.
- Town appropriates \$90,000 in Community Preservation Act funds to provide grants of up to \$15,000 to participating property owners.

2006	<b>2007</b>	2008	2009	2010
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## **January 2007**

- Housing Authority sends Town AAA bylaw to Department of Housing and Community Development (DHCD) for review.

## **April 2007**

- DHCD advises that Carlisle's AAA bylaw will not result in AAA units qualifying as affordable housing stock because the bylaw does not require DHCD's affordable deed restriction. In order for units to count, DHCD requires a deed restriction, filed with the Registry of Deeds, which must be in effect for 15 years.

## **June 2007**

- Housing Authority writes to DHCD to point out the burden of the fifteen-year deed restriction requirement on property owners, requests a meeting.

2006	2007	2008	2009	2010
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## October 2007

- Alan Lehotsky and Susan Stamps (Housing Authority) and Elizabeth Barnett meet with Toni Coyne Hall, DHCD's Coordinator of the Local Initiative Program (LIP), and propose that the deed restriction be allowed to terminate upon sale of the property and/or homeowner decision to withdraw from the program.

## December 2007

- DHCD announces that it is revising the LIP program's model affordable housing deed restriction to allow for termination upon sale of the property and/or homeowner withdrawal from the program.

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## **January 2008**

- DHCD provides Housing Authority with a sample affordable housing deed restriction. It also provides new Fair Housing Guidelines for the LIP program.

## **February 2008**

- Housing Authority, Planning Board and Affordable Housing Trust begin review of DHCD sample affordable housing deed restriction

## **March 2008**

- Planning Board provides Housing Authority with proposed rules and regulations for the Carlisle AAA program.
- Housing Authority votes to endorse the Planning Board's AAA rules and regulations.

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## **March – July 2008**

- Housing Authority develops the following documents required by DHCD for the AAA program:
  - Brochures for prospective property owners and tenants
  - Fair Housing Marketing Plan
    - List of organizations to be contacted
    - Sample advertisement for local papers

## **September 2008**

- Elizabeth Barnett and George Mansfield meet with Toni Coyne Hall of DHCD (LIP Program Director) to review AAA fair marketing materials, biennial lottery, tenant and property owner brochures. All items are approved by DHCD.
- Housing Authority and Planning Board request that the affordable housing deed restriction be sent to Town Counsel for review

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## **January 2009**

- An interested property owner “test drives” 2008 DHCD affordable deed restriction with their lender and receives negative feedback from lender.
- Elizabeth Barnett speaks with lender directly and confirms their concerns.

## **March 2009**

- Elizabeth Barnett contacts DHCD LIP program to discuss lender concerns and find out how other communities have resolved these issues with the deed restriction. DHCD LIP AAA program recommends contacting Barnstable, which has a successful AAA pilot program.

## **April 2009**

- Elizabeth Barnett obtains the Barnstable deed restriction and circulates it to the Planning Board and Housing Authority.

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## **July 2009**

- Housing Authority contacts DHCD with questions about the Barnstable deed restriction, and about property leases.
- DHCD explains that Barnstable, as a pilot program, is a special case because the deed restriction did not require DHCD approval. DHCD introduces their “2009” version of the deed restriction (different from the one provided to the Town in 2008). It recommends contacting the Boston Company for a sample lease.
- Housing Authority contacts the Boston Company and receives a copy of a lease used with LIP projects.

2006	2007	2008	2009	2010
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## July – September

- Elizabeth Barnett and George Mansfield develop step- by-step guidelines for property owners of prospective Affordable Accessory Apartments.
- The Housing Authority contacts the Chelmsford Housing Authority and invites them to propose to manage the rental component of the AAA program, e.g.:
  - Developing an AAA renter application
  - Rent certification of prospective renters
  - Running a lottery
  - Sending prospective renters to property owners
  - Conducting inspections

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### **August 2009**

- The Treasurer, Planning Administrator and Administrative Coordinator meet to discuss guidelines for the AAA Grant program, to be funded through the Community Preservation Act.

### **September 2009**

- The Affordable Housing Trust, the Housing Authority and the Planning Board review the AAA documents which have been developed. Action items are to “test drive” the 2009 DHCD affordable deed restriction with local lenders, and to provide revised documents to the Chelmsford Housing Authority.

### **October to November 2009**

- Elizabeth Barnett contacts three local lenders. One lender agrees to provide comments, which are circulated to the Affordable Housing Trust, Housing Authority and Planning Board.
- Chelmsford Housing Authority’s accepts the proposed revisions, and agrees to a two-year contract.

<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
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## **January 2010**

- Planning Board reviews the DHCD 2009 Affordable Housing Deed Restriction and prepares a memorandum with comments, which it provides to the Housing Authority.

## **March - April 2010**

- Housing Authority completes its review of the 2009 Affordable Housing Deed Restriction combines its and the PB revisions and adds additional informational language clarifying DHCD requirements.
- Housing Authority contacts other towns regarding implementation of town AAA grant programs.

# Status of Carlisle AAA Program Elements

- **Town Bylaw Section 5.6\***
- **Planning Board Rules and Regulations for AA Program**
- **AAA Outreach Brochure for prospective tenants and owners**
- **Fair Housing Materials**
  - Newspaper notice
  - List of organizations to be contacted
- **AAA Guidelines for prospective property owners**
- Affordable Housing Deed Restriction –received from DHCD under HA & PB review
- **Sample lease**
- **Chelmsford contract**
  - AAA application
  - List of AAA renters
  - Renter certification procedure
  - Annual re-certification
  - Annual unit inspection
- Town Counsel review of proposed Chelmsford Contract
- Town Counsel review of the 2009 DHCD affordable housing deed restriction and PB and HA revisions
- Community Preservation Act AAA Grant Program (proposed)
  - **Informational Brochure – drafted by CHA**
  - **Loan Agreement – sample collected**
  - **Summary of Participation in the program – sample collected**

\* Items in bold have been completed

# AAA Program steps

## Property Owner

- Apply and receive PB AAA permit (if not a legal unit);
- Orientation with Housing Coordinator to learn about program, deed restriction and Fair Marketing Plan
- Obtain lender agreement for deed restriction (required if there is a mortgage)
- Contact Chelmsford Housing Authority (which will send tenants)
- Have unit inspected
- Select a tenant (or write reasons for non-discriminating refusals)
- Sign lease
- Owner, lender, DHCD and Town sign deed restriction
- Register deed restriction with other required signatures
- Apply for CPA grant
- Sign CPA grant loan agreement
- Receive grant
- Annual recertification with Housing Authority

# AAA Program steps

## Prospective Tenant

- Fill out application with Chelmsford Housing Authority
- Receive number on lottery for specific unit list (0 to 3 bedrooms)
- Provide documentation and signatures for rent certification process
- Respond within 10 days, when given name of prospective property owner
- Sign lease if selected by property owner
- Pay for disabled modifications (if required)
- Annual income-eligibility recertification with Chelmsford Housing Authority

# AAA Pros and Cons

- **Pros:**
  - Chapter 40B credit on the Subsidized Housing Inventory
  - Provision of moderate priced housing which protects Carlisle's natural resources and aesthetic.
  - Allows seniors opportunity to generate income and to be able to remain in Carlisle.
- **Cons:**
  - Research with other communities with AAA programs has revealed low success rate
    - Newton - 0 units (program started in 2006)
    - Wellfleet - 2 units (2007)
    - Yarmouth - 5 units (2008)
  - property owner resistance to the DHCD-required affordable housing deed restriction and other requirements.