

Master Plan Element Section IV

Housing Element & Fair Share Plan

Appendices Book 05

Adopted 02-04-26

Township of West Windsor | Mercer County, New Jersey



Contents

Appendix F: Present Need Documents	1
Appendix F-1: Rehab Manual	2
Appendix F-2: Resolution re: Intent to Bond	3
Appendix F-3: Affirmative Marketing Plan and Resolution.....	4
Appendix F-4: Energy Assistance Program Operating Manual.....	5
Appendix F-5: Rent Subsidy Program	6
Appendix F-6: Closing Cost Manual	7
Appendix F-7: Affordability Assistance Manuals	8
Appendix F-8: Operating Manuals (Rental and Sales).....	9
Appendix F-9: Affordability Assistance Closing Grant Program.....	10
Appendix F-10: HOA Special Assessment Assistance Manual	11
Appendix F-11: Veterans Ownership Maintenance Assistance Program.....	12

Appendix F: Present Need Documents

Appendix F-1: Rehab Manual

[Draft form, subject to change]



WEST WINDSOR TOWNSHIP

MERCER COUNTY, NEW JERSEY

TOWNSHIP OF WEST WINDSOR OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM POLICIES AND PROCEDURES MANUAL

March 2019

Department of Community Development

Francis Guzik, Program Administrator

271 Clarksville Road
West Windsor, NJ 08550
(609) 799-2400 x-336

Table of Contents

I.	Introduction	3
A.	Fair Housing and Equal Housing Opportunities	4
B.	Rehabilitation Assistance	4
C.	Regulatory Objectives and Compliance.....	5
D.	Summary of Program	5
II.	General Program Information	6
A.	Rehabilitation Assistance Program	6
B.	Eligible Households	6
C.	Other Eligibility Requirements	7
D.	Ownership and Occupancy	7
E.	Certification of Substandard	7
F.	Certification Existing Conditions	8
G.	Eligible Improvements	8
H.	Ineligible Improvements	8
I.	Loan Amount and Terms	8
J.	Loan Subordination	9
K.	Borrower’s Agreement and Terms	9
III.	Overview of Administrative Process	10
A.	Marketing.....	11
B.	Income Eligibility Determinations	11
	What is Considered Income	11
	What is Not Considered Income	13
C.	Required Documentation from Applicants	15
IV.	Work Write-up, Contractor Selection, Bidding & Awarding Bids.....	16
A.	Eligible contractors.....	17

B.	Bid openings and Contractor Selection	17
C.	Contractor Performance	18
V.	Loan Closings and Construction Agreements	19
A.	Mortgage & Mortgage Note	19
B.	Construction Agreement.....	19
C.	Inspections.....	19
D.	Lead Based Paint Provisions	20
E.	Permits & Permit Inspections	21
F.	Contractor Payment.....	21
G.	Resolution of Disputes.....	22
VI.	MAINTENANCE OF RECORDS	22
A.	Files to be Maintained on Every Applicant	22
B.	Files to be Maintained on Approved Applicants	22
C.	Rehabilitation Log	22
D.	Monitoring	23
VII.	Project Certification / Appeals.....	23
A.	Certification of Standard	23
B.	Illegal Improvements Found During Inspections.....	23
C.	Appeals.....	23

Township of West Windsor Owner-Occupied Housing Rehabilitation Program

Policies and Procedures Manual

I. Introduction

This Manual has been prepared to assist in the administration of the Township of West Windsor Owner-Occupied Housing Rehabilitation Program (the Program). It will serve as a guide to the Program staff and Applicants.

This manual describes the policies and operation of the program, examines program purposes and provides the guidelines for implementing the Program. This manual explains the steps in the rehabilitation process. It describes the eligibility requirements for participation in the Program, criteria, funding terms and conditions, record keeping and overall program administration. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

The Township of West Windsor Owner-Occupied Housing Rehabilitation Program has been established to help make needed repairs to owner-occupied residential units in the Township of West Windsor that are occupied by income-eligible families. As part of the Township's Housing Element and Fair Share Plan the Program seeks to:

- Improve living conditions for eligible Township residents;
- Preserve West Windsor's housing stock;
- ;
- Reduce energy consumption of older homes and thereby lower operating expenses;
- Reduce the likelihood of children being lead poisoned by hazardous lead painted surfaces in their home; and
- Generate affordable housing credits to satisfy the Township's obligation.

The Program is designed to accomplish this by:

- Making forgivable loans available for rehabilitation and energy conservation improvements;
- Helping property owners identify the type and scope of work their properties need;
- Assisting property owners in selecting a qualified contractor at a fair price; and

- Establishing and enforcing housing rehabilitation standards that must be met for all properties in the Program.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.², the Substantive rules of the Council on Affordable Housing N.J.A.C. 5:96³ and Procedural Rules of the Council on Affordable Housing N.J.A.C. 5:97⁴ and the affordable housing regulations of the Township of West Windsor (hereafter referred to as the “Regulations”).

A. Fair Housing and Equal Housing Opportunities



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property, listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan.

B. Rehabilitation Assistance

Single-family, owner-occupied homes located in the Township of West Windsor are eligible for assistance of **\$10,000** to repair or replace any failing or deteriorated major system. Applicants are assisted on a first-served basis. At the Program Administrator’s discretion, the maximum assistance of \$15,000 may be exceeded on a case-by-case basis.

The Program will be funded entirely with allocations from the Township’s Affordable Housing Trust fund. The Township’s settlement agreement sets the total budget for this program at \$270,000 with \$90,000

¹ https://www.hud.gov/program_offices/fair_housing_equal_opp/FHLaws

² <http://www.nj.gov/dca/affiliates/coah/regulations/uhac.html>

³ <http://www.nj.gov/dca/services/lps/hss/statsandregs/596.pdf>

⁴ <http://www.nj.gov/dca/services/lps/hss/statsandregs/597.pdf>

being made available in the first year of the program. Based on a production goal of twenty-seven (27) units, the investment will be \$10,000 per unit.

C. Regulatory Objectives and Compliance

The use of the Township's Affordable Housing Trust Funds will require compliance with various State affordable housing rules, including the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.), the Substantive Rules of the Council on Affordable Housing N.J.A.C. 5:96 and the Procedural Rules of the Council on Affordable Housing N.J.A.C. 5:97, including:

- Each assisted unit must meet or exceed New Jersey State Housing Code, N.J.A.C. 5:28. For projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply; and
- Complete replacement or substantial repair of at least one major system.

D. Summary of Program

Characteristic	Rehabilitation Assistance Program
Funding Limit	\$10,000 per unit
Eligible Homes	Single-family owner-occupied homes owned by households earning less than 80% of area median income by household size.
Program Objective	Bring the home up to New Jersey State Housing Code, N.J.A.C. 5:28 and Rehabilitation Subcode, N.J.A.C. 5:23-6.
Target Area	Township-wide
Affordability Controls	Ten (10) year mortgage & note. After the first anniversary of completing the rehabilitation, the mortgage loan principal will be forgiven 10% each year. If the title has not transferred after ten years, the entire loan is considered forgiven.
Funding Source	West Windsor Township's Affordable Housing Trust Fund
Income Limits	Regional income limits shall be established for the housing region in which the Township is located (Housing Region 4) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. Currently, the income limits are being prepared by Affordable Housing Professionals of New Jersey (AHPNJ.org).

II. General Program Information

This section describes the assistance program; the goals and objectives and how families and homes qualify for participation in them.

A. Rehabilitation Assistance Program

Single-family, owner-occupied homes are eligible for assistance of up to \$15,000 each to repair or replace any failing or deteriorated major system. In order to be eligible for assistance, there must be a reasonable expectation of bringing each assisted home up to New Jersey State Housing Code (N.J.A.C. 5:28) and Rehabilitation Subcode (N.J.A.C. 5:23-6) within the available funding and homeowner contributions, if necessary. At the Program Administrator's discretion, the maximum assistance of \$15,000 may be exceeded on a case-by-case basis.

B. Eligible Households

In order to be eligible for assistance, households must be determined to be income-eligible. Specifically, the household must earn less than the Program's Income Limits by household size. While any household earning less than the Program's Income Limit will be considered income-eligible, each household will be tracked for statistical purposes in one of three categories based on the Program's median income limit: 80% (moderate), 50% (low) and 30% (very low).

Income Limits are updated annually and will be adopted by the Program as they are published. At the time of the writing of this manual, the following income were the most recent available (published April 2018).

Township of West Windsor Owner-Occupied Housing Rehabilitation Program Income Limits by Household Size								
	1	2	3	4	5	6	7	8
Moderate Income Limit (80%)	\$55,557	\$63,494	\$71,431	\$79,368	\$85,717	\$92,066	\$98,416	\$104,765
Low Income Limit (50%)	\$34,723	\$39,684	\$44,644	\$49,605	\$53,573	\$57,541	\$61,510	\$65,478
Extremely Low Income Limit (30%)	\$20,834	\$23,810	\$26,787	\$29,763	\$32,144	\$34,525	\$36,906	\$39,287

The Township of West Windsor Owner-Occupied Housing Rehabilitation Program has elected to use HUD's income verification process known as 24CFR Part 5 for determining income eligibility. This approach for determining **eligibility evaluates the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period.** Detailed information on determining eligibility is provided in the section of this manual entitled Income Eligibility Determinations.

C. Other Eligibility Requirements

- The property must be located within the Township of West Windsor with a deed recorded in the name of the applicant(s) with the Mercer County Clerk's Office.
- The property consists of **single-family residential unit**, in accordance with the land use regulations of the Township of West Windsor as determined by the Township's Zoning Officer
- **Property taxes and mortgage payments** for the subject property must be current.
- **Water and sewer utility bills** must be current.
- **Homeowners' Insurance and Flood Insurance (if applicable)** must be current *(The cost of insurance can be included for one year if the property is not or cannot be insured at the time of application).*
- The applicant has not previously defaulted on a loan provided by the Township of West Windsor.

D. Ownership and Occupancy

Proof of ownership of the property and its use as a principal place of residence must be established by the following:

1. Copy of deed;
2. Copy of declaration page from Homeowner's Insurance and Flood Insurance (if applicable);
3. Copy of real estate tax bill with proof of payment;
4. Signed Declaration of Occupancy, which is part of the Program Application.

E. Certification of Substandard

In order to be eligible for assistance from the Program, *at least* one major system must be in need of replacement or repair. A major system in need of repair or replacement is therefore considered to be *substandard*. The certification of substandard is prepared by the Program Inspector at the time of the comprehensive inspection.

For the purposes of the Program, the following components of a dwelling are considered "major systems."

- Roof;
- Plumbing (including wells and connections to public water systems);
- Heating;
- Electrical;
- Sanitary plumbing (including septic systems and connections to public sewer systems);
- Load bearing structural systems;
- Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors).

F. Certification Existing Conditions

In order to receive assistance, each home must have a verifiable need. A Program Inspector will visit each home to document existing conditions.

G. Eligible Improvements

The primary purpose of the Township of West Windsor Owner-Occupied Housing Rehabilitation Program is to provide decent, affordable housing for income-eligible households. Therefore, Program funds will be available to address quality of life housing issues, correct existing and incipient code violations, minimize the risk of poisoning from lead-based paint and correct weatherization deficiencies as identified in the project's Work Write-Up with detailed specifications.

Housing rehabilitation funds may be used only for repairs or system replacements necessary to bring a substandard unit into compliance with municipal health, safety and building codes, correct applicable code violations, as well as any other work that is reasonable and deemed necessary or is related to the necessary repairs. The cost for one year of property insurance can be included in the assistance if no insurance is in place at the time of application.

In addition to the repair or replacement of all major systems, work may include, but not be limited to the following:

- Interior trim work;
- Interior and/or exterior doors;
- Interior and/or exterior hardware;
- Window treatment;
- Interior stair repair;
- Exterior step repair or replacement;
- Porch repair;
- Wall surface repair;
- Painting; or
- Exterior rain carrying system repair.

Any agreements between the Contractor and the Owner for “side work”, outside the scope of the Program’s work write-up, will not be accepted and cannot be completed during participation in the Program. The Township shall not be held responsible for any work performed by the Contractor that is not part of the work write-up and/or approved change order.

H. Ineligible Improvements

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are strictly cosmetic), additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by property owners shall not be funded under this program. The cost of removing any illegally converted living space (e.g., illegal bedrooms in the basement) are not eligible for assistance.

I. Loan Amount and Terms

The entire cost of repairs and improvements made through this program, up to the Program maximum (see below), will be paid directly by the Program to the Contractor as work is completed and inspected.

The amount Program assistance will then become a forgivable loan to the homeowner. Loans will be interest-free, deferred payment loans secured by a secondary mortgage or other instrument on the property being repaired. The principal will remain unchanged and will be forgivable at the end of the term. If the homeowner adheres to the affordability controls, 10% of the loan is forgiven each year for ten years, after which the full amount is forgiven. Any other event of default occurs, as described in the loan documents.

J. Loan Subordination

The Township will consider requests to subordinate the Program's recorded mortgage to subsequent financing or refinancing. In all cases, the property owner must supply information listed in the Program's "Subordination Request Check List," which includes information on the new financing terms, recent appraisal of the value of the property and intended uses of the proceeds of any new financing. This and other relevant documentation required by the program will be reviewed by the Township solicitor, who will make a recommendation to the Program Administrator on the advisability of granting the subordination request.

K. Borrower's Agreement and Terms

The Township will enter into a Borrower's Agreement with the Applicant that specifies the terms and conditions of the Program assistance to be made available, including reference to a Work Write-Up and Cost Estimate, which will be attached and made part of the Construction Agreement. Included in the Borrower's Agreement will be the requirement that the Applicant sign a Mortgage and Note. The mortgage will be recorded with the County Clerk and will serve as the legal instrument for securing the Program Assistance.

Copies of the Borrower's Agreement and form of Mortgage and Note to be used in implementing the Program are attached and made part of this Manual.

III. Overview of Administrative Process

The following is intended to provide a brief overview of a typical home rehabilitation. Details on each of these steps can be found elsewhere in this Manual.

1. Application package is received. If incomplete, notice is sent to application. There are no application fees associated with the program
2. Administrative Agent (Piazza & Associates) reviews the application package and determines eligibility. Homeowners reviews and signs Borrowers Agreement.
3. Program Inspector visits the home; performs a comprehensive inspection and lead-based paint risk assessment (if necessary). Certification of Substandard Conditions is issued if one or more major systems are in need of repair or replacement.
4. Work write-up is prepared by the Program and reviewed by the homeowner, along with the list of Program Contractor.
5. Job is placed out to bid.
6. Bids are received, evaluated by Program Administrator and Program Inspector.
7. Bids are reviewed with Homeowner.
8. Homeowner awards the job to the chosen bidder.
9. Loan closing is conducted. Construction agreement and all affordability controls are executed.
10. Contractor is given authorization to proceed.
11. Contractor obtains permits (as necessary).
12. Construction phase begins.
13. Inspections are performed. Up to 2 progress payments are made.
14. Permits are closed out. Final Inspection is conducted. Certification of Standard is completed.
15. Contractor provides warranty information and signs Release of Liens.
16. Final Payment is made.
17. Case is closed-out.

A. Marketing

The Township will disseminate program information by newsletter, electronic transmission, flyers included annually with tax bills to all owner-occupied units or other available means of individual communication. Program information will be available at the municipal building, library, and senior center and on the Township website.

All marketing initiatives will – at a minimum – include the following information:

- Length of the affordability controls (lien);
- Circumstances that require the assistance to be repaid;
- A statement about household income eligibility requirements;
- The maximum assistance amount;
- Examples of eligible improvements; and
- The types of structures eligible for assistance.

B. Income Eligibility Determinations

In order to be eligible for Program assistance, households must be certified as “income eligible” by the Township’s Administrative Agent (Piazza & Associates). All adult members (18 years and older) of the household must submit income documentation that will be used to determine the income-eligibility of the household. The Township of West Windsor’s Home Improvement Program has elected to use HUD’s income verification process known as 24 CFR Part 5. This approach to determining eligibility uses the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period.

What is Considered Income

The following sources of income will be included in the income eligibility determination for each household:

Sources Considered Income	Statement from HUD 24 CFR 5.609 paragraph (b) (March 8, 2016)
1. Income from wages, salaries, tips, etc.	The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. Business Income	The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
3. Interest & Dividend Income	Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal

Sources Considered Income	Statement from HUD 24 CFR 5.609 paragraph (b) (March 8, 2016)
	of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
4. Retirement & Insurance Income	The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
5. Unemployment & Disability Income	Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
6. Welfare Assistance	<p>Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:</p> <ul style="list-style-type: none"> (A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and (B) Are not otherwise excluded under paragraph (c) of this section. <p>If the welfare assistance payment includes 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 income to be included as income shall consist of:</p> <ul style="list-style-type: none"> (A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus (B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
7. Alimony, Child Support, & Gift Income	Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

Sources Considered Income	Statement from HUD 24 CFR 5.609 paragraph (b) (March 8, 2016)
8. Armed Forces Income	All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).

What is Not Considered Income

The following income sources are not considered income and will not be included in the income eligibility determination.

Sources Not Considered Income	Statement from HUD 24 CFR 5.609 paragraph (c) (March 8, 2016)
1. Income of Children	Income from employment of children (including foster children) under the age of 18 years.
2. Foster Care Payments	Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).
3. Inheritance and Insurance Income	Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property .
4. Medical Expense Reimbursements	Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
5. Income of Live-in Aides	Income of a live-in aide (as defined in 24 CFR 5.403).
6. Student Financial Aid	The full amount of student financial assistance paid directly to the student or to the educational institution.
7. Armed Forces Hostile Fire Pay	The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
8. Self-Sufficiency Program Income	<p>Amounts received under training programs funded by HUD.</p> <p>Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).</p> <p>Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and which are made solely to allow participation in a specific program.</p> <p>Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for</p>

Sources Not Considered Income	Statement from HUD 24 CFR 5.609 paragraph (c) (March 8, 2016)
	<p>performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time.</p> <p>Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.</p>
9. Gifts	Temporary, nonrecurring, or sporadic income (including gifts).
10. Reparations	Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
11. Income from Full-time Students	Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household or spouse).
12. Adoption Assistance Payments	Adoption assistance payments in excess of \$480 per adopted child.
13. Social Security & SSI Income	Deferred periodic amounts from SSI and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts.
14. Property Tax Refunds	Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
15. Home Care Assistance	Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep this developmentally disabled family member at home.
16. Other Federal Exclusions	<p>Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions of 24 CFR 5.609(c) apply, including:</p> <p>The value of the allotment made under the Food Stamp Act of 1977;</p> <p>Payments received under the Domestic Volunteer Service Act of 1973 (employment through VISTA, Retired Senior Volunteer Program, Foster</p>

Sources Not Considered Income	Statement from HUD 24 CFR 5.609 paragraph (c) (March 8, 2016)
	<p>Grandparents Program, youthful offender incarceration alternatives, senior companions);</p> <p>Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program;</p> <p>Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work study program or under the Bureau of Indian Affairs student assistance programs;</p> <p>Payments received from programs funded under Title V of the Older Americans Act of 1985 (Green Thumb, Senior Aides, Older American Community Service Employment Program);</p> <p>Earned income tax credit refund payments received on or after January 1, 1991, including advanced earned income credit payments;</p> <p>The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990;</p> <p>Payments received under programs funded in whole or in part under the Job Training Partnership Act (employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans employment programs, state job training programs and career intern programs, AmeriCorps);</p> <p>Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990;</p> <p>Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act; and</p> <p>Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998.</p>

C. Required Documentation from Applicants

In order to fulfill the documentation requirements of the Program, all members of the applying household, eighteen (18) of age or over, must provide copies of the following documents with the application:

- Four (4) current and consecutive pay stubs for each household member who receives income from employment and is 18 years of age or over if applicable;

- A signed copy of regular IRS Form 1040, 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three (3) years prior to the date of interview or notarized tax waiver letter for respective tax year(s);
- Social Security, Disability and SSI Benefit Statements or Pension Benefits statement if applicable;
- Social Security Cards for each household member;
- A letter or appropriate reporting form verifying any other sources of income claimed such as alimony and child support. This includes separation agreement or divorce papers signed by the presiding judge;
- Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing trust funds, money market accounts, certificate of deposit, stocks or bonds. Examples include copies of all interest and dividend statements for savings accounts, checking accounts, and investments;
- Evidence or reports that verify assets such as real estate or businesses owned by any household member;
- If the applicant is a widow or widower, copy of the spouse's Death Certificate should be included;
- Signed Eligibility Release form, signed Inspection Acknowledgment and signed Financial Privacy Act Notice.

In addition to the above documents to establish income eligibility, the applicant household must also provide documentation on the home:

- Documentation of most current property tax assessment;
- Recorded deed to the property to be assisted;
- Current statement of property taxes;
- Current mortgage statement; and
- Copy of current homeowner's insurance declarations page (not the policy or receipt).

IV. Work Write-up, Contractor Selection, Bidding & Awarding Bids

Property inspections will be performed by the Township of West Windsor Staff and/or contracted inspector(s). In consultation with the homeowner, the estimator/inspector(s) will perform detailed inspections of the property, outlining deficiencies and the method to correct deficiencies through the form of a Work Write-Up with detailed specifications. Based on the Work Write-Ups, Cost Estimates will be prepared for use by the Program and the homeowner in selecting the work to be undertaken and the contractor(s) to do the work. The Program will employ the services of a certified lead-based paint risk assessor for properties built before 1978 to perform assessments according to HUD guidelines.

A. Eligible contractors

The Township, on behalf of the property owners, will solicit bids from eligible rehabilitation contractors on the approved Program Contractor List. To be placed on the approved Program Contractor List, a contractor must:

- Complete a Program Contractor application;
- Provide three (3) professional references;
- Furnish evidence of a valid current insurance policy that protects the property owner for not less than \$100,000/\$300,000 in the event of bodily injury, including death, and \$100,000 in the event of property damage arising out of the work performed by the contractor;
- Carry or require that there be carried full and complete Workmen's Compensation Insurance for all of his employees and those of his sub-contractors engaged in the work. All insurance certificates must be provided to the Program before any awards are given; and
- Have a valid State of New Jersey Business Registration Certificate and Home Improvement Contractor's registration and any other relevant documentation requested by the Program.

Additionally, to be eligible to bid on work in houses that were constructed prior to 1978, the contractor must also provide evidence of the necessary lead hazard training as required by HUD and the U.S. Environmental Protection Agency.

Program staff will verify all applying contractors are not on the State debarred contractor list. The contractor must also comply with other regulations established by the Township of West Windsor and State of New Jersey.

B. Bid openings and Contractor Selection

The Township will receive bids prior to a date and time specified for a bid opening. The bid opening will be open to the public. Completed Bid Packages may be submitted via fax, via email, hand delivered, or mailed to the Township as instructed in the Bid Instructions issued to all contractors.

Bid prices must include all permits, licenses, labor, materials, fixtures and equipment necessary for the satisfactory completion of the rehabilitation of the property identified in the Work Write-up. Normally, bids will be requested in blocks of 3 to 5 properties so that contractors will have reasonable workloads and greater opportunity to submit more cost-effective proposals.

Program staff will review the proposals and provide the property owner with a list of contractors who have submitted eligible bids for the work. Eligible bids will be those that:

- Satisfy the specifications of the Work Write-Up;
- Have no math errors;
- Have been submitted by a previously-approved Program Contractor; and
- Are no more than 10% above or 20% below the Program Cost Estimator's final cost estimate for the work, unless an exception has been recommended by the Cost Estimator and approved by the Program.

The property owner will then select a contractor from the list of eligible bids. Generally, the lowest-responsible bid will be accepted and be nominated for award. If the property owner selects a contractor other than the contractor who submitted the lowest eligible bid, the property owner will provide, prior to the start of work, the difference between the lowest eligible bid and the selected bid. The amount provided by the property owner will be placed in escrow with the Program.

The homeowner will be required to execute the contract documents with the selected Contractor. **(See Section V Loan Closings and Construction Agreements).**

C. Contractor Performance

Timeliness and quality of work: It is expected that contractors will complete all work within the time period specified in their contract with the property owner and provide work that, at a minimum, meets the Program's work-writeup. The time allowed for completion of work will be established by Program staff prior to the start of construction and will be based on the amount and complexity of the work to be done.

Probationary period: Contractors who have not had prior working experience with the Township will not be awarded more than one rehabilitation contract until one property is complete and satisfactory. At such time that a track record has been established that demonstrates work in a timely, professional and workmanlike manner, the contractor's probationary period will be over and a larger scope of work may be awarded. Contractors who have a favorable performance record with the Township may be awarded up to three projects from one bid opening, based on work schedule and potential to complete the projects in a timely manner.

Contractor disqualification: It should be noted that contractors that receive poor references from program staff, homeowners, businesses or other government agencies, may be kept from participating in the program or placed or replaced on probationary status. Other factors that will be considered in determining eligibility and continued program participation are:

- Failure to make payments to sub-contractors;
- Debarment from any government program;
- Failure to complete punch lists or respond to reasonable homeowner complaints as determined by the Program staff;
- The use of alcohol or drugs during the course of work by the contractor or any sub-contractor or anyone in the employ of a contractor or sub-contractor;
- Reports of theft, malicious damage or burglary to any property while participating in the Residential Rehab Program;
- Indictment of any criminal offense;
- Failure to comply with the laws and ordinances of the municipality;
- Continued failure to obtain permits before the start of work;
- Abusive and vulgar language and behavior during the course of work; or
- Threats or harassment made to any person during the course of work.

In the event that a contractor, sub-contractor or employee of such violates any of the provisions of this section, the Program may disqualify the contractor or sub-contractor from future participation in the Program.

Replacement contractor: If a situation arises where a rehabilitation project has been begun and the contractor must be removed from, or refuses to complete a project, the work write-up will be revised to describe the balance of work needed on the hope and will be put out to bid. Should the replacement contractor's cost to complete the rehabilitation be higher than that of the original contractor, the original contractor will be responsible for the difference. That cost will not be passed along to the homeowner.

V. Loan Closings and Construction Agreements

Loan Closings will be conducted at the Township of West Windsor offices and attended by the Program staff, the Homeowner and Contractor. Prior to the Loan Closing, the Homeowner will be provided with copies of the Construction Agreement, Mortgage and Mortgage Note for review.

A. Mortgage & Mortgage Note

The Program Administrator will start the Loan Closing by reviewing the rules outlined in the Mortgage and Mortgage Note with the Homeowner to help insure their understanding. The Homeowner will then be asked to sign the documents and the Notice of Right of Rescission. A signed copy of each of these documents will be left with the homeowner and the originals will be filed in the Homeowner's Program Case File.

B. Construction Agreement

All cases will have an executed Construction Agreement between the Contractor and Homeowner. The Program Administrator will ask both parties to review and execute the Construction Agreement at the Loan Closing after the Mortgage and Note have been signed. The Contractor will be requested to list Subcontractors to be engaged for the project. The Construction Agreement includes a variety of protections for both the Homeowner and Contractor, including, but not limited to:

- Dates by which the Contractor must begin and have completed the scope of work;
- Payment procedures;
- End of Work Day requirements and provisions; and
- The complete work specifications issued in the bid package and bid from the Contractor.

Both the Homeowner and Contractor will be left with a signed copy of the Construction Agreement. Once signed, the Inspector will encourage the Contractor to discuss the scheduling of the job. If the specifications allow for the homeowner's choice on any items in the scope (i.e., roof shingle colors), the Inspector will review those items with both to facilitate dialog and decision-making.

On the 4th business day after the loan closing (after the Right to Rescind period has expired), the Program will issue to the Contractor a written Notice to Proceed.

C. Inspections

Inspections are conducted at various points in a home's rehabilitation. Five (5) types of inspections will be completed during the course of any project:

Comprehensive Inspections are completed to assess the rehabilitation needs of every home. All major systems of a home are evaluated during the comprehensive inspection. A checklist of all major home components is used in order to ensure that every aspect of the home is evaluated during the comprehensive inspection.

Lead Risk Assessments will be conducted at the time of the Comprehensive Inspection in homes built prior to 1978 to identify any lead-painted surfaces that are hazardous to the occupants of the household.

Progress/Payment Inspections are performed during the construction process to assess the contractor's level of completion and to ensure their strict adherence to the home's work write-up and specifications. A home will receive one or more Progress/Payment Inspections. Payments for rehabilitation work will not be made without an inspection that physically verifies the satisfactory completion of all work.

Permit Inspections. Permit inspections are completed by the Township's construction code officials in order to ensure building code compliance with any work items that required a Township construction permit.

Final Inspections are done after any necessary permit inspections have been completed with a satisfactory result. Final Inspections are done to certify the completion of the construction phase and the completion of all contracted work items.

Unless otherwise noted, all inspections are completed by West Windsor Township staff.

D. Lead Based Paint Provisions

All Program-assisted homes constructed prior to 1978 will be inspected by a Lead Risk Assessor to determine if any lead paint hazards exist in the home. While the funding source for the Program does not mandate compliance with any State or Federal regulations regarding lead-based paint, the Township has opted to include lead hazard reduction provisions to the Program. In homes built prior to 1978, a lead risk assessment will be performed to identify any lead-painted surfaces that are deteriorated, creating dust or otherwise causing a lead hazard in the home. The cost to address identified lead hazards will be included in work write-up and be considered eligible uses of Program funds.

At the appropriate time, the Program will provide the homeowner with copies of the following:

- Lead Hazard Information Pamphlet;
- Property Owner Disclosure (distributed to owners of a unit known to contain lead-based paint or lead-based paint hazards for disclosure to tenants or prospective purchasers);
- Notice of Lead Hazard Evaluation or Presumption; and
- Notice of Lead Hazard Reduction Activity including Clearance.

Both Notices of Lead Hazard Evaluation and Lead Hazard Reduction will be provided to the occupants within 15 calendar days of the date the Program receives the evaluation report or the date the lead hazard reduction work is completed. A lead hazard evaluation will consist of one or more of the following:

- Visual Assessment performed by a Program Inspector; and
- Paint Testing performed by a Certified Lead Risk Assessment.

The lead hazard reduction will always include safe work practices and clearance and will also include paint stabilization or interim controls.

Prior to the rehabilitation and lead based paint hazard work going out to bid, the Program will determine the type of contractor needed to complete the work required. The Program staff, homeowner and contractor(s) awarded the job will review the key aspects of the lead hazard reduction during the pre-construction conference.

The awarded contractor(s) will comply with Lead Safe Work Practices at all times which includes but is not limited to:

- Occupant protection;
- Work site preparation;
- Daily cleanup;
- Safe work practices; and
- Worker protection.

Occupants will be notified of any lead-hazard reduction measures that were taken. Subsequent to the program's final inspection, the Lead-based Paint Inspector will conduct a clearance examination including dust samples to confirm the unit is safe for occupancy and that lead hazard reduction was performed according to the Program's work specifications.

E. Permits & Permit Inspections

As outlined in the General Conditions of the Bid Package, Contractors are responsible for obtaining, paying for and scheduling the inspection of all necessary permits on a job. No final payments will be eligible for processing until copies of all closed permits have been submitted by the Contractor to the Program.

F. Contractor Payment

Contractors can only be paid for work that has been completed. No "upfront" payments will be made by the Program to a Contractor. Upon contract signing, the Township will prepare a Township Requisition which will authorize the preparation of a Purchase Order for the project. Contractors will be requested to sign the Purchase Order and return to the Township.

For all payments, checks will be made payable directly to the contractor. Final payment will be made following a Letter of Completion from the Program. The Letter of Completion will be issued when:

- All Write-Up work has been completed according to Program Rehabilitation Standards, as verified by Program rehab staff;
- The property owner has signed a form stating that he/she is satisfied with the work OR the Director determines that the owner's refusal to sign a completion form is not warranted;
- Lead hazard clearances, if any, have been received;
- Copies of all warranties have been received by the property owner and the Program.

G. Resolution of Disputes

Should any dispute arise regarding the true meaning of the Work Write-Up, or should any dispute arise regarding the true value of the extra work or of the work omitted, or of improper workmanship or materials, or of any loss sustained by the Homeowner, the Homeowner may request a hearing before the Township. Such request must be made in writing to the Program Administrator and shall state the nature of the dispute. All parties to the dispute shall be notified in writing of the date and location of the hearing. An arbitration committee, consisting of three members shall convene and the final decision rests with the arbitration committee, with no further recourse on the part of the property owner.

VI. MAINTENANCE OF RECORDS

A. Files to be Maintained on Every Applicant

The program staff will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form;
- Income Verification; and
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

B. Files to be Maintained on Approved Applicants

- Housing Inspection Report;
- Photographs – Before;
- Certification of Property Eligibility or Determination of Ineligibility;
- Proof of Homeowners Insurance;
- Copy of Deed to Property;
- Work Write-Up/Cost Estimate;
- Copies of Bids;
- Applicant/Contractor Contract Agreement;
- Recorded Mortgage/Lien Documents;
- Copies of All Required Permits;
- Contractor Requests for Progress Payments;
- Progress Payment Inspection Reports;
- Progress Payment Vouchers;
- Change Orders (if needed);
- Final Inspection Report;
- Photographs – After; and
- Certification of Completion.

C. Rehabilitation Log

A rehabilitation log will be maintained by the program staff that depicts the status of all applications in progress.

D. Monitoring

For each unit the following information must be retained to be reported annually to the Municipal Housing Liaison :

- Head of Household Name;
- Household Size;
- Street Address;
- Block/Lot/Unit Number;
- Income Category: Moderate/Low/Extremely Low;
- Final Inspection Date;
- Homeowner's Contribution to Hard Costs (if any);
- Funds Recaptured;
- Major Systems Repaired;
- Unit Below Code & Raised to Code;
- Effective Date of Affordability Controls;
- Length of Affordability Controls;
- Date Affordability Controls Removed; and
- Reason for Removal of Affordability Controls.

VII. Project Certification / Appeals

A. Certification of Standard

At the conclusion of the rehabilitation process, it is mandatory that all homes assisted by the Program are both eligible for and receive a Certificate of Standard (also known as a Certificate of Acceptance). This document certifies that all of the unit's major systems are in good working order and that no violations of the BOCA rehabilitation code; UCC and HQS or the Township's property maintenance code exist. The Certification of Standard will be completed by the Township's Building Department.

B. Illegal Improvements Found During Inspections

If potentially illegal improvements are found by the Program such as potentially illegal basement apartments or bedrooms, the situation is to be brought to the attention of the Program Administrator. The Program Administrator should then advise Township enforcement personnel, such as zoning and housing inspectors. In the event illegal conversions are found, the case will be immediately placed on hold until such time as the homeowner has fully complied with all zoning and building code violations that were violated by the illegal conversion.

C. Appeals

Appeals from all Program determinations shall be made in writing to the Municipal Housing Liaison, Township of West Windsor. A written decision from the Municipal Housing Liaison shall be made within 15 days of receipt of appeal and shall serve as the final decision on the appeal.

Appendix F-2: Resolution re: Intent to Bond

[Draft form, subject to change]

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR,
NEW JERSEY OF INTENT TO FUND SPENDING PLAN SHORTFALL

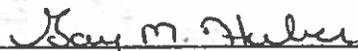
WHEREAS, pursuant to the substantive regulations of the New Jersey Council on Affordable Housing (COAH), certain portions of the Township's Third Round Housing Plan Element and Fair Share Plan as adopted by the West Windsor Township Planning Board on February 27, 2019 and endorsed by the Township Council on February 27, 2019, to wit, the rehabilitation and special needs programs and HomeFront/Haven House, may require a financial commitment by the Township; and

WHEREAS, pursuant to COAH regulations, the Township must resolve to address any shortfall in the funding of the programs set forth above, including its willingness to incur bonded indebtedness, if necessary, to provide the funds required for the timely implementation of the aforesaid Fair Share Plan mechanisms.

NOW, THEREFORE, BE IT RESOLVED by the West Windsor Township Council that, to the degree that the funds required for the implementation of the aforesaid mechanisms are not available at the time they are needed from all available affordable housing funding sources, the Township will provide the funding needed to cover any shortfall through appropriations in the Township's annual budget, bonding, or any other legal means, with the understanding that any future affordable housing funding that becomes available may be used to reimburse the Township for the costs incurred.

Adopted: April 15, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 15th day of April 2019.



Gay M. Huber
Township Clerk
West Windsor Township

Appendix F-3: Affirmative Marketing Plan and Resolution

[Draft form, subject to change]

#3

AFFIRMATIVE FAIR HOUSING MARKETING PLAN Township of West Windsor (REGION 4)

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number Piazza and Associates Inc. Princeton Forrestal Village 216 Rockingham Row Princeton, NJ 08540 609-786-1100		1b. Development or Program Name, Address As Applicable per project	
1c. As Applicable per project Number of Affordable Units: TBD Number of Rental Units: TBD Number of For-Sale Units: TBD	1d. Price or Rental Range From Prepared per project To	1e. State and Federal Funding Sources (if any) As applicable per project	
1f. As applicable per project <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates: As applicable per project Advertising: _____ Occupancy: _____		
1h. County Mercer, Monmouth, Ocean	1i. Census Tract(s): As applicable per project		
1j. Managing/Sales Agent's Name, Address, Phone Number As applicable per project			
1k. Application Fees (if any): None			

II. RANDOM SELECTION

2. 1. RENTAL PROCESS:

- A. An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by Piazza & Associates, on or before the initial deadline date, shall be deemed received on that date.
- B. Households that apply for very low-income housing will be prescreened by Piazza & Associates for preliminary income eligibility by comparing their total income and household size to the very low-income limits pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27-D-304 ("NJFHA"). Households that apply for low and moderate-income housing will be prescreened by Piazza & Associates for preliminary income eligibility by comparing their total income and household size to the low and moderate-income limits pursuant to the Uniform Housing Affordability Controls, 5:80-26.1 et seq. ("UHAC"). All households will be notified as to their preliminary status.
- C. A drawing will be held under the direction of Piazza & Associates to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline, will be processed on a "first come, first served" basis.
- D. In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each low and moderate-income unit available, or until all of the low and moderate-income units within the development have been rented.
- E. Final applications will be mailed by Piazza & Associates to an adequate number of pre-qualified applicants, in priority order, for each available very low, low and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their

income and assets.

- F. Completed final applications will be forwarded to Piazza & Associates. Piazza & Associates will make a determination as to their eligibility for a low or moderate-income unit. Applicants will receive a letter from Piazza & Associates with respect to the status of their application each time a review is performed.
- G. At the same time, applicants will also be subject to any criteria set forth by the Owner, pursuant to the Tenant Selection Criteria, attached. The criteria shall comply with all fair housing standards and be set forth in a policy statement made available to all applicants in the leasing office. The Owner will be responsible for the assessment of all criteria beyond the income and household size criteria set forth in "B" above.
- H. Subsequent to the initial rent-up period, a list of pre-qualified applicants will be maintained by Piazza & Associates for each type of very low, low and moderate-income unit.

2. SALE PROCESS:

- A. An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by Piazza & Associates, on or before the initial deadline date, shall be deemed received on that date.
- B. Households that apply for low and moderate income housing will be prescreened by Piazza & Associates for preliminary income eligibility by comparing their total income and household size to the low and moderate income limits adopted by COAH or its successors and other program restrictions that may apply. All households will be notified as to their preliminary status.
- C. A drawing will be held under the direction of Piazza & Associates to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline, will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- D. In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each low and moderate income unit available, or until all of the low and moderate income units within the development have been sold.
- E. Final applications will be mailed by Piazza & Associates to an adequate number of pre-qualified applicants, in priority order, for each available low and moderate income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- F. Completed final applications will be forwarded to Piazza & Associates. Piazza & Associates will make a determination as to their eligibility for a low or moderate income unit. Applicants will receive a letter from Piazza & Associates with respect to the status of their application each time a review is performed.
- G. When submitting final applications, applicants will also be asked to provide a pre-qualification letter from a qualified lending institution.
- H. Certified applicants will be given 15 days to sign a sales agreement with the developer. Mortgage contingencies may not be an acceptable term of the agreement.
- I. The sales agreement may also limit closing to a reasonable time to be approved by Piazza & Associates in advance of the process.

3. RESALE PROCESS:

- A. The Seller submits a Preliminary Notice with a copy of their recorded deed in order to determine the maximum resale price
- B. We will respond to the Seller in writing, explaining some of the details of the process and informing the Seller of the Maximum Sales Price (based on the change in median income as set forth by the New Jersey Dept. of Community Affairs) as well as the Maximum Income allowed for potential purchasers, as adjusted for family size. A form, entitled, "Notice of Intent to Sell", is attached.
- C. We will also send a "Notice of Availability" to households on our waiting list for an affordable home of the same size and income category. We will include about 20 copies of Preliminary Applications, specifically marked with the address of the affordable home at the top, to the Seller. The Notice will ask interested households to contact the Seller or their agent, directly, to make an appointment to see the affordable home

- within a two-week time frame. The Seller may want to prepare a flyer for us to distribute with our notice of availability. We reserve the right to limit the number of notices that are mailed, based on the chronological order in which the prequalified applications were received. If the notices are limited in this way, applicants receiving notices will have a priority over those who do not.
- D. With permission of the Seller, we automatically place a notification of the availability on NJHRC.gov. The Seller or their agent may also want to advertise. Ads should include the "Equal Housing Opportunity" logo and should be sent to our office for review prior to distribution.
 - E. The Seller or their agent, upon showing the home, provides potential buyers with a copy of the Preliminary Application (which may be duplicated if necessary). All interested parties must receive a specially marked Preliminary Application, whether or not they have already submitted an application to our office or are on our waiting list. Also, the Seller or their agent must keep a record of the name, address and telephone number of everyone who viewed the home.
 - F. At the end of the two-week time period, our office collects all of the Preliminary Applications submitted for a particular home. They are prioritized on the basis of a blind selection process or lottery. Preference may be given to households that can utilize all of the bedrooms, as well as handicap accommodations, when applicable.
 - G. The first two applicants on the prioritized list are sent a letter which requires them to complete a final application within seven days.
 - H. When an applicant is approved, the Seller may begin to negotiate a contract with the potential Buyer at this time, but there must be a contingency clause in the contract which voids the contract, without penalty to the buyer, if the potential buyer is not able to obtain financing within 30 days.
 - I. The remaining applicants are maintained on the waiting list for this home or other homes in the same size and income categories. In the event that the potential buyer is not able and/or willing to purchase the affordable home, the next applicant on the prioritized list is notified pursuant to the process described above.
 - J. The Seller must sell the affordable home with the same or comparable appliances and amenities that were in the home when it was first sold as an affordable home.
 - K. The Seller may NOT charge more than the Maximum Selling Price for any reason, except the addition of a room, the installation of central air conditioning (where there was none before) or comparable upgrade, but ONLY with prior written approval from us. For the most part, condominiums in this program are NOT eligible for such upgrades and/or adjustments to the selling price. The cost of broker fees; municipal inspections and required repairs that may be necessary to receive a Certificate of Occupancy; new appliances, carpeting or other flooring upgrades; and decorating and remodeling projects are NOT eligible costs for an increase in the Maximum Sales Price.
 - L. A copy of the Sales Contract must be submitted to our office prior to closing.
 - M. During the final stages of the process, it will be necessary for the Buyer to make arrangement for the Affordable Housing Agreement and Mortgage Note to be satisfied with respect to the Seller and new documents filed with respect to the Buyer. Our office typically provides the Buyer's attorney with the name and phone number of the attorney who can address these issues.
 - N. A copy of the HUD Closing Statement or Closing Disclosure form required by the TILA-RESPA Integrated Disclosure Rule, as appropriate, must be submitted to our office after the sale of the home.
 - O. Note: We do not guarantee that the Buyer can sell an affordable home for the Maximum Sales Price. An affordable home is also susceptible to market conditions, and the Fair Market Value of an affordable home may be lower than the Maximum Selling Price. In this case, the Seller may not be able to sell the home for more than its Fair Market Value.
 - P. This outline is meant to describe the process utilized prior to the expiration of the deed restrictions. It is not meant to be a legal representation of the rights or responsibilities of any party, nor is it meant to modify the Affordable Housing Agreement, Mortgage Note or other Deed Restrictions. Buyers and Sellers are encouraged to seek legal counsel for specific questions in this regard.
 - Q. Our office is available to both the Seller and the Buyer throughout the process to answer any questions that they may have.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors): When comparing the differences between West Windsor Township and Mercer County, as well as the 3-county region, there is a significant difference in the percentages in population for the following groups: White, African American and, to a lesser extent, Hispanic.

Subject	RACE							HISPANIC OR LATINO	
	Total population	Race alone or in combination with one or more other races: (4)						Total population	
		White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Hispanic or Latino (of any race)	Not Hispanic or Latino
Mercer County	366,513	232,582	78,537	2,910	35,838	871	26,670	55,318	311,195
Monmouth Co.	630,380	530,903	51,484	3,605	35,416	705	21,651	60,939	569,441
Ocean County	576,567	532,061	21,416	2,923	12,190	430	16,684	47,783	528,784
Region 4	1,573,460	1,295,546	151,434	9,438	83,444	2,006	65,005	164,040	1,409,420
% Region 4	100%	82.3%	9.6%	0.6%	5.3%	0.1%	4.1%	10.4%	89.6%
West Windsor	27,165	14,924	998	25	10,245	10	263	1,213	25,952
% West Windsor	100%	54.9%	3.7%	0.1%	37.7%	0.0%	1.0%	4.5%	95.5%

Difference	-27.4%	-6.0%	-0.5%	32.4%	-0.1%	-3.2%	-6.0%	6.8%
------------	--------	-------	-------	-------	-------	-------	-------	------

- White (non-Hispanic)
 Black (non-Hispanic)
 Hispanic
 American Indian or Alaskan Native
 Asian or Pacific Islander
 Other group:

3b. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS PARTIAL HOUSING REGION 4			
Daily Newspaper			
X	Once at the start of marketing & as needed.	Trenton Times	Mercer
X	Once at the start of marketing & as needed.	Trentonian	Mercer
X	Once at the start of marketing & as needed.	Asbury Park Press	Monmouth, Ocean
Weekly Newspaper			
X	Once at the start of marketing & as needed.	Hopewell Valley News	Mercer
X	Once at the start of marketing & as needed.	Windsor Heights Herald	Mercer
X	Once at the start of marketing & as needed.	Princeton Packet	Mercer, Middlesex, Somerset
	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA

TARGETS PARTIAL HOUSING REGION 4 (contingent on the availability by and approval of service provider)			
X	Once at the start of marketing & as needed.	Cablevision of Hamilton	Partial Mercer, Monmouth
X	Once at the start of marketing & as needed.	Comcast of Central NJ,	Partial Mercer, Monmouth
X	Once at the start of marketing & as needed.	Patriot Media & Communications, CNJ	Partial Mercer
X	Once at the start of marketing & as needed.	Cablevision of Monmouth, Raritan Valley	Partial Monmouth
X	Once at the start of marketing & as needed.	Comcast of Mercer County, Southeast Pennsylvania	Partial Mercer
X	Once at the start of marketing & as needed.	Comcast of Monmouth County	Partial Monmouth, Ocean
X	Once at the start of marketing & as needed.	Comcast of Garden State, Long Beach Island, Ocean County, Toms River	Partial Ocean

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 4			
FM			
X	Once at the start of marketing & as needed.	WPST 94.5	Once at the start of marketing

3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)			
	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
	www.HousingQuest.com	Piazza & Associates, Inc.	All On-going
	www.NJHRC.gov	Housing Resource Center	All On-going
	www.westwindsorj.org	West Windsor Township	All On-going

TARGETS ENTIRE HOUSING REGION 4			
Weekly			
X	Once at the start of marketing & as needed.	Reporte Hispano	New Jersey Spanish-Language

3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)		
DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION

Mercer County		
X	Once at the start of marketing & as needed.	Mercer County Board of Education 1075 Old Trenton Rd, Trenton, NJ
X	Once at the start of marketing & as needed.	Bristol-Myers Squibb 3401 Princeton Pike, Lawrence Twp., NJ 08648/100 Nassau Park Blvd. Princeton, NJ/3551 Lawrenceville-Princeton Rd., Lawrence Twp., NJ

X	Once at the start of marketing & as needed.	St. Lawrence Rehabilitation Center	2381 Lawrenceville Rd, Lawrenceville, NJ
X	Once at the start of marketing & as needed.	McGraw-Hill	120 Windsor Center Dr, East Windsor, NJ
X	Once at the start of marketing & as needed.	Conair Corporation	150 Milford Rd, Hightstown, NJ
X	Once at the start of marketing & as needed.	Shiseido America, Inc.	366 Princeton Highstown Rd, East Windsor, NJ
X	Once at the start of marketing & as needed.	NJ Manufacturers Insurance Company	301 Sullivan way, Trenton, NJ
X	Once at the start of marketing & as needed.	Homasote	932 Lower Ferry Rd, Trenton, NJ
X	Once at the start of marketing & as needed.	Robert Wood Johnson University Hospital	1 Hamilton Health Pl, Trenton, NJ
X	Once at the start of marketing & as needed.	Congoleum Corp.	3500 Quakerbridge Rd, Mercerville, NJ
X	Once at the start of marketing & as needed.	Coca-Cola Foods	480 Mercer St, Hightstown, NJ
X	Once at the start of marketing & as needed.	Peddie School	111 Armellino Ct, Hightstown, NJ
X	Once at the start of marketing & as needed.	Dana Communications	2 E Broad St, Hopewell, NJ
X	Once at the start of marketing & as needed.	Merrill Lynch	410 Scotch Rd, Hopewell, NJ
X	Once at the start of marketing & as needed.	Janssen Pharmaceutical	1125 Trenton Harbourton Rd, Titusville, NJ
X	Once at the start of marketing & as needed.	St. Francis Medical Center	601 Hamilton Avenue Trenton NJ 08629-1986
X	Once at the start of marketing & as needed.	The Trenton Times	500 Perry St, Trenton, NJ
X	Once at the start of marketing & as needed.	Gaum, Inc.	1080 US Highway 130, Robbinsville, NJ
X	Once at the start of marketing & as needed.	Mercer County Board of Education	1075 Old Trenton Rd., Trenton NJ 08618
X	Once at the start of marketing & as needed.	Perry Street Teen Post Center	522 Perry St., Trenton, NJ 08618
X	Once at the start of marketing & as needed.	Capital Health Regional Medical Center	750 Brunswick Ave. Trenton, NJ 08638
X	Once at the start of marketing & as needed.	Capital Health-Hamilton	1445 Whitehorse-Mercerville Rd., Hamilton, NJ
X	Once at the start of marketing & as needed.	Trenton Police Dept.-Police Director	225 N. Clinton Ave., Trenton, NJ 08609
X	Once at the start of marketing & as needed.	Princeton University	33 Washington Rd. Princeton, NJ 08544
X	Once at the start of marketing & as needed.	ETS	660 Rosedale Rd., Princeton, NJ 08540; 225 Phillips Blvd., Ewing, NJ 08628
X	Once at the start of marketing & as needed.	Amazon Fulfillment Center	50 New Canton Way, Robbinsville, NJ 08691
X	Once at the start of marketing & as needed.	Capital Health Hopewell	One Capital Way, Pennington, NJ 08534
Monmouth County			
X	Once at the start of marketing & as needed.	Meridian Health System	1350 Campus Parkway Neptune
X	Once at the start of marketing & as needed.	US Army Communications Electronics Command Fort Monmouth	CECOM Bldg 901 Murphy drive Fort Monmouth

X	Once at the start of marketing & as needed.	County of Monmouth Hall of Records	1 East Main Street Freehold
X	Once at the start of marketing & as needed.	Central State Healthcare Systems	West Main Street Freehold
X	Once at the start of marketing & as needed.	Monmouth Medical Center	300 Second Ave Long Branch
X	Once at the start of marketing & as needed.	Asbury Park Press	3601 Route 66 Neptune, NJ
X	Once at the start of marketing & as needed.	Food Circus Super Markets, Inc.	835 Highway 35 PO BOX 278 Middletown, NJ
X	Once at the start of marketing & as needed.	Monmouth University	Cedar Ave West Long Branch
X	Once at the start of marketing & as needed.	Naval Weapons stations Earle	State Highway 34 Colts Neck, NJ
X	Once at the start of marketing & as needed.	Norkus Enterprises, Inc.	505 Richmond Ave Point Pleasant, NJ
X	Once at the start of marketing & as needed.	RiverView Medical	1 Riverview Plaza, Red Bank, NJ
X	Once at the start of marketing & as needed.	K. Hovnanian Hospital	1945 Rte. 33, Neptune, NJ 07753
X	Once at the start of marketing & as needed.	Bayshore Community Hospital	725 N. Beers St., Holmdel, NJ
X	Once at the start of marketing & as needed.	Horizon Blue Cross Blue Shield	1427 Wyckoff Road Farmingdale, NJ
Ocean County			
X	Once at the start of marketing & as needed.	Saint Barnabas Health Care System	300 2nd Ave Long Branch, NJ 07740
X	Once at the start of marketing & as needed.	Six Flags Theme Parks Inc	Route 537 Jackson, NJ 08527
X	Once at the start of marketing & as needed.	Jackson Premium Outlets	537 Monmouth Rd., Jackson , NJ
X	Once at the start of marketing & as needed.	Meridian Health Care System	415 Jack Martin Blvd, Brick, NJ
X	Once at the start of marketing & as needed.	Southern Ocean County Hospital	1140 Route 72 West, Manahawkin, NJ
X	Once at the start of marketing & as needed.	Jenkinsons	300 Ocean Ave Pt. Pleasant Beach, NJ 08742
3c. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization		Outreach Area	Racial/Ethnic Identification
See attached List Service		Region 4	All
			Duration & Frequency of Outreach
			Once at the start of marketing.

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
	BUILDING
	LOCATION
X	Mercer County Library Headquarters
	2751 Brunswick Pike, Lawrenceville, NJ 08648
X	Monmouth County Headquarters Library
	125 Symmes Drive, Manalapan, NJ 07726

X	Ocean County Library	101 Washington Street, Toms River, NJ 08753
X	Mercer County Administration Bldg.	640 South Broad Street, PO BOX 8068, Trenton, NJ 08650-0068
X	Ocean County Administration Bldg.	101 Hooper Ave., Toms River, NJ 08753
X	County of Monmouth Hall of Records	33 Mechanic St., Freehold, NJ 07728
X	West Windsor Branch Library	333 North Post Road Princeton Junction, NJ 08550
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)		
<p>West Windsor Township P.O. Box 38 (271 Clarksville Road) West Windsor, NJ 08550 Attn.: Township Clerk (609) 799-2400 Fax: (609) 799-2044</p> <hr/> <p>West Windsor Plainsboro Senior Center Municipal Center Clarksville and North Post Roads PO Box 38 Princeton Junction, NJ 08550 Phone: (609) 799-9068</p> <p>West Windsor Branch Library 333 North Post Road Princeton Junction, NJ 08550 (609) 799-0462</p>		
4c. Sales/Rental Office for units (if applicable) TBD		

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the Municipality's Fair Share obligation.

Frank Piazza, Administrative Agent
Township of West Windsor



Signature _____ Date 4/11/2019

Mary Frances McFadden, Director
Ocean County Board of Social Services
027 Hooper Avenue
Toms River, NJ 08753

Monmouth County
Division of Social Services
3000 Kozloski Road
Freehold, NJ 07728

Rainbow Foundation
15 Cherry Tree Farm Rd.
New Monmouth, NJ 07748

O.C.E.A.N., Inc
PO Box 1029
Toms River, NJ 08754

Homes Now, Inc
2141 Route 88 East
Suite 1
Brick, NJ 08724

Mercer County Board of Social Services
200 Woolverton Street
PO Box 1450
Trenton, NJ 08650-2099

Crisis Ministry of Princeton
23 E Hanover St.
Princeton, NJ 08608

Love INC
PO Box 847
Eatontown, NJ 07724

Salvation Army, Trenton Office
436 Mulberry Street
Trenton, NJ 08608

Catholic Charities, Diocese of Trenton
83 West State Street
Trenton, NJ 08607-1423

Habitat for Humanity – Trenton Area
601 North Clinton Avenue
Trenton, NJ 08638-3446

Homefront
1880 Princeton Avenue
Lawrenceville, NJ 08648

Isles, Inc
10 Wood Street
Trenton, NJ 08618

Lawrence Non-Profit Housing, Inc
175 Johnson Avenue
Lawrenceville, NJ 08648-3453

Princeton Community Housing, Inc
245 Nassau Street
Princeton, NJ 08540

Project Freedom, Inc
223 Hutchinson Road
Robbinsville, NJ 08691

Trenton ACORN
395 W. State Street
2nd Floor
Trenton, NJ 08618

Monmouth County Office on Aging
21 Main and Court Center
Freehold, NJ 07728

Mercer County Office on Aging
640 S. Broad Street
PO Box 8068
Trenton, NJ 08650

Homes For All, Inc
7 Heyers Street
Toms River, NJ 08753

Hispanic Affairs & Resource Center
12 Throckmorton St.
Freehold, NJ 07728

Alternatives, Inc
600 First Avenue
Raritan, NJ 08869

Collaborative Support Programs of NJ
11 Spring Street
Freehold, NJ 07728

Urban League
P.O. Box 7208
Trenton, NJ 08628

HAB Core, Inc
PO Box 2361
Red Bank, NJ 07701

Interfaith Neighbors, Inc
810 Fourth Avenue
Asbury Park, NJ 07712

Ocean Community Economic
Action Now, Inc
40 Washington Street
PO Box 1029
Toms River, NJ 08753

YMCA
431 Pennington Ave.
Trenton, NJ 08615

Monmouth County Comm. Devel.
Halls of Records Annex
One East Main Street
Freehold, NJ 07728

Fair Share Housing Center
510 Park Blvd.
Cherry Hill, NJ 08002

American Red Cross
201 Hooper Ave.
Toms River, NJ 08753

Berkeley Housing Authority
44 Frederick Drive
Bayville, NJ 08721

Brick Housing Authority
165 Chambers Bridge Road
Bricktown, NJ 07732

Hightstown Housing Authority
131 Rogers Avenue
Hightstown, NJ 08520

Princeton Housing Authority
50 Clay Street
Princeton, NJ 08542

Trenton Housing Authority
875 New Willow Street
Trenton, NJ 08638

Hamilton Township Housing Authority
2090 Greenwood Avenue
PO Box 00150
Hamilton, NJ 08650

Red Bank Housing Authority
52 Evergreen Terrace
Red Bank, NJ 07701

Asbury Park Housing Authority
1000 ½ 3rd Avenue
Asbury Park, NJ 07712

Belmar Housing Authority
710 8th Avenue
Belmar, NJ 07719

Freehold Housing Authority
107 Throckmorton Street
Freehold, NJ 08723

Highlands Housing Authority
215 Shore Drive
Highlands, NJ 07732

Keansburg Housing Authority
1 Church Street
Keansburg, NJ 07734

Long Branch Housing Authority
Garfield Court
Long Branch, NJ 07740

Middletown Housing Authority
1 Oakdale Drive
Middletown, NJ 07748

Neptune Housing Authority
1810 Alberta Avenue
Neptune, NJ 07753

Dover Housing Authority
215 E. Blackwell Street
Dover, NJ 07801

Lakewood Housing Authority
317 Sampson Avenue
Lakewood, NJ 08701

NJ State Conference of the NAACP
4326 Harbor Beach Blvd. #775
Brigantine, NJ 08203

NAACP-Asbury Park/Neptune Branch
Attn: Adrienne Sanders
PO Box 1143
Asbury Park, NJ 07712

Bayshore NAACP
Attn: Jeffrey Carter
PO Box 865
Matawan, NJ 07747

Greater Freehold NAACP
Attn: Earl Fulcher
PO Box 246
Marlboro, NJ 07746

Greater Long Branch NAACP
Attn: Lorenzo Dangler
PO Box 4725
Long Branch, NJ 07740

Greater Red Bank NAACP
Attn: Rev. Henry Davis
PO Box 2147
Red Bank, NJ 07701-2147

NAACP-Ocean Cty./Lakewood Branch
Attn: Fred Rush
PO Box 836
Lakewood, NJ 08701

NAACP Toms River Branch
Attn: Bahiyah Abdullah
PO Box 5144
Toms River, NJ 08754

Trenton NAACP
Attn: Jonette Smart
PO Box 1355
Trenton, NJ 08608

NJ NAACP State Office
13 West Front Street
Trenton, NJ 08608

Latino Action Network
PO Box 943
Freehold, NJ 07728

Hollowbrook Community Center
320 Hollowbrook Drive
Ewing, NJ 08693

**Mercer County Board of Realtors
1428 Brunswick Ave.
Trenton, NJ 08638**

**Monmouth County Assoc. of Realtors
One Hovchild Plaza
4000 Rt. 66
Tinton Falls, NJ 07753**

**Ocean County Board of Realtors
271 Lakehurst Rd.
Toms River, NJ 08753**

**Architects Housing Co., Inc.
215 E. Front St.
Trenton, NJ 08611**

**Monmouth Cty. Housing & Econ. Devel.
31 E. Main St.
Freehold, NJ 07728**

**Ocean Cty. Housing Assistance Office
Div. of Housing & Community Devel.
129 Hooper Ave.
Toms River, NJ 08754**

**Mercer Cty. Housing Assistance Office
140 East Front St.
Trenton, NJ 08607**

**Monmouth Cty. Housing Assistance Office
101 Main St.
Room 102-A
Eatontown, NJ 07724**

**Lutheran Social Ministries of NJ
6 Terri Lane
Suite 300
Burlington, NJ 08016**

**Shorelites Housing Corp.
131 Oakland St.
Red bank, NJ 07701**

**Mercer County Hispanic Association
18 6th Ave.
Trenton, NJ 08619**

**Affordable Housing Alliance
59 Broad St.
Eatontown, NJ 07724**

**Salvation Army, Trenton Office
436 Mulberry St.
Trenton, NJ 08608**

**Supportive Housing Association of NJ
185 Valley street
South Orange, NJ 07079**

**STEPS
PO Box 728
Toms River, NJ 08754-0728**

RESOLUTION

WHEREAS, the Township has settled its *Mt. Laurel* declaratory judgment lawsuit styled *In the Matter of West Windsor Township*, docket number MER-L-1561-15 , with Fair Share Housing Center, and such Settlement Agreement has been approved by the court after a fairness hearing thereon; and

WHEREAS, one requirement of the Settlement Agreement is an affirmative marketing plan setting forth how the Township will affirmatively market affordable housing units in its affordable housing inventory as they become available for rental or purchase; and

WHEREAS, affirmative marketing plans are required for all approved fair share programs in the State; and

WHEREAS, the attached Affirmative Marketing Plan complies with affirmative marketing requirements; and

WHEREAS, it would be in the best interest of the Township to approve such Affirmative Marketing Plan.

NOW, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Affirmative Marketing Plan attached hereto is approved and is to be included in a Supplement Appendix of the Township Housing Element and Fair Share Plan.

Adopted:

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 29th day of April, 2019.


Gay M. Huber
Township Clerk
West Windsor Township

Appendix F-4: Energy Assistance Program Operating Manual

[Draft form, subject to change]

West Windsor Township

**AFFORDABILITY ASSISTANCE:
ENERGY ASSISTANCE PROGRAM**

OPERATING MANUAL

April 22, 2019

Updated May 2, 2022

Updated May 20, 2025

WEST WINDSOR TOWNSHIP MANUAL FOR AFFORDABILITY ASSISTANCE: ENERGY EFFICIENCY PROGRAM

I. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, and assistance with emergency repairs.”

West Windsor Township (the “Township”) has developed and implemented an energy assistance program to assist owners of deed-restricted affordable housing by providing grant funding to purchase and have installed energy efficient equipment, and thereby reduce the cost to maintain the affordable unit.

The Township has entered into an agreement with Piazza & Associates, Inc. (“Piazza”) to implement an Energy Efficiency Program (EEP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, Piazza has prepared this manual to address the use of affordability assistance funds for energy assistance.

II. INTRODUCTION

This Energy Efficiency Program Manual has been prepared to assist in the administration of the Energy Efficiency Program. It will serve as a guide to the program staff and applicants.

This manual describes the basic content and operation of the program, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the Energy Efficiency Program process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, contract payments and overall program administration.

Piazza & Associates, Inc. has been engaged to provide support services necessary to administer the program on behalf of the Township.

The program requirements are subject to change, and grant funding is subject to availability.

The following represents the procedures developed to offer an applicant the opportunity to apply for the program.

III. PROGRAM DESCRIPTION

This program makes available grants of up to \$8,000 toward the cost of HVAC equipment, and / or the cost of a hot water heater, to income-qualified owners of deed restricted, affordable homes in the Township. By replacing existing heating /cooling (HVAC) systems and/or hot water heaters with new, high energy efficiency standards, the goal of this program is to save energy and reduce the operating costs, while maintaining a high level of comfort.

IV. GENERAL PROGRAM REQUIREMENTS

Participation in this program requires:

- (a) The equipment to be replaced must be at least 10 years old.
- (b) At the time the unit owner (hereinafter, “the Owner”) is seeking the credit, his or her household must be re-certified as an affordable household eligible for an affordable unit under applicable State regulations, except that Owners who acquired their units within the prior year do not need to be re-certified.
- (c) The equipment to be installed, in the case of HVAC equipment, must have an A.F.U.E. efficiency rating of at least 95-percent-efficiency with a R401 or better refrigerant and, in the case of a hot water heater, must be Energy Star-qualified.
- (d) The Owner shall secure at least three bids for the Work. Only HVAC contractors on a list circulated to him or her by Piazza, PSE&G, or JCP&L and, for the hot water heaters, plumbers licensed by the State of New Jersey may be solicited and considered.
- (e) The bid solicitation shall be on a form prepared by Piazza.
- (f) The Owner shall choose the contractor (hereinafter, “the Contractor”) and contract for the Work using a form prepared by Piazza and approved by the Township.

(g) The Owner may choose any of the bidders, but the Township will pay only the price of the lowest bid, up to \$8,000 (hereinafter, “the Township’s Share”), with the Owner responsible for paying any remainder (hereinafter, “the Owner’s Share”).

(h) The Owner’s Share, if any, shall be paid in full before the Township makes payment to the Contractor. The Township will not make final payment to the Contractor until after the Construction Code Official conducts a final inspection and approves the Work.

(i) The Owner must enter into an agreement with the Township in a form prepared by Piazza and approved by the Township in which he or she:

(1) Agrees to pay the Owner’s Share prior to payment by the Township of the Township’s Share.

(2) Acknowledges and agrees that the Township will not be obligated to pay more than the lowest bid, but not more than \$8,000.00.

(3) Releases the Township from any claims he or she may assert against it other than claims for the amount the Township is obligated to pay the Contractor.

(4) Releases Piazza from any claims that he or she may assert against it.

(5) Agrees to indemnify, defend, and hold the Township and Piazza harmless against any and all claims for liability for personal injury, property damage, and any other claim, cause of action, or demand made as a result of alleged acts or failure to act by the Township’s and Piazza’s employees, agents, servants and representatives.

(6) Agrees to fully cooperate with the Contractor, Township, and Piazza, including making timely arrangement for all inspections.

(7) Acknowledges that the Contractor is solely responsible for the installation and that the Township and Piazza have no responsibility with respect to the equipment or its installation and are not guarantors of the Work and agrees that communications with respect thereto shall be directed to the Contractor and not to the Township or Piazza.

(j) The contract between the Owner and Contractor (hereinafter, “the Owner-Contractor Contract”) shall:

(1) Require that the equipment to be installed shall have the energy efficiency rating set forth in Paragraph 1(c) or better.

(2) Set forth all charges, including inspection fees.

(3) Provide that the Owner is obligated to pay the entire contract amount, but indicate that the Township may, but under the Contractor Contract is not required to, pay the Township's Share and that the Contractor understands that there is a separate agreement between the Owner and Township with respect thereto, such agreement to be provided to the Contractor.

(4) Provide that the Owner's Share shall be paid before any payment by the Township is made.

(5) Provide that the Contractor releases the Township and Piazza from any claims it may assert against them:

(6) Require the Contractor to take and maintain a comprehensive general liability insurance policy insuring the Owner, the Township, and Piazza as additional insureds and lost payees against claims of bodily injury, including death, and property damage occurring during the course of the work in amounts of \$1,000,000 for each claim with respect to bodily injury or death and for property damage relating to any one occurrence.

(7) Require the Contractor to take out and maintain workers' compensation insurance and employer's liability insurance, each in the amount of \$500,000 per occurrence.

(8) Require the Contractor to indemnify, defend, and hold the Township and Piazza harmless against any and all claims for liability for personal injury, environmental contamination, property damage, and any other claim, cause of action, or demand made as a result of alleged acts or failure to act by the Township's and Piazza's employees, agents, servants, or representatives.

(9) Require the Contractor to provide the Owner with a copy of its certificate of insurance and New Jersey State business license.

(k) The bid solicitation, the contract between the Township and Owner (hereinafter, "the Township-Owner Contract") and the Owner-Contractor Contract are subject to the review and approval by Piazza, which approval shall not be unreasonably withheld.

(l) The Owner shall secure such approvals from his or her homeowners' or condominium association as are necessary.

V. GENERAL PROGRAM REQUIREMENTS

In order to qualify for the program, the gross annual income of an Owner must be less than the limits set forth below for moderate-income households in Middlesex County. Please note that these limits are subject to change.

**MAXIMUM INCOME
FOR PARTICIPATION IN THE ENERGY EFFICIENCY PROGRAM**

AHPNJ 2025	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320	\$124,960

The determination of Piazza of the income of the Owner during the recertification process will have no impact on the ownership of the affordable unit, since there is no limit on income after a home is purchased. However, the Owner must be in compliance with the affordable housing restrictions in order to take advantage of the Energy Efficiency Program grants, and the Township reserves the right to use the information that it gathers to enforce the obligations set forth in the affordable housing restrictions.

Piazza shall recertify Owners using the same process and under the same terms and conditions that it uses to certify applicants to purchase affordable units in West Windsor, as set forth by N.J.A.C. 5:80-26.1 et seq. and the procedures set forth in the Operating Manual for that purpose.

VI. EQUIPMENT RESTRICTIONS

The minimum age of the current equipment to be eligible for replacement is 10 years. If an Owner is unsure as to the age of their equipment, they are advised to contact the West Windsor Township Code Enforcement Office to determine if their HVAC system and the hot water heater meet the age requirements set forth in the program.

VII. THE PROCESS

- a. An introductory letter and application is mailed periodically to the Owners of affordable units in the Township.
- b. If interested, the Owners may apply for the program, using the application form and submit the form, together with the required documentation to Piazza for review.
- c. Piazza makes a determination of eligibility based on the standards set forth above.
- d. Piazza notifies the status of the review as follows:
 - i. Incomplete: The Owner shall have 5 days to complete the application.
 - ii. Not approved: The Owner may not participate in the program, but can re-apply at a later date. The Owner shall pay \$100 for the cost to perform a recertification review subsequent to the initial application.

- iii. Complete and Certified: Piazza provides the Owner with a contract between the Owner and the Township for the Owner's review and execution.
- e. The Owner signs and returns the Agreement between the Owner and the Township.
- f. Piazza provides the Owner with a kit that includes:
 - i. A Request for Proposal that the Owner may use to obtain bids from contractors;
 - ii. Information regarding the operation and benefits of energy efficient equipment;
 - iii. The specification of the minimum standards of the equipment required;
 - iv. A list of plumbing contractors as well as contractors for the HVAC installations;
 - v. A bid comparison form; and
 - vi. A form of Agreement between the Owner and the Contractor.
- g. The Owner obtains three (3) bids from approved contractors.
- h. The Owner selects a Contractor and enters into an agreement pursuant to f(vi) above.
- i. The Owner submits same to Piazza for approval.
- j. Piazza returns the fully executed and approved Agreement between the Owner and Contractor.
- k. Piazza begins the request for payment process, by submitting a purchase order to the Township for review and approval.
- l. The contractor completes the work.
- m. The Owner has the work inspected by the Township and pays the Contractor the Owner's share if applicable.
- n. Piazza verifies that the payment was made and pays the Contractor the balance, not to exceed \$8,000 in total.

Appendix F-5: Rent Subsidy Program

[Draft form, subject to change]

West Windsor Township

AFFORDABILITY ASSISTANCE:
RENTAL ASSISTANCE FOR TENANTS
OF VERY LOW INCOME UNITS

OPERATING MANUAL

May 16, 2019

**WEST WINDSOR TOWNSHIP MANUAL FOR
AFFORDABILITY ASSISTANCE: RENTAL ASSISTANCE
VERY LOW INCOME**

I. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, and assistance with emergency repairs.”

II. INTRODUCTION

West Windsor Township (the “Township”) has developed and implemented a program to provide rental subsidy to tenants of very low-income units as defined in the New Jersey Fair Housing Act.

The Township has entered into an agreement with Piazza & Associates, Inc. (“Piazza”) to implement a Rental Assistance Program (RAP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, Piazza has prepared this manual to address the use of affordability assistance funds for energy assistance.

The Township will set aside \$201,307.99 as rental assistance to very-low income households residing in very-low income units in inclusionary developments in West Windsor Township.

Those developments are Princeton Terrace 1 and 2 and Toll/Maneely. The program will be extended to very-low income households residing in very-low income units at Woodstone, PTS Phase 2, Garden Homes, Roseland/MackCali, and Bear Creek Senior Living as very-low income units in those developments come online.

The following represents the procedures developed to implement this program.

III. PROGRAM DESCRIPTION

After Piazza or other Administrative Agent working on behalf of the Township, approves an application by a very-low income household residing in a very-low income unit, with such documentation as is established by the Township as to income, assets, and other pertinent information, the Township will grant \$100 per month to such household payable to its landlord, with the landlord being required to show that the monthly rent of such household has been reduced by an equivalent amount.

The grants will be made for such period of time as funds are available for affordability assistance for very-low income households, with funds payable from the Township Affordable Housing Trust Fund, or until the Township terminates the program.

Piazza & Associates, Inc. has been engaged to provide support services necessary to administer the program on behalf of the Township.

The program requirements are subject to change, and grant funding is subject to availability.

IV. GENERAL PROGRAM REQUIREMENTS

This program is limited to tenants in rental apartments that are deed restricted as very low-income units as defined in the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

Applicants who are certified by Piazza & Associates, Inc. or other Administrative Agent working on behalf of the Township as income eligible for the very low-income units, and who become tenants of very low-income units will automatically qualify for a subsidy under this program.

The certification process is set forth, in detail, in the Rental Operating Manual of the Township, as prepared by Piazza & Associates, Inc.

The qualification shall remain in full force and effect until such time as the program is no longer funded or the Township requires a recertification for this benefit.

V. THE PROCESS

- a. Piazza approves an application for tenancy in a very low-income unit.

- b. The landlord and tenant sign a lease agreement and send a copy of that agreement, together with the requisite certification forms signed by the landlord and tenant, to Piazza.
- c. Piazza notifies the Office of Finance at the Township, who then adds that tenant to its list of subsidy grantees.
- d. Piazza notifies the landlord, who is then required to provide a monthly discount to the tenant until such time as the subsidy is terminated or the tenant vacates the property.
- e. The Landlord submits an invoice to the Township for the amount of the subsidy, together with a rent roll that shows that the tenants who are receiving the grants have occupied the very low-income unit that month.
- f. The Office of Finance for the Township arranges for payment to the Landlord in an amount equal to the discounts provide to the tenants.

Appendix F-6: Closing Cost Manual

[Draft form, subject to change]

Township of West Windsor – Mercer County

**AFFORDABILITY ASSISTANCE:
CLOSING COST GRANT PROGRAM**

OPERATING MANUAL

May 20, 2025

**WEST WINDSOR TOWNSHIP – MERCER COUNTY
AFFORDABILITY ASSISTANCE: CLOSING COST GRANT PROGRAM**

I. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.”

It is also important to note that the spending of trust fund money for West Windsor Township (the “Township”) affordability assistance on units in the Fair Share Plan does not create Fair Housing credits for the Township. It is noted that there is no formally documented statement that units closing cost assistance must have a deed restriction or lien, competitive bidding, minimum dollar amount, affirmative marketing or a major system repaired.

The Township is entering into an agreement with its Administrative Agent, Piazza & Associates, Inc. (“P&A”) help to implement a Closing Cost Grant Program (CCP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, P&A has prepared this manual to address the use of affordability assistance funds for closing cost grants.

II. INTRODUCTION

This Closing Cost Grant Program Manual has been prepared to assist in the administration of the West Windsor Township Closing Cost Grant Program. It will serve as a guide to the program staff and applicants.

This manual describes the basic content and operation of the program, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the Closing Cost Grant Program process. It describes the eligibility requirements for participation in the program, program

criteria, funding terms and conditions, contract payments and overall program administration.

P&A will be engaged to provide support services necessary to administer the program on behalf of the Township.

The program funds will be distributed as a grant, and will not be repayable if the recipient purchases the deed-restricted affordable home.

The following represents the procedures developed to offer an applicant the opportunity to apply for the program.

III. PROGRAM DESCRIPTION

This program makes available grants to income-qualified purchasers of deed restricted affordable homes in the Township of up to \$3,000.00 toward the cost associated with the purchase of the aforementioned affordable home. The applicable costs are set forth in the TILA-RSPA Integrated Disclosure Documents and can include:

- Title work and policy;
- Reasonable attorney fees;
- Preparation of survey;
- Homeowner's insurance;
- Recording fees; and
- Other necessary closing costs to third parties.

West Windsor Township will dedicate approximately \$300,000.00 towards Closing Costs Grant Program.

IV. PROGRAM REQUIREMENTS

In order to qualify for the program, the gross annual income of the Buyer must be deemed to be very low-, low- or moderate- income, i.e., less than the limits set forth below for moderate-income households in Mercer County. Please note that these limits are subject to change.

MAXIMUM INCOME FOR PARTICIPATION IN THE WEST WINDSOR TOWNSHIP CLOSING COST GRANT PROGRAM						
AHPNJ 2025	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320	\$124,960

Homes must be deed-restricted, affordable housing units in West Windsor Township, and may be of any size. The Buyer must submit an inspection report prepared by a licensed home inspector, and that report must identify the property as being in sound condition.

V. THE PROCESS

- a. After a Buyer is income-certified by P&A and approved to purchase a deed-restricted affordable home in the Township; and then enters into a contract to purchase the eligible home, P&A will notify the Municipal Housing Liaison of the Township and request the Township prepare a check in the amount of up to \$3,000.00, payable to the trust account identified for such purposes.
- b. A check will be issued to the trust account in advance of the closing.
- c. The grant will be identified on the TILA-RESPA disclosure statements as a Grant from the Township of West Windsor.
- d. If the sale is cancelled, the trustee will return the check to the Township.

TOWNSHIP OF WEST WINDSOR
OFFICE OF AFFORDABLE HOUSING
271 Clarksville Road
West Windsor, NJ 08550

CLOSING COST ASSISTANCE

Purchasers of affordable units may be eligible for up to \$3,000 reimbursement for closing costs. To qualify for the reimbursement, submit copies of the following:

- 1.) Letter requesting reimbursement
- 2.) Inspection report prepared by a licensed home inspector
- 3.) Copy of HUD statement from closing
- 4.) Original executed Affordable Housing Agreement recorded by the Clerk of Mercer County, including recording cover sheet.
- 5.) Original executed Repayment Mortgage recorded by the Clerk of Mercer County, including recording cover sheet.
- 6.) Original executed Repayment Mortgage Notes.

Appendix F-7: Affordability Assistance Manuals

[Draft form, subject to change]

West Windsor Township

AFFORDABILITY ASSISTANCE:
RENTAL ASSISTANCE FOR TENANTS
OF VERY LOW INCOME UNITS

OPERATING MANUAL

May 16, 2019

**WEST WINDSOR TOWNSHIP MANUAL FOR
AFFORDABILITY ASSISTANCE: RENTAL ASSISTANCE
VERY LOW INCOME**

I. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, and assistance with emergency repairs.”

II. INTRODUCTION

West Windsor Township (the “Township”) has developed and implemented a program to provide rental subsidy to tenants of very low-income units as defined in the New Jersey Fair Housing Act.

The Township has entered into an agreement with Piazza & Associates, Inc. (“Piazza”) to implement a Rental Assistance Program (RAP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, Piazza has prepared this manual to address the use of affordability assistance funds for energy assistance.

The Township will set aside \$201,307.99 as rental assistance to very-low income households residing in very-low income units in inclusionary developments in West Windsor Township.

Those developments are Princeton Terrace 1 and 2 and Toll/Maneely. The program will be extended to very-low income households residing in very-low income units at Woodstone, PTS Phase 2, Garden Homes, Roseland/MackCali, and Bear Creek Senior Living as very-low income units in those developments come online.

The following represents the procedures developed to implement this program.

III. PROGRAM DESCRIPTION

After Piazza or other Administrative Agent working on behalf of the Township, approves an application by a very-low income household residing in a very-low income unit, with such documentation as is established by the Township as to income, assets, and other pertinent information, the Township will grant \$100 per month to such household payable to its landlord, with the landlord being required to show that the monthly rent of such household has been reduced by an equivalent amount.

The grants will be made for such period of time as funds are available for affordability assistance for very-low income households, with funds payable from the Township Affordable Housing Trust Fund, or until the Township terminates the program.

Piazza & Associates, Inc. has been engaged to provide support services necessary to administer the program on behalf of the Township.

The program requirements are subject to change, and grant funding is subject to availability.

IV. GENERAL PROGRAM REQUIREMENTS

This program is limited to tenants in rental apartments that are deed restricted as very low-income units as defined in the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

Applicants who are certified by Piazza & Associates, Inc. or other Administrative Agent working on behalf of the Township as income eligible for the very low-income units, and who become tenants of very low-income units will automatically qualify for a subsidy under this program.

The certification process is set forth, in detail, in the Rental Operating Manual of the Township, as prepared by Piazza & Associates, Inc.

The qualification shall remain in full force and effect until such time as the program is no longer funded or the Township requires a recertification for this benefit.

V. THE PROCESS

- a. Piazza approves an application for tenancy in a very low-income unit.

- b. The landlord and tenant sign a lease agreement and send a copy of that agreement, together with the requisite certification forms signed by the landlord and tenant, to Piazza.
- c. Piazza notifies the Office of Finance at the Township, who then adds that tenant to its list of subsidy grantees.
- d. Piazza notifies the landlord, who is then required to provide a monthly discount to the tenant until such time as the subsidy is terminated or the tenant vacates the property.
- e. The Landlord submits an invoice to the Township for the amount of the subsidy, together with a rent roll that shows that the tenants who are receiving the grants have occupied the very low-income unit that month.
- f. The Office of Finance for the Township arranges for payment to the Landlord in an amount equal to the discounts provide to the tenants.

Appendix F-8: Operating Manuals (Rental and Sales)

[Draft form, subject to change]

Township of West Windsor

Affordable Housing Services

Operating Manual

RENTAL PROGRAM

**Piazza & Associates, Inc. ♦ 201 Rockingham Row ♦
Princeton, NJ 08540**

T.609.786.1101 ♦ F.609-786-1105 ♦ www.HousingQuest.com

© 2025 All rights reserved. No part of this publication, except Federal or State housing agency forms, may be reproduced in any manor without the prior written consent of Frank Piazza or Piazza & Associates, Inc. This manual may be amended to conform with the new rules, once the permanent version of those rules is adopted.

Table of Contents

INTRODUCTION	1
<i>FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES</i>	<i>1</i>
<i>WHAT IS AFFORDABLE HOUSING?</i>	<i>2</i>
<i>WHO QUALIFIES FOR AFFORDABLE HOUSING?</i>	<i>2</i>
<i>LOCAL AFFORDABLE HOUSING PROGRAMS FOR RENT.....</i>	<i>2</i>
<i>OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES.....</i>	<i>3</i>
<i>OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS FOR NEW RENTALS AND RE-RENTALS.....</i>	<i>3</i>
ROLES AND RESPONSIBILITIES.....	5
<i>Responsibilities of the Municipal Housing Liaison or MHL.....</i>	<i>5</i>
<i>Responsibilities of an Administrative Agent</i>	<i>6</i>
<i>Responsibilities of the Municipal Attorney</i>	<i>8</i>
<i>Responsibilities of Developers.....</i>	<i>8</i>
<i>Responsibilities of Owners of Rental Developments</i>	<i>9</i>
<i>Responsibilities of Landlords and Property Managers.....</i>	<i>9</i>
AFFIRMATIVE MARKETING	9
<i>Overview of the Requirements of an Affirmative Marketing Plan.....</i>	<i>9</i>
<i>Implementation of the Affirmative Marketing Plan.....</i>	<i>10</i>
<i>Developer, Affordable Housing Sponsor</i>	<i>11</i>
MATCHING HOUSEHOLDS TO AVAILABLE UNITS	12
APPLICATION FEES	13
HOUSEHOLD CERTIFICATION	13
<i>Household Composition and Circumstances</i>	<i>13</i>
<i>Procedure for Income-Eligibility Certification.....</i>	<i>14</i>
<i>The Real Estate Asset Limit</i>	<i>17</i>
<i>Income from Real Estate.....</i>	<i>17</i>
<i>Minimum Income</i>	<i>17</i>
<i>Housing Counseling.....</i>	<i>17</i>
<i>Approving or Rejecting a Household.....</i>	<i>18</i>
<i>Dismissal of Applications</i>	<i>19</i>
<i>Appeals</i>	<i>20</i>
DETERMINING AFFORDABLE RENTS	20
<i>Additional Regulations for a Rental Development.....</i>	<i>21</i>
<i>Determining Rent Increases</i>	<i>22</i>
VIOLATIONS, DEFAULTS AND REMEDIES.....	22

MAINTENANCE OF RECORDS AND APPLICANT FILES..... 23
Files to Be Maintained on Every Applicant..... 23
Files to Be Maintained on Every Unit 23
Files to Be Maintained on Every Project..... 24
Files to Be Maintained on The Applicant Pool..... 24
Monitoring 24

EXHIBITS

- A.** Equal Housing Opportunity Posters
- B.** Annual Regional Income Limits Chart
- C.** Application for Affordable Housing
- D.** Applicant Questionnaire and Document Checklist

INTRODUCTION

This Operating Manual has been prepared by Piazza & Associates, Inc., the Administrative Agent for the Township of West Windsor, to assist in the administration of rental units. General questions regarding its content can be addressed to Piazza & Associates, Inc. 201 Rockingham Row, Princeton, NJ 08540; by telephone to 609-786-1100; or by email at WestWindsor@HousingQuest.com.

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the rental process. It describes the eligibility requirements for participation in the program, record keeping and overall program administration. The Operating Manual governs all of the current affordable housing rental offerings in the Municipality.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and New Jersey Laws Against Discrimination Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., the substantive rules of the Council on Affordable Housing N.J.A.C. 5:96 and 5:97 and the affordable housing regulations of the Township of West Windsor (hereafter referred to as the "Regulations").

All prior references to COAH have been replaced with references to the New Jersey Fair Housing Act ("NJ-FHA"). Also, please note that the Special Adopted Amendments: N.J.A.C. 5:80-26.1, 26.2, 26.4 through 26.27, and Appendices A through Q, together with the Special Adopted New Rules: N.J.A.C. 5:80-26.3 and 26.28 are incorporated herein by reference and supersede expiring rules as applicable.

FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property, listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan. See Exhibit A.

|
.

WHAT IS AFFORDABLE HOUSING?

Affordable housing, unlike market rate housing, has affordability controls limiting the price for at least 30 years. The Regulations considers housing “affordable” if the household pays approximately 30% or less of the household’s gross income on housing costs. Affordable housing is priced to be affordable to households earning up to 80% of the area median income for the region in which the affordable housing is located.

WHO QUALIFIES FOR AFFORDABLE HOUSING?

In order to be eligible for affordable housing in New Jersey, a household’s income will be below the income limit for the region in which the affordable housing is located, for very low-, low-, or moderate-income levels. A moderate-income household is classified as earning more than 50 percent up to 80 percent of the area median income. A low-income household is classified as earning less than 50 percent of area median income. The New Jersey Fair Housing Act (NJFHA) was amended to include a new category for very low-income households, which are classified as earning 30 percent or less of area median income. Municipalities shall decide what projects will be required to help meet this obligation. Existing rental projects have a minimum requirement for very low-income apartments, priced at 35% of the AMI; and new rental projects have an obligation to provide 13% of the affordable units as very low-income units at 30% of the AMI to very low-income households.

The Affordable Housing Regional Income Limits Chart (Exhibit B) provides information about income limits for each of the six housing regions. Each region has different calculated median incomes, which are adjusted periodically. The Township of West Windsor is located in Mercer County, which is part of Region 4, together with Monmouth and Ocean Counties.

LOCAL AFFORDABLE HOUSING PROGRAMS FOR RENT

The following is a list of affordable for-rent housing units in the Township of West Windsor that are covered by this manual:

1. Eaves at West Windsor
2. Parc at Princeton Junction
3. Princeton Ascend
4. The Gables at Bear Creek
5. The Hamlet at Bear Creek
6. The Mews at Princeton Junction
7. Windsor Haven
8. Windsor Woods

A copy of the Township of West Windsor Housing Element and Fair Share Plan is available at the municipal building, located at 271 Clarksville Rd, West Windsor, NJ 08550.

OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES

In addition to future affordable rental opportunities, the Township of West Windsor has purchase opportunities. Please contact Piazza & Associates, Inc., for further information:

Affordable housing throughout the State of New Jersey is administered by a wide variety of organizations and agencies. Further information can be found at: <https://nj.gov/njhc/>.

Individuals interested in applying for affordable housing should contact the Municipal Housing Liaison in the municipality in which they are interested in living. Each municipality has a Municipal Housing Liaison who is responsible for administering the municipality's affordable housing program. Some municipalities administer their own affordable housing and have their own application process. If not, the Municipal Housing Liaison can direct applicants to developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality. A list of Municipal Housing Liaisons can be found at:

http://www.nj.gov/dca/divisions/lps/hss/admin_files/muniliaisons.pdf

The New Jersey Housing and Mortgage Finance Agency has established New Jersey's Housing Resource Center, an on-line, searchable database of affordable housing in the State. The Housing Resource Center provides a listing posted by developers, landlords, and municipalities of available affordable housing. Available units are listed with contact and application information. Look for the Housing Resource Center at www.njhrc.gov.

Applicants who do not have access to the Internet should call 211 for assistance.

Piazza & Associates, Inc. also provides information on many affordable housing programs throughout the state of New Jersey. Detailed information about these affordable housing opportunities can be found at www.HousingQuest.com.

OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS FOR NEW RENTALS AND RE-RENTALS

- The Municipal Housing Liaison serves as an initial point of contact for unsolicited calls to the municipality about affordable housing and where appropriate directs applicants to an Administrative Agent, who may be developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.

- The Administrative Agent implements the municipality's Affirmative Marketing Plan.
- The Administrative Agent serves as the initial point of contact for all inquiries generated by the affirmative marketing efforts and sends out pre-applications to interested callers.
- An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by the Administrative Agents, on or before the initial deadline date, shall be deemed received on that date.
- Households that apply for very low-income housing will be prescreened by Piazza & Associates, Inc. for preliminary income eligibility by comparing their total income and household size to the very low-income limits pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27-D-304 ("NJFHA"). Households that apply for low- and moderate-income housing will be prescreened by Piazza & Associates, Inc. for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits pursuant to the Uniform Housing Affordability Controls, 5:80-26.1 et seq. (UHAC"). All households will be notified as to their preliminary status.
- A drawing will be held under the direction of the Administrative Agent to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each very-low, low- and moderate-income unit available, or until all of the very-low, low- and moderate-income units within the development have been leased.
- When units become available, final applications will be emailed by the Administrative Agent to an adequate number of pre-qualified applicants, in priority order, for each available very low-, low-, and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- Completed final applications will be forwarded to the Administrative Agent, who will make a determination as to their eligibility for a very low-, low-, or moderate-income unit. Applicants will receive a letter from the Administrative Agent with respect to the status of their application each time a review is performed.
- When submitting final applications, applicants will also be asked to make an appointment to visit the leasing office.

- Rental applicants will be subject to the Tenant Selection Criteria set forth by the Landlord.
- Certified applicants will be given a pre-determined amount of time to sign a lease with the landlord or developer.
- For rental units, the Administrative Agent will provide certifications that must be signed and notarized by the applicant.
- The certified household moves into the affordable rental unit.
- Subsequent to the initial rent-up period, a list of pre-qualified applicants will be maintained by Piazza & Associates, Inc. on a rental waiting list.

ROLES AND RESPONSIBILITIES

Responsibilities of the Municipal Housing Liaison or MHL

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Municipal Attorney, where appropriate (see **Responsibilities of the Municipal Attorney**). The primary purpose of the MHL is to ensure that all affordable housing projects are established and administered according to the Regulations as outlined in an Operating Manual. The duties of the MHL include the following and may include the responsibilities for providing administrative services as described in the next Section, under **Responsibilities of an Administrative Agent**.

Monitor the status of all restricted units in the municipality's Fair Share Plan. Regardless of any arrangements the municipality may have with one or more Administrative Agents, it is the Municipal Housing Liaison's responsibility to know the status of all restricted units in their community.

Serve as the municipality's primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households. The MHL serves as the municipality's primary point of contact on affordable housing issues. Interested applicants should be provided with information on the types of affordable units within the municipality and, where applicable, the name of the Administrative Agent that manages the units and the contact information for the Administrative Agent.

Compile, verify and submit annual reporting. Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual monitoring report. However, it is the Municipal Housing Liaison's responsibility to collect and verify this data and consolidate it into the annual report. Any requests for additional information or corrections will be directed to the MHL.

Coordinate meetings with Administrative Agents and Developers/Affordable Housing Sponsors/Owners. When a new affordable unit or series of units is in the planning process, the MHL should coordinate a meeting between the Administrative Agent and the developer, affordable housing sponsor or owner. The developer, affordable housing sponsor or owner may serve as their own Administrative Agent, if they meet the applicable requirements and are approved by the municipality. The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable housing-related local ordinances -- that have already been adopted by the municipality.

It is the responsibility of the Municipal Housing Liaison, in conjunction with the Municipal Attorney, to have the affordable housing provisions of any Master Deed and Public Offering reviewed for consistency with the UHAC regulations, before they are recorded and submitted to DCA for approval.

Provide Administrative Services, unless those services are contracted out. The responsibilities for providing administrative services are described in the next Section under, **Responsibilities of an Administrative Agent.**

Responsibilities of an Administrative Agent

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in the Administrative Agent’s portfolio are sold to eligible households. Administrative Agents will:

Secure written acknowledgement from all developers, affordable housing sponsors and owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Create and adhere to an Operating Manual. All Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.

Implement the municipality’s Affirmative Marketing Plan. The Administrative Agent, the developer, affordable housing sponsor or owner could be responsible for implementing the Affirmative Marketing Plan adopted by the municipality. At the first meeting with the Municipal Housing Liaison, Administrative Agent and the developer, affordable housing sponsor or owner, this responsibility should be discussed. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs are the responsibility of the developer or current owner.

Accept applications from interested households. In response to marketing initiatives or by referral from the Municipal Housing Liaison, interested households will contact the Administrative Agent. The Administrative Agent will supply applicants with applications, provide additional information on available units and accept completed applications.

Conduct random selection of applicants for rental of restricted units. The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances, and as described in the Operating Manual.

Create and maintain a pool of applicant households. This includes reaching out to households in the applicant pool to determine continued interest and/or changes in household size and income.

Determine eligibility of households. The task of collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination on a household's eligibility will be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is determined to be eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and to maintain strict confidentiality of all information regarding that household. An Administrative Agent is required to ensure that all certified applicants execute a Disclosure Statement acknowledging the rights and requirements of renting an affordable unit, in the form of Appendix K of UHAC.

Establish and maintain effective communication with property managers and landlords. Property managers and landlords of restricted units should be instructed and regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent must immediately inform all property managers and landlords of any changes to the Administrative Agent's contact information or business hours.

Property managers and landlords should be instructed to immediately contact the Administrative Agent:

- Immediately upon learning that an affordable rental unit will be vacated.
- For review and approval of annual rental increases.

Provide annual notification of maximum rents. Each year when the Affordable Housing Professionals of New Jersey releases its very-low, low-, and moderate-income limits, rental households must be notified of the new maximum rent that may be charged for their unit. The Administrative Agent's contact information must be included on such notification in case the tenant is being overcharged.

Serve as the custodian of all legal documents. An Administrative Agent is responsible for maintaining originals of all legal instruments for the units in their portfolio. Throughout the duration of a control period, an Administrative Agent must maintain a file containing its affordability control documents. This includes, but is not limited to, the recorded Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes and Appendix J and K.

Serve as point of contact on all matters relating to affordability controls. It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability controls are maintained. The Administrative Agent should seek the counsel of the municipality's attorney on legal matters that threaten the durability of the affordability controls.

Provide annual activity reports to Municipal Housing Liaison for use in the annual monitoring report. An Administrative Agent is responsible for collecting the reporting data on each unit in the Administrative Agent's portfolio.

Maintain and distribute information on HUD-approved Housing Counseling Programs.

Responsibilities of the Municipal Attorney

The Municipal Attorney assists the municipality with developing, administering, and enforcing affordability controls, including but not limited to:

- Assisting the Municipal Housing Liaison with the review of the affordable housing provisions of any Master Deed and Public Offering for consistency with COAH and UHAC regulations, before they are recorded and submitted to DCA for approval.
- Providing all reasonable and necessary assistance in support of the Administrative Agent's efforts to ensure compliance with the housing affordability controls, including reviewing legal documents and legal actions required on foreclosures and violations.

Responsibilities of Developers

When a new affordable unit or series of units is in the planning process, the developer of affordable housing should contact the Municipal Housing Liaison, who shall coordinate a meeting with the Administrative Agent, where applicable, and the developer, affordable housing sponsor or owner.

The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable-related local ordinances -- that have already been adopted by the municipality.

As provided for by ordinance, the developer will be responsible for the costs of advertising affordable units.

The Administrative Agent will secure from the developer written acknowledgement that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Responsibilities of Owners of Rental Developments

Open and direct communication between the Owners of rental developments, the Municipal Housing Liaison and the Administrative Agent is essential to ongoing administration of affordability controls. Although the Administrative Agent is required to serve as the primary point of contact with households, the Owner must provide the Municipal Housing Liaison and Administrative Agent with information on vacancies. Owners of rental developments are also responsible for working with the Administrative Agent to ensure that the Municipal Housing Liaison has all necessary information to complete the annual reporting.

Responsibilities of Landlords and Property Managers

Landlords and property managers must place a notice in all rental properties annually informing residents of the rent increase for the year and the contact information for the Administrative Agent.

AFFIRMATIVE MARKETING

Overview of the Requirements of an Affirmative Marketing Plan

All affordable units are required to be affirmatively marketed using the Township of West Windsor's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

Every Affirmative Marketing Plan will include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and
- At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious and civic organizations.

- Listing on the state’s Housing Resource Center website, <https://nj.gov/njhrc/>, in accordance with applicable law.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan will include the following information:

- The address of the project and development name, if any
- The number of units, including number of affordable rental units
- The rental rates of the rental units
- The name and contact information of the Municipal Housing Liaison, Administrative Agent or property manager
- A description of the Random Selection method that will be used to select applicants for affordable housing.
- Disclosure of required application fees, if any.

Advertisements will contain the following information for each affordable housing opportunity:

- The location of the units
- A range of rents for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

Implementation of the Affirmative Marketing Plan

The affirmative marketing process for new affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Township of

West Windsor Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the Administrative Agent for re-rentals.

When a re-rental affordable unit becomes available, the applicants will be selected from the applicant pool and, if necessary, the unit will be affirmatively marketed as described, above.

The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pool(s).

Developer, Affordable Housing Sponsor

The developer or affordable housing sponsor is responsible for advertising the affordable housing in accordance with the municipality's adopted Affordable Housing Ordinance and its adopted Affirmative Marketing Plan. Prior to publication or broadcast, draft copies of the marketing material will be submitted to the Administrative Agent for approval. Proof of publication will be submitted, including a copy of the final advertisements with a copy of the paid bill. Public Service Announcements shall be submitted by the Administrative Agent.

RANDOM SELECTION & APPLICANT POOL(S)

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

After advertising is implemented, applications are accepted for 60 days. Applicants are required to determine their eligibility based upon information provided at the time of application. Confirmation that the Preliminary Application was properly submitted is indicated on the webpage at the time the Application is submitted. Applicants that are deemed, at this stage, to be ineligible are notified at the time they submit their online application.

Applications are entered into a data base and sorted by the unit size and affordability type that is appropriate. Applicants may check their eligibility on our webpage for the property prior to the random selection process.

Prior to the randomized selection, a list of applicants will be sent to the Municipal Housing Liaison (MHL) in the order to which the random numbers will be applied. This list should be maintained in the file so that the MHL can verify the establishment of the order of the list in advance of the random selection.

At the end of the 60-day period, the Administrative Agent arranges a time and date for the random selection process to take place via webinar. The MHL and a representative of the developer are invited and encouraged to attend. An announcement of the time and date is made by way of an email blast to those applicants who voluntarily sign up for this service through www.HousingQuest.com.

It is important to note that applicants need not be present at the random selection, and that there is no advantage given those applicants who do attend.

At the random selection, a website is used to generate a random list of numbers. The numbers are applied to the list in the order that was prearranged. A copy of the random numbers and the final list are sent to the MHL for verification and file.

All applicants are assigned a random number. Priority numbers will be posted on the property page after the random selection and are available for applicants to review if they provide the required security information. A random number does not guarantee that the applicant will be deemed eligible. Applicants who submit more than one application and receive more than one priority number will forfeit the lower number with the highest priority.

When units become available, final applications are sent in the prioritized order as specified previously. The Administrative Agent can keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through www.HousingQuest.com.

If there are sufficient names remaining in the pool to fill future re-rental, the applicant pool shall be closed.

When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

For future re-rentals only, the Administrative Agent can keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through www.HousingQuest.com.

MATCHING HOUSEHOLDS TO AVAILABLE UNITS

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Prevent more than two persons from occupying a single bedroom; and

- Require that all the bedrooms be used as bedrooms.

A household is placed only on one unit list for eligibility. A household may choose to change the unit type for which they are eligible within the scope of the program.

APPLICATION FEES

The Administrative Agent does not charge a fee to applicants.

HOUSEHOLD CERTIFICATION

Before any household can lease a restricted unit, the Administrative Agent will certify the household as eligible. Certification of a household involves the verification of two critical pieces of data: 1) Household size and composition, including gender; and 2) The total income and assets for all household members 18 years of age or older. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents and data have been collected, the Administrative Agent can begin the process of calculating the household's income.

Household Composition and Circumstances

Generally, a Household is defined as everyone who intends to reside in the affordable unit. Temporarily absent members of a household will be counted in very limited circumstances, such as a member of the military in active duty. Unborn children and children in the process of being adopted shall be counted as members of the household.

The following are generally excluded from the household for the purposes of income qualifying but may be considered by the Administrative Agent for the purposes of determining the size of the unit: live-in aid, foster children and children who live in the household with less than 50% joint physical custody.

The following are various records for documenting household information:

- Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
- Adoption papers, or legal documents showing adoption in process
- Income Tax Return
- Driver's License
- Birth Certificate or Passport
- Alien Registration Card

- Divorce Decree and Settlement Agreement
- Adoption Agency / Legal Correspondence and/or Certification
- Correspondence / Certification from Foster Care Services
- Doctor's Authorization for Live-in Aid.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify composition.

Procedure for Income-Eligibility Certification

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Applicants may NOT change or modify their situation relative to their income once they have submitted a Final Application.

Through the submission of the Final Application, the Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income. The application and a schedule of required documentation can be found in the Appendix. Generally, the documentation required is as follows:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a signed and dated letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying current monthly benefits such as
 - Social Security or SSI – Award letter or computer print out letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF⁵ current award letter
 - Disability - Worker's compensation letter
 - Pension income – a pension letter.

⁵ TANF – Temporary Assistance for Needy Families

- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony, child support and education stipends.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market Value Appraisal or a contract with a real estate broker which sets forth the price of the property and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property, attach copies of all leases.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify household income.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

Income

1. Wages, salaries, tips, commissions
2. Alimony
3. Regularly scheduled overtime
4. Pensions and regular distributions from retirement accounts
5. Social security benefits
6. Unemployment compensation (annualized)
7. TANF
8. Verified regular child support
9. Disability benefits
10. Net income from business or real estate

11. Actual interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
12. Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as checking accounts, cash on hand, and equity in non-income producing real estate.
13. Non-tuition stipends for living expenses for students
14. Non-Governmental financial support
15. Any other forms of regular income reported to the Internal Revenue Service
16. Regular financial support from any source.

Not Income

1. Rebates or credits received under low-income energy assistance programs
2. Food stamps
3. Payments received for foster care
4. Relocation assistance benefits
5. Income of live-in attendants
6. Scholarships
7. Student loans
8. Personal property such as automobiles
9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
10. Part-time income of persons enrolled as full-time students

Deduction from Income

Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income.

Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household who is enrolled in a qualifying education program for 12 credit hours or more per semester; and part-time income is income earned

on less than a 35-hour workweek. Full-time income (35 hours or more) for full-time students is always counted.

The Real Estate Asset Limit

Except for federal programs, if an applicant's primary residence, which is to be sold upon purchase of an affordable unit, has no mortgage debt and is valued at or above the regional asset limit as published annually by the Affordable Housing Professionals of New Jersey as part of the Annual Regional Income Limits Chart, the household will be determined ineligible for certification.

However, if the applicant's existing monthly housing costs including taxes, homeowner insurance, and condominium or homeowner association fees exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant will provide a recent, Market Value Appraisal, on the home they own unless the applicant has mortgage debt on the home or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income, in which case the applicant is exempt from the asset limit.

Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the net revenue is considered income. Specifically, rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the administrative agent shall impute a fair market rent.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the value of the property. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on the current HUD Passbook Savings Rate, interest will be imputed on the determined value of the real estate.

Minimum Income

The annual rent and utility allowance as determined by the Administrative Agent shall not exceed 35% of the applicant's gross annual income unless the applicants' liquid assets exceed 100 times the monthly rent.

Housing Counseling

The Administrative Agent will provide referrals for counseling, as a part of its services. Although housing counseling is recommended, a household is only required to attend

counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or a counseling agency approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. This counseling to low- and moderate-income housing applicants will focus on subjects such as budgeting, credit issues, and mortgage qualification, and is free of charge. A list of non-profit counselors approved by HUD and/or the New Jersey Department of Banking and Insurance is included on DCA's website and is available from the Administrative Agent.

In addition, the Administrative Agent will:

- Confirm and update all information provided on the application.
- Explain program requirements, procedures used to verify information, and penalties for providing false information. Ask the head of household, co-head, spouse and household members 18 years of age or older to sign the Authorization for Release of Information forms and other verification requests.
- Review the applicant's identification and financial information and documentation, ask any questions to clarify information on the application, and obtain any additional information needed to verify the household's income.
- Seek to ensure, to a reasonable degree, that the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). Require the applicant to give a written certification as to whether any household member did or did not dispose of any assets for less than fair market value during the past two years.

Approving or Rejecting a Household

Administrative Agents will notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the Administrative Agent shall be sent a letter rejecting the household's application, and/or referring them to housing counseling.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the applicant does not sign a Lease Agreement within that time frame, an extension may be granted once the household's eligibility is updated and verified.

Once the applicant is certified and matched to an available unit, the Administrative Agent will secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in purchasing a restricted unit. UHAC's Disclosure Statement shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines that there was a willful or material misstatement of fact made by the applicant.

Dismissal of Applications

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time;
2. The applicant's sources of income or household composition changes after the submission of the final application, but before approval;
3. The applicant commits fraud, or the application is not truthful or complete;
4. The applicant cannot or does not provide documentation to verify their income or other required information when due;
5. The household income does not meet the minimum or maximum income requirements for a particular property;
6. The applicant owns an asset that exceeds the Asset Limits for deed restricted units;
7. The applicant fails to respond to any inquiry in a timely manner;
8. The applicant had a greater chance than any other applicant submitted for a random selection;
9. The applicant is non-cooperative or abusive with our staff, property managers or the sellers of affordable units;
10. The applicant changes address or other contact information without informing us in writing;
11. The applicant is unable to obtain suitable and legitimate financing for a sale unit or fails to verify attendance in a home buyer credit counseling program when required to do so by the program rules;
12. The applicant does not respond to a periodic update inquiry in a timely fashion;
13. The applicant fails to sign the Compliance Certification, Certificate for Applicant; Lease Documents, as may be required; or
14. The applicant, once approved, fails to sign a lease in a timely manner.

Applicants will also be withdrawn from all lists held by us in the Township of West Windsor once they have been approved for an affordable unit within that same municipality. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit. Applicants withdrawn for fraud may be withdrawn from all programs administered by Piazza & Associates, Inc., and may be subject to prosecution under the law.

Applicants who are withdrawn and who wish to re-apply to that specific program may do so using a new Preliminary Application. The new Preliminary Application will NOT be given preferential treatment but will be processed in the same way that all new Preliminary Applications for that specific program are processed. In the event that an application list is closed when the application is withdrawn, the applicant will be required to wait until the list is re-opened to apply again.

Applicants who are dismissed must re-apply. A minimum time period of six months applies in most situations where the applicant has been withdrawn for fraud, poor credit, uncooperative behavior or other serious matters.

Applications may be held in abeyance for a period not to exceed 90 days if there is an error on the credit report, so that the applicant can correct the error and re-apply. Units will not be held open for that applicant. However, once the credit report is corrected, the applicant will be given priority for the next opportunity at that property.

Appeals

Appeals from all decisions of an Administrative Agent shall be made in writing to the Municipal Housing Liaison, Township of West Windsor; or the Executive Director of the New Jersey Housing and Mortgage Finance Agency.

DETERMINING AFFORDABLE RENTS

To determine the affordable rents, the Administrative Agent uses the calculators located at <https://ahpnj.org/resources/updated-coah-calculators>.

Development Considerations and Compliance Issues

There are several regulations that must be considered from the *development perspective* before the rents of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison, Administrative Agent and developer or affordable housing sponsor. The following is a summary of the requirements for rental projects.

Bedroom Distribution. The standards on the distribution of unit sizes for family affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units must be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.

Age-restricted Units. Affordable age-restricted units are not held to these bedroom distribution standards. For affordable age-restricted units, the number of age-restricted low- and moderate-income bedrooms must be equal to or greater than the number of affordable age-restricted units within the development. In other words, for affordable units in an age-restricted development, the average bedroom count must be equal to or greater than one bedroom per unit. For example, if the affordable units in an overall age-restricted development is 25 percent efficiencies and 50 percent one-bedroom units, and 25 percent two-bedroom units, that equals an overall bedroom count of exactly one bedroom per unit. An age-restricted development can meet this standard by creating all one-bedroom affordable units or by creating a two-bedroom affordable unit for each affordable efficiency unit, or any other combination that will equal a minimum of one bedroom per affordable unit.

Pricing by Household Size. Initial rents are based on targeted “model” household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These maximum rents are based on the Affordable Housing Professionals of New Jersey’s Annual Regional Income Limits Chart at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial rents. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

Additional Regulations for a Rental Development

In addition to the regulations covered earlier in the Section **Development Considerations and Compliance Issues**, rental projects must also comply with the following regulations:

Split Between Low- and Moderate-income Rental Units. At least 50 percent (of the affordable units within each bedroom distribution (unit size) must be low-income units and at least 13 percent of all affordable units must be very-low income units affordable to households earning no more than 30 percent of the regional median income. The remainder of the affordable units may be affordable to moderate-income households.

Affordability Average. The average rent for all affordable units cannot exceed 52 percent of the regional median income. At least one rent for each bedroom type must be offered for very low-income, low-income and moderate-income units. Calculation of the affordability average is available on the Affordable Housing Professionals of New Jersey's website.

Maximum Rent. The maximum rent of restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of the regional median income.

Determining Rent Increases

Annual rent increases are permitted in affordable units. Rent increases are permitted at the anniversary of tenancy according to the Affordable Housing Professionals of New Jersey's Annual Regional Income Limits Chart, available on AHPNJ's website or an approved alternative. These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. The maximum allowable rent would be calculated by starting with the rent schedule approved as part of initial lease-up of the development and calculating the annual increase from the initial lease-up year to the present. Rents may not be increased more than once a year, may not be increased by more than one approved increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

VIOLATIONS, DEFAULTS AND REMEDIES

In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

MAINTENANCE OF RECORDS AND APPLICANT FILES

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records will be maintained by the Administrative Agent and outdated records will be given to the municipality for safe-keeping. A file will be created and maintained on each restricted unit for its control period.

The Administrative Agent will maintain detailed records on all marketing initiatives.

Files to Be Maintained on Every Applicant

The Administrative Agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form.
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Individual files will be maintained throughout the process.

Files to Be Maintained on Every Unit

The Administrative Agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base rent
- Identification as very low-, low-, or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Application materials, verifications and certifications of all present owners, pertinent correspondence
- Copy of lease
- Disclosure Statement (Appendix K)

Files to Be Maintained on Every Project

The Administrative Agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering
- Crediting Information
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement (Appendix J)

Files to Be Maintained on The Applicant Pool

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the Administrative Agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

Monitoring

A sample Deed will be submitted for each project. Additionally, the current annual monitoring information required to be maintained and reported annually to the Municipal Housing Liaison can be found in the Borough's adopted Affordable Housing Ordinance. The information required for each unit includes but is not limited to:

- A sample Deed for each project.
- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Rental Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- Co #, date
- Effective date of affordability controls
- Length of affordability controls (yrs)
- Date Affordability controls removed

Township of West Windsor

Affordable Housing Services

Operating Manual

SALES & REALES

Piazza & Associates, Inc. ♦ 201 Rockingham Row ♦ Princeton, NJ 08540

T.609.786.1100 ♦ F.609-786-1105 ♦ www.HousingQuest.com

© 2025 All rights reserved. No part of this publication, except Federal or State housing agency forms, may be reproduced in any manor without the prior written consent of Frank Piazza or Piazza & Associates, Inc. This manual may be amended to conform with the new rules, once the permanent version of those rules is adopted.

Table of Contents

INTRODUCTION	1
<i>FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES</i>	1
<i>WHAT IS AFFORDABLE HOUSING?.....</i>	2
<i>WHO QUALIFIES FOR AFFORDABLE HOUSING?</i>	2
<i>LOCAL AFFORDABLE HOUSING PROGRAMS FOR PURCHASE.....</i>	2
<i>OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES.....</i>	3
<i>OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS</i>	3
<i>OVERVIEW OF THE NEW SALE PROCESS.....</i>	4
<i>OVERVIEW OF THE RESALE PROCESS</i>	5
ROLES AND RESPONSIBILITIES.....	7
<i>Responsibilities of the Municipal Housing Liaison or MHL</i>	7
<i>Responsibilities of an Administrative Agent</i>	8
<i>Responsibilities of the Municipal Attorney</i>	11
<i>Responsibilities of Developers</i>	11
<i>Responsibilities of an Owner</i>	12
AFFIRMATIVE MARKETING	13
<i>Overview of the Requirements of an Affirmative Marketing Plan.....</i>	13
<i>Implementation of the Affirmative Marketing Plan</i>	14
<i>Developer, Affordable Housing Sponsor</i>	15
RANDOM SELECTION & APPLICANT POOL(S)	15
MATCHING HOUSEHOLDS TO AVAILABLE UNITS	16
APPLICATION FEES	16
HOUSEHOLD CERTIFICATION	16
<i>Household Composition and Circumstances</i>	17
<i>Procedure for Income-Eligibility Certification.....</i>	17
<i>The Real Estate Asset Limit.....</i>	20
<i>Income from Real Estate</i>	21
<i>Maximum Monthly Payments</i>	21
<i>Housing Counseling</i>	21
<i>Approving or Rejecting a Household</i>	22
<i>Dismissal of Applications</i>	23
<i>Appeals</i>	24
DETERMINING AFFORDABLE SALES PRICES	24
<i>Development Considerations and Compliance Issues</i>	24
<i>Determining Maximum Initial Sales Price</i>	25

<i>Additional Regulations for an Ownership Development</i>	26
<i>Determining Resale Prices</i>	26
<i>Requests for Increases in Maximum Sales Price</i>	26
WAIVERS AND EXEMPTIONS	27
<i>Hardship and Income Waivers</i>	27
<i>Exempt Transactions</i>	28
VIOLATIONS, DEFAULTS AND REMEDIES	29
MAINTENANCE OF RECORDS AND APPLICANT FILES	29
<i>Files To Be Maintained on Every Applicant</i>	29
<i>Files To Be Maintained on Every Unit</i>	30
<i>Files To Be Maintained on Every Project</i>	30
<i>Files To Be Maintained on The Applicant Pool</i>	30
<i>Monitoring</i>	31

EXHIBITS

- A. Equal Housing Opportunity Posters
- B. Annual Regional Income Limits Chart
- C. Application for Affordable Housing
- D. Applicant Questionnaire and Document Checklist
- E. Resale Procedures for Owners Wishing to Sell an Affordable Unit

INTRODUCTION

This Operating Manual has been prepared by Piazza & Associates, Inc., the Administrative Agent for the Township of West Windsor, to assist in the administration of for-sale units. General questions regarding its content can be addressed to Piazza & Associates, Inc. 201 Rockingham Row, Princeton, NJ 08540; by telephone to 609-786-1100; or by email at WestWindsor@HousingQuest.com.

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the initial sale process and in the resale process. It describes the eligibility requirements for participation in the program, record keeping and overall program administration.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and New Jersey Laws Against Discrimination Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., the substantive rules of the Council on Affordable Housing N.J.A.C. 5:96 and 5:97 and the affordable housing regulations of the Township of West Windsor (hereafter referred to as the “Regulations”).

All prior references to COAH have been replaced with references to the New Jersey Fair Housing Act ("NJ-FHA"). Also, please note that the Special Adopted Amendments: N.J.A.C. 5:80-26.1, 26.2, 26.4 through 26.27, and Appendices A through Q, together with the Special Adopted New Rules: N.J.A.C. 5:80-26.3 and 26.28 are incorporated herein by reference and supersede expiring rules as applicable.

FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property,

listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan. See Exhibit A.

WHAT IS AFFORDABLE HOUSING?

Affordable housing, unlike market rate housing, has affordability controls limiting the price for at least 30 years. The Regulations considers housing “affordable” if the household pays approximately 28% or less of the household’s gross income on housing costs. Affordable housing is priced to be affordable to households earning up to 80% of the area median income for the region in which the affordable housing is located.

WHO QUALIFIES FOR AFFORDABLE HOUSING?

In order to be eligible for affordable housing in New Jersey, a household’s income will be below the income limit for the region in which the affordable housing is located, either for low or moderate levels. A moderate-income household is classified as earning between 50 percent and 80 percent of the area median income. A low-income household is classified as earning less than 50 percent of area median income. The New Jersey Fair Housing Act (NJFHA) has included a new category for very low-income households, which are classified as earning less than 30 percent of area median income. Municipalities are not required to provide affordable sale housing to very low-income households.

The Affordable Housing Regional Income Limits Chart (Exhibit B) provides information about income limits for each of the six housing regions. Each region has different calculated median incomes, which are adjusted periodically. The Township of West Windsor is located in Mercer County, which is part of Region 4, together with Monmouth and Ocean Counties.

LOCAL AFFORDABLE HOUSING PROGRAMS FOR PURCHASE

The following affordable housing program is currently being administered for the Township of West Windsor:

1. Windsor Ponds
2. Village Grande
3. Townes at West Windsor
4. Link at W Squared
5. Meridian Walk
6. Elements at West Windsor
7. Bear Brook Homes

A copy of the Township of West Windsor Housing Element and Fair Share Plan is available at the municipal building, located at 271 Clarksville Rd, West Windsor, NJ 08550.

OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES

In addition to the purchase opportunities, the Township of West Windsor has rental opportunities. Please contact Piazza & Associates, Inc., for further information:

Affordable housing throughout the State of New Jersey is administered by a wide variety of organizations and agencies. Further information can be found at: <https://nj.gov/njhrc/>.

Individuals interested in applying for affordable housing should contact the Municipal Housing Liaison in the municipality in which they are interested in living. Each municipality has a Municipal Housing Liaison who is responsible for administering the municipality's affordable housing program. Some municipalities administer their own affordable housing and have their own application process. If not, the Municipal Housing Liaison can direct applicants to developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.

The New Jersey Housing and Mortgage Finance Agency has established New Jersey's Housing Resource Center, an on-line, searchable database of affordable housing in the State. The Housing Resource Center provides a listing posted by developers, landlords, and municipalities of available affordable housing. Available units are listed with contact and application information. Look for the Housing Resource Center at www.njhrc.gov.

The New Jersey Guide to Affordable Housing, which can be found at <https://www.nj.gov/dca/codes/publications/guide.shtml> is a listing compiled by the New Jersey Department of Community Affairs Division of Codes and Standards. It lists all types of affordable housing by county. The housing units on the list have a variety of qualification requirements, including age-restricted housing and housing for the developmentally disabled. **Applicants who do not have access to the Internet should call 211 for assistance.**

Piazza & Associates, Inc. also provides information on many affordable housing programs throughout the state of New Jersey. Detailed information about these affordable housing opportunities can be found at www.HousingQuest.com.

OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS

- The Municipal Housing Liaison serves as an initial point of contact for unsolicited calls to the municipality about affordable housing and where appropriate directs applicants to an Administrative Agent, who may be developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.
- The Administrative Agent implements the municipality's Affirmative Marketing Plan.

- The Administrative Agent serves as the initial point of contact for all inquiries generated by the affirmative marketing efforts and sends out pre-applications to interested callers.
- Households that apply for low- and moderate-income housing will be prescreened by the Administrative Agent for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits adopted by NJDCA (NJDCA shall mean NJDCA or its successors) and other program restrictions that may apply. All households will be notified as to their preliminary status.

OVERVIEW OF THE NEW SALE PROCESS

- An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by Piazza & Associates, Inc., on or before the initial deadline date, shall be deemed received on that date.
- Households that apply for low- and moderate-income housing will be prescreened by Piazza & Associates, Inc. for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits adopted by NJDCA or its successors and other program restrictions that may apply. All households will be notified as to their preliminary status.
- A drawing will be held under the direction of Piazza & Associates, Inc. to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each low- and moderate-income unit available, or until all of the low- and moderate-income units within the development have been sold.
- Final applications will be emailed by Piazza & Associates, Inc. to an adequate number of pre-qualified applicants, in priority order, for each available low- and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- Completed final applications will be forwarded to Piazza & Associates, Inc. Piazza & Associates, Inc. will make a determination as to their eligibility for a low- or moderate- income unit. Applicants will receive a letter from Piazza & Associates, Inc. with respect to the status of their application each time a review is performed.
- When submitting final applications, applicants will also be asked to provide a pre-qualification letter from a qualified lending institution.

- Certified applicants will be given 15 days to sign a sales agreement with the developer. Mortgage contingencies may not be an acceptable term of the agreement.
- The sales agreement may also limit closing to a reasonable time to be approved by Piazza & Associates, Inc. in advance of the process.
- Subsequent to the initial sale closings, a list of pre-qualified applicants will be maintained by Piazza & Associates, Inc. on a re-sale waiting list.

OVERVIEW OF THE RESALE PROCESS

When an Owner of a restricted unit wishes to sell, the sale will be processed through the Administrative Agent. Prior to the initial date of purchase, the Owner makes a certification regarding his or her understanding of this requirement.

The Administrative Agent coordinates certain aspects of the sales process for affordable homes on behalf of designated municipalities. The Administrative Agent is not a real estate agent, however, and recommends that the Seller use a qualified real estate professional. The process is outlined below.

- The Seller submits a Preliminary Notice and Request for Maximum Sale Price (MSP).
- The Administrative Agent will respond to the Seller in writing, explaining some of the details of the process and informing the Seller of the MSP. The MSP is calculated by using the Affordable Housing Annual Regional Income Limits Chart, or approved alternative, and can be estimated on the Resale Calculator at HousingQuest.com.
- The Seller then submits a Final Notice of Intention to Sell to the Administrative Agent.
- The Administrative Agent will respond by sending the seller 20 copies of a QR code which directs applicants to an address specific online application.
- The Administrative Agent will email a “Notice of Availability” to households on the waiting list for an affordable home of the same bedroom size and income category. The Notice will ask interested households to contact the Seller or their agent, directly, to make an appointment to see the affordable home within a two-week time frame. The Seller may want to prepare a flyer for us to distribute with the notice of availability. The Administrative Agent reserves the right to limit the number of notices that are mailed, based on the chronological order in which the prequalified applications were received. If the notices are limited in this way, applicants receiving notices will have a priority over those who do not.
- The Administrative Agent will affirmatively market the unit if there is no current applicant pool.

- The Seller or their agent may also want to advertise. Ads should include the “Equal Housing Opportunity” logo and should be sent to our office for review prior to distribution.
- The Seller or their agent, upon showing the home, provides potential buyers with a copy of the QR code (which may be duplicated if necessary).
- Interested households complete the application and upload a mortgage pre-approval letter from a qualified lending institution.
- At the end of the two-week time period, the Administrative Agent reviews all of the online applications submitted for a particular home. These applications are prioritized on the basis of a blind selection process or lottery. Preference may be given to households that can utilize all of the bedrooms, as well as handicap accommodations, when applicable.
- The first applicant or two on the prioritized list is emailed a letter which requires them to complete a final application within fourteen days. When an applicant is approved as a buyer, a copy of the approval letter is sent to the Seller and their agent, as applicable.
- The Seller and the certified interested household (now Buyer) execute a “Contract of Sale.” The Administrative Agent ensures that the Deed, Recapture Mortgage, Recapture Mortgage Note and Disclosure Statement (Appendix J) form are submitted as part of the closing package to the attorney responsible for the closing or other closing agent.
- The remaining applicants are maintained on the waiting list for this home or other homes in the same size and income categories. In the event that the potential buyer is not able and/or willing to purchase the affordable home, the next applicant on the prioritized list is notified pursuant to the process described above.
- When an applicant is in second priority position to purchase an affordable home (the *original* home), and another home of the same size and type in the same municipality (the *next* home) becomes available within 90 days of the lottery date of the *original* home, the applicant will have the option to transfer priority from the *original* home to the *next* home. The following conditions will apply: This opportunity only applies to the *next* home of the same bedroom number and income category as the *original* home that becomes available within the 90-day period. This offer will be made only one time and only for the *next* home. It does not apply to other similar homes that become available. The applicant must have completed a final application and be pre-qualified for the *original* home in order to be considered. The applicant will be notified by phone that an alternate home is available. The applicant will then have 3 business days in which to view the *next* home and make the determination if he/she would like to pursue that purchase. If so, the applicant would relinquish the secondary priority position for the *original* home. Once the decision to transfer to the *next* home is made, the applicant cannot be reinstated to the secondary position for the *original* home if he/she is

unwilling to purchase the *next* home. Conversely, once the decision is made to remain in the secondary position for the *original* home, the applicant cannot then transfer to the *next* home if he/she is unable or unwilling to purchase the *original* home.

- A copy of the Sales Contract will be submitted to the Administrative Agent prior to closing. The terms of the contract (e.g., closing dates and mortgage contingencies) should be reasonable to both buyer and seller.
- During the final stages of the process, the Seller should provide a “Notice of Intent to Transfer Title” form. It will be necessary to make arrangements for the Mortgage and Note to be satisfied with respect to the Seller and new documents filed with respect to the Buyer.
- A copy of the TILA-RESPA or HUD Closing Statement (as applicable) will be submitted to the Administrative Agent. A certified copy of the recorded deed, the original recorded repayment mortgage and note, and the certificate of ownership should also be sent to the Administrative Agent after closing.
- The filing and recording of documents is the responsibility of the seller’s or buyer’s attorney, but the Administrative Agent may also elect to file the documents. Once all documents are filed and recorded and returned to the Administrative Agent for inclusion in the file, the Administrative Agent will process a release of the original documents.
- Annually, the Administrative Agent shall send a mailing to the Owner of the affordable unit reminding them of the rights and requirements of owning an affordable unit.

This outline is meant to describe the process utilized prior to the expiration of the deed restrictions. It is not meant to be a legal representation of the rights or responsibilities of any party, nor is it meant to modify the Affordable Housing Agreement, Mortgage Note or other Deed Restrictions. Buyers and Sellers are encouraged to seek legal counsel for specific questions in this regard. The Administrative Agent is available to both the Seller and the Buyer throughout the process to answer any questions that they may have.

ROLES AND RESPONSIBILITIES

Responsibilities of the Municipal Housing Liaison or MHL

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Municipal Attorney, where appropriate (see **Responsibilities of the Municipal Attorney**). The primary purpose of the MHL to ensure that all affordable housing projects are established and administered according to the Regulations as outlined in an Operating Manual. The duties of the MHL include the following duties and may include the responsibilities for providing administrative

services as described in the next Section under **Responsibilities of an Administrative Agent**.

Monitor the status of all restricted units in the municipality's Fair Share Plan. Regardless of any arrangements the municipality may have with one or more Administrative Agents, it is the Municipal Housing Liaison's responsibility to know the status of all restricted units in their community.

Serve as the municipality's primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households. The MHL serves as the municipality's primary point of contact on affordable housing issues. Interested applicants should be provided with information on the types of affordable units within the municipality and, where applicable, the name of the Administrative Agent that manages the units and the contact information for the Administrative Agent.

Compile, verify and submit annual reporting. Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual NJDCA monitoring report. However, it is the Municipal Housing Liaison's responsibility to collect and verify this data and consolidate it into the annual report to NJDCA. Any requests from NJDCA for additional information or corrections will be directed to the MHL.

Coordinate meetings with Administrative Agents and Developers/Affordable Housing Sponsors/Owners. When a new affordable unit or series of units is in the planning process, the MHL should coordinate a meeting between the Administrative Agent and the developer, affordable housing sponsor or owner. The developer, affordable housing sponsor or owner may serve as their own Administrative Agent, if they meet the applicable requirements and are approved by the municipality and NJDCA. The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all NJDCA-related local ordinances -- that have already been adopted by the municipality.

It is the responsibility of the Municipal Housing Liaison, in conjunction with the Municipal Attorney, to have the affordable housing provisions of any Master Deed and Public Offering reviewed for consistency with NJDCA and UHAC regulations, before they are recorded and submitted to DCA for approval.

Provide Administrative Services, unless those services are contracted out. The responsibilities for providing administrative services are described in the next Section under, **Responsibilities of an Administrative Agent**.

Responsibilities of an Administrative Agent

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in the Administrative Agent's portfolio are sold to eligible households. Administrative Agents will:

Secure written acknowledgement from all developers, affordable housing sponsors and owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Create and adhere to an Operating Manual. All Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.

Implement the municipality's Affirmative Marketing Plan. The Administrative Agent, the developer, affordable housing sponsor or owner could be responsible for implementing the Affirmative Marketing Plan adopted by the municipality. At the first meeting with the Municipal Housing Liaison, Administrative Agent and the developer, affordable housing sponsor or owner, this responsibility should be discussed. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs are the responsibility of the developer or current owner.

Accept applications from interested households. In response to marketing initiatives or by referral from the Municipal Housing Liaison, interested households will contact the Administrative Agent. The Administrative Agent will supply applicants with applications, provide additional information on available units and accept completed applications.

Conduct random selection of applicants for sale and resale of restricted units. The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances, and as described in the Operating Manual.

Create and maintain a pool of applicant households. This includes reaching out to households in the applicant pool to determine continued interest and/or changes in household size and income.

Determine eligibility of households. The task of collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination on a household's eligibility will be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is determined to be eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and to maintain strict confidentiality of all information regarding that household. An Administrative Agent is required to ensure that all certified applicants execute a Disclosure Statement acknowledging the rights and requirements of owning an affordable unit, in the form of Appendix J of UHAC, as applicable.

Establish and maintain effective communication with owners and property managers. Owners and property managers of restricted units should be instructed and

regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent will immediately inform all owners and property managers of any changes to the Administrative Agent's contact information or business hours. The Administrative Agent will create and distribute annual mailings to all Owners of affordable units reminding them of the rights and requirements of owning an affordable unit.

Owners should be instructed to immediately contact the Administrative Agent in the following circumstances:

- If they are considering or have decided to sell their home.
- In the event they wish to refinance their mortgage or take out a home equity loan and, consequently, will be seeking a subordination of their mortgage.
- If they are seeking an increase in the sales price of their unit due to capital improvements.
- If they are seeking a Hardship Waiver to allow them to rent their unit.

Preserve affordability controls during the sale of restricted units. Immediately upon being notified of an Owner's intent to sell their property, an Administrative Agent should inform the Owner of the Owner's role in the marketing and sale of the home. An Administrative Agent is responsible for extinguishing the affordability controls with the Seller and re-establishing them with the Buyer. An Administrative Agent is responsible for providing closing attorneys/agents with the appropriate legal instruments.

Ensure cancellations of Recapture Mortgages are effectuated. It is the Administrative Agent's responsibility to ensure that Recapture Mortgages are cancelled at the conclusion of the control period when the Recapture Mortgage is satisfied. If the Recapture Mortgage is being cancelled due to a sale of the property during the control period, then the Administrative Agent may wish to cancel the original Recapture Mortgage only after the Recapture Mortgage with the new Owner has been recorded.

Send out annual mailings about restrictions. Administrative Agents will annually mail to all Owners of affordable housing units a reminder of their rights and responsibilities as Owners of an affordable unit.

Ensure unit has Continuing Certificate of Occupancy at final transfer. To help ensure a healthy and safe living environment for all families, an Administrative Agent is responsible for obtaining an inspection or a certified statement from the local Building Inspector at the first sale after the expiration of the minimum affordability control period.

Serve as the custodian of all legal documents. An Administrative Agent is responsible for maintaining originals of all legal instruments for the units in their portfolio. Throughout the duration of a control period, an Administrative Agent will maintain a file containing its affordability control documents. This includes, but is not limited to, the

recorded Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes and Disclosure Statement.

Serve as point of contact on all matters relating to affordability controls. It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability controls are maintained. The Administrative Agent should seek the counsel of the municipality's attorney on legal matters that threaten the durability of the affordability controls.

Provide annual activity reports to Municipal Housing Liaison for use in the annual monitoring report. An Administrative Agent is responsible for collecting the reporting data on each unit in the Administrative Agent's portfolio.

Maintain and distribute information on HUD-approved Housing Counseling Programs.

Responsibilities of the Municipal Attorney

The Municipal Attorney assists the municipality with developing, administering, and enforcing affordability controls, including but not limited to:

- Assisting the Municipal Housing Liaison with the review of the affordable housing provisions of any Master Deed and Public Offering for consistency with NJDCA and UHAC regulations, before they are recorded and submitted to DCA for approval.
- Providing all reasonable and necessary assistance in support of the Administrative Agent's efforts to ensure compliance with the housing affordability controls, including reviewing legal documents and legal actions required on foreclosures and violations.

Responsibilities of Developers

When a new affordable unit or series of units is in the planning process, the developer of affordable housing should contact the Municipal Housing Liaison, who shall coordinate a meeting with the Administrative Agent, where applicable, and the developer, affordable housing sponsor or owner.

The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable-related local ordinances -- that have already been adopted by the municipality.

As provided for by ordinance, the developer will be responsible for the costs of advertising affordable units.

The Administrative Agent will secure from the developer written acknowledgement that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Responsibilities of an Owner

Owners should read annual mailings from the Administrative Agent and cooperate with any and all requests for information from either the Municipal Housing Liaison or the Administrative Agent.

The Owner may sell the unit only to a household that has been approved in advance and in writing by the Administrative Agent. No sale of the unit shall be lawful unless approved in advance and in writing by the Administrative Agent. No sale shall be for a consideration greater than the maximum resale price, as determined by the Administrative Agent.

When an Owner wishes to sell an affordable unit, it is the Owner's responsibility to notify the Administrative Agent and to execute a "Notice of Intent to Sell". If a potential, certified Buyer makes an offer of the maximum resale price of an affordable unit, then the Owner is obligated to enter into a sales contract with that Buyer for the sale of that unit or withdraw the "Notice of Intent to Sell".

An Owner may not rent out the Owner's unit to any other person, not even to members of the Owner's family.

The Owner shall at all times maintain the unit as his or her principal place of residence, defined as residing at the unit at least 260 days out of each calendar year.

An Owner shall make no improvements to the unit that would effect its bedroom configuration or to increase the maximum permitted resale price, except for improvements approved in advance and in writing by the Administrative Agent.

The Owner shall pay all taxes and public assessments and assessments by the condominium association levied upon or assessed against the unit, or any part thereof, when they become due and before penalties accrue.

The Owner shall pay all charges of any utility authority when they become due and before penalties accrue.

The Owner shall not permit any lien, except those approved by the Administrative Agent, to attach and remain on the property for more than 60 days.

The Owner will have approval of the Administrative Agent if they wish to refinance their mortgage or take out a home equity loan and, consequently, will be seeking a subordination of their mortgage.

In the event that any first mortgagee or other creditor of an Owner of a low- and moderate-income unit exercises its contractual or legal remedies available in the event of default or nonpayment by the Owner of a low- and moderate-income unit, the Owner shall notify the Administrative Agent in writing within 10 days of such exercise by the first mortgagee or creditor and no later than 10 days after service of any summons and complaint.

An Owner shall notify the Administrative Agent within 10 days, in writing, of any default in the performance by the Owner of any obligation under either the master deed of the condominium association, including the failure to pay any lawful and proper assessment by the condominium association, or any mortgage or other lien against the low- and moderate-income unit, which default is not cured within 60 days of the date upon which the default first occurs.

AFFIRMATIVE MARKETING

Overview of the Requirements of an Affirmative Marketing Plan

All affordable units are required to be affirmatively marketed using the Township of West Windsor's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

Every Affirmative Marketing Plan will include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and
- At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious and civic organizations.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan will include the following information:

- The address of the project and development name, if any
- The number of units, including number of sale units

- The price ranges of the sale units
- The name and contact information of the Municipal Housing Liaison, Administrative Agent or property manager
- A description of the Random Selection method that will be used to select applicants for affordable housing.
- Disclosure of required application fees, if any.

Advertisements will contain the following information for each affordable housing opportunity:

- The location of the units
- A range of prices for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

Implementation of the Affirmative Marketing Plan

The affirmative marketing process for new affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Township of West Windsor Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the Administrative Agent for re-sales. When an affordable resale unit becomes available, the applicants will be selected from the applicant pool and the unit will be affirmatively marketed as described in the Resale process, above

The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pool(s).

Developer, Affordable Housing Sponsor

If permitted by the municipality, the developer or affordable housing sponsor may be responsible for advertising the affordable housing in accordance with the municipality's adopted Affirmative Marketing Plan. Prior to publication or broadcast, draft copies of the marketing material will be submitted to the Administrative Agent for approval. Proof of publication will be submitted, including a copy of the final advertisements with a copy of the paid bill. Public Service Announcements shall be submitted by the Administrative Agent.

RANDOM SELECTION & APPLICANT POOL(S)

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

After advertising is implemented, applications are accepted for 60 days. Applicants are required to determine their eligibility based upon information provided at the time of application. Confirmation that the Preliminary Application was properly submitted is indicated on the webpage at the time the Application is submitted. Applicants that are deemed, at this stage, to be ineligible are notified at the time they submit their online application.

Applications are entered into a data base and sorted by the unit size and affordability type that is appropriate. Applicants may check their eligibility on our webpage for the property prior to the random selection process.

Prior to the randomized selection, a list of applicants will be sent to the Municipal Housing Liaison (MHL) in the order to which the random numbers will be applied. This list should be maintained in the file so that the MHL can verify the establishment of the order of the list in advance of the random selection.

At the end of the 60-day period, the Administrative Agent arranges a time and date for the random selection process to take place via webinar. The MHL and a representative of the developer are invited and encouraged to attend. An announcement of the time and date is made by way of an email blast to those applicants who voluntarily sign up for this service through www.HousingQuest.com.

It is important to note that applicants need not be present at the random selection, and that there is no advantage given those applicants who do attend.

At the random selection, a website is used to generate a random list of numbers. The numbers are applied to the list in the order that was prearranged. A copy of the random numbers and the final list are sent to the MHL for verification and file.

All applicants are assigned a random number. Priority numbers will be posted on the property page after the random selection and are available for applicants to review if they provide the required security information. A random number does not guarantee that the applicant will be deemed eligible. Applicants who submit more than one application and receive more than one priority number will forfeit the lower number with the highest priority.

When units become available, Final Applications are sent in the prioritized order as specified previously. The Administrative Agent may keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through www.HousingQuest.com.

For re-sales, applications received subsequent to the initial random selection may be subject to a random selection on a per-unit basis.

MATCHING HOUSEHOLDS TO AVAILABLE UNITS

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Prevent more than two persons from occupying a single bedroom; and
- Require that all the bedrooms be used as bedrooms.

A household is placed only on one unit list for eligibility. A household may choose to change the unit type for which they are eligible within the scope of the program.

APPLICATION FEES

The Administrative Agent does not charge a fee to applicants.

HOUSEHOLD CERTIFICATION

Before any household can purchase a restricted unit, the Administrative Agent will certify the household as eligible. Certification of a household involves the verification of two critical pieces of data: 1) Household size and composition, including gender; and 2) The total income and assets for all household members 18 years of age or older. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents and data have been collected, the Administrative Agent can begin the process of calculating the household's income.

Household Composition and Circumstances

Generally, a Household is defined as everyone who intends to reside in the affordable unit. Temporarily absent members of a household will be counted in very limited circumstances, such as a member of the military in active duty. Unborn children and children in the process of being adopted shall be counted as members of the household.

The following are generally excluded from the household for the purposes of income qualifying but may be considered by the Administrative Agent for the purposes of determining the size of the unit: live-in aid, foster children and children who live in the household with less than 50% joint physical custody.

The following are various records for documenting household information:

- Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
- Adoption papers, or legal documents showing adoption in process
- Income Tax Return
- Driver's License
- Birth Certificate or Passport
- Alien Registration Card
- Divorce Decree and Settlement Agreement
- Adoption Agency / Legal Correspondence and/or Certification
- Correspondence / Certification from Foster Care Services
- Doctor's Authorization for Live-in Aid.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify composition.

Procedure for Income-Eligibility Certification

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Applicants may NOT change or modify their situation relative to their income once they have submitted a Final Application.

Through the submission of the Final Application, the Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide

documentation to verify their income. The application and a schedule of required documentation can be found in Exhibits C and D. Generally the documentation required is as follows:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a signed and dated letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying current monthly benefits such as
 - Social Security or SSI – Award letter or computer print out letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF² current award letter
 - Disability - Worker’s compensation letter
 - Pension income – a pension letter.
- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony, child support and education stipends.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market Value Appraisal or a contract with a real estate broker which sets forth the price of the property and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property, attach copies of all leases.

² TANF – Temporary Assistance for Needy Families

- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify household income.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

Income

1. Wages, salaries, tips, commissions
2. Alimony
3. Regularly scheduled overtime
4. Pensions and regular distributions from retirement accounts
5. Social security benefits
6. Unemployment compensation (annualized)
7. TANF
8. Verified regular child support
9. Disability benefits
10. Net income from business or real estate
11. Actual interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
12. Imputed interest (using the current HUD Passbook Rate) from non-income producing assets, such as checking accounts, cash on hand, and equity in non-income producing real estate.
13. Net rental income from real estate
14. Non-tuition stipends for living expenses for students
15. Non-Governmental financial support
16. Any other forms of regular income reported to the Internal Revenue Service
17. Regular financial support from any source.

Not Income

1. Rebates or credits received under low-income energy assistance programs

2. Food stamps
3. Payments received for foster care
4. Relocation assistance benefits
5. Income of live-in attendants
6. Scholarships
7. Student loans
8. Personal property such as automobiles
9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
10. Part-time income of persons enrolled as full-time students

Deduction from Income

Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household who is enrolled in a qualifying education program for 12 credit hours or more per semester; and part-time income is income earned on less than a 35-hour workweek. Full-time income (35 hours or more) for full-time students is always counted.

The Real Estate Asset Limit

Except for federal programs, if an applicant's primary residence, which is to be sold upon purchase of an affordable unit, has no mortgage debt and is valued at or above the regional asset limit as published annually by NJDCA or their successor as part of the Annual Regional Income Limits Chart, the household will be determined ineligible for certification.

However, if the applicant's existing monthly housing costs including taxes, homeowner insurance, and condominium or homeowner association fees exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant will provide a recent, Market Value Appraisal, on the home they own unless the applicant has mortgage debt on the home or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income, in which case the applicant is exempt from the asset limit.

Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the net revenue is considered income. Specifically, rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the administrative agent shall impute a fair market rent.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the value of the property. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current HUD Passbook Savings Rate, interest will be imputed on the determined value of the real estate.

Maximum Monthly Payments

The percentage of funds that a household can contribute toward housing expenses is limited. However, an applicant may qualify for an exception based on the household's current housing cost (see below). The Administrative Agent will strive to place an applicant in a unit with a monthly housing cost equal to or less than the applicant's current housing cost.

A certified household is not permitted to purchase a unit that would require more than 33 percent of the verified household income to pay principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable. However, at the discretion of the Administrative Agent, this limit can be exceeded if the applicant:

- Obtains a firm mortgage loan commitment at the higher level from a licensed financial institution, under terms consistent with the requirements of the New Jersey Home Ownership Security Act of 2002, N.J.S.A. 46:10B-22 et seq.; and
- Submits a certification from a non-profit counselor approved by HUD or the New Jersey Department of Banking and Insurance that the household has received counseling on the advisability of the loan transaction.

Housing Counseling

The Administrative Agent will provide referrals for counseling, as a part of its services. Although housing counseling is recommended, a household is only required to attend counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or a counseling agency approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. This counseling to low- and moderate-income housing applicants will focus on subjects such as budgeting, credit issues, and mortgage

qualification, and is free of charge. A list of non-profit counselors approved by HUD and/or the New Jersey Department of Banking and Insurance is included on NJDCA's website and is available from the Administrative Agent.

In addition, the Administrative Agent will:

- Confirm and update all information provided on the application.
- Explain program requirements, procedures used to verify information, and penalties for providing false information. Ask the head of household, co-head, spouse and household members 18 years of age or older to sign the Authorization for Release of Information forms and other verification requests.
- Review the applicant's identification and financial information and documentation, ask any questions to clarify information on the application, and obtain any additional information needed to verify the household's income.
- Seek to ensure, to a reasonable degree, that the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). Require the applicant to give a written certification as to whether any household member did or did not dispose of any assets for less than fair market value during the past two years.

Approving or Rejecting a Household

Administrative Agents will notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the Administrative Agent, shall be sent a letter rejecting the household's application and/or referring them to housing counseling.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the applicant does not sign a Sales Agreement within that time frame, an extension may be granted once the household's eligibility is updated and verified.

Once the applicant is certified and matched to an available unit, the Administrative Agent will secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in purchasing a restricted unit. UHAC's Disclosure Statement shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines that there was a willful or material misstatement of fact made by the applicant.

Dismissal of Applications

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time;
2. The applicant's sources of income or household composition changes after the submission of the final application, but before approval;
3. The applicant commits fraud, or the application is not truthful or complete;
4. The applicant cannot or does not provide documentation to verify their income or other required information when due;
5. The household income does not meet the minimum or maximum income requirements for a particular property;
6. The applicant owns an asset that exceeds the Asset Limits for NJDCA properties;
7. The applicant fails to respond to any inquiry in a timely manner;
8. The applicant had a greater chance than any other applicant submitted for a random selection;
9. The applicant is non-cooperative or abusive with the our staff, property managers or the sellers of affordable units;
10. The applicant changes address or other contact information without informing us in writing;
11. The applicant is unable to obtain suitable and legitimate financing for a sale unit or fails to verify attendance in a home buyer credit counseling program when required to do so by the program rules;
12. The applicant does not respond to a periodic update inquiry in a timely fashion;
13. The applicant fails to sign the Compliance Certification, Certificate for Applicant; Lease Documents, Contract for Sale, Affordable Housing Agreement and/or Deed Restrictions as may be required; or
14. The applicant, once approved, fails to close on a sale in a timely manner.

Applicants will also be withdrawn from all lists held by us in the Township of West Windsor once they have been approved for an affordable unit within that same municipality. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit. Applicants withdrawn for fraud may be

withdrawn from all programs administered by Piazza & Associates, Inc., and may be subject to prosecution under the law.

Applicants who are withdrawn and who wish to re-apply to that specific program may do so using a new Preliminary Application. The new Preliminary Application will NOT be given preferential treatment but will be processed in the same way that all new Preliminary Applications for that specific program are processed. In the event that an application list is closed when the application is withdrawn, the applicant will be required to wait until the list is re-opened to apply again.

Applicants who are dismissed must re-apply. A minimum time period of six months applies in most situations where the applicant has been withdrawn for fraud, uncooperative behavior or other serious matters.

Appeals

Appeals from all decisions of an Administrative Agent shall be made in writing to the Municipal Housing Liaison, Township of West Windsor; or the Executive Director of the New Jersey Housing and Mortgage Finance Agency.

DETERMINING AFFORDABLE SALES PRICES

Development Considerations and Compliance Issues

There are several regulations that will be considered from the development perspective before the sales prices of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison, Administrative Agent and developer or affordable housing sponsor. The following is a summary of the requirements for ownership projects.

Bedroom Distribution. The standards on the distribution of unit sizes for affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units will be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.

Age-restricted Units. Affordable age-restricted units are not held to these bedroom distribution standards. For affordable age-restricted units, the number of age-restricted low- and moderate-income bedrooms will be equal to or greater than the number of age-restricted units within the development. In other words, the average bedroom size in an age-restricted development will be equal to or greater than one bedroom per unit. For example, if the overall age-restricted development is 25 percent efficiencies, and 50 percent one-bedroom units, and 25 percent two-bedroom units, that equals an overall development bedroom size of exactly one bedroom per unit. An age-restricted development can meet this standard by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit, or any other combination that will equal a minimum of one bedroom per unit.

Pricing by Household Size. Initial sales prices and rents are based on targeted “model” household sizes for each size home as determined by the number of bedrooms. Initial sales prices and rents will adhere to the following rules. These maximum sales prices and rents are based on NJDCA’s Annual Regional Income Limits Chart at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial sales prices. They are not guidelines for matching household sizes with unit sizes.

Determining Maximum Initial Sales Price

To determine the affordable sale prices the Administrative Agent uses the regulations set forth in UHAC.

The maximum sales price for an ownership unit is determined by first calculating the amount that an appropriately sized household can afford for housing expenses at various income ranges. Several related expenses (homeowner insurance, private mortgage insurance (PMI), association fees and taxes) will then be subtracted from the household’s maximum monthly contribution toward housing expenses to arrive at the maximum monthly mortgage payment. The calculated mortgage amount, a five percent down payment, and the current lending rate will be used to arrive at the maximum sales price.

Additional Regulations for an Ownership Development

In addition to the regulations in the previous Section entitled **Development Considerations and Compliance Issues**, ownership developments will also comply with the following regulations:

Division of Units: Low- and Moderate-income. In each affordable ownership development, at least 50 percent of each unit type will be affordable to low-income households. The remaining affordable units will be affordable to moderate-income households.

Affordability Average. Each affordable development will achieve an affordability average of no more than 55 percent of the regional median income for restricted ownership units. In achieving this affordability average, moderate-income ownership units will be available for at least three different prices for each bedroom type, and low-income ownership units will be available for at least two different prices for each bedroom type.

Maximum Initial Sales Price. The maximum initial sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of the regional median income.

Condominium/Homeowner Association Fees. The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.

Determining Resale Prices

Calculating the maximum resale price (MRP) for an ownership unit involves applying the annual percentage increase corresponding with each calendar year since the Seller bought the house. No increase is permitted during the balance of the calendar year immediately after the sale. A Resale Price Calculator has been created by the Administrative Agent to provide an estimate of the MRP to owners of affordable homes. It can be accessed at www.HousingQuest.com, by clicking on “Resale Calculator” on the menu bar and choosing the municipality in which your affordable home is located. In the alternative, homeowners can also call Piazza & Associates, Inc., at 609-786-1101, and request a verbal estimate by phone. The official MRP can only be given in writing in response to a written request, together with a copy of the recorded deed.

Requests for Increases in Maximum Sales Price

The Seller of an ownership unit may ask the Administrative Agent to increase the sales price of their home beyond the maximum sales price under limited circumstances. Only those improvements “that render the unit suitable for a larger household or that add an additional bathroom” can increase the calculated maximum sales price. In no event shall

the maximum sales price of an improved housing unit exceed the limits of affordability for the larger households.

WAIVERS AND EXEMPTIONS³

Hardship and Income Waivers

An Owner may not rent out the Owner's unit to any other person, not even to members of the Owner's family. The Administrative Agent may grant a Hardship Waiver for the following extenuating circumstances:

- The Owner's employer is temporarily sending the Owner to a work place a great distance from the Owner's home, and the employer expects the Owner to resume work for the employer back at home within the next 12 months.
- The Owner is called up for military service

An Owner of a low-income unit may request that the unit be sold to a household whose income exceeds the established income eligibility criteria for a low-income household, but does not exceed the income criteria for a moderate-income household, by submitting a written request for an Income Waiver to the Administrative Agent. The Owner will demonstrate that this request is consistent with the following reasons for an Income Waiver:

- The unit is in marketable condition as determined by the Administrative Agent.
- The Owner has made a good faith effort to sell the unit to a certified household for no less than six (6) months, in accordance with procedures required by the Administrative Agent and no certified household has made a "reasonable" offer during the that six-month period.
- The Owner has demonstrated a willingness to consider price offers lower than the maximum allowable resale price, taking into account current market conditions and the marketability of the unit.
- The Owner has advertised the unit's availability in newspapers and other locations likely to be noticed by potential purchasers, or has engaged the services of a qualified real estate agent to sell the home.

The Administrative Agent may grant an Income Waiver upon demonstration that the Owner has made a good faith effort to sell the unit and subject to NJDCA determining that there is an insufficient number of low-income purchasers in the market to permit prompt occupancy of the unit.

³ Revised 4.24.08

Upon receipt of a request for an Income Waiver,⁴ the municipality shall have first option to purchase the unit at the approved resale price and holding, renting or conveying it to a certified household. The municipality shall have 30 days in which to exercise this option.

The Administrative Agent shall approve or deny a Hardship Waiver in writing within 30 days of receipt all requested verification.

The Administrative Agent shall approve or deny an Income Waiver in writing within 30 days of receipt of all requested verification from the Owner and a determination by NJDCA that there are an insufficient number of low-income purchasers in the market to permit prompt occupancy of the units. The Income Waiver shall be provided to the Owner with a copy to the Buyer at the time of closing. The original shall be filed with the Deed. The Income Waiver is only valid for the designated resale transaction. All future resales will be in accordance with the Deed restrictions and sold to income eligible households for no more than the approved indexed resale price.

The approval of an Income Waiver for a particular resale does not guarantee receipt of the maximum resale price to the Owner.

If the Administrative Agent denies a Hardship Waiver or Income Waiver, the Owner may appeal the decision of the Administrative Agent within 30 days from the date of notification of the decision of the Administrative Agent (see **Appeals**). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

Exempt Transactions

The following title transactions shall be deemed exempt transactions and, when requested, the Administrative Agent shall provide the Owner receiving title with written confirmation of the exemption to those restrictions that determine occupancy of the unit.

- Transfer of ownership between former spouses ordered as a result of a judicial decrees of divorce or judicial decree of separation (but not including sales to third parties);
- Transfer of ownership between family members by will or intestate succession;
- Transfer of ownership through an Executor's Deed to a Class A beneficiary; and
- Transfer of ownership by Court Order.

An exempt transfer of ownership does not terminate the resale restrictions or existing liens on the property. All liens will be satisfied in full prior to subsequent resale and all

⁴ Rev 5.16.08

subsequent resale prices will be calculated using the resale price index in compliance with the term of the affordable housing regulations.

The exempt transaction shall not be considered as a recorded transaction in calculating subsequent resale prices.

The Owner shall notify the Administrative Agent in writing of any proposed transaction that requires approval as an exempt transaction. The Owner shall supply the Administrative Agent with all necessary documentation to demonstrate that the transaction qualifies as an exemption as defined above.

If the Administrative Agent denies the exemption, the Owner may appeal the decision of the Administrative Agent within 30 days from the date of notification of the decision of the Administrative Agent (see Appeals). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

VIOLATIONS, DEFAULTS AND REMEDIES

In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

MAINTENANCE OF RECORDS AND APPLICANT FILES

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records will be maintained by the Administrative Agent and outdated records will be given to the municipality for safe-keeping. A file will be created and maintained on each restricted unit for its control period.

The Administrative Agent will maintain detailed records on all marketing initiatives.

Files To Be Maintained on Every Applicant

The Administrative Agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form.
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Individual files will be maintained throughout the process and submitted to the municipality upon termination of the program.

Files To Be Maintained on Every Unit

The Administrative Agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base sales prices
- Identification as low- or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement
- Application materials, verifications and certifications of all present owners, pertinent correspondence, any documentation of home improvement, hardship or income waivers or other approvals granted by an AA, certificate of exemption

Files To Be Maintained on Every Project

The Administrative Agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering

Files To Be Maintained on The Applicant Pool

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the Administrative Agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

Monitoring

A sample Deed will be submitted for each project. Additionally, the current annual monitoring information required to be maintained and reported annually to the Municipal Housing Liaison can be found on NJDCA's website. The information required for each unit includes but is not limited to:

- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Sale Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- Co #, date
- Effective date of affordability controls
- Length of affordability controls (yrs)
- Date Affordability controls removed
- 95/5

Appendix F-9: Affordability Assistance Closing Grant Program

[Draft form, subject to change]

Township of West Windsor – Mercer County

**AFFORDABILITY ASSISTANCE:
CLOSING COST GRANT PROGRAM**

OPERATING MANUAL

May 20, 2025

**WEST WINDSOR TOWNSHIP – MERCER COUNTY
AFFORDABILITY ASSISTANCE: CLOSING COST GRANT PROGRAM**

I. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.”

It is also important to note that the spending of trust fund money for West Windsor Township (the “Township”) affordability assistance on units in the Fair Share Plan does not create Fair Housing credits for the Township. It is noted that there is no formally documented statement that units closing cost assistance must have a deed restriction or lien, competitive bidding, minimum dollar amount, affirmative marketing or a major system repaired.

The Township is entering into an agreement with its Administrative Agent, Piazza & Associates, Inc. (“P&A”) help to implement a Closing Cost Grant Program (CCP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, P&A has prepared this manual to address the use of affordability assistance funds for closing cost grants.

II. INTRODUCTION

This Closing Cost Grant Program Manual has been prepared to assist in the administration of the West Windsor Township Closing Cost Grant Program. It will serve as a guide to the program staff and applicants.

This manual describes the basic content and operation of the program, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the Closing Cost Grant Program process. It describes the eligibility requirements for participation in the program, program

criteria, funding terms and conditions, contract payments and overall program administration.

P&A will be engaged to provide support services necessary to administer the program on behalf of the Township.

The program funds will be distributed as a grant, and will not be repayable if the recipient purchases the deed-restricted affordable home.

The following represents the procedures developed to offer an applicant the opportunity to apply for the program.

III. PROGRAM DESCRIPTION

This program makes available grants to income-qualified purchasers of deed restricted affordable homes in the Township of up to \$3,000.00 toward the cost associated with the purchase of the aforementioned affordable home. The applicable costs are set forth in the TILA-RSPA Integrated Disclosure Documents and can include:

- Title work and policy;
- Reasonable attorney fees;
- Preparation of survey;
- Homeowner's insurance;
- Recording fees; and
- Other necessary closing costs to third parties.

West Windsor Township will dedicate approximately \$300,000.00 towards Closing Costs Grant Program.

IV. PROGRAM REQUIREMENTS

In order to qualify for the program, the gross annual income of the Buyer must be deemed to be very low-, low- or moderate- income, i.e., less than the limits set forth below for moderate-income households in Mercer County. Please note that these limits are subject to change.

MAXIMUM INCOME FOR PARTICIPATION IN THE WEST WINDSOR TOWNSHIP CLOSING COST GRANT PROGRAM						
AHPNJ 2025	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320	\$124,960

Homes must be deed-restricted, affordable housing units in West Windsor Township, and may be of any size. The Buyer must submit an inspection report prepared by a licensed home inspector, and that report must identify the property as being in sound condition.

V. THE PROCESS

- a. After a Buyer is income-certified by P&A and approved to purchase a deed-restricted affordable home in the Township; and then enters into a contract to purchase the eligible home, P&A will notify the Municipal Housing Liaison of the Township and request the Township prepare a check in the amount of up to \$3,000.00, payable to the trust account identified for such purposes.
- b. A check will be issued to the trust account in advance of the closing.
- c. The grant will be identified on the TILA-RESPA disclosure statements as a Grant from the Township of West Windsor.
- d. If the sale is cancelled, the trustee will return the check to the Township.

Appendix F-10: HOA Special Assessment Assistance Manual

[Draft form, subject to change]

Piazza & Associates, Inc.

AFFORDABILITY ASSISTANCE:
SPECIAL ASSESSMENT HOA
ASSISTANCE PROGRAM
(“SA-HOA
Program”)

OPERATING MANUAL

May 21, 2025

A. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, and assistance with emergency repairs.”

West Windsor Township (the “Township”) has developed and implemented a Special Assessment HOA Assistance Program (“SA-HOA Program”) in order to help mitigate the adverse effects of special assessments incurred by HOAs for owners of deed-restricted affordable housing.

The Township has entered into an agreement with Piazza & Associates, Inc. (“Piazza”) to implement the SA-HOA Program and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, Piazza has prepared this manual to address the use of affordability assistance funds.

B. INTRODUCTION

This SA-HOA Manual has been prepared to assist in the administration of the SA-HOA Program. It will serve as a guide to the program staff, Township personnel, and Owners.

This manual describes the basic content and operation of the program, examines program purpose and provides guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the SA-HOA Program process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, contract payments and overall program administration.

The program requirements are subject to change and grant funding is subject to availability. The following represents the procedures developed to implement the SA-HOA Program.

C. PROGRAM DESCRIPTION

This program makes available grants to income-qualified Owners, equal to the initial Increased Percent for an initial special assessment by the HOA for necessary capital improvements. The funding is contingent upon all the following criteria having been met: 1) The income and residency qualification of the Owner; 2) an agreement between the Owner and the Township; and 3) the Township approval of the special assessment.

If an applicant meets the eligibility requirements identified above as well as the criteria found in Section D of this manual, enrollment for this program will begin with, either:

1. Retroactive to the date upon which the Owners were first charged for the Increased Percent of the initial special assessment, respectfully, contingent upon the receipt of a complete application package by the initial deadline date, 60 days from the mailing of the application to the Owner at the start of the program; or
2. As of the date that the eligibility certification was approved by the Township.

D. PROGRAM ELIGIBILITY

To be eligible for the SA-HOA Program, the following conditions must be met and verified:

1. The Owner must apply for the program through the P&A and provide all of the necessary information and documentation required in furtherance of the application.
2. There must be a current deed restriction on the specified condominium, such that it qualifies as an Affordable Unit.
3. The Affordable Unit must be the primary residence of the Owner.
4. During the time that the Owner owned the Affordable Unit, the Owner had not owned or leased any other residential real estate.
5. The Owner and all the residents of the Affordable Unit (together, the “Affordable Household”) must demonstrate that the gross annual income of the Affordable Household does not exceed 80% of the regional Median Income for NJDCA Region 4, as set forth in the local ordinance and as applicable to the date upon which the

application is received. The current Gross Maximum Income Limits by Household The sizes which are subject to change without notice, are currently as follows:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
\$75,440	\$86,160	\$96,960	\$107,680	\$116,320	\$124,960

6. The Owner and the Township shall execute an agreement.

E. FUNDING AND DISTRIBUTION

A budget of up to and not to exceed \$500,000 shall be reserved for this program during the period of Fourth Rounds substantive verification unless otherwise amended.

F. THE PROCESS

1. Eligibility for the SA-HOA Program is based, in part, on the income-certification of each Affordable Household, as required by the N.J.A.C. 5:80-26.1 et seq., also known as the Uniform Housing Affordability Controls and the policies and procedures of P&A for the income certification of applicants for affordable housing in West Windsor Township. In addition to the income-certification information, P&A will prepare a residency certification form and list of required documents to verify the residency requirements for the Owner.
2. Residency verification will include the following requirements:
 - a. A Municipal Residency Form, which requires each head of household to provide the name and age of every resident of the Unit, and a signed and notarized statement that the Owner resides in the Unit at least 260 days, and that neither the Unit or any part of the Unit is leased to any other party for any purpose.
 - b. A copy of a New Jersey driver’s license for every member of the household who has been issued a current driver’s license; or for every member of the household who has not been issued a current New Jersey driver’s license, an alternative identification, issued by the State of New Jersey or the federal government, that clearly includes the address of the household member; or a copy of the most recent transcript or original, certified letter from the school or qualified home school program, in which each of the school-age household members are currently enrolled.
 - c. A copy of all utility bills, including water, sewer, gas, electric, TV, phone and internet services provided to the Unit.
3. P&A will prepare a letter, application form and documents for the SA-HOA Program and mail same to the Owners.
4. The application will be due no more than 30 days from the date the applications is mailed to the Owners.

5. The Administrative Agent will report to the Township the Units eligible for the program.
6. A check for the amount due for eligible owners will be processed and sent directly to the Association each quarter in advance of the 1st of the month of that quarter.
7. The Association will credit the accounts of the existing owners in an amount that is equal to the funding provided to the Association by the Township.
8. The Administrative Agent will audit the program by contacting a random number of owners and former owners to ensure that the funding has been properly distributed.

G. PROGRAM LIMITATIONS

The SA-HOA Program will continue, contingent upon the availability of funds. The reduction or elimination of available funds will result in a corresponding reduction or elimination of SA-HOA Program grants.

I. PROGRAM ENFORCEMENT AND TERMINATION

The Township and P&A, on its behalf, will endeavor to enforce the terms and conditions of the SA-HOA Program in an effort to ensure that the use of the SA-HOA funds are consistent with the program purpose and guidelines, as well as local and state regulations. Enforcement is not limited to the time of initial eligibility, but will continue throughout the length of the Affordable Housing Controls for each Affordable Unit.

- a. If, at any given point in time after the initial certification has been completed and the funds have been disbursed, an application is deemed to have been fraudulent in any material way, the Owner who benefitted from the disbursement of funds shall be obligated to return the funds to the Township, and will be subject to applicable civil and criminal enforcement actions.

Appendix F-11: Veterans Ownership Maintenance Assistance Program

[Draft form, subject to change]

Piazza & Associates, Inc.

AFFORDABILITY ASSISTANCE:
VETERANS OWNERSHIP
MAINTENANCE ASSISTANCE
PROGRAM
(“VOMA
Program”)

OPERATING MANUAL

May 21, 2025

A. PREFACE

N.J.A.C. 5:97 – 8.8 (a) states that “...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low-income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, and assistance with emergency repairs.”

West Windsor Township (the “Township”) has developed and implemented a Veterans Ownership Maintenance Assistance Program (“VOMA”) in order to help make needed repairs to owner-occupied residential units in the Township of West Windsor that are occupied by income-eligible Veterans.

The Township has entered into an agreement with Piazza & Associates, Inc. (“Piazza”) to implement the VOMA Program and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, Piazza has prepared this manual to address the use of affordability assistance funds.

B. INTRODUCTION

This Manual has been prepared to assist in the administration of the VOMA Program. It will serve as a guide to the program staff, Township personnel, and Owners.

This manual describes the basic content and operation of the program, examines program purpose and provides guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the VOMA Program process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, contract payments and overall program administration.

The program requirements are subject to change and grant funding is subject to availability. The following represents the procedures developed to implement the VOMA Program.

C. PROGRAM DESCRIPTION

This program has been established to provide financial assistance to veterans in qualified affordable household in restricted units for home ownership and maintenance, including home repairs, accessibility modifications and qualified home improvements. As part of the Township’s Housing Element and Fair Share Plan VOMA seeks to:

- Improve living conditions for eligible Township residents;
- Preserve West Windsor’s housing stock;
- Reduce energy consumption of older homes and thereby lower operating expenses.

D. PROGRAM ELIGIBILITY

To be eligible for the VOMA Program, the following conditions must be met and verified:

1. The Owner must apply for the program through Piazza and provide all of the necessary information and documentation required in furtherance of the application.
2. There must be a current deed restriction on the specified condominium, such that it qualifies as an Affordable Unit.
3. The Affordable Unit must be the primary residence of the Owner.
4. During the time that the Owner owned the Affordable Unit, the Owner had not owned or leased any other residential real estate.
5. The Owner and all the residents of the Affordable Unit (together, the “Affordable Household”) must demonstrate that the gross annual income of the Affordable Household does not exceed 80% of the regional Median Income for NJDCA Region 4, as set forth in the local ordinance and as applicable to the date upon which the application is received. The current Gross Maximum Income Limits by Household The sizes which are subject to change without notice, are currently as follows:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
\$75,440	\$86,160	\$96,960	\$107,680	\$116,320	\$124,960

6. The Owner must enter into an agreement with the Township in which he or she agrees to the terms and conditions outlined, above, and:
 - a. Releases the Township and P&A from any claims and agrees to indemnify, defend, and hold the Township and P&A harmless against any and all claims for liability.

- b. Agrees to fully cooperate with the Contractor, Township, and Piazza, including making timely arrangement for all inspections.
 - c. Acknowledges that the Contractor is solely responsible for the installation and that the Township and P&A have no responsibility with respect to the equipment or its installation and are not guarantors of the Work and agrees that communications with respect thereto shall be directed to the Contractor and not to the Township or P&A.
7. The Owner will be required to use a form of contract between the Owner and Contractor that will be provided by the Township and shall contain requirements set forth by the Township to protect its interest.
 8. For all programs set forth, herein, a construction permit application must be submitted to the Township by the Contractor and approved by the Township prior to the start of work.

E. FUNDING AND DISTRIBUTION

A budget of up to and not to exceed \$200,000 shall be reserved for this program during the period of Fourth Rounds substantive verification unless otherwise amended.

The entire cost of repairs and improvements made through this program, up to the maximum, \$10,000, will be paid directly by the Township to the Contractor as work is completed and inspected.

F. ELIGIBLE IMPROVEMENTS

Program funds will be available to address quality of life housing issues, correct existing and incipient code violations, minimize the risk of poisoning from lead-based paint and correct weatherization deficiencies.

Housing rehabilitation funds may be used only for repairs or system replacements necessary to bring a substandard unit into compliance with municipal health, safety and building codes, correct applicable code violations, as well as any other work that is reasonable and deemed necessary or is related to the necessary repairs.

In addition to the repair or replacement of all major systems, work may include, but not be limited to the following:

- Interior trim work;
- Interior and/or exterior doors;
- Interior and/or exterior hardware;
- Window treatment;
- Interior stair repair;
- Exterior step repair or replacement;
- Porch repair;

- Wall surface repair;
- Painting; or
- Exterior rain carrying system repair.

Any agreements between the Contractor and the Owner for “side work”, outside the scope of the Program’s work write-up, will not be accepted and cannot be completed during participation in the Program. The Township shall not be held responsible for any work performed by the Contractor that is not part of the work write-up and/or approved change order.

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are strictly cosmetic), additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by property owners shall not be funded under this program. The cost of removing any illegally converted living space (e.g., illegal bedrooms in the basement) are not eligible for assistance.

G. THE PROCESS

1. Eligibility for the VOMA Program is based, in part, on the income-certification of each Affordable Household, as required by the N.J.A.C. 5:80-26.1 et seq., also known as the Uniform Housing Affordability Controls and the policies and procedures of P&A for the income certification of applicants for affordable housing in West Windsor Township.

In addition to the income-certification information, P&A will prepare a residency certification form and list of required documents to verify the residency requirements for the Owner.

2. Residency verification will include the following requirements:
 - a. A Municipal Residency Form, which requires each head of household to provide the name and age of every resident of the Unit, and a signed and notarized statement that the Owner resides in the Unit at least 260 days, and that neither the Unit or any part of the Unit is leased to any other party for any purpose.
 - b. A copy of a New Jersey driver’s license for every member of the household who has been issued a current driver’s license; or for every member of the household who has not been issued a current New Jersey driver’s license, an alternative identification, issued by the State of New Jersey or the federal government, that clearly includes the address of the household member; or a copy of the most recent transcript or original, certified letter from the school or qualified home

- c. school program, in which each of the school-age household members are currently enrolled.
 - d. A copy of all utility bills, including water, sewer, gas, electric, TV, phone and internet services provided to the Unit.
 - e. Provide form DD214 to verify qualified service
3. P&A will prepare a letter, application form and documents for the VOMA Program and mail to the Veteran Owners.
4. The application will be due no more than 30 days from the date the applications is mailed to the Owners.
5. P&A notifies the status of the review as follows:
 - a. Incomplete: The Owner shall have 5 days to complete and return the application.
 - b. Not approved: The Owner may not participate in the program, but can re-apply at a later date.
 - c. Complete and Certified: P&A provides the Owner with a contract between the Owner and Township for the Owner's review and execution.
6. The Owner signs and returns the Contract between the Owner and the Township for execution by an approved representative of the Township.
7. P&A provides the Owner with a kit that includes:
 - a. A Request for Proposal that the Owner may use to obtain bids from contractors;
 - b. Information regarding the operation and benefits of energy efficient equipment;
 - c. The specification of the minimum standards of the equipment required; and
 - d. A form of Agreement between the Owner / Landlord and the Contractor.
8. The Owner selects a Contractor and enters into an agreement pursuant to f(iv) above.
9. The Owner submits same to Township for approval.
10. Township returns the fully executed Contract with the Owner.
11. The Owner pays the Contractor the Owner's share (if any is required). k. The Contractor applies to the Township for the appropriate permit(s).
12. The Township verifies that the payment from the Owner has been received by the Contractor (if required).
13. The Township approves the permit, based on the applicable code(s).The Contractor completes the work.
14. The Contractor and the Owner are responsible for having the appropriate inspection(s) completed within 14 days after completion. In the event that the Owner does not facilitate the final inspection, then the Owner shall be deemed in violation of construction code or codes and subject to applicable fines.
15. Contingent upon the final approval of the Township, the Township pays the Contractor the balance due, not to exceed the limits set forth above.

H. PROGRAM LIMITATIONS

The SA-HOA Program will continue, contingent upon the availability of funds. The reduction or elimination of available funds will result in a corresponding reduction or elimination of SA-HOA Program grants.

I. PROGRAM ENFORCEMENT AND TERMINATION

The Township and P&A, on its behalf, will endeavor to enforce the terms and conditions of the SA-HOA Program in an effort to ensure that the use of the SA-HOA funds are consistent with the program purpose and guidelines, as well as local and state regulations. Enforcement is not limited to the time of initial eligibility, but will continue throughout the length of the Affordable Housing Controls for each Affordable Unit.

- a. If, at any given point in time after the initial certification has been completed and the funds have been disbursed, an application is deemed to have been fraudulent in any material way, the Owner who benefitted from the disbursement of funds shall be obligated to return the funds to the Township, and will be subject to applicable civil and criminal enforcement actions.