

**DOCUMENTS FOR THIS PROJECT ONLY – NOT TO BE
USED OR DISTRIBUTED OR COPIED IN WHOLE OR IN
PART FOR ANY OTHER PROJECT**

**UPDATED DRAFT
May 17, 2010**

**HOMEBUYER'S AFFIRMATIVE MARKETING AND
BUYER'S SELECTION PLAN**

**99 Parker Street
Acton, Massachusetts**

Submitted by: JTE Realty Associates, LLC
P. O. Box 955
North Andover, Massachusetts 01845
Telephone (978) 258-3492
Contact: Judy Epstein, Manager

99 Parker Street

Property Description (as provided by the Seller)
99 Parker Street is a single family community consisting of (5) single family homes (four new construction and one rehabilitation) with a condominium association. There will be (2) affordable new construction single family homes. The developer of the project is 99 Parker Street, LLC located in Acton, Mass. The project site consists of approximately 1.45 acres of land. The (2) 3 bedroom new construction single family affordable homes, (one of which will be a handicap accessible home), will have 2-1/2 bathrooms. Unit exteriors will have low-e vinyl windows and doors and vinyl siding, 30-Year Architectural style asphalt shingles and porches. Each home will have a designated private use space (yard) surrounding it. Exterior walls will be 2 x 6 construction to maximize insulation values. The handicap accessible unit will have an oversized one car garage attached. The non-handicap affordable unit will have a one car garage under. Unit amenities will include Energy Star-rated stove, dishwasher, washer/dryer hookups, gas fired energy efficient heating system, prefinished oak flooring on the first floor (including downstairs ½ bathroom), tile flooring in two full bathrooms, wall-to-wall carpeting in other living areas, Merrilat kitchen and bathroom cabinetry, laminate kitchen counter tops, one piece molded bathroom vanity tops and sinks. The homes will be pre-wired for cable and internet capability. The homes will meet energy star requirements.

Affordable unit prices will be calculated in accordance with the applicable requirements set forth in the program guidelines.

Affordable Units

The affordable units of the two affordable groups shall be distributed throughout the project in accordance with the designations indicated on the floor plans, as provided by the Seller. The utilities and appliances in the affordable units shall be the same standard quality as those in the standard market rate units at the time of first conveyance. This shall not be construed to prevent buyers of the standard market rate units from upgrading the utilities, equipment, fixtures and appliances, among others, in the unit.

Income, Asset and Other Requirements

Purchasers of the affordable units will be required to have incomes below 80% of current Median Income for the Boston PMSA, adjusted for family size. Annual income is defined as the gross annual income of all household members over the age of 18 (not including full time students) during the most recent calendar year (in accordance with DHCD guidelines at the time of advertising). In accordance with DHCD guidelines, household assets shall not exceed \$75,000 in value.

The household must be a first time homebuyer. To be a first time homebuyer, applicant households must not have owned a home within three years preceding the application with the exception of 1) displaced homemaker (where the displaced homemaker, an adult who has not worked full-time, full-year in the labor force for a number of years but has, during such years, worked primarily without remuneration to care for the home and -1-

family, while a homemaker, owned a home with his or her partner or resided in a home owned by the partner; 2) single parents (where the individual owned a home with his or her partner or resided in a home owned by the partner and is a single parent (is unmarried or legally separated from a spouse and either has 1 or more children of whom the individual has custody or joint custody, or is pregnant; 3) households that owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations and 4) households that owned a property that was not in compliance with State, local or model building codes and that cannot be brought into compliance for less than the cost of constructing a permanent structure. Evidence for code issues and cost will be required.

Other threshold requirements, such as the ability to obtain no more than 97% financing (fixed term, and other DHCD mortgage requirements) on the part of applicants apply. Applicants must remain qualified at all stages of the process including pre-screening, lottery selection, mortgage commitment and conveyance. Evidence of eligibility in the form of third party verification will be taken at the time of application and may be requested from the applicant subsequent to the submittal of the application through the time the developer sells a unit. In order to meet (DHCD), household size requirements for three bedroom units, three or more person households will be selected first, followed by all other households in accordance with DHCD rules in effect at the time of advertising. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom, in other words, treated as one person, (unless the consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing with the application). Other household members may share but shall not be required to share a bedroom. Smaller households can apply for the three bedroom units, but will be ranked behind households that require a three bedroom unit, as outlined above and further outlined below.

Local Set Aside

Local Set Aside – Up to 70%, 1 Unit:

Up to seventy percent (70) percent of the two (2) affordable unit equal to (1) affordable unit will be set aside for local preference.

The Boston-Cambridge-Quincy Ma-NH HMFA has a minority percentage of 20.7%. In order to comply with DHCD regulations, after the close of the advertising period, if the percentage of minority applicants in the local preference pool is less than the percentage of minorities in the surrounding HUD-defined area, the number of minority applicants in the local preference pool will need to be adjusted to the percentage of minorities in the surrounding HUD-defined area, by adding the required number of minority applications from the general pool to achieve the appropriate representation within the local preference pool. A pre-lottery will be conducted on the day of the lottery to select the appropriate number of minority applications that will be entered in the local preference pool to comply with this regulation. All applicants will be entered into all pools for which they qualify.

To be eligible for the local preference pool, the applicant household must meet one of the following criteria:

- At least one member of the household is currently a legal resident of the Town of Acton.
- At least one member of the household is an Employee of the Town of Acton, the Acton Water District, the Acton Public Schools or the Acton-Boxborough Regional School District
- At least one member of the household is currently privately employed within the Town of Acton

General Population – 30%, 1 Unit, Accessible Unit:

Thirty percent (30%) of the two affordable units, equal to 1 unit, will be set aside for the general population.

Affirmative Marketing Plan

In accordance with DHCD regulations:

The Developer shall not discriminate on the basis of race, creed, color, sex, age, handicap, marital status, sexual preference, national origin or any other basis prohibited by law in the selection of the buyers for the Affordable Units. The Developer shall affirmatively market the Affordable Units to minority households through direct outreach efforts to local churches, social service and civic organizations as well as local and area-wide newsprint media where minority households are most likely to be contacted. This outreach effort must continue for a period of at least sixty (60) days prior to the selection of buyers for the affordable units. The Developer agrees to maintain for at least five (5) years following the sale of the affordable units, a record of all newspaper ads, outreach letters, translations, leaflets and any other outreach efforts, which may be inspected by the Monitoring Agent or the Municipality.

Advertising and Sales Promotion

The objective of the affirmative fair marketing plan is to attract minority applicants who are qualified buyers. A variety of media and outreach contacts will be used to provide information to minority groups. The outreach program will also inform local residents and non-residents about the availability of the affordable program units. The affirmative fair marketing plan will utilize the following approach:

- Newspaper advertising in community publications (The Beacon), regional publications (Community Newspapers – zone) and minority newspapers in the area, such as Baystate Banner, SamPan and El Mundo. Advertisements will be translated in Sampan and El Mundo newspapers.

- An announcement of the lottery shall be mailed to the Metrolist Clearinghouse in Boston City Hall, Mass Affordable Housing Alliance, Boston Center for Independent Living and Adaptive Environment. -3-
- Communications with the various minority groups (see attached list).
- Communications with the regional non-profit group, community, social, religious, veterans groups and municipal (see attached list)
- Web Site Advertising, Mass Access website, Craig's List and Massachusetts Affordable Housing Alliance.

The advertisement will be placed in all of the newspapers twice (one/month) during the sixty day advertising period. All advertisements will include the HUD equal housing opportunity logo.

A complete file of all advertisements, notices and flyers and a list of community contacts will be established and maintained for a period of five years.

Outreach Plan

In addition to newspaper advertising in minority, community publications and regional publications, direct outreach efforts will be made to local churches, social services, and civic organizations. A letter to each organization will explain the affordable home opportunity at 99 Parker Street for participation by eligible applicants. Bulletin board flyers, that summarize the program in a fashion similar to newspaper advertisements, will be provided to these organizations. This will include details of where or how to obtain an application and information packet and details regarding the information session.

Advertising and Sales Promotion Timetable

Subsequent to receiving the monitoring agent approval, outreach advertising will commence for a sixty day period in a time frame necessary to meet the projected occupancy date of the first unit. The projected occupancy date of the first affordable unit is six month from issuance of the Comprehensive Permit.

During this period of time applications will be accepted from all groups. An informational meeting will be held during the sixty (60) advertising period. Applicants will be encouraged, but not required to attend the informational meeting. Applicants will be given the necessary guidance to complete the application. Within a two to three week period of the close of the advertising, the lottery will be conducted.

Buyer Selection Process

The selection process for the affordable units will consist of two pools, a local preference pool and a general population pool.

Pool #1 AFFORDABLE UNIT Local Preference	Pool #2 AFFORDABLE UNIT General Population
(1) 3 Bedroom –	(1) 3 Bedroom Accessible Unit*
Total (1) Unit	Total (1) Unit

Applicants may apply for any unit type but will be entered into the pools for which they qualify.

*Physically disabled persons, who require an accessible or adaptable unit, will be given a preference for the one accessible unit in the general pool. A priority pool will be established for this one unit in the general pool for the accessible unit. Ballots for applicants who qualify for the one accessible three bedroom unit will be drawn first, by rank (in accordance with DHCD household size ranking procedures), followed by other applicants in the general pool lottery drawing. In other words, other applicants who do not require an accessible/adaptable unit can apply but will be ranked behind households that require an accessible/adaptable unit in the general pool lottery.

Applications will be reviewed to determine threshold eligibility. Those households that meet all threshold eligibility as described above under the Income, Asset and Other Requirements section will be notified by mail and will receive:

- Confirmation Letter – confirming threshold eligibility with registration number and information regarding the number of pools the household will be entered in.
- Registration Card – This registration card will have two sections, an applicant section and perforated sections representing a ballot for each lottery pool. Applicants will receive their portion of the card with registration number. The perforated matching ballots will be used to enter the eligible applicants in the pools that they have been qualified to enter. These ballots will have matching registration numbers to the applicant registration section. Eligible applicants will be entered in as many pools as they are eligible to enter.

The ballots will be placed in a ballot box and drawn randomly one by one for each tier by rank and by unit type. The order of the ballot selection will be as follows:

Pool #1 – Local Preference

Pool #2 – General Population - Accessible Unit

-5-

As the ballots are drawn, the ballot number will be assigned a lottery selection number in the order drawn. Two Lottery Selection Lists will be established to match the corresponding Lottery Pools (by pool and by rank) to track the order of ballot selection.

The order of drawing will be Pool #1 followed by Pool #2. After completing the selection of every ballot for Pool #1 by rank and assigning a lottery selection placement number on Pool #1 Lottery Selection List, the lottery selection will move on to Pool #2 and the same procedure will be implemented until all ballots have been pulled from both Pools and all Lottery Selection Lists have been completed. If there is an insufficient number of ballots in Pool #1 to fill the local preference unit, the local preference unit will be added to Pool #2.

Once the application selection is complete, the appropriate number of selected applicants will be assembled and the selected applicants will be notified that they must begin the process of obtaining their financing. Applicants will also be given information on who to contact down payment assistance if it is available.

If at any point in the lottery process a selected applicant becomes ineligible, the next eligible applicant in the appropriate pool will be notified that they must begin the process of obtaining their financing.

In the event there is an insufficient number of applicants to fill the total affordable units in the lottery, the remaining units will be marketed under a first come first serve process in accordance with program guidelines in effect at the time of the first come first serve marketing effort.

-6-