



LONG ISLAND HOUSING PARTNERSHIP. INC.

FIRST-COME FIRST-SERVED PROGRAM GUIDELINES

SENIOR AFFORDABLE/WORKFORCE HOUSING PROGRAM THE PINES at BOHEMIA 1330 SMITHTOWN AVENUE BOHEMIA, NEW YORK

PLEASE READ AND RETAIN THESE GUIDELINES AS THEY CONTAIN IMPORTANT PROGRAM INFORMATION

The 1330 Project LLC (Sponsor), in cooperation with the Town of Islip and the Long Island Housing Partnership (LIHP), is constructing two (2) new senior affordable/workforce condominium homes in Bohemia, New York. Set forth herein are the Program Guidelines with respect to eligibility for the units.

LIHP is responsible for implementing and administering the application and qualification process for the two (2) units on behalf of the Sponsor. LIHP strictly complies with these Program Guidelines and applicants are urged to read them thoroughly. Applications will be reviewed for compliance and completeness. LIHP staff is available to assist with the application, answer questions or provide any assistance regarding eligibility. We also provide free mortgage counseling. If you have any questions regarding any of the Program Guidelines, or need language assistance including translation and/or oral interpretation services, please email LIHP at info@lihp.org before applying. Submission of required documentation or determination of income eligibility does not guarantee the purchase of a home.

Program Description

1. The Sponsor will construct two (2) new affordable/workforce condominium homes in the Town of Islip, New York. The homes will be located in the senior condominium complex known as “The Pines at Bohemia” located at 1330 Smithtown Avenue, in Bohemia, NY. Each home will have two bedrooms, one bath, a one car garage, and a full unfinished basement. Homes will be available to income eligible persons who are fifty-five (55) years of age or older whose household income is 100% or less of the Area Median Income (AMI) as determined by the U.S Department of Housing and Urban Development (HUD). Additional eligibility requirements apply as set forth below. The Pines at Bohemia is a condominium complex. Therefore, applicants are also urged to consult and review the Offering Plan prepared and submitted by Sponsor. A copy the Offering Plan is available from the Sponsor on-site at 1330 Smithtown Avenue, Bohemia.
2. Units #4 and # 8 are designated for the Program and are available to be viewed. Please contact Crystal Condos at The Pines at Bohemia by calling 631-940-9820.

Home Price

The initial purchase price is set at \$372,000. This is based on three (3) times 100% of the 2019 Nassau-Suffolk Area Median Income as established by the U.S. Department of Housing and Urban Development. Units are assigned based upon program eligibility.





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Monthly Carrying Charges

All homes will have monthly carrying charges. Estimated Monthly Carrying Charges will include: Real Property Taxes of \$907.06 (if no STAR exemption), \$814.22 (if Basic STAR), and \$713.05 (if Enhanced STAR), and Common Charges of \$379.60. Please note that these are estimates only and the applicant shall independently confirm same with Sponsor. Please consult the Offering Plan for a detailed breakdown of all applicable charges and fees.

Program Eligibility

In order to be eligible to participate in the Program, a homebuyer must meet all eligibility requirements including income limits, age restriction, homebuyer contribution requirements and have an acceptable credit history as defined by the standards contained in these guidelines. These standards reflect the objective that the housing being developed is affordable to and sustainable by the homeowner.

Income Guidelines

All homes are to be sold to persons with a household income at or below 100% of Area Median Income (AMI) as determined by HUD annually. The current income limits are as follows:

<u>Household Size</u>	<u>100% of Area Median Income</u>	<u>Gross Family Maximum Annual Income*</u>
1		\$ 88,600
2		\$ 101,300
3		\$ 113,950
4		\$ 126,600
5		\$ 136,750

*Includes all income – overtime, bonuses, pensions, social security, 401K distributions, tips, etc. Gross income cannot exceed the maximum annual income for your family’s size. LIHP must project the income that will be received for the upcoming 12-month period. Tax returns and income documentation will be required for all household members listed on the application. Any person whose earnings will be used to qualify for the program will be required to sign a ‘4506’ tax release form to verify their tax returns with the Internal Revenue Service. The income limits are based on the 2020 HUD income limits and are subject to adjustment for rounding and annual reassessment.

Residency Guidelines

Applicants must occupy the home as their principal residence

Asset Limitation Guidelines

The mission of LIHP and this Program is to provide affordable housing opportunities to those who, through the ordinary, unaided operation of the marketplace, would be unable to secure decent and safe homes. Therefore, there is an established limit on the amount of assets a household may have to be eligible for this





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program. After deducting the purchaser's cash investment and estimated closing costs, **any household with net liquid assets and equity in real property of more than \$930,000 will be deemed ineligible for this program.** Equity in real property IS INCLUDED in the asset calculation. Transfers of real property made up to two (2) years prior to the date that this program's application was signed by the applicant will be included in the asset calculation. **Please note that an applicant shall be required to sell any residences prior to closing on an affordable/workforce senior condominium unit.**

Age-Restricted Occupancy Guidelines

Occupancy of a home will be limited to persons who are fifty-five (55) years of age or over, with the following exceptions:

- (a) A husband or wife under the age of fifty-five (55) years who is residing with his or her spouse who is fifty-five (55) years of age or over.
- (b) Children and grandchildren residing with their parents or grandparents where one (1) of said parents or grandparents with whom the child or children or grandchild or grandchildren is/are residing is fifty-five (55) years of age or older, provided that said child or children or grandchild or grandchildren are over the age of 19.
- (c) Adults under fifty-five (55) years of age may be admitted as permanent residents if it is established to the satisfaction of the Town Board that the presence of such person is essential for the physical care and economic support of the eligible older persons. This decision is not within the discretion of the Sponsor. The ordinance does not set forth any criteria time frame or procedures for determination by the Town Board as whether a person will qualify to reside in a home because he or she is essential to the physical care or economic support of the eligible older person.

Credit History Guidelines

The credit standards listed below are to determine Program eligibility and do not represent a mortgage approval. The applicant is responsible for securing a mortgage approval through a responsible lending institution. The following credit history standards will be analyzed in conjunction with income limits to determine program eligibility:

- Applicants must have an overall good pattern of credit behavior including a history of timely payments for rent, automobile and installment loans, credit cards and revolving loans as described below. If a good payment pattern has been maintained, isolated cases of slow/late payments may not disqualify an applicant for program eligibility.
- Applicant must not have been late on rental payments in the last 12 months.
- Payments on automobiles and installment loans should reflect no late payments in recent 24 months.
- Payments on revolving loans or credit cards should not have any late payments in recent 24 months.
- Applicants must have a satisfactory income, credit and employment history.
- At a minimum, a bankruptcy must have been discharged at least three years from date of application and credit re-established.
- At a minimum, a foreclosure sale or a transfer of title in a deed in lieu of foreclosure must be at least three to five years old from date of application.
- No outstanding collection accounts or judgments.





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- As part of the credit history and mortgage ability review, LIHP will utilize the middle credit score of all borrowers from three national credit repositories.
- At a minimum this credit score must be at least 580. (Higher credit scores may be required by lenders).

Mortgage/Affordability Guidelines

Applicants must have adequate resources and credit to qualify for a home mortgage. They should have had no foreclosures in the last five (5) years and no bankruptcies in the last three (3) years. Eligible applicants will be required to attend LIHP's pre-purchase mortgage counseling program. LIHP assists qualified applicants in securing a mortgage. However, it is the responsibility of the applicant to secure a mortgage. Applicants must submit all standard documentation required for mortgage processing, including SIGNED copies of the last three (3) years of their Federal Income Tax Returns, copies of the last three (3) years W-2 forms, last four (4) most recent consecutive pay stubs (most recent pay stubs must indicate year to date gross income), and most recent three (3) months bank statements and investment accounts, showing assets needed for down payment and closing costs.

- Applicants should have approximately 10% of the sales price available for down payment and closing costs (of which 3% must come from your own funds not a gift – remaining may be a gift).
- A good credit record and stable earning history is also required to qualify. If you do not currently have a good credit record or a stable earning history it is not a good idea to apply at this time.
- The ratio of total monthly housing cost (i.e. mortgage payments, property taxes, insurance premiums plus other debt (e.g. credit cards, car payments, school loans, etc.) to monthly household income may not exceed 45%.
- The following are not acceptable: (1) Private Mortgages; (2) Mortgages that are not with a recognized lending institution; and (3) 'No-Doc' Loans, 100% financing and 80/20 loans

Home Buyer Contribution/Gift Letter Guidelines

Applicants, at time that the application is submitted to LIHP, must have a minimum of 3% of the purchase price in savings and/or checking accounts (not a gift) or verifiable liquid assets from their own funds to apply towards the down payment. **The amount required for a 3% down payment must be shown in the most recent bank statements submitted with application.** The bank statements submitted must show the bank name, account holder's name and account number with a detailed list of transactions. At a minimum, the applicant should expect to need approximately 10% of the sales price for down payment and closing costs. LIHP will allow a gift letter from an immediate family member stating that the money provided is in the form of a gift and will not have to be repaid. This letter must be signed, notarized and submitted with the application. This gift contribution **cannot** be used towards meeting the required minimum 3% home buyer down payment contribution.

Citizenship Guidelines

Each person who will be residing in the home must be a U.S. Citizen or a Qualified Resident Alien. For the purposes of this program, a qualified resident alien is an alien who is lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act.





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Pre-Purchase Mortgage Counseling

Eligible applicants are required to attend homebuyer pre-purchase mortgage counseling. Certified counselors through the Long Island Housing Partnership (LIHP) will conduct the counseling. There is no charge for the counseling.

Income Recertification

Any applicant determined by LIHP to be eligible who does not enter into a contract to purchase a home within six (6) months of the date of the income eligibility determination **will** be required to have their income eligibility recertified. The recertification process requires that the Applicant resubmit copies of four (4) current paystubs and copies of personal financial information to determine whether they still meet the eligibility requirements of the program.

Resale Restrictions

To maintain the affordability of the homes, resale restrictions will be placed on each unit and recorded against the unit. Please see **Exhibit A** attached to these Program Guidelines for terms of the Resale Restrictions

APPLICATION ELIGIBILITY PROCESS

Applications are now being accepted on a first-come, first-served basis. To be considered for the Program, applicants must submit a Formal Program Application, together with all required documentation. Each applicant will then be placed on a waitlist and reviewed for eligibility in the order in which they apply.

DO NOT FAX OR EMAIL THE FORMAL PROGRAM APPLICATION

Formal Program Application

Formal Program Applications are available through LIHP's website at www.lihp.org/developments.html or by requesting a Formal Program Application from LIHP by calling 631-435-4710 or emailing info@lihp.org.

Once a Formal Program Application is received, LIHP will then conduct an eligibility review to determine if the applicant meets all Program Guidelines. A letter from LIHP detailing eligibility will be sent to the applicant after a full review of the **Formal Program Application** has been completed. An applicant who is determined to be eligible will be offered a home to purchase. The applicant must, subsequently, begin the home buying process. Should the applicant not move forward in purchasing the home, LIHP will move on to the next name on the list.

Please note, only completed Formal Program Applications with ALL required documentation that meet ALL the program guidelines will be eligible. After being submitted, any changes to an application must be requested in writing *and* must be approved by the program review committee. **Formal Program Applications** submitted after the deadline date will not be considered. If you are separated from your spouse, a legal separation or divorce decree must be provided in order to complete your application.





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The Formal Program Application and all required documentation must be submitted by the specified date to be considered for the purchase of a home. If the required documentation is not submitted by such date, the applicant may be deemed ineligible for the Program.

Formal Program Applications may be filled online at www.lihp.org/developments.html or may be sent with documents to LIHP via a secure document transmittal form located on LIHP’s website at www.lihp.org under the “About Us” tab or directly at <https://www.lihp.org/doctransmit.html>

Applicants may also mail or hand-deliver the **Formal Program Application** with documents to LIHP at 180 Oser Avenue, Suite 800, Hauppauge, NY 11788, Attention: The Pines at Bohemia

PLEASE DO NOT FAX OR EMAIL THE FORMAL PROGRAM APPLICATION OR ANY DOCUMENTS.

Applicants should not make an appointment for pre-purchase counseling until the applicant has received a formal letter from LIHP stating that the applicant is eligible for the Program.

FAIR HOUSING AND NON-DISCRIMINATION

LIHP is committed to promoting fair housing, equal opportunity, and non-discrimination in compliance with all federal, state and local laws, including, but not limited to, the Fair Housing Act, as amended by the Housing for Older Americans Act, the Americans with Disabilities Act, the Civil Rights Act, and the New York State Human Rights Law. The LIHP staff is available to assist with the application, and answer questions about eligibility requirements. In furtherance of this policy, LIHP shall not discriminate on the basis of race, creed, color, national or ethnic origin, sex, sexual orientation, gender identity, familial status, source of income, religion, disability, veterans status, age, or any other basis prohibited by law. If you have any questions regarding the guidelines, or need language assistance including translation and/or oral interpretation services, please contact the LIHP at info@lihp.org

LIMITED ENGLISH PROFICIENCY

Applications and Program Guidelines are available in English and Spanish and will be made available in other languages as requested. LIHP will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) and persons, who have a limited ability to speak, read, or write English, will have meaningful access and an equal opportunity to participate in the Program. Interpreters, translators and other aids needed to comply with this policy shall be provided as reasonably necessary.

Disclaimer: It is understood that this is not an offer and that the terms and conditions may be changed at any time by the Town of Islip and/or LIHP. It is further understood that notices by LIHP may be made in such manner as LIHP may determine, including solely by advertisement.





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EXHIBIT A

Program Guidelines The Pines at Bohemia

The following restrictions will be placed on the homes to maintain affordability upon future home re-sales:

- a) Ranked Waiting list - Those persons who are still on the initial ranked list after all homes have been sold will be placed on a ranked waiting list.
- b) Notification of Intention to Sell Unit - Homeowners wishing to sell their home must complete a "Notice of Intention to Sell" and return it to LIHP at the following address:

Long Island Housing Partnership
180 Oser Avenue, Suite 800
Hauppauge, NY 11788
Attn: The Pines at Bohemia Resales

- c) Resale Price - Sale Price may be set by the current owner; however, the sale price cannot exceed the original sale price adjusted by the Consumer Price Index (CPI) from the time of the original sale price up until that of resale. All other program requirements must be met by new purchaser(s) such as the purchaser(s) cannot earn more than 100% of median income based upon family size.
 - i. CPI Inflation Calculator - Once the "Notice of Intention to Sell" is received, LIHP on behalf of the Town of Islip will calculate the resale price by using the Federal Bureau of Labor and Statistics CPI inflation calculator located at <https://data.bls.gov/cgi-bin/cpicalc.pl>
 - ii. Maximum Resale Price - The price calculated in VI. (c) i. above is the MAXIMUM resale price for the Home. Seller shall not add costs of capital or home improvements to the price.
 - iii. Time of Original Sale Price - The "time of original sale price" will be the Homeowner/Seller's original closing date.
 - iv. Time of Resale -The "time of resale" is the date that the LIHP receives the "Notice of Intention to Sell".
 - v. Notification of Maximum Resale Price - LIHP will notify a Seller in writing of the maximum resale price.
 - vi. Resale Price Negotiation - Sellers and buyers may negotiate the price, but it cannot exceed the Maximum set by LIHP
- d) Finding a Buyer - Affordable Homeowners may find a buyer by either (1) using the ranked wait list; or (2) if no wait list is established or the wait list is exhausted, Sellers can find a buyer on their own.





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All buyers, regardless of how they are found, must complete a formal program application and comply with the Program Guidelines.

- i. Using the Wait List - LIHP is not a realtor and is not responsible for marketing a Seller's Home or finding a buyer. If a wait list exists, LIHP will review applicants in rank number order (with rank #1 being the first rank number). The first ranked applicant who meets all program requirements will be given the first opportunity to purchase the home. If the applicant with the first rank number does not meet the requirements, LIHP will move on to the next rank number (from #1, to #2, then #3, and so forth) and so on until an applicant is approved to purchase the Home or the wait list is exhausted.
 - ii. The Seller May Find His or Her Own Buyer - The Seller is responsible for providing LIHP with the buyer's contact information. The buyer will be required to qualify according to all program guidelines. LIHP will only accept and review one potential buyer at a time.
 - iii. Use of a Real Estate Agent - Sellers who choose to use a real estate agent shall not rely on the real estate agent to provide the correct resale restrictions and program guidelines to the buyer. Real estate agents are required to follow resale procedures and program requirements.
 - iv. Buyer Approval - Buyers will be notified of their eligibility status once all steps of the screening process have been completed. Applicant screening is a confidential process. LIHP is not allowed to discuss the status of a potential buyer's application with the Seller or anyone who is not the buyer(s).
- e) Formal Program Application & Fee to Buyer - Once a potential buyer is identified, they will be sent a formal program application. A non-refundable application fee may be required to be paid by the buyer.
- i. Mandatory Mortgage Counseling for Buyers - All applicants will be required to attend program and mortgage counseling at the LIHP.
 - ii. Processing/Screening Fee to LIHP - A fee of 0.5% of the Resale Purchase Price/Contract Price will be paid by the Seller at closing for services rendered by LIHP in screening applicants for program eligibility.
- f) Contract & Closing - The seller is responsible for providing the following documentation to LIHP and should provide a copy of these resale procedures to their attorney to ensure compliance:
- i. Contract of Sale - The seller is responsible for providing LIHP with a copy of the fully executed Contract of Sale. The Contract of Sale must include a rider that states:

"This sale is contingent on seller's payment at closing to LIHP of a fee equal to 0.5% of the Purchase Price/Contract Price."





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- ii. Copy of Contract & Notification of Closing Date - The seller is responsible for notifying LIHP of the closing date, place and time. A representative of LIHP may attend the closing.
- iii. Copy of Deed- The seller is responsible for providing LIHP with a copy of the executed deed containing the resale covenants and restrictions.

The foregoing procedures are subject to change in the event new requirements are adopted by the Town of Islip.

