



LONG ISLAND HOUSING PARTNERSHIP, INC.

## VINEYARDS AT BROOKFIELD AFFORDABLE / WORKFORCE SENIOR HOUSING PROGRAM

### PROGRAM GUIDELINES

Please read carefully and retain these guidelines as they contain important program information.

**LOTTERY APPLICATION DEADLINE IS OCTOBER 12, 2020**

*Please Note: Due to the Columbus Day holiday, applications being submitted by mail may be postmarked on October 13, 2020.*

The Long Island Housing Partnership (LIHP), in cooperation with The Vineyards at Brookfield Property Owner LLC (Sponsor), and the Town of Brookhaven, is pleased to announce that is accepting Lottery Applications for 15 new senior affordable/workforce condominiums in Center Moriches. 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 fifteen (15) 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 call LIHP at 631-435-4710 or email LIHP at [info@lihp.org](mailto:info@lihp.org) before applying. Submission of required documentation or determination of income eligibility does not guarantee the purchase of a home.

#### **Program Description**

The Sponsor will construct fifteen (15) new affordable/workforce condominium homes in Center Moriches. The homes will be located in the 146 unit senior condominium complex known as “The Vineyards at Brookfield” located at 210 Brookfield Avenue in Center Moriches. Two models are available with designated unit numbers, the Loire and the Sancerre. The unit numbers are 2,3,4,5,18,19,67,68,80,81,82,83,84,85 and 89. The affordable units range in square footage from 1,188 to 1,480. Each home will contain two (2) bedrooms and two (2) baths. The Loire has a designated spot in the driveway in front of the unit and the Sancerre has a 1 car garage. The development also offers a luxurious amenity package including a fully amenitized 6,000 square foot club house designed with lounge, billiards room, card room, kitchen, gym, yoga studio and social spaces. In addition, the project will feature an outdoor pool, bocce and pickle ball courts.

Homes will be available to income eligible persons who are fifty-five (55) years of age or older. Eight (8) of the units will be affordable to households with incomes that do not exceed 80% of the Area Median Income (AMI) for Nassau/Suffolk County, adjusted for household size, as determined by the U.S Department of Housing and Urban Development (HUD) and seven (7) units will be affordable to households with incomes that do not exceed 120% of the AMI, adjusted for household size. Additional eligibility requirements apply as set forth below.



The Vineyards at Brookfield is a condominium complex. Therefore, applicants are also urged to consult and review the Offering Plan prepared and submitted by Sponsor, as available. Please contact the Sponsor directly at 631-281-3300 for information regarding the Offering Plan.

**Purchase Price**

The projected purchase price of the homes is estimated to be:

80% AMI Unit: \$228,000  
 120% AMI Unit: \$341,750

**Monthly Taxes, Common Charges and Maintenance Charges**

All units will have monthly carrying charges. Estimated monthly carrying charges will include:

	<u>The Loire</u>	<u>The Sancerre</u>
Common Charges:	\$73.16	\$73.16
Maintenance Charges:	\$431.00	\$431.00
Real Estate Taxes with Basic STAR:	\$360.16	\$393.11
Real Estate Taxes without Basic STAR:	\$461.25	\$494.19

Please note that these are estimates as provided by the Sponsor 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**

The maximum permitted total annual **household** income for purchasers in the Program shall not exceed 80% or 120% of the area median income (AMI) as determined by the United States Department of Housing and Urban Development (HUD):

Maximum allowable income at 80% AMI\*:

Household Size	Maximum Total Annual Household Income **
1	\$70,950
2	\$81,050
3	\$91,200
4	\$101,300
5	\$109,450



Maximum allowable income at 120% AMI\*:

Household Size	Maximum Total Annual Household Income**
1	\$106,350
2	\$121,500
3	\$136,700
4	\$151,900
5	\$164,050

\* Based on 2020 HUD median income guidelines. Income limits may change annually based on HUD established Nassau/Suffolk median guidelines and for purposes of rounding adjustments.

\*\*Income includes all income – overtime, bonuses, pensions, social security, 401K distributions, tips, etc. Total household income minus allowable exclusions cannot exceed the maximum annual income listed above for your household size. LIHP must project the income that will be received for the upcoming 12-month period. Tax returns will be required for all household members whose earnings will be used as part of the income qualification. 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.

**Asset Limitation Policy**

The mission of LIHP 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. The Town of Brookhaven requires a limitation on assets as well. Therefore, there is an established limit on the amount of assets a household may have to be eligible for this 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 \$570,000 for units sold for \$228,000 or \$854,375 for units sold for \$341,750 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 Requirement**

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 to 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.



### **Home Buyer Contribution**

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 the Formal Program 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 sufficient funds of 5-10% of the sales price for down payment and closing costs.

### **Gift Letter**

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 Formal Program Application. This gift contribution **cannot** be used towards meeting the required minimum 3% home buyer down payment contribution referenced above.

### **Existing Homes/Closing Date**

Eligible applicants who execute a Purchase Agreement with the Sponsor or its affiliates will be provided by the Sponsor with a 90 day notice prior to closing in which such applicant will have 60 days to sell their home. Pursuant to Sponsor requirements, the home must be sold 30 days prior to closing with the Sponsor.

### **Principal Residence Requirement**

Applicants must occupy the property as their Principle Residence. Any applicant who owns a home will be required to sell their home prior to closing.

### **Re-Sale Restrictions**

There will be restrictions placed on the homes in order to maintain affordability upon future home re-sales pursuant to the Resale Restrictions attached hereto as Exhibit A. These Resale Restrictions will be documented and recorded against the home.

### **Citizenship**

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.

### **Pre-Purchase Home Ownership Counseling**

Eligible applicants are required to attend homebuyer pre-purchase home ownership counseling. Certified counselors through LIHP will conduct the counseling. There is no charge for the counseling. **Please do not make an appointment for counseling until you receive a formal letter from LIHP that you are eligible for the program.**

### **Mortgage Ability**

Applicants must have adequate resources and credit to qualify for a home mortgage, if applicable. LIHP can assist qualified applicants in securing a mortgage. However, it is the sole responsibility of the applicant to secure a mortgage. Applicants must submit to LIHP all standard documentation required for mortgage processing, including signed copies of the last three years of their Federal Income Tax Returns, W-2 forms, 1099 statements, four (4) most recent consecutive pay stubs, two (2) most recent, consecutive months bank statements (all pages) and investment accounts showing assets needed for down payment and closing costs.



This documentation is required for all household members age 19 and over. Applicants should also have a good credit record and stable earnings history. LIHP will conduct a mortgage ability analysis to assess an applicant's ability to obtain a mortgage and to sustain homeownership. Factors to be considered in this analysis include income, employment, down payment, credit history and adherence to Program Guidelines. All loans to finance the purchase of the home will be reviewed to ensure that they meet program guidelines.

### **Mortgage Restrictions**

First mortgages must be with a recognized lending institution. Non-occupying Co-Borrowers are not permitted. The following types of mortgages are **not** permitted:

1. Private mortgages;
2. "No Doc" Loans, 100% financing, and 80/20 loans;
3. 203K loans; and
4. Adjustable rate or interest only loans.

### **Affordability**

Affordability of the unit will vary depending on income, sales price, insurance requirements, interest rates, property taxes, and buyer down payment. To purchase the home, applicants **must** have:

- Sufficient income to pay the monthly mortgage payment, including property taxes, common charges, and insurance premiums. Applicants must also have sufficient funds for a down payment and closing costs estimated at 5-10% of the sales price; and
- 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%.

### **Credit History Standards**

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.
- 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).
- The credit standards listed above 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.



## **APPLICATION PROCESS**

All applications received during the initial application period will be considered through the use of a Lottery and not on a first-come, first-served basis unless the number of applications received during the initial Lottery application period is less than the total number of units available.

Eligibility for the Program involves a **two-step process**. First, applicants must submit a **Lottery Intake Form** to LIHP by the stated deadline of the Lottery. Second, as their name is reached on the Lottery ranking, the applicant must submit a **Formal Program Application**, together with all required documentation, within the time period specified.

All interested parties may apply to participate in the Lottery by submitting the **Lottery Intake Form** to LIHP. After the Lottery takes place, each applicant will be formally provided a ranking number based on the results of the lottery. Entrance into the Lottery does not guarantee an applicant a unit. The **Formal Program Application**, together with required documentation, must then be submitted and reviewed for eligibility. Each applicant is screened for Program eligibility in the order in which they are ranked from the Lottery. The screening is completed by LIHP staff. If an applicant is deemed eligible, they are offered a unit in ranking order. If units are still available after exhausting the list of applicants from the lottery, additional eligible applicants will be offered units on a first-come, first served basis.

A letter from LIHP detailing the eligibility or ineligibility will be sent to each applicant after a full review of their **Formal Program Application** has been conducted.

### **Lottery Intake Form**

Only one **Lottery Intake Form** is allowed per household. Applicants who submit more than one **Lottery Intake Form** *will be disqualified*. Individuals ranked for this program may not be added to another ranked application for this program; the applications *will be disqualified* immediately. **Lottery Intake Forms** submitted after the deadline date will not be considered.

Lottery Intake Forms are available through LIHP's website at [www.lihp.org/developments.html](http://www.lihp.org/developments.html) or by requesting a Lottery Intake Form from LIHP by calling 631-435-4710 or emailing info @lihp.org.

**Lottery Intake Forms** can be completed and submitted as follows:

- 1) Online at: [www.lihp.org/developments.html](http://www.lihp.org/developments.html) (please click on the tab for The Vineyards at Brookfield).
- 2) By mailing or hand-delivering a copy to LIHP's office located at 180 Oser Avenue, Suite 800, Hauppauge, NY 11788, Attention: The Vineyards at Brookfield.
  - **Lottery Intake Forms** submitted online or in person must be received by 5:00 p.m. on **October 12, 2020** to be included in the lottery.
  - **Lottery Intake Forms** submitted by mail must be postmarked by **October 12, 2020** to be included in the lottery. *Please Note: Due to the Columbus Day holiday, applications being submitted by mail may be postmarked on October 13, 2020.*

**DO NOT FAX OR EMAIL THE LOTTERY INTAKE FORM**



### **Formal Program Application**

Following the Lottery, as an applicant's name is reached on the Lottery ranking list, the applicant will be contacted by LIHP to submit a **Formal Program Application** and supporting documents by a certain date. 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 with the Sponsor. Should the applicant not move forward in purchasing the home, LIHP will move on to the next name on the lottery ranking 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 specified 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.

**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 sent with documents to LIHP via a secure document transmittal form located on LIHP's website at [www.lihp.org](http://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 Vineyards at Brookfield

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

**Applicants should not make an appointment for mortgage 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 and all Fair Housing Laws will be followed. 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.





**LIMITED ENGLISH PROFICIENCY AND ACCOMMODATIONS**

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 are in need of assistance or 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. If you have any questions regarding the guidelines, or need assistance including translation and/or oral interpretation services, please call LIHP at 631-435-4710 or contact LIHP at [info@lihp.org](mailto:info@lihp.org).

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**Disclaimer:** It is understood that this is not an offer and that terms and conditions may be changed at any time by the Long Island Housing Partnership, Inc., and Affiliates. It is further understood that notices by the Long Island Housing Partnership, Inc., and Affiliates may be made in such manner as Long Island Housing Partnership, Inc., and Affiliates may determine, including solely by advertisement or email. It is also understood that entry into the lottery is not a guarantee that you meet all program requirements to purchase a home.





## EXHIBIT A to Program Guidelines

### RESALE RESTRICTIONS

#### THE VINEYARDS AT BROOKFIELD

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 Vineyards at Brookfield

- 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 plus capital improvements to a maximum of \$20,000. All other program requirements must be met by new purchaser(s) such as the purchaser(s) cannot earn more than 80% or 120% of median income based upon family size, depending on the unit.
  - i. CPI Inflation Calculator - Once the "Notice of Intention to Sell" is received, LIHP on behalf of the Town of Brookhaven 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 above is the MAXIMUM resale price for the Home. Notwithstanding the same, the maximum price for the unit may be increased by an amount not to exceed 100% of the documented capital improvements made by the seller as approved by LIHP up to a maximum of \$20,000.
  - 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 (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. 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. LIHP is not a realtor and is not responsible for marketing a seller's unit or finding a buyer.
  - 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 and advised of a non-refundable application fee of \$100 to be paid by the buyer and submitted with the formal program application.
  - i. Mandatory Mortgage Counseling for Buyers - All applicants will be required to attend program and mortgage counseling at the LIHP. The program is conducted free of charge. Homeownership counseling is mandatory for all applicants applying through a home ownership program administered by LIHP. Once an applicant is qualified to purchase a unit, LIHP will send an email to the applicant advising them they have 5 days to schedule the counseling and make an appointment. The counseling must be completed prior to the applicant being able to close on the home. If the applicant does not attend mortgage counseling, does not complete mortgage counseling within the designated time frame or is declined for mortgage ability by LIHP counselors, the applicant will be declined the ability to purchase a home.



- 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."
  - 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 Brookhaven.