

**AFFORDABILITY PLAN**  
**LATIMER GREEN**  
**91 BOSTON POST ROAD**  
**EAST LYME, CONNECTICUT**  
**January 11, 2024**

This Affordability Plan is prepared in accordance with the requirements of Connecticut General Statutes §8-3-g-7.

**1) Designation of Administrator**

The initial Designee who is qualified and responsible for the administration of the Affordability Plan will be Evergreen Attainable Homes, Inc or its successors or assigns (“Evergreen”). Evergreen will be responsible for providing the Town of East Lyme Zoning Enforcement Officer on an annual basis with a status/compliance report that confirms that Evergreen is in compliance with the following;

- A) Ensuring that households applying for affordable units qualify within applicable maximum income limits;
- B) Assuring the accuracy of sale or resale prices or rents, and providing documentation where necessary to buyers, sellers, lessors, lessee’s and financing institutions;
- C) Maintaining minimum percentages in a set-aside development;
- D) Reporting compliance to the municipality; and
- E) Executing the affirmative fair housing marketing plan.

**2) Homes Designated for Affordable Housing**

- A) A minimum of thirty (30) percent of the homes will be designated as affordable as defined by Connecticut General Statute §8-30g.
- B) The affordable homes shall designated as affordable for forty (40) years commencing on the date a certificate of occupancy has been obtained from the Town of East Lyme Building Inspector.
- C) The affordable homes shall be provided on a pro rata basis. A total of eight (8) residences will be designated affordable in the neighborhood developed. Two units in each of the apartment buildings will be designated affordable. Four (4) Duplex Units, #'s 1, 2, 3 & 5 will be designated affordable.
- D) The affordable homes shall be built in comparable size, quality, and appearance to each of the market rate homes.
- E) Proforma Calculations of Rental Rates of both 60% and 80% of Area Median Income are attached hereto as Exhibit A.

**3) Affirmative Fair Housing Marketing Plan**

The provisions of sections 8-37ee-301 and 302 of the Connecticut State Agencies shall serve as the basis for this plan. Collection and dissemination of information about available price restricted and market rate dwellings shall include;

- A) Analyzing census and other data to identify racial and ethnic groups least represented in the population;
- B) Announcements/advertisements in publications and other media that will reach minority populations;
- C) Announcements to social service agencies and other community contacts serving low-income minority families in the region (includes churches, civil rights organizations, housing authorities, and legal service organizations);
- D) Assistance to minority applicants in processing applications;
- E) Marketing efforts in geographic area of high minority concentrations within the housing market area;
- F) Beginning marketing efforts prior to general marketing of units, and repeating again during initial marketing, at fifty percent (50%) completion, and thereafter at reasonable period intervals with respect to resales or re-rentals; and
- G) Collection of basic racial and ethnic information for all residents and persons on the wait list for the development.

All Notices shall comply with the Fair Housing Act.

**4) Affordability Plan/Affirmative Fair Housing Marketing Plan Restrictions**

No preferences in application procedures or occupancy for existing residents of the subject municipality shall be utilized unless members of racial and ethnic groups identified as least likely to apply receive equally-weighted preferences.

**5) Maximum Sale Price, resale price or rent**

The maximum sale price, resale price or rent of any affordable unit shall be determined as set forth in section 8-30g-8 of the Regulations of Connecticut State Agencies.

**6) Projected Sequence**

As identified in paragraph 2 C) herein we have identified the homes to be designated affordable. The Duplex homes will be constructed beginning with lot 1 and will continue in sequential order. The Townhouses will be built in sequential order beginning with Building 1. This sequence demonstrates

compliance with the set-aside requirements of Section 8-30g of the Connecticut General Statutes and Section 8-30-g-1 through 11 inclusive of the Regulations of Connecticut Agencies.

## **7) Application Process**

A family or house old seeking to rent one of the affordable homes must complete an application to determine eligibility. The application must comply with the Fair Housing Act.

### **A) Application Form-The application**

The application form shall be provided by the Administrator and shall include an income pre-certification eligibility form and an income certification form. In general, income for purposes of determining an Applicant's qualification shall include the Applicant family's total income from all sources for the twelve (12) month period following the date the application is submitted ("Application Date"). If the Applicant's financial disclosures indicate that the Applicant may experience a significant change in the Applicant's future income during the twelve month (12) month period, the Administrator shall not consider this change unless there is a reasonable assurance that the change will in fact occur.

### **B) Applicant Interview**

The Administrator shall interview an Applicant upon submission of the completed application. Specifically, the Administrator shall, during the interview, undertake the following:

1. Review with the Applicant all the information provided on the application.
2. Explain to the Applicant the requirements for eligibility, verification procedures, and the penalties for supplying false information.
3. Verify that all sources of family income and family assets have been listed in the application. The term "family" shall be as defined by the Connecticut Agency Regulations, Connecticut General Statutes §8-37ee-1, as amended.
4. Request the Applicant to sign the necessary release forms to be used in verifying income. Inform the Applicant of what verification and documentation must be provided before the application is deemed complete.
5. Inform the Applicant that a certified decision as to eligibility cannot be made until all items on the application have been verified.
6. Review with the Applicant the process and restrictions regarding re-sale.

**C) Verification of Applicant's Income**

Where it is evident from the income verification form provided by the Applicant that the Applicant is eligible, additional verification procedures shall not be necessary. However, if the Applicant appears to be eligible, the Administrator shall issue a pre-certification letter. The letter shall indicate to the Applicant and the Administrator that the Applicant is income eligible, subject to the verification of the information provided in the Application. The letter will notify the Applicant that he/she will have thirty (30) days to submit all required documentation.

**8) Prioritization of Applicants for Initial Occupancy**

If, after publication of the Notice of Initial Sale as described herein, the number of qualified Applicants exceeds the number of Affordable Homes, then the Administrator shall establish a list of Applicants, selected by a random lottery of all eligible Applicants, for the initial rental of Affordable Homes. The initial rentals of Affordable Homes will be offered according to the Applicant's lottery ranking. Following the initial sales of the Affordable Homes, if the number of qualified Applicants exceeds the number of available Affordable Homes, The Administrator shall establish a priority list of applicants based on a "first come first served" basis, subject to the applicant's income pre-certification eligibility and the preferences as established in this Section. The Affordable Homes will then be offered according to the applicant's numerical listing. The administrator shall retain the established priority list of Applicant's for a period of two (2) years subsequent to the date of determination of eligibility. This priority list shall be utilized for any Affordable Homes which become available within said two (2) year period.

**9) Model Deed Restrictions for a Set Aside Development**

See Exhibit B. The project will satisfy the requirements of C.G.S 8-30g-9

# EXHIBIT A

**PRO FORMA CALCULATION OF RENTAL RATE OF A TWO  
BEDROOM HOME FOR A HOUSEHOLD EARNING  
80% OF AREA MEDIAN INCOME:**

**SAMPLE COMPUTATIONS  
BASED ON FY 2022 DATA**

1.	Determine lower of area or stateside median income for a family of four (4) (Norwich-New London PMSA)	\$127,443.00
2.	Determine the adjusted income for a household of 3.0 bedrooms by calculating 104 percent of item 1.	\$132,540.72
3.	Calculate 80 percent of item 2.	\$ 79,524.43
4.	Calculate 30 percent of item 3 representing the maximum portion of a family's income that may be used for housing.	\$ 39,762.22
5.	Divide item 4 by 12 to determine the Maximum monthly outlay.	\$ 3,313.52
6.	Determine reasonable estimate expenses, including utilities, (\$200) and Renters Insurance (\$20).	\$ 220.00
7.	Subtract item 6 from item 5 to determine the amount available for rent.	\$ 3093.52

**PRO FORMA CALCULATION OF RENTAL RATE OF A TWO  
BEDROOM HOME FOR A HOUSEHOLD EARNING  
60% OF AREA MEDIAN INCOME:**

**SAMPLE COMPUTATIONS  
BASED ON FY 2022 DATA**

1.	Determine lower of area or stateside median income for a family of four (4) (Norwich-New London PMSA)	\$127,443.00
2.	Determine the adjusted income for a household of 3.0 bedrooms by calculating 104 percent of item 1.	\$132,540.72
3.	Calculate 60 percent of item 2.	\$ 79,524.43
4.	Calculate 30 percent of item 3 representing the maximum portion of a family's income that may be used for housing.	\$ 23,857.33
5.	Divide item 4 by 12 to determine the Maximum monthly outlay.	\$ 1988.11
6.	Determine reasonable estimate expenses, including utilities, (\$200) and Renters Insurance (\$20).	\$ 220.00
7.	Subtract item 6 from item 5 to determine the amount available for rent.	\$ 1768.11

# EXHIBIT B



it for occupancy of a price-restricted unit, shall be conducted using the guidelines published by the U.S. Department of Housing 24 CFR 5.609.

(Adopted effective April 29, 2002; amended May 3, 2005)

### **Model Deed Restrictions for Affordable Housing Land Use Appeals Procedure**

#### **Sec. 8-30g-9. Model deed restriction for a set aside development**

(a) On or after the effective date of this subsection, a covenant or restriction imposed upon or otherwise made applicable to a set aside development or dwelling units within a set aside development as defined in subsection 8-30g-1(14) of the Regulations of Connecticut State Agencies shall satisfy sections 8-30g-1, 8-30g-7 and 8-30g-8, if the covenant or restriction has a term of at least forty years and contains substantially the following language:

(1) For a set aside development consisting of dwelling units to be rented:

“This development is a set aside development as defined in section 8-30g of the Connecticut General Statutes and in accordance with the applicable regulations for state agencies that were in effect on the date of the original application for initial local approval \_\_\_\_\_ (insert appropriate date), containing affordable housing dwelling units, and is therefore subject to limitations on the maximum annual income of the household that may rent the designated affordable housing dwelling units, and on the maximum rental that may be charged for such affordable housing dwelling units. These limitations shall be strictly enforced, and may be enforced by the zoning enforcement authority of [the municipality] against the record owner of the development or the person identified in the affordability plan as responsible for the administration of these limitations.

For the duration of this covenant or restriction, no less than fifteen percent (15%) of the dwelling units in this development shall be rented to persons and families whose annual income is less than or equal to eighty percent (80%) of the median income as defined in subsection 8-30g-1(10) of the Regulations of Connecticut State Agencies, and such units may be rented only at a rental equal to or less than the rental determined using the formula for maximum monthly rental amount stated in section 8-30g-8(d) of the Regulations of Connecticut State Agencies. In addition, no less than fifteen percent (15%) of the dwelling units shall be rented to persons and families whose annual income is less than or equal to 60 percent (60%) of the median income as defined in subsection 8-30g-1(10) of the Regulations of Connecticut State Agencies, and such units may be rented only at a rental equal to or less than the rental determined using the formula for maximum monthly rental amount stated in section 8-30g-8(e) of the Regulations of Connecticut State Agencies.”

(2) For a dwelling unit within a set aside development in which individual, designated units are sold or resold as affordable housing dwelling units:

“This dwelling unit is an affordable housing dwelling unit within a set aside development as defined in section 8-30g of the Connecticut General Statutes and in accordance with the applicable regulations for state agencies that were in effect on the date of the original application for initial local approval \_\_\_\_\_ (insert appropriate date), and is therefore subject to a limitation, at the date of purchase, on the maximum annual income of the household that may purchase the unit, and is subject to a limitation on the maximum sale or resale price. These limitations shall be strictly enforced, and may be enforced by the person identified in the affordability plan as responsible for the administration of these limitations or the zoning enforcement authority of [the municipality].

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(2) For a dwelling unit within a set aside development in which individual, designated units are sold or resold as affordable housing dwelling units:

“This dwelling unit is an affordable housing dwelling unit within a set aside development as defined in section 8-30g of the Connecticut General Statutes and in accordance with the applicable regulations for state agencies that were in effect on the date of the original application for initial local approval \_\_\_\_\_ (insert appropriate date), and is therefore subject to a limitation, at the date of purchase, on the maximum annual income of the household that may purchase the unit, and is subject to a limitation on the maximum sale or resale price. these limitations shall be strictly enforced, and may be enforced by the person identified in the affordability plan as responsible for the administration of these limitations or the zoning enforcement authority of [the municipality].