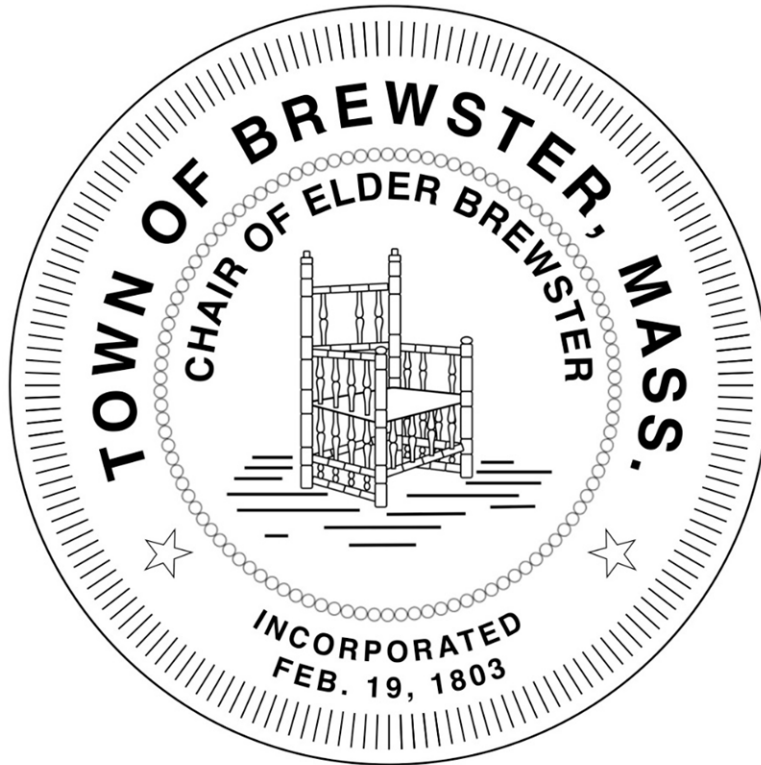


Town of Brewster Affordable Housing Trust Fund Program Guidelines & Application



Brewster Affordable Housing Trust Fund

Ned Chatelain

Tim Hackert

Antone Freitas

Vanessa Greene

Donna Kalinick

Paul Ruchinskask

Maggie Spade-Aguilar

Staff contact: Jill Scalise, Housing Coordinator

Updated by the Brewster Affordable Housing Trust December 7, 2023

Program Guidelines & Application Table of Contents

Housing Guidelines	Page #
I. Brewster Affordable Housing Trust Mission Statement & Goals	3
II. Roles and Responsibilities of the Housing Trust	4
III. Priorities of the Housing Trust	5
IV. Eligible Activities	6
V. Funding Guidance	8
VI. Project Monitoring	9
VII. Reporting	10
VIII. Periodic Updating of the Guidelines	10
IX. Application Process	10
X. Selection Criteria	11
XI. Application Form/ Attachment List	12

Town of Brewster
Affordable Housing Trust Fund
Program Guidelines and Application

I. Brewster Affordable Housing Trust Mission Statement and Goals

Housing Trust Mission Statement:

The Brewster Affordable Housing Trust (“BAHT”) seeks to expand and preserve year-round rental and ownership homes that are affordable to moderate, low, and very low income households. Our efforts will foster a welcoming environment for demographically and socio-economically diverse populations. The BAHT is committed to education, collaboration, and community engagement.

- Accepted April 4, 2019

Brewster Affordable Housing Trust (BAHT) Goals

The Trust has identified the following goals to use as guiding principles to implement Trust Mission Statement:

1. **Develop and Preserve Affordable Housing:** The BAHT will develop and preserve affordable housing and support the work of others seeking to do the same. Our work will serve very low-, low-, and moderate-income individuals and families, which means households with up to 100% Area Median Income (AMI).
2. **Educate:** The BAHT will work to educate individuals and organizations about Brewster’s community housing and why affordable housing is important to the town, its residents and visitors. Coordinating with the Brewster Housing Partnership (BHP), we will partner with other housing organizations from within and outside Brewster to provide educational opportunities to our citizens.
3. **Advocate and collaborate:** The BAHT will advocate for development proposals, projects, local bylaws, state and federal laws, and other programs that advance our mission to create and preserve affordable housing. We will collaborate with local, state, and federal officials as well as public, non-profit and for-profit entities to achieve our goals.
4. **Engage and Communicate:** The BAHT will engage and communicate with town residents, and listen to, and learn from, their ideas, so that our work reflects a broad consensus.

Originally approved by the Brewster Affordable Housing Trust August 15, 2019

II. Roles and Responsibilities of the Brewster Affordable Housing Trust

Purpose of the Trust:

The purpose of the Trust is to provide for the preservation and creation of affordable housing in the Town of Brewster for the benefit of low and moderate income households and for the funding of community housing as defined in and in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 55C. The Trust can use property, both real and personal, and expend funds as the Board of Trustees deems most appropriate to carry out such purpose consistent with the policies adopted from time to time by the Select Board regarding affordable housing.

Management of the Trust:

The Trust is governed by a Board of Trustees consisting of seven Trustees who are appointed by the Select Board for a term of two years. The Board is comprised of one member of the Select Board, Housing Partnership, Community Preservation Committee, and Planning Board; two residents at large; and the Town Administrator or his designee.

The Powers of the Trustees:

As stated in the Declaration of Trust, the Trustees may undertake any activity that would create and preserve affordable housing for the benefit of low and moderate income households. Their powers include, but are not limited to, the right to receive, purchase and convey real or personal property; to sell, lease, exchange or transfer property; to execute deeds, contracts, and grant agreements; to employ and compensate advisors and agents; to borrow money; to manage or improve real property and to abandon property which the Board determines not to be worth retaining; to issue policy goals and statements to serve as guidelines for the Trust and to provide funds for the benefit of low and moderate income households to assist in the acquisition, creation, preservation, rehabilitation and support of housing affordable for such families. Any expenditure of funds in an amount over \$50,000, and any sale, lease, exchange, transfer of conveyance of property having a value in excess of \$50,000, requires the approval of the Select Board.

Funding of the Trust:

The Brewster Affordable Housing Trust Fund (the “Trust Fund”) was initially funded by the dissolution of the Affordable Housing Fund and the transfer of the funds to the Trust Fund. Community Preservation Act (“CPA”) funds, in accordance Section 5 of the CPA, may be allocated to the Trust Fund. CPA funds appropriated into the Trust Fund may be used only for CPA approved activities, such as the acquisition, creation, preservation, and support of community housing, and for the rehabilitation of community housing acquired or created using CPA Funds. Additionally, the Trust Fund has received free cash from the Town of Brewster, including a portion of Brewster’s Short Term Rental Revenue; these monies are not subject to the CPA restrictions, but are required to be used for the purposes of the Trust.

III. Housing Trust Priority and Ongoing Initiatives for FY 24-25

A. Develop and Preserve Affordable Housing:

Priority Initiatives:

- Preserve Subsidized Housing Inventory (SHI) properties (HPP #21)
 - Current vacant SHI homes: 212 Yankee Drive, 11 Sean Circle, 88 Belmont Park Road
- Develop new affordable housing (by building):
 - Support the funding & development of Spring Rock Village (HPP #16 & #8)
- Identify site for next affordable housing initiative
 - Participate in the exploration of housing at the Cape Cod Sea Camps properties (HPP#12)
 - Develop criteria for property's suitability for housing use &/or purchase (HPP#11).
 - Inventory Town-owned land and consider acquisition of land. (HPP#12)
- Create a Housing Opportunity Fund (HPP#9)

Ongoing Initiatives:

- Develop new affordable housing (without building):
 - Continue Brewster Rental Assistance Program (BRAP) (HPP#21)
- Support Community Development Block Grant (CDBG) funding for home rehabilitation. (HPP#20)
- Manage the Brewster Affordable Buy Down program (HPP#21)

B. Educate:

Ongoing Initiative:

- Participate in a collaborative Housing Education Plan (HPP #14 & #15) including Select Board updates, joint meetings with other committees, website postings and outreach. Coordinate with the Brewster Housing Partnership (BHP) on housing education opportunities, including having an annual forum and encouraging attendance at Community Education Sessions.

C. Advocate and Collaborate:

Priority Initiatives:

- Hire a Housing Program Assistant (HPP#19)
- Update 5-year Housing Financial Plan (HPP#8)
- Explore year-round deed restrictions and other legislative initiatives to support affordable and attainable housing (HPP # 9 & #18)
- Advocate and explore a review of current zoning as it relates to housing (HPP #2, #3 & #5)
- Explore requesting and accepting donations to the Trust

Ongoing Initiatives:

- Advocate for continued Trust funding (includes allocations from the Community Preservation Act (CPA), dedication of the short-term rental revenue, free cash and/or budget allocations)
- Work with housing partners in Brewster and in surrounding Towns. (HPP#22)
 - Support local initiatives (for example: Habitat for Humanity, Housing Institute)
 - Network with local and regional housing partners

D. Engage and Communicate:

Ongoing Initiative:

- Provide opportunities for residents to share their thoughts and ideas.
 - Community engagement component of the Housing Education Plan
 - Citizen's Forum
 - Diversity, Equity and Inclusion (DEI) exploration

Approved by the Housing Trust December 7, 2023

IV. Eligible Activities

The Trust Fund can be used to support the following activities. Note that CPA funds must be used only for those purposes specified in the CPA as allowable activities, while the Trustees may use non-CPA funds for programs offering a broader range of purposes that are consistent with the Declaration of Trust and the provisions of MGL Chapter 44, Section 55C.

A. PRESERVATION PROGRAMS

Preservation of Subsidized Housing Inventory (SHI) Affordable Homes:

1. Housing Preservation and Improvement Activities

The BAHT received a CPA grant of \$500,000 in November 2019 to assist in the preservation and acquisition of SHI homes. Funds will be prioritized for affordable homes identified as non-compliant (for example, uninhabited) and/or at risk of losing their affordable deed restriction.

In certain instances, the BAHT may use funds to preserve affordability of units already included in the Town's Subsidized Housing Inventory ("SHI") by providing funds for repairs necessary to enable residents to continue to reside in their homes. This may include the purchase of homes in specific circumstances.

CPA Allowable Activities: CPA funds may be used for repairs that are necessary to preserve affordable housing from injury, harm or destruction, which may include, but are not limited to, the following:

- Building envelope and site work to preserve the structural integrity of the homes
- Roof, siding and window replacements to assure the water tightness of the housing units
- Upgrading of dangerous electrical or plumbing systems
- Replacement of dangerous building systems that threaten the housing units
- Failed Septic Systems
- Installation of hard-wired smoke alarms, sprinklers and other building fire suppression systems
- Funds cannot be spent for maintenance or operating costs

Whether the BAHT will fund a particular project depends on the facts involved in each case, the amount of funds sought, the eligibility of persons seeking assistance, the necessity of the repairs, the funds available to the BAHT to support such program, whether the homes were acquired or created originally with CPA funds, and other factors. The BAHT may obtain new deed restrictions on properties to ensure the future affordability of the homes. There is no guarantee of financial assistance.

B. SUPPORT PROGRAMS (Loans/Grants for Individuals)

1. Brewster Rental Assistance Program

Provide a monthly rent subsidy and support to income eligible households. This program is currently managed by Housing Assistance Corporation (HAC) for the BAHT. For more information, see the Housing Office Webpage or this link: [Brewster Rental Assistance Information Sheet \(brewster-ma.gov\)](#)

CPA Allowable Activities:

Grants, loans, rental assistance, interest-rate write downs or other assistance directly to individuals who are eligible for community housing for the purpose of making housing affordable

2. Brewster Affordable Home Buyers Buy-Down Program

The Town of Brewster, through Community Preservation Funds, provides up to \$50,000 of grant assistance for eligible buyers purchasing a home in Brewster. The program, contingent on existing funds, is available to households qualifying at 80% AMI (Area Median Income) who agree to place a permanent affordable housing deed restriction on the home. The grant assistance is provided as an interest free loan which is forgivable after 30 years if the owners remain in compliance with the terms of the restriction. This program is overseen by the Affordable Housing Trust and specific applications for this program are available at Town Hall and on the Housing Office webpage: [Buy-Down Ready Buyer Application \(brewster-ma.gov\)](#)

CPA Allowable Activities:

Grants, Loans, Rental assistance, interest-rate write downs or other assistance directly to individuals who are eligible for community housing for the purpose of making housing affordable

3. Community Development Block Grant (CDBG) Housing Rehabilitation & Childcare Assistance Program

CDBG housing rehabilitation and childcare assistance funds are available for low to moderate income Brewster households earning up to 80% of the Area Median Income. Housing Rehabilitation funds can provide a 0% interest, deferred, forgivable loan to make critical home repairs. The program is designed to improve the housing conditions of income qualified households. Funds up to \$50,000 are available to eligible residents to pay for critical home repairs, like: roofing and siding, electrical, heating and plumbing work, structural repairs, lead paint abatement and energy efficiency upgrades such as windows and storm doors. This program is managed by The Resource Inc. (TRI) and applications are available from TRI at jean@theresource.org. Childcare funding offers eligible families subsidies of up to \$7,000 per child, to assist families in seeking or maintaining employment. Bailey Boyd Associates oversees the Childcare assistance and applications are available here: [Childcare Programs — Bailey Boyd Associates.](#)

C. CREATION PROGRAMS (Development Loans/Grants)

1. DEVELOP NEW RENTAL HOUSING (Rental Expansion Program)

- **New Construction Units**

Provide funding assistance to developers for construction of new affordable rentals with deed restrictions required for long-term affordability.

2. DEVELOP NEW HOME OWNERSHIP HOUSING (Home Ownership Expansion Program)

- **New Construction Units**

Provide funding assistance to developers for construction of new home ownership properties with deed restrictions required for long-term affordability.

V. Funding Guidance

The BAHT has established the following funding guidelines for eligible activities:

- All financial transactions undertaken by the BAHT where Community Preservation Act (CPA) funds are used must comply with the requirements of the Community Preservation Act (CPA).
- All affordable rental and homeownership units created through new construction must be deed restricted.
- Development loans provided under the Home Ownership and Rental Expansion Program are limited to up to \$100,000 per affordable unit and a maximum project amount determined by the Trust. Tax credit units are limited to \$50,000 per affordable unit. The BAHT will determine the applicable interest rate to assist with project feasibility. Payments will be deferred until the property is transferred unless the recipient is determined to be in violation of loan terms (allowances for extenuating circumstances with an appeal process), in which case payments will be due. Any loan proceeds will be deposited into the Housing Trust Fund. All loans must be secured by a mortgage against the property and may be subordinated to other project lenders. Deed riders for 10-15 years are required for projects where the loan is more than \$20,000 per unit and required for at least 30 years or in perpetuity for loans of \$50,000 or more per unit.
- For rental developments, the project sponsor must enter into a Regulatory Agreement with the Town and subsidizing agency that insures affordability in perpetuity to the greatest extent possible.
- A Land Development Agreement will be required for any Town-owned land.

- In addition to BAHT approval, expenditures over \$50,000 require Select Board approval.
- Funding is directed to creating and preserving affordable housing for low and moderate income households, as defined below:

Low-income housing – Housing for those persons and families whose annual income is at or below 80% of the area median income (AMI) for the Barnstable County area as determined annually by the U.S. Department of Housing and Urban Development (HUD) and adjusted by household size.

Moderate-income housing – Housing for those persons and families whose annual income is above 80% AMI but at or below 100% AMI for the Barnstable County area as determined annually by HUD and adjusted by household size.

While funded projects can include income tiers above the 100% AMI threshold, the Trust Fund cannot be used for projects that are solely targeted to income levels above the 100% level.

- Funding guidelines can be waived or modified, if permitted under applicable law, upon a majority vote of the BAHT and, if required, by the Select Board.

VI. Project Monitoring

The BAHT, with staff support from the Housing Office and/or management agency, will work with the state's Executive Office of Housing and Livable Communities (EOHLC) and project sponsors to insure that all units that have been funded by the Trust Fund are eligible for inclusion on the SHI, meet all requirements to be counted as part of the SHI, and are monitored to ensure the continued affordability of such units.

BAHT will also monitor the affordability of units that have received Trust funds but are not eligible for inclusion on the SHI. In these cases, the BAHT, with support from the Housing Office and/or a management company, will annually confirm the continued occupancy and eligibility of unit occupants by:

- Checking Assessors records and resident mail listings to verify the continued occupancy of the units. If the units involve homeownership, the deed rider will require that the occupant notify the Town upon any intent to sell, and the Town will have an opportunity to purchase or resell the unit based on a prescribed process included in the deed rider (adaptation of EOHLC's deed rider). If the units involve rentals, send a letter to the project sponsor requesting documentation listing the incomes of the tenants and a copy of their leases to ensure that the tenants meet the income qualifications, and the rents continue to be affordable.
- Checking the Barnstable County Registry of Deeds to make sure that there have been no changes in ownership/residency.

- Preparing an annual compliance report that documents the continued affordability of these units.

VII. Reporting

With staff support from the Housing Office, the BAHT shall prepare an annual report that summarizes the use of Trust funds during the fiscal year including amounts of funding, type of funding, project description and status, as well as the balance in the Trust Fund. The books and records of the Trust shall be maintained by the Town Accountant and audited annually as part of the annual audit of the Town of Brewster. The results of the audit shall be provided to the Town.

VIII. Periodic Updating of the Guidelines

These Housing Guidelines shall be reviewed at least every three (3) years by the BAHT, with input from the CPC and the Brewster Housing Partnership, and updated as necessary. The BAHT is responsible for approving any changes and can also choose to amend the Guidelines any time if it determines that certain requirements are no longer effective or viable or are necessary or appropriate. Section III will be updated regularly to reflect the BAHT's new FY priorities.

IX. Application Process

The application process involves providing information to the BAHT before funding approvals can be granted. All submissions, scheduling and communications will be coordinated through the Brewster Housing Office. The BAHT will accept applications on a rolling basis.

Only those projects that receive the approval of the Board of Trustees and, if required, the Select Board, are eligible to access funding from the Trust Fund. In making its determinations on funding, the BAHT may consult with the Brewster Community Preservation Committee, Planning Department and Planning Board, Zoning Board of Appeals, and/or other Town commissions or boards. The approved applicant must enter into an agreement with the BAHT that specifies the purpose and scope of the project, projected timeframe, and approved funding for the project. The applicant must submit an original copy of the signed contract.

X. Selection Criteria

The BAHT will apply the following selection criteria in its review of applications:

Selection Criteria
<p>The project/program proposal is consistent with the BAHT's Funding Priorities. These include the following:</p> <ol style="list-style-type: none"> 1. Increase affordable housing opportunities for year-round community to the extent permitted by law, by prioritizing opportunities that support the Trust's mission to expand and preserve year-round rental and home ownership homes that are affordable to moderate, low, and very low-income households. These projects should provide a welcoming environment for demographically and socio-economically diverse populations. Proposals may serve a range of local housing needs, even if some of the units may not be eligible for inclusion in the state's Subsidized Housing Inventory (SHI). 2. Advance the creation of year-round affordable rental units to serve Brewster's most financially vulnerable residents and other income-qualified persons and households. 3. Identify and take advantage of existing structures and/or properties that have discounted or nominal acquisition costs, such as town owned or tax foreclosure properties, to make the development of affordable housing more financially feasible. 4. Promote affordable housing using methods that minimize impacts on the built environment, such as accessory apartments, small infill developments in existing neighborhoods, or buy-down initiatives that convert existing housing into affordable units. 5. Develop a range of projects to serve a range of housing needs including housing for families, seniors, and special needs populations. 6. Encourage mixed-income development to promote diversity and inclusion.
The funding request is reasonable as a portion of the overall project costs and on a per-unit basis and adheres to the BAHT Funding Guidelines.
The development pro forma demonstrates that the project is feasible (not applicable if Trust Funds are requested for predevelopment activities to determine feasibility of a project).
The applicant has demonstrated significant leveraging of the requested BAHT Funds with other public and/or private funding sources.
The applicant is qualified to undertake the project and has demonstrated success in similar capacity with comparable projects.
The applicant has demonstrated appropriate site control.
Projects provide additional public benefits such as open space, environmental/conservation, energy efficiency, historic preservation, public safety, economic development, etc.
The project meets demonstrated community needs.
The applicant has demonstrated project support by other Town boards, committees, the Cape Cod Commission, other pertinent organizations, and Brewster citizens, as appropriate.

XI. Application Form/ Attachment List

Town of Brewster
Affordable Housing Trust
Application Package
APPLICATION FORM

Project/Program Name: _____

Trust Program: _____

Project Location

Street Address: _____ Assessor's Map & Lot #: _____

Legal Property Owner of Record: _____

Sponsor(s)/Organization: _____

Contact Person Name & Title: _____

Telephone: _____ Email: _____

Mailing Address: _____

Budget Summary

Total Trust Funds Requested:

Total Project Cost: _____

Sponsor's Signature: _____ Date: _____

Project Summary: *Please summarize the proposed project and any special features (support services, sustainability or energy conservation components, historic preservation, etc.)*

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

1. Sources of Funds: Check all that apply, include dollar amount, and circle if funds are committed or proposed.

- ☐ Brewster Affordable Housing Trust \$ _____ committed/proposed
- ☐ *Brewster Community Preservation Fund \$ _____

(*Some funding from the Trust is derived from Community Preservation Funds. Check this box if seeking additional funds from the Community Preservation Committee.)

- ☐ Private Bank Loan _____ \$ _____ committed/proposed
- ☐ Sales Revenue _____ \$ _____ committed/proposed
- ☐ Other: _____ \$ _____ committed/proposed
- ☐ Other: _____ \$ _____ committed/proposed
- ☐ Other: _____ \$ _____ committed/proposed

2. Uses of Funds: Check all that apply. Predevelopment (feasibility, engineering, appraisals, environmental studies/testing/mitigation, legal work, etc.)

- ☐ Acquisition
- ☐ Preservation
- ☐ Site Preparation (tree clearing, earth removal, etc.)
- ☐ New Construction
- ☐ Redevelopment
- ☐ Administration
- ☐ Operations
- ☐ Marketing
- ☐ Other (please explain)

3. Targeted Population: Check all that apply.

- ☐ Family ☐ Senior/Elderly
- ☐ Homeless/At Risk of Homelessness ☐ Special Needs (identify population): _____
- ☐ Housing with Support Services (identify service providers):
- ☐ Other (identify):

4. Type of Housing: Check all that apply.

Homeownership:

Rental:

- ☐ Single-family ☐ Single Room Occupancy
- ☐ Condominium ☐ Individual/Family
- ☐ Cooperative ☐ Group Residence, Congregate
- ☐ Other ☐ Other (identify):

5. Unit Composition (If Applicable): *List number of units in each category*

	Total	<=30% AMI	<=50% AMI	<=80% AMI	<=100% AMI	<=120% AMI	Market Rate
SRO							
1 Br							
2 Br							
3 Br							
4 Br/+							

Note: Refer to www.huduser.org for latest fair housing rates.

7. If applicable, Information about the Development Team including:

- Owner/sponsor/development entity-
- Experience-
- Architect-
- Engineer-
- General Contractor (if known)-
- Development Pro-forma-
- Operating budget for rental project (For example- One Stop funding application)
- Development pro-forma with sales prices for home ownership units.



Submission: All completed application packets should be submitted to:

Town of Brewster Affordable Housing Trust
 Jill Scalise, Housing Coordinator
 2198 Main Street
 Brewster, MA 02631

Email: jscalise@brewster-ma.gov
 Phone: 508-896-3701, ext. 1169