



REQUEST FOR PROPOSALS # 09-25 For Below Market Rate Housing Development at 35 Sherburne Road, Portsmouth, NH 03801



**City of Portsmouth
Finance/Proposals Department
RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal
ATTN: Procurement Coordinator
1 Junkins Avenue, Portsmouth, NH 03801**

Avesta Housing Development Corporation
307 Cumberland Avenue
Portland, ME 04101
207-553-7777
<https://www.avestahousing.org/estahousing.org>

Contact:
Patrick Hess
Director of Real Estate Development
207-245-3342
phess@avestahousing.org



Letter of Interest

October 9, 2024

Attn: Portsmouth City Council
1 Junkins Avenue
Portsmouth, NH 03801

RE: Sherburne School Site Redevelopment

Dear Councilors:

Thank you for the opportunity to respond to the Request for Proposals for the redevelopment of the Sherburne School building and associated site. First and foremost, we want to commend the City of Portsmouth and community leaders for taking this significant step to consider leveraging a community asset for the purpose of developing housing. We know there are many strategies municipalities can deploy to address the housing crisis, and we appreciate that the City and its residents are taking a direct step to provide much needed housing. There are a range of uses for municipal owned properties and the choice to pursue housing is laudable.

We envision partnering with the City of Portsmouth to redevelop this important community asset into permanent, below market housing. We believe the close alignment of our goals and our extensive experience collaborating with municipalities on similar projects makes Avesta Housing the best match for this opportunity to transform the Sherburne School site into a diverse and affordable community.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Hess".

Patrick Hess
Director of Real Estate Development
Avesta Housing



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Background & Experience

Avesta Housing, founded in 1972, is a Portland-based nonprofit organization whose mission is to improve lives and strengthen communities by promoting and providing quality affordable homes for people in need. The organization has more than 300 employees living in both Maine and New Hampshire, over \$420 million in assets, and an annual budget of \$57 million.

The organization currently owns and manages 100 affordable housing developments with more than 3,000 apartments in Maine and New Hampshire. The portfolio consists of state and federally assisted family and elderly/disabled housing, affordable rent-restricted apartments, mixed-income (affordable and market rate) rental developments, supportive housing for long-term homeless and visually impaired, and unrestricted workforce housing. Additionally, Avesta owns and operates two assisted-living facilities. Both assisted-living facilities offer private pay and MaineCare supported housing for seniors, which uniquely positions Avesta to house and support seniors requiring a higher level of care regardless of their income.

Avesta Housing has an extensive track record of effectively managing budgets, schedules, and project partners in the execution of complex real estate developments ranging in size from 12 to 100 plus units and more than \$50 million in total cost. The organization has developed 100 properties, totaling over 3,000 apartments and homes across 40 municipalities. The Real Estate Development department, a team of ten, has completed new construction, rehabilitation and adaptive reuse projects of varying complexities, mixed-use developments, and redevelopments of older buildings using historic tax credits. The organization has developed three projects for chronically homeless people using the Housing First model. In addition to development, Avesta also acquires existing rent- and/or income-restricted properties to help preserve affordable housing and has completed the development of more than 30 affordable condominiums to provide affordable homeownership opportunities in Portland and Gray.



While Avesta has not had the opportunity to develop permanent, below market housing in Portsmouth, we have developed in nearby Seacoast communities. In Exeter we own and manage 140 permanent, below market housing units in a phased four building development, and in Hampton Falls we developed 72 permanent, below market housing units in a phased three building development. In total, we have over 300 housing units in New Hampshire across six different communities: Lincoln, Conway, Farmington, Antrim, Exeter, and Hampton Falls. In addition, we have two properties with 62 units across the river in Kittery. We have experience securing financing from New Hampshire Housing and other NH-based partners to guide complex multi-phased developments to fruition.

Avesta's experience leveraging various funding sources to successfully develop or rehabilitate properties is one of its strengths. In the past five years, Avesta has secured Low Income Housing Tax Credits, State Housing Tax Credits, Federal and State Historic Tax Credits, American Rescue Plan (ARPA) funding, HUD 221(d)4 financing, HUD Choice Neighborhood grants, Federal Home Loan Bank grants and financing, a Congressionally Directed Spending grant (aka "earmarks"), a Northern Borders Regional Council grant,



Community Development Block Grant funding, NeighborWorks capital grants, tax increment financing, conventional bank financing, and more than \$7 million in philanthropic donations, among other sources.

An important component of Avesta Housing’s development success is the competency of Avesta Housing Management Corporation. The Avesta Housing property management team has significant experience administering several affordable rental assistance programs under HUD, Rural Development, Low Income Housing Tax Credits, and other local, state, and federal housing programs. The Avesta development team collaborates closely with the property management staff and is able leverage their knowledge to make well informed decisions to ensure we are developing sustainable properties that best serve our residents.

Avesta Housing provides leadership and support to the Maine Affordable Housing Coalition (MAHC), the state’s leading housing policy advocacy organization. In 2008, Avesta joined the national NeighborWorks America network, which is comprised of 250 nonprofit housing organizations throughout the country. In 2013, the Housing Partnership Network invited Avesta to join its network of strong, sophisticated, and cutting-edge nonprofit housing organizations. In addition, Avesta is a member of the Workforce Housing Coalition of the Greater Seacoast, which is an organization dedicated to educating, convening, and advocating for housing in the seacoast region of New Hampshire.

Avesta draws upon years of relationships with the financial industry, funders, community leaders, and housing advocates to develop, acquire, and preserve hundreds of affordable units each year. Our skilled development staff contributes extensive management, legal, financial, community planning, and construction experience. Avesta adheres to smart growth principles, sustainability guidelines, and design standards informed by Avesta’s development and property management experience.

In addition to developing new properties, we also invest in Maine and New Hampshire’s large stock of older, affordable, multi-family housing, including developments regulated by USDA Rural Development, HUD, MaineHousing, and New Hampshire Housing. Using a full spectrum of available financial resources, Avesta recognizes the opportunity to acquire and recapitalize these properties rather than see them lost from the pool of affordable housing.

Of paramount importance to Avesta is the recognition that affordable housing is an essential community asset. To that end, Avesta has restored 15 historic properties in Maine and New Hampshire that provide over 600 apartments, including former public and parochial schools, a convent, an early 19th century farmhouse, and the home of a Civil War-era industrialist. Most of the properties are on the National Register of Historic Places. Avesta has been recognized by Maine Preservation, the Maine Real Estate & Development Association (MEREDA), and the Affordable Housing Tax Credit Coalition, among others, for our historic preservation work.

Property Name	City/Town	State	Units
Brick Hill Cottages	South Portland	ME	43
Butler Payson	Portland	ME	56
Central Street	Farmington	NH	11
Cousens School	Kennebunk	ME	28
Emery School	Biddeford	ME	24
Fox School	Paris	ME	12
Hyacinth Place	Westbrook	ME	37
Ingraham House	Portland	ME	12
Iris Park Apartments	Portland	ME	30
Munjoy Commons	Portland	ME	39
Park Street School	Kennebunk	ME	30
Prescott Heights	N. Berwick	ME	20
Seventy-Five State Street	Portland	ME	154
Southgate House	Scarborough	ME	38
Steeple Square	Westbrook	ME	73

Sample Project Experience

Deering Place, Portland, ME

Located in downtown Portland, Deering Place is one of Avesta's most diverse developments and is a prime example of the careful and thoughtful process of resident and stakeholder involvement employed by Avesta. It includes a variety of building types and architectural styles, which we sought to refine in order to meet the existing character and charm of the Parkside neighborhood. Deering Place is a mixed income community of 75 homes in three apartment buildings in Portland's historic Parkside neighborhood. 61 Deering is new construction, 63 Deering is a renovation, and 510 Cumberland Ave is an adaptive reuse of an existing building plus an addition and enclosed parking. Residents enjoy onsite amenities including a community room, laundry facilities, and a parking garage. The city's Parkside Community Policing office is also located onsite, providing residents with immediate access to community services and programming.

With Deering Place, Avesta Housing provides a mixture of affordable and market-rate homes in the heart of downtown Portland. The campus' close proximity to nearby schools, medical facilities, public transit, retail and dining, recreational areas, and more make it an ideal location for affordable housing.

Total Development Cost (TDC): \$16,225,000 | Completed 2022



Emery School, Biddeford, ME

This Georgian Revival-style former school building was built in 1913 and the renovated building consists of 24 affordable apartments, completed in 2012.

Exterior renovations preserved the building's granite and cast stone trim, red brick façade, and large entrances. Avesta installed a new roof, which now features solar panels, and new windows. Inside, wide hallways showcase the restored original wood floors, tin ceilings, and wood trim. The apartments feature the original classroom chalkboards and glass-paned cabinetry that formerly held books. The auditorium and stage were converted into a community room for residents to socialize. A second community room on the first floor includes a shared kitchen and computers for resident use.



TDC: \$6,375,000 | Completed 2012



Park Street School, Kennebunk, ME

Avesta redeveloped the historic Park Street School into 30 affordable apartments for seniors in 2012. The project included the adaptive reuse of the former Kennebunk High School built in 1922 and construction of a new, two-story 15,000 square foot addition. The original wood and cast stone trim of the buildings' facades was replicated as part of the historic preservation. The renovation also retained many of the original historic details of the school, including classroom chalkboards and coat closets, slate floors, glass-paned doors and transom windows.



The reuse of an existing building, existing public space in particular, requires that any additions respect and honor the existing structure, while remaining distinct enough so as not to diminish its historic and community value. The marrying of structures, the old and the new, requires a good architect, a thoughtful team, and robust attention to detail. Avesta has a demonstrated track record in delicately combining the existing with the new and in so doing honoring a community's history and connection to place. Park Street School remains a vibrant part of Kennebunk community and has been reinvigorated with 30 affordable apartments and community gardens.

TDC: \$7,670,000 | Completed 2012





Development Team & Professional Qualifications

Rebecca Hatfield, President & CEO

Rebecca Hatfield joined Avesta Housing in 2015 and is the president & CEO, leading 300+ staff to provide safe, affordable homes and support services to 5,000 people every day. Prior to Avesta, Rebecca was a Senior Vice President at Citigroup, working in various roles within the commercial and corporate banks. She has over 15 years of experience in finance, with a focus on deal structuring, underwriting, risk analysis, and portfolio management, and has extensive experience completing real estate transactions.

Rebecca was named a Mainer of the Year in 2022 by Maine Magazine and a Woman to Watch in 2021 by MaineBiz magazine. She is the board vice chair for Genesis Community Loan Fund and serves on the boards of the Gulf of Maine Research Institute, the John T. Gorman Foundation, and Camden National Corporation. She served on the boards of the Maine Council on Aging and the Maine Real Estate and Development Association (MEREDA). Rebecca earned a degree in Computer and Information Science from University of Maryland and a M.B.A from University of California, Anderson School of Management.

Patrick Hess, Director of Real Estate Development

Patrick Hess started at Avesta Housing in 2017 and was promoted to his current role in 2022. Prior to Avesta, Patrick worked in a range of real estate, community, and economic development capacities for the City of New York, most recently as Chief of Staff for Development at the New York City Department of Housing Preservation and Development. He also worked on the construction of affordable housing with Habitat for Humanity – New York City as an AmeriCorps volunteer and site supervisor. Patrick earned a Bachelor of Arts in History from Boston College and a Masters of Urban Planning from New York University, Wagner Graduate School of Public Service. He was formerly certified with the AICP.

Todd Rothstein, Director of Construction Services

Todd Rothstein started at Avesta Housing in 2013 as the Director of Construction Services. He is responsible for overseeing design and construction of new developments and major-rehabilitation projects. Todd also works with our Property Management division staff to improve building efficiency to help ensure long-term sustainability of Avesta properties. Prior to joining Avesta, Todd worked for a construction management company as Project Manager and Business Development Manager. Todd earned a B.S. in Education from S.U.N.Y. Cortland and ROTC Certificate at Norwich University Military Academy in Northfield, VT. He is a certified Passive House consultant. Todd is a member of Efficiency Maine's Low-Income Advisory Group and Governor Mills' Maine Climate Council.

Nate Howes, Senior Development Officer

Nate Howes joined Avesta in 2019 as a Development Officer. Prior to Avesta, Nate worked as a multifamily underwriter and low-income housing tax credit administrator for MaineHousing. At MaineHousing he oversaw projects from application to completion ensuring their financial solvency and regulatory compliance. Nate earned a Bachelor of Arts in History from George Washington University and a Master of Science degree in International Affairs: Conflict Studies from the London School of Economics and Political Science. He is also a certified tax credit underwriter under the National Development Council's Rental Housing Development Financial Professional (RHDFP) program.



Property Management Team & Professional Qualifications

Amanda Gilliam, Vice President of Property Management & Resident Services

Amanda Gilliam joined Avesta Housing in 2014. Since that time, she has served in several roles on the property management team and has worked with our LIHTC, Rural Development and HUD properties across Maine and New Hampshire. In her current role, Amanda oversees Avesta’s property management, maintenance, leasing, and resident services staff, as well as our reception and administrative support team. Amanda holds a Certified Occupancy Specialist, Certified Credit Compliance Professional and an RD 515 STAR, among several additional affordable housing certifications. She earned an MBA from the University of Southern Maine and a BS in International Business from Grove City College.

Architectural Team & Professional Qualifications

William North Sturtevant, CEO and Principal, JSA Design

North guides the daily operations of JSA’s office and heads its education studio. Often leading community charrettes for clients as well as Plan NH, a non-profit planning and development organization, North is a long-time advocate for improving the built environment to enhance community, preserve history and stewardship. A Yale University graduate with a degree in architecture, North volunteers for efforts supporting affordable housing. He sits on the board of 3S Artspace in Portsmouth; the Municipal Technical Assistance Grant committee, and is a past board president, and current volunteer, with Plan NH.

Mark Moeller, Principal, JSA Design

As the design principal at JSA, Mark brings more than 36 years of design expertise and graphic ability to each of project, creating contextual architecture that embraces its surroundings. His work can be seen in JSA projects of all types, from New England to Florida, to Colorado and Utah. His work has won numerous awards from the Design for Aging Review, the American Institute of Architects, and the National Association of Home Builders. A graduate of the University of Minnesota with degrees in architecture and environmental design, he received the Rotch Travelling Scholarship from the Boston Society of Architects.

Current Work Schedule and Availability

Avesta Housing’s development team has a staff of nine highly qualified individuals. We diligently manage our pipeline to ensure that projects are adequately staffed and advance expeditiously.

Project Name	Location	Units	Status	TDC
Snow School	Fryeburg, ME	28	Complete, 2024	\$9,665,000
Village Commons	Scarborough, ME	31	Complete, 2024	\$10,713,000
Choice Wedgewood	Lewiston, ME	82	In Construction, Est. Complete, 2025	\$50,500,000
Meadowview II	Gray, ME	26	In Construction, Est. Complete, 2025	\$9,819,000
Edgewater Village	Farmington, ME	25	Pre-construction, 2024 start	\$9,215,000
Seavey Street	Westbrook, ME	61	Pre-construction, 2024 start	\$22,978,000
Choice DeWitt	Lewiston, ME	104	Pre-construction, 2025 start	\$44,600,000
River Turn II	Conway, NH	40	Pre-construction, 2025 start	\$15,000,000
Oxford Street	Portland, ME	48	Pre-construction, 2025 start	\$19,800,000
Williston-Immanuel	Portland, ME	33	Pre-construction, 2025 start	\$15,000,000
Barra Road	Biddeford, ME	46	Pre-construction, 2025 start	16,500,000



Diversity and Inclusion

Avesta Housing's mission is rooted in social justice. We work tirelessly to examine our practices and embark on a deep and holistic transformation to further diversity, equity, inclusion (DEI), and anti-racism. In fact, DEI is key priority within our newly adopted strategic plan. Fostering a workplace where everyone feels valued and appreciated for their contributions is crucial to our success.

We recently worked with YWCA of Central Maine to conduct a DEI survey of all Avesta Housing staff. This is one part of a larger Organizational Equity Health Audit. The survey results help us examine our policies and procedures so we can drive relevant, measurable changes in DEI.

As it relates to Parcel 259-10, we will be intentional in our site plan and building design to cultivate a diverse community. Facilities and programs used by residents with disabilities, including the proposed community garden, shall be made accessible. It is Avesta Housing's policy to not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g., households with children born to unmarried parents, or households whose head or spouse is a student).

In compliance with the July 13, 2015 HUD Final Rule – Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, our policy is to ensure that HUD-assisted housing is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status.

Each applicant in a particular group or category must be treated on an individual basis in the normal processing routine.

Communication

The development of Parcel 259-10 will be led by members of our Development and Construction Services team. They will serve as the primary points of contact throughout the planning and construction process. In the past, we have offered periodic construction updates to community members in close proximity to the development, so they are better able to anticipate various phases of construction. We can also set up a dedicated e-mail address for the purpose of fielding questions about the development. Avesta Housing has a long history of engaging abutters and the broader community throughout the development process. In addition, we are often invited by community leaders and organizations to participate in charettes and community forums regarding housing. We value these opportunities to share our expertise, advocate for low-income families and older adults, and learn from neighbors about the challenges they face or the opportunities they envision for their town or city. We know that not all communities are the same and therefore not all housing developments will be the same. We listen to the community in order to develop housing that strengthens neighborhoods and creates opportunities for families and older adults.

Third-Party References

Rob Dapice, Executive Director, New Hampshire Housing, 603-310-9242

Katie Haley, Town Manager, Town of Fryeburg, 207-935-2805

Thomas Hall, Town Manager, Town of Scarborough, 207-730-4031

Michael Castagna, Founder, Castagna Consulting Group, 603-540-7106

Sara Butterfield, Executive Director, Mt. Washington Valley Housing Coalition, 603-303-7924

Development Scenarios

Avesta Housing proposes two development scenarios which will be referred to as Scenario A and Scenario B. Herein (see Exhibits C, D, and E). The scenarios maximize Parcel 259-10 for affordable residential development, while including open space for community use.

Scenario A proposes a demolition of the existing Sherburne School. We determined the School is not suited for reuse into housing. There would need to be significant investments made to improve the energy efficiency of the building to create a comfortable environment for residents and a cost-effective system for the owner. In addition, the current building design is not conducive to creating the number of units necessary to warrant investment in upgrades and improvements. The one-story structure is particularly problematic to make the School worthwhile for residential use. At least one additional level would be needed, which would require a major alteration with removal of the School's roof and steeple. An adaptive reuse of the School for housing would require more dollars on a per unit basis than if the dollars were directed to new housing. In order to maximize the use of the site and build the best affordable housing units, we determined the School should not be pursued for residential purposes.

By demolishing the School, Scenario A depicts a new residential building (Building A) in its place, closer to the street. Building A would be an age-restricted development (55 years old or older). Unlike Building B and C, Building A's design would mimic design elements from the original Sherburne School. We recently developed housing in Fryeburg, ME at the site of the former Snow School (see Exhibit F). Like Scenario A, we did not retain the existing school in Fryeburg due to similar structural and mechanical deficiencies. However, we used the original school as inspiration for the new building's design. There are many elements of the existing School like its distinct entrance, pitched roofs, and window pattern that would be used to pay homage to the site's history and architecture.

Removing the School will create a more spacious site layout by moving the new building closer to the road. This will ensure parking is in the rear of the building, allows for better vehicle circulation, including emergency services and allows for a larger centralized green space, which is larger than the site plan proposed in Scenario B. The green space includes a playground, picnic area with tables and a covered structure, and an open area for soccer or other organized activities. We envision this "great lawn" as a focal point for the community, where children and adults will gather for socialization and recreation. It is inspired by a similar community we developed in Westbrook, ME known as Steeple Square (see Exhibit G). We also show a community garden adjacent to the proposed community space. Once again, we envision a shared community space where residents and neighbors can grow vegetables and flowers in raised beds. Avesta's Resident Services Department has made great stride in this area of expertise, from children's activities, community sharing and garden to table cooking lessons. We have these programs at many of our developments, including River Turn in Conway, NH (see Exhibit H). These amenities have

been cherished by residents in our experience as places to socialize, decompress, and take pride in growing their own food.

Overall, Scenario A features three separate residential buildings including the aforementioned age-restricted building in the area of the site previously occupied by the School. This building is noted as Building A and features three stories and 39 one-bedroom units. The second and third buildings are labeled Building B and Building C and are located towards the back of the site. These buildings are four-story developments that contain 37 units each which includes four one-bedroom units, twenty-nine two-bedroom units, and four three-bedroom units. Buildings B and C would not be age restricted. We chose this assortment of bedroom counts based on our experience at the Meeting Place apartments developed and managed in Exeter, NH. We know the greatest demand among non-age restricted housing is for two-bedroom units. At our age-restricted developments, one-bedroom units are most common and meet the needs of residents. The final unit count and types can be changed following feedback from the City, community, and potential funding sources.

Buildings B and C are non-age restricted affordable housing developments. It is worth noting that while these buildings are taller than Building A, they are taking advantage of a roughly 10' grade change on the site. We also plan to use the existing vegetative buffer which is well established as a benefit. This buffer along with more plantings will mitigate sightlines and noise from the turnpike and nearby properties. In fact, this proposed scenario avoids building within proximity to the nearest abutting residential property. Finally, Scenario A includes 149 parking spaces. This is likely on the higher end of what's needed and could be lower based on a parking study we completed for other developments and feedback from City staff. Leaning on our experience at the Meeting Place apartments in Exeter, we know not all residents will own a vehicle. Across 140 total units in Exeter, 72 percent of households own a vehicle. If we applied the same percentage at this site, 82 parking spaces for residents would be required and some additional spaces for visitors.

In all three buildings, rental pricing will be based on the established income limits published by New Hampshire Housing (NHH) in accordance with the U.S. Department of Housing and Urban Development (HUD). Households will generally be rent restricted at or below 60 percent of area median income (AMI) for the Portsmouth-Rochester, NH HUD Metro Fair Market Rents Area (HMFA) (see Exhibit I). It is worth noting, however, NHH does encourage income averaging at or below 80 percent of AMI, which subject to project underwriting and financing availability. Generally, a proposed affordable housing development is only financially feasible, under current market conditions, if it exceeds 30 units.

Scenario B proposes demolition to only a portion of the existing Sherburne School. As noted in the documentation provided by the City, the School was previously altered to add a gymnasium and other spaces over time. As a result, it no longer depicts its original U-shape design with a center courtyard. The School's most notable elements are concentrated at the front with its distinct entrance, large windows, and prominent steeple. Scenario B envisions demolition to the back portion of the School but retaining the frontside. The City could then renovate the School into a community space for public use. If the City elects to preserve the School, Avesta Housing recommends the City retain ownership of the School and raise the requisite funding for its reuse. If the City desires, Avesta Housing can serve as the development consultant on this portion of the project. The removal of the back sections to the building are necessary

to provide adequate parking, a bus stop, and requisite space for the proposed residential developments. In addition, the School is not currently on the registry of historic places. Based on our rudimentary review, it seems unlikely it would qualify for such a designation based on alterations and general condition of the interior finishes made to the original structure. If the City wished to explore such a designation, it would need to hire a historic preservation consultant for this purpose.

Scenario B also proposes three separate residential buildings behind the School (proposed community space) with the same unit counts and composition as Scenario A. The only notable difference between these proposed buildings when compared to Scenario A is the layout of Building A. It has an L-shaped design to accommodate a buffer between the site and the abutting property and to provide room for an access road for emergency vehicles. There are 172 parking spaces allocated to the site. This is an increase in parking spaces when compared to Scenario A, because Scenario B proposes reusing the School as community space which requires additional parking. Scenario B's proposed parking accounts for resident car ownership, visitors, and those utilizing the proposed community space. The proposed use of the School as a community space in Scenario B will generate vehicle trips to and from the site. If the highest and best use of the site is affordable housing, trip generation from a community center might be another reason to avoid renovations to the School.

Scenario B also depicts a centralized green space for community enjoyment. We envision this space being utilized by children and adults alike for socialization and recreation, which will compliment activities and programming at the community space which will occupy the former School. However, the amenity has to be reduced because of the siting of the original building and the added vehicular parking spaces.

We have prepared a development pro forma (see Exhibit J). The pro forma assumes the costs of renovating the School into a community space (Scenario B) or its demolition (Scenario A) will either be fundraised or covered by other funding sources such as the U.S. Environmental Protection Agency's (EPA) Brownfields Program. In addition, we are assuming \$0 site acquisition and a \$0 annual lease fee from the City. We estimate that the total cost of the residential buildings in both scenarios would be approximately \$45,895,000. Due to programmatic limitations at NHH, we would apply for one building each year. In addition, the pro forma assumes a \$325 per square foot building cost, which is subject to changes based on future market conditions. The cost of the two non-age restricted buildings is also slightly higher than the age-restricted building due to the space required to accommodate more bedrooms in the units. We expect roughly \$930,000 in soft costs and over \$1.2 million to cover fees and reserves for each building. Ultimately, we would seek financing from NHH, Federal Home Loan Bank of Boston, and the Community Development Block Grant (CDBG) program. Other possible funding sources to cover gap financing are Tax Increment Financing (TIF), which is highlighted in the NH Housing Toolbox (nhhousingtoolbox.org), or congressionally directed spending (CDS).

Implementation Plan and Timeline

If our proposed development of the Sherburne School site were selected, we would begin the process of assembling our initial design team. We are committed to working with JSA Designs as the architect for this project. We would also need to contract with a civil engineering firm. In addition, we would need to hire a

firm to conduct a Phase I environmental study of the site and a geotechnical engineer to conduct test borings. Together, the design team will refine the site plan initially outlined in this RFP.

We would also schedule a neighborhood meeting ahead of a submission to the City. This meeting would be an opportunity for community feedback and for us to potentially adjust a proposed site plan as a result of the community input. Community engagement is an integral part of our development process. We believe it is important for community members, especially those closest to the development site, to have a chance to ask questions and engage the design team. Similarly, we value communication with neighbors during the construction process, adding awareness of activities and milestones.

Following a neighborhood meeting, we would request a Preliminary Conceptual Consultation with the Planning Board per the Site Plan Review Regulations. This meeting provides an opportunity to receive initial feedback on the site plan and to make changes ahead of subsequent meetings with the Planning Board. We understand this request should be submitted at least 14 days prior to the date of a scheduled meeting of the Planning Board and is required due the number of dwelling units in our proposal, the gross floor area, and the construction of three structures on a single parcel.

We would spend time with our design team adjusting the site plan in anticipation of submitting a final application for site plan review. It is our understanding based on the Regulations that we would appear before the Technical Advisory Committee (TAC) and then before the Planning Board for a public hearing. The public hearing would occur within 30 days of receipt of a recommendation from the TAC. We would expect an additional meeting to be scheduled by the Planning Board for final approval. All in all, we would anticipate the municipal approvals process requiring at least four months.

The Low-Income Housing Tax Credit (LIHTC) program will be the primary funding source for this proposed development. In order to compete for these funds, we would need municipal approvals ahead of NHH’s application deadline in late September. In addition, we would need relevant state permits, including those issued by the New Hampshire Department of Environmental Services and the New Hampshire Division of Historical Resources, ahead of the NHH application deadline.

If we secure municipal approvals before the NHH application deadline and financing is awarded accordingly, we will anticipate a Fall 2026 construction start on the first building. Each building would likely require 12-18 months to complete. The following table provides a possible construction and occupancy timeline; a shortened timeline may be feasible depending on availability of financing not currently anticipated:

	Building Construction Start	Occupancy Start
Building A	September 2026	December 2027
Building B	April 2028	May 2029
Building C	April 2030	May 2031



Management Plan

The development will be managed by Avesta Housing Management Corporation (AHMC) in a fashion consistent with good professional management practices and in a manner conducive to the preservation and enhancement of a desirable living environment. AHMC leverages economies of scale and a wealth of experience with its established property management and resident services teams in nearby communities within the NH seacoast and southern Maine.

Avesta Housing assumes the responsibility for and has an obligation to various aspects of managing the development:

1. Financial
 - a. Prepare annual budgets
 - b. Prepare the development and its systems and financial records for annual reviews by auditors and regulatory agencies
 - c. Collect rent, security deposits, damages, fees and miscellaneous income
 - d. Track accounts receivables and monitor delinquent accounts
 - e. Process rent increases and contract renewals
 - f. Arrange for year-end audit
 - g. Monitor financial reports monthly

2. Operational
 - a. Initiate rental payment agreements and follow through with eviction proceedings if necessary
 - b. Handle resident complaints, lease compliance issues, and make appropriate referrals
 - c. Enforce leases, rules and regulations
 - d. Monitor rental activity and assist in maintaining high occupancy
 - e. Organize Resident Councils as required
 - f. Review, interpret, and conform to all local, state, and federal regulations
 - g. Develop, implement, and maintain systems to monitor and analyze the financial, physical, and resident status of the properties
 - h. Execute and oversee contractual services, agreements, and products furnished by third parties
 - i. Provide for the operation of the development in an efficient and effective manner in accordance with the Regulatory Agency, and Owner/investor stated policies and procedures communicated to Agent
 - j. Arrange for the adequate provision of property, liability, and other required insurance
 - k. Calculate rent amounts and process subsidy requests and special claims when applicable

3. Administration/Communication/Reporting
 - a. Communicate with regulatory agencies, owners/investors, and local authorities
 - b. Maintain and store resident records in accordance with regulatory requirements
 - c. Maintain plans, specifications, warranties, and equipment details
 - d. Review all relevant correspondence, reports, audits, and reviews

- e. Oversee the implementation and maintenance of all records, files, forms and reporting systems for management operations
 - f. Prepare and maintain all reports required by all regulatory agencies and investors, to be completed on time and in prescribed form
4. Staffing
- a. Provide staff training, guidance, and support on systems, polices, and procedures
 - b. Hire, supervise, evaluate, discipline, and terminate staff as necessary
 - c. Provide necessary staff certification training in relation to compliance obligations of the development
 - d. Hire staff in conformance with Federal, State and Local laws pertaining to equal opportunity
5. Occupancy
- a. House applicants in accordance with the AHMC Resident Selection Policy (see Exhibit K)
 - b. Rental pricing will be based on the established income limits published by New Hampshire Housing (NHH) in accordance with the U.S. Department of Housing and Urban Development (HUD). Rental pricing will not exceed 40 percent of household income. Households will be rent restricted at or below 60 percent of area median income for Portsmouth-Rochester, NH HUD Metro Fair Market Rents Area (HMFA)
 - c. Achieve occupancy-related compliance with regulatory, municipal, low-income housing tax credit, 504 Fair Housing rules and regulations, related agreements, mortgages and financial documents, based on development funding sources
 - d. Provide a Resident Orientation upon move-in
 - e. Prepare leases and move-in paperwork
 - f. Maintain all resident and program-related records
 - g. Maintain the highest level of occupancy by occupying vacant units as quickly as possible
6. Marketing
- a. Perform lease-up activities in advance of new construction completion including but not limited to outreach, open houses, property website, property software set-up, application processing and working with the development division for a smooth transition from development to management. A lottery mechanism could be used for resident selection if required by local authorities. AHMC recently administered a lottery selection at West End Apartments II in South Portland, ME.
 - b. Marketing and, upon obtaining a Certificate of Occupancy, rent-up of the development
 - c. Market existing apartments to maximize occupancy
 - d. Market mission and services with partner agencies and organizations to connect potentially eligible applicants (e.g. the disabled/ handicapped) in order that accessible/adaptable apartments are brought to the attention of people who

can best take advantage of these apartment's accessible or adaptable features. Additionally, social service agencies that serve and advocate for potential applicants as identified in the Affirmative Fair Housing Marketing Plan as least likely to apply.

7. Compliance

- a. Prepare and cooperate with Regulatory Agency's periodic compliance reviews
- b. Determine applicant eligibility based upon program requirements such as initial completing initial certifications, annual and interim recertifications, verifications, and lease renewals
- c. Review and approve resident requests for reasonable accommodations relating to accessibility and Fair Housing issues
- d. Prepare regulatory agency reports as required by all parties (i.e. Tenant Income Certifications, Project Worksheets for Interest Credit and Rental Assistance, etc.)

8. Work Orders

- a. Work with maintenance personnel to ensure work orders and unit turn-over are completed in a timely and efficient manner
- b. Act as liaison if a work order completion will be delayed, if written notification of inspections is necessary or if follow-up information needs to be relayed to a resident in relation to a maintenance repair
- c. Communicate budgetary restrictions for maintenance related purchases and track variances that may negatively affect a property's operating cash

9. Inspections

- a. Perform annual unit inspections with maintenance personnel and confirm the completion of work orders in response to inspections
- b. Perform move-in and move-out inspections with maintenance personnel when required
- c. Perform periodic and consistent site inspections of common areas, hallways, walkways, exterior lighting and general visual inspections of physical structure condition and communicate any concerns to maintenance personnel

10. Contracts

- a. Ensure contracts exist for inspections for alarms, elevators, mechanical equipment and safety equipment in accordance with state law. Execute and oversee contractual services, agreements, and products furnished by third parties in accordance with property and regional manager
- b. Act as liaison between residents and maintenance personnel in relation to grounds and snow contracts to ensure that performance is within AHMC standards and safety requirements
- c. Coordinate payments for recurring or one-time projects with accounting department if applicable



11. General

- a. Monitor internal and contracted Capital Needs Plans and Assessments in accordance with annual budget and regulatory agency approved expenditures
- b. Adhere to renewable energy and sustainability standards when applicable
- c. Engage in efforts to conserve energy on a personal and project basis
- d. Maintain consistent communication with maintenance personnel to share information, address maintenance or resident issues and provide consistent feedback to residents and contractors

Summary

We are pleased to submit this proposal for your consideration. Avesta Housing is uniquely positioned to develop this site to its highest and best use. Providing safe, affordable housing has been our mission since our founding in 1972. It would be an honor to partner with the City of Portsmouth, community leaders, neighbors, and others to build homes on Sherburne Road that will transform the lives of the site's future residents for years to come. We look forward to saying, "Welcome home!"



Exhibit A

Applicant Certification

The Applicant hereby certifies that:

1. The applicant has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of contract for these services.
2. No consultant to, or subcontractor for the applicant has given, offered, or agreed to give any gift, contribution, or offer of employment to the applicant, or, to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the applicant.
3. That no person, corporation, or other entity, other than a bona fide full-time employee of the applicant has been retained or hired to solicit for or in any way assist the applicant in obtaining the contract for services upon an agreement or understanding that such person, corporation, or entity be paid a fee or other compensation contingent upon the award of the contract to the applicant. I hereby attest with full knowledge of the penalties for perjury, that all information provided in this application for services is correct.

Patrick Hess
Executor (Printed)


Executor (Signature)

Director of Real Estate Development
(Title)

Avesta Housing
(Name of Firm)

307 Cumberland Ave, Portland, ME 04101
(Address)

October 9, 2024
(Date)



Exhibit B

Proposal Signature Page

RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal

Avesta Housing
Company Name

Patrick Hess
Contact Person *(please print)*

307 Cumberland Ave
Street

207-245-3342
Phone

Portland, ME 04101
City, State, Zip

phess@avestahousing.org
Email

Submits the attached Proposal to the City of Portsmouth, on the authority of the undersigned and as dated below. I confirm and pledge to abide by and be held to the requirements of this RFP and its resulting Land Lease Agreement, to perform any tasks and deliver any documents required.

Proposer acknowledges receipt of the following addenda*

- 1. Addendum 1
- 2. _____
- 3. _____
- 4. _____

Individual or Authorized Agent of the Contractor


Name (Signature)

Patrick Hess
Name (Printed)

Director of Real Estate Development
Title

October 9, 2024
Date

Form must be signed by a duly authorized officer(s) eligible to sign contract documents for the respondent firm, joint ventures, or teams submitting proposal. Proposals will not be considered responsive unless it is established that all contractual responsibility rests solely with one contractor or one legal entity. The Proposal must indicate the responsible entity.

* to be filled in by proposer, if addenda are issued.

Exhibit C

Scenario A | Site Plan



Scenario A 113 units

- A 3 Story**
39 units; all 1BR
 - B 4 Story**
37 units
4 1BR; 29 2BR; 4 3BR
 - C 4 Story**
37 units
4 1BR; 29 2BR; 4 3BR
- Key**
- 1. Community Garden
 - 2. Bus stop
 - 3. Play structures
 - 4. Shared open space
 - 5. Landscape buffer

Exhibit D

Scenario B | Site Plan



Scenario B 113 units

CC Community Center
Partial re-use

A 3 Story
39 units; all 1BR

B 4 Story
37 units
4 1BR; 29 2BR; 4 3BR

C 4 Story
37 units
4 1BR; 29 2BR; 4 3BR

Key

- 1. Bus stop
- 2. Shared open space

Exhibit E

Scenario A | Aerial View



Exhibit F

Snow School | Fryeburg, ME



Exhibit G

Steeple Square | Westbrook, ME

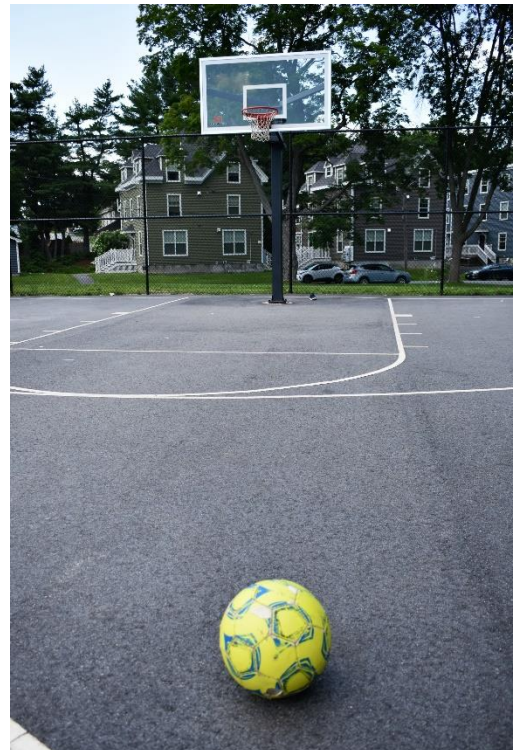


Exhibit H

Gardens at River Turn | Conway, NH





Exhibit I

2024 Program Area Income Limits

2024 AREA PROGRAM INCOME LIMITS

Low Income - 80%
 Very Low Income - 50%
 Extremely Low Income - 30%

Effective Dates

Housing Voucher and Tax Credit Program: 4/1/2024
 HOME Program: 6/15/2023
 Housing Trust Fund: 6/15/2023

Revised Date

4/2/2024

Household Size (Persons)

Area	Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
HUD Metropolitan FMR Areas									
Boston-Cambridge-Quincy, MA-NH HMFA	80% of AMFI	\$91,200	\$104,200	\$117,250	\$130,250	\$140,700	\$151,100	\$161,550	\$171,950
NH Portion	60% of AMFI	\$68,520	\$78,360	\$88,140	\$97,920	\$105,780	\$113,640	\$121,440	\$129,240
HUD Median Family Income - \$148,900	50% of AMFI	\$57,100	\$65,300	\$73,450	\$81,600	\$88,150	\$94,700	\$101,200	\$107,700
	30% of AMFI	\$34,300	\$39,200	\$44,100	\$48,950	\$52,900	\$56,800	\$60,700	\$64,650
HOME	30% of AMFI	\$31,150	\$35,600	\$40,050	\$44,500	\$48,100	\$51,650	\$55,200	\$58,750
Housing Trust Fund	30% of AMFI	\$31,150	\$35,600	\$40,050	\$44,500	\$48,100	\$51,650	\$55,200	\$58,750
Lawrence, MA-NH HMFA	80% of AMFI	\$68,500	\$78,250	\$88,050	\$97,800	\$105,650	\$113,450	\$121,300	\$129,100
NH Portion	60% of AMFI	\$56,280	\$64,320	\$72,360	\$80,400	\$86,880	\$93,300	\$99,720	\$106,140
HUD Median Family Income - \$127,900	50% of AMFI	\$46,900	\$53,600	\$60,300	\$67,000	\$72,400	\$77,750	\$83,100	\$88,450
	30% of AMFI	\$28,150	\$32,200	\$36,200	\$40,200	\$43,450	\$46,650	\$49,850	\$53,100
HOME	30% of AMFI	\$25,600	\$29,250	\$32,900	\$36,550	\$39,500	\$42,400	\$45,350	\$48,250
Housing Trust Fund	30% of AMFI	\$25,600	\$29,250	\$32,900	\$36,550	\$39,500	\$42,400	\$45,350	\$48,250
Portsmouth-Rochester, NH HMFA	80% of AMFI	\$68,500	\$78,250	\$88,050	\$97,800	\$105,650	\$113,450	\$121,300	\$129,100
HUD Median Family Income - \$131,200	60% of AMFI	\$55,140	\$63,000	\$70,860	\$78,720	\$85,020	\$91,320	\$97,620	\$103,920
	50% of AMFI	\$45,950	\$52,500	\$59,050	\$65,600	\$70,850	\$76,100	\$81,350	\$86,600
HOME	30% of AMFI	\$27,550	\$31,500	\$35,450	\$39,350	\$42,500	\$45,650	\$48,800	\$52,720
	30% of AMFI	\$25,900	\$29,600	\$33,300	\$36,950	\$39,950	\$42,900	\$45,850	\$48,800
HERA Special*	60% of AMFI	\$57,120	\$65,280	\$73,440	\$81,600	\$88,140	\$94,680	\$101,220	\$107,760
HERA Special*	50% of AMFI	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,350	\$89,800
Housing Trust Fund	30% of AMFI	\$25,900	\$29,600	\$33,300	\$36,950	\$39,950	\$42,900	\$45,850	\$50,560
Western Rockingham Co., NH HMFA	80% of AMFI	\$68,500	\$78,250	\$88,050	\$97,800	\$105,650	\$113,450	\$121,300	\$129,100
HUD Median Family Income - \$143,700	60% of AMFI	\$60,360	\$69,000	\$77,640	\$86,220	\$93,120	\$100,020	\$106,920	\$113,820
	50% of AMFI	\$50,300	\$57,500	\$64,700	\$71,850	\$77,600	\$83,350	\$89,100	\$94,850
	30% of AMFI	\$30,200	\$34,500	\$38,800	\$43,100	\$46,550	\$50,000	\$53,450	\$56,900
HOME	30% of AMFI	\$28,150	\$32,150	\$36,150	\$40,150	\$43,400	\$46,600	\$49,800	\$53,000
Housing Trust Fund	30% of AMFI	\$28,150	\$32,150	\$36,150	\$40,150	\$43,400	\$46,600	\$49,800	\$53,000
Manchester, NH HMFA	80% of AMFI	\$64,050	\$73,200	\$82,350	\$91,500	\$98,850	\$106,150	\$113,500	\$120,800
HUD Median Family Income - \$114,400	60% of AMFI	\$48,060	\$54,960	\$61,800	\$68,640	\$74,160	\$79,680	\$85,140	\$90,660
	50% of AMFI	\$40,050	\$45,800	\$51,500	\$57,200	\$61,800	\$66,400	\$70,950	\$75,550
	30% of AMFI	\$24,050	\$27,450	\$30,900	\$34,300	\$37,050	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$22,250	\$25,400	\$28,600	\$31,750	\$34,300	\$36,850	\$39,400	\$41,950
HERA Special*	60% of AMFI	\$48,600	\$55,560	\$62,520	\$69,420	\$75,000	\$80,580	\$86,100	\$91,680
HERA Special*	50% of AMFI	\$40,500	\$46,300	\$52,100	\$57,850	\$62,500	\$67,150	\$71,750	\$76,400
Housing Trust Fund	30% of AMFI	\$22,250	\$25,400	\$28,600	\$31,750	\$35,140	\$40,280	\$45,420	\$50,560

2024 AREA PROGRAM INCOME LIMITS

Low Income - 80%
 Very Low Income - 50%
 Extremely Low Income - 30%

Effective Dates

Housing Voucher and Tax Credit Program: 4/1/2024
 HOME Program: 6/15/2023
 Housing Trust Fund: 6/15/2023

Revised Date

4/2/2024

Household Size (Persons)

Area	Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Nashua, NH HMFA HUD Median Family Income - \$134,400	80% of AMFI	\$68,500	\$78,250	\$88,050	\$97,800	\$105,650	\$113,450	\$121,300	\$129,100
	60% of AMFI	\$56,460	\$64,560	\$72,600	\$80,640	\$87,120	\$93,600	\$100,020	\$106,500
	50% of AMFI	\$47,050	\$53,800	\$60,500	\$67,200	\$72,600	\$78,000	\$83,350	\$88,750
	30% of AMFI	\$28,250	\$32,250	\$36,300	\$40,300	\$43,550	\$46,750	\$50,000	\$53,200
	HOME	\$27,250	\$31,150	\$35,050	\$38,900	\$42,050	\$45,150	\$48,250	\$51,350
Hillsborough Co., NH (part) HMFA HUD Median Family Income - \$115,800	80% of AMFI	\$64,900	\$74,150	\$83,400	\$92,650	\$100,100	\$107,500	\$114,900	\$122,300
	60% of AMFI	\$48,660	\$55,620	\$62,580	\$69,480	\$75,060	\$80,640	\$86,160	\$91,740
	50% of AMFI	\$40,550	\$46,350	\$52,150	\$57,900	\$62,550	\$67,200	\$71,800	\$76,450
	30% of AMFI	\$24,350	\$27,800	\$31,300	\$34,750	\$37,550	\$41,960	\$47,340	\$52,720
	HOME	\$24,350	\$27,800	\$31,300	\$34,750	\$37,550	\$40,350	\$43,100	\$45,900
Non-Metro County FMR Areas Belknap County, NH HUD Median Family Income - \$107,400	80% of AMFI	\$60,150	\$68,750	\$77,350	\$85,900	\$92,800	\$99,650	\$106,550	\$113,400
	60% of AMFI	\$45,120	\$51,600	\$58,020	\$64,440	\$69,600	\$74,760	\$79,920	\$85,080
	50% of AMFI	\$37,600	\$43,000	\$48,350	\$53,700	\$58,000	\$62,300	\$66,600	\$70,900
	30% of AMFI	\$22,550	\$25,800	\$29,000	\$32,200	\$36,580	\$41,960	\$47,340	\$52,720
	HOME	\$21,150	\$24,200	\$27,200	\$30,200	\$32,650	\$35,050	\$37,450	\$39,900
Carroll County, NH HUD Median Family Income - \$99,900	80% of AMFI	\$58,550	\$66,900	\$75,250	\$83,600	\$90,300	\$97,000	\$103,700	\$110,400
	60% of AMFI	\$43,920	\$50,160	\$56,460	\$62,700	\$67,740	\$72,780	\$77,760	\$82,800
	50% of AMFI	\$36,600	\$41,800	\$47,050	\$52,250	\$56,450	\$60,650	\$64,800	\$69,000
	30% of AMFI	\$21,950	\$25,100	\$28,250	\$31,350	\$36,580	\$41,960	\$47,340	\$52,720
	HOME	\$21,000	\$24,000	\$27,000	\$30,000	\$32,400	\$34,800	\$37,200	\$39,600
Housing Trust Fund	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$35,140	\$40,280	\$45,420	\$50,560

2024 AREA PROGRAM INCOME LIMITS

Low Income - 80%
 Very Low Income - 50%
 Extremely Low Income - 30%

Effective Dates

Housing Voucher and Tax Credit Program: 4/1/2024
 HOME Program: 6/15/2023
 Housing Trust Fund: 6/15/2023

Revised Date

4/2/2024

Household Size (Persons)

Area	Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Cheshire County, NH	80% of AMFI	\$58,550	\$66,900	\$75,250	\$83,600	\$90,300	\$97,000	\$103,700	\$110,400
HUD Median Family Income - \$101,500	60% of AMFI	\$43,920	\$50,160	\$56,460	\$62,700	\$67,740	\$72,780	\$77,760	\$82,800
	50% of AMFI	\$36,600	\$41,800	\$47,050	\$52,250	\$56,450	\$60,650	\$64,800	\$69,000
	30% of AMFI	\$21,950	\$25,100	\$28,250	\$31,350	\$36,580	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$32,400	\$34,800	\$37,200	\$39,600
Housing Trust Fund	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$35,140	\$40,280	\$45,420	\$50,560
Coos County, NH	80% of AMFI	\$58,550	\$66,900	\$75,250	\$83,600	\$90,300	\$97,000	\$103,700	\$110,400
HUD Median Family Income - \$79,500	60% of AMFI	\$43,920	\$50,160	\$56,460	\$62,700	\$67,740	\$72,780	\$77,760	\$82,800
	50% of AMFI	\$36,600	\$41,800	\$47,050	\$52,250	\$56,450	\$60,650	\$64,800	\$69,000
	30% of AMFI	\$21,950	\$25,100	\$28,250	\$31,350	\$36,580	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$32,400	\$34,800	\$37,200	\$39,600
Housing Trust Fund	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$35,140	\$40,280	\$45,420	\$50,560
Grafton County, NH	80% of AMFI	\$60,600	\$69,250	\$77,900	\$86,550	\$93,500	\$100,400	\$107,350	\$114,250
HUD Median Family Income - \$108,200	60% of AMFI	\$45,480	\$51,960	\$58,440	\$64,920	\$70,140	\$75,360	\$80,520	\$85,740
	50% of AMFI	\$37,900	\$43,300	\$48,700	\$54,100	\$58,450	\$62,800	\$67,100	\$71,450
	30% of AMFI	\$22,750	\$26,000	\$29,250	\$32,450	\$36,580	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$32,400	\$34,800	\$37,200	\$39,600
Housing Trust Fund	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$35,140	\$40,280	\$45,420	\$50,560
Merrimack County, NH	80% of AMFI	\$64,500	\$73,700	\$82,900	\$92,100	\$99,500	\$106,850	\$114,250	\$121,600
HUD Median Family Income - \$115,100	60% of AMFI	\$48,360	\$55,260	\$62,160	\$69,060	\$74,640	\$80,160	\$85,680	\$91,200
	50% of AMFI	\$40,300	\$46,050	\$51,800	\$57,550	\$62,200	\$66,800	\$71,400	\$76,000
	30% of AMFI	\$24,200	\$27,650	\$31,100	\$34,550	\$37,350	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$23,300	\$26,600	\$29,950	\$33,250	\$35,950	\$38,600	\$41,250	\$43,900
HERA Special*	60% of AMFI	\$48,840	\$55,800	\$62,760	\$69,720	\$75,300	\$80,880	\$86,460	\$92,040
HERA Special*	50% of AMFI	\$40,700	\$46,500	\$52,300	\$58,100	\$62,750	\$67,400	\$72,050	\$76,700
Housing Trust Fund	30% of AMFI	\$23,300	\$26,600	\$29,950	\$33,250	\$35,950	\$40,280	\$45,420	\$50,560

2024 AREA PROGRAM INCOME LIMITS

Low Income - 80%
 Very Low Income - 50%
 Extremely Low Income - 30%

Effective Dates

Housing Voucher and Tax Credit Program: 4/1/2024
 HOME Program: 6/15/2023
 Housing Trust Fund: 6/15/2023

Revised Date

4/2/2024

Household Size (Persons)

Area	Income Limit	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Sullivan County, NH	80% of AMFI	\$58,550	\$66,900	\$75,250	\$83,600	\$90,300	\$97,000	\$103,700	\$110,400
HUD Median Family Income - \$96,900	60% of AMFI	\$43,920	\$50,160	\$56,460	\$62,700	\$67,740	\$72,780	\$77,760	\$82,800
	50% of AMFI	\$36,600	\$41,800	\$47,050	\$52,250	\$56,450	\$60,650	\$64,800	\$69,000
	30% of AMFI	\$21,950	\$25,100	\$28,250	\$31,350	\$36,580	\$41,960	\$47,340	\$52,720
HOME	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$32,400	\$34,800	\$37,200	\$39,600
Housing Trust Fund	30% of AMFI	\$21,000	\$24,000	\$27,000	\$30,000	\$35,140	\$40,280	\$45,420	\$50,560

* Income Limits for any Tax Subsidy project in a HUD impacted area whose current limit would be less than last year or less than its FY 2008 limit times the FY2024 Median over the FY 2008 median. HUD impacted areas are areas with Section 8 Income Limits held harmless by HUD in FY 2007 or FY 2008.

New Hampshire Housing provides this table for your convenience. Project Managers should use the specific rent and income limits applicable to their project's funding sources and follow the specific program rules provided by the US Department of Housing and Urban Development.

Other Median Family Incomes:	New Hampshire Statewide	U S	\$97,800
	New Hampshire Metro	U S Metro	\$101,300
	New Hampshire Non-Metro	U S Non-Metro	\$77,400



Exhibit J

Proforma Summary

Option A & B: Identical Budgets

Assumptions:

- 1 Brownfields used to demolish school in Option B; cost outside of building budgets
- 2 Option A assumes school is maintained as it currently exists; partnership with City on redevelopment. City ultimately owns
- 3 Timing of sources based on NHHFA rules about financing more than one project in a year

Senior Building - 37 Units; 1 BR

Construction:	\$ 9,582,719.00
Soft Costs:	\$ 930,000.00
Financing Costs:	\$ 572,000.00
Misc. Costs:	\$ 189,000.00
Acquisition:	\$ 100,000.00
Fees & Reserves:	\$ 1,274,114.00
	\$ 12,647,833.00

New Hampshire Housing 0%	\$ 2,000,000.00	Application Fall 2025
New Hampshire Housing 5.75%	\$ 1,882,516.00	Application Fall 2025
Federal Home Loan Bank Boston - Advance	\$ 1,200,000.00	Application Summer 2025
Federal Home Loan Bank Boston - Direct	\$ 850,000.00	Application Summer 2025
CDBG	\$ 500,000.00	Application 2025
LIHTC Equity	\$ 6,215,316.00	
	\$ 12,647,832.00	

Family Buildings - 37 Units (4-1BR, 29-2BR, 4-3BR)

Construction:	\$ 13,565,484.00
---------------	------------------

Soft Costs:	\$	930,000.00	
Financing Costs:	\$	572,000.00	
Misc. Costs:	\$	199,500.00	
Acquisition:	\$	-	
Fees & Reserves:	\$	1,356,810.00	
	\$	16,623,794.00	
<hr/>			
New Hampshire Housing 0%	\$	3,400,000.00	Application Fall 2026
New Hampshire Housing 5.75%	\$	3,282,608.00	Application Fall 2026
Federal Home Loan Bank Boston - Advance	\$	1,200,000.00	Application Summer 2026
Federal Home Loan Bank Boston - Direct	\$	850,000.00	Application Summer 2026
CDBG	\$	500,000.00	Application 2026
LIHTC Equity	\$	7,391,187.00	
	\$	16,623,795.00	

Family Buildings - 37 Units (4-1BR, 29-2BR, 4-3BR)

Construction:	\$	13,565,484.00	
Soft Costs:	\$	930,000.00	
Financing Costs:	\$	572,000.00	
Misc. Costs:	\$	199,500.00	
Acquisition:	\$	-	
Fees & Reserves:	\$	1,356,810.00	
	\$	16,623,794.00	
<hr/>			
New Hampshire Housing 0%	\$	3,400,000.00	Application Fall 2027
New Hampshire Housing 5.75%	\$	3,282,608.00	Application Fall 2027
Federal Home Loan Bank Boston - Advance	\$	1,200,000.00	Application Summer 2027
Federal Home Loan Bank Boston - Direct	\$	850,000.00	Application Summer 2027

CDBG	\$	500,000.00	Application 2027
LIHTC Equity	\$	7,391,187.00	
	\$	16,623,795.00	

*Demolition of School covered by Brownfields outside of building contracts



Exhibit K

Avesta Housing Resident Selection Policy

AVESTA HOUSING MANAGEMENT CORPORATION
Resident Selection Policy
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CHAPTER 1: INTRODUCTION AND POLICY

Introduction

Avesta Housing improves lives and strengthens communities by promoting and providing quality affordable homes to people in need.

In order to develop this affordable housing, the Owner of each Development has entered into contractual agreements with the U. S. Department of Housing and Urban Development (HUD), Maine Housing, New Hampshire Housing Finance Authority, U.S. Department of Agriculture-Rural Development (RD), City of Portland, Maine, Fed-Home Loan Bank, and other parties. The restrictive covenants of these agreements affects how this Resident Selection Policy is administered in one or more of the following areas:

- Target Population (e.g. Elderly, Family, Disabled, Homeless, Chronically Homeless, Victims of Domestic Abuse, etc.)
- Priorities and Preferences
- Income Limits of Targeted Households
- Maximum Rent Levels
- Minimum Rent Levels
- Citizens of the United States

This Resident Selection Policy (RSP) describes the admission, occupancy, reasonable accommodation and transfer policies by which AVESTA HOUSING determines eligibility for admission, selects prospective residents, assigns apartments, admits residents, and processes transfers, in a fair and nondiscriminatory manner.

Except Logan Place, Iris Park Apartments and Florence House, this Resident Selection Policy is applicable to all AVESTA HOUSING managed properties. Specific restrictive covenants are detailed in the attached Program Requirements, Appendix 1.

Statement of Nondiscrimination, Fair Housing and Civil Rights

It is the policy of Avesta Housing to comply fully with existing Federal and State laws protecting the individual rights of applicants, residents, or staff. These include Civil Rights Laws, the Violence Against Women Act (VAWA), and any laws subsequently enacted.

The Violence Against Women and Justice Department Reauthorization Act of 2005 and the subsequent Violence Against Women and Justice Department Reauthorization Act of 2013 protects residents in Section 8, HOME, HTF, Rural Development, and LIHTC units who are victims of domestic violence, dating violence, sexual assault, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. In accordance with the Violence Against Women Act (VAWA), management will not penalize victims of domestic violence, stalking, dating violence, or rape. Some key points in the act include:

1. An applicant who certifies they were the victim of domestic violence, dating violence, sexual assault or stalking may be allowed to be admitted even with poor credit and poor landlord evaluations if he/she can prove those negative factors were caused by the domestic violence, dating violence, sexual assault or stalking.

2. It assured that victims of domestic violence, sexual assault, etc can have access to the criminal justice system without facing eviction.
3. Where someone is abusive to other member so the household, only the abuser may be evicted. Furthermore, the standards for eviction due to imminent threat have been strengthened.
4. Residents in assisted housing who face violence may be allowed early lease termination for a matter of safety.
5. VAWA Protections are available equally to all individuals regardless of sex, gender identity or sexual orientation and make it clear that protections are provided to affiliated persons which includes 1. A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in place of a parent or guardian; or 2. Any individual, resident/applicant, or lawful occupant living in the household of that individual.

Victims must certify their status as victims and that the incident in question was a bona fide incident of domestic violence, dating violence, sexual assault or stalking by presenting appropriate documentation to the Property Manager. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.

Avesta Housing does not discriminate in the rental of housing, the provision of services, or in any other matter in Maine based on race, color, religion, age, sex, ancestry, national origin, physical or mental disability, familial status, gender identity, sexual orientation, or status as a recipient of public assistance.

Avesta Housing does not discriminate in the rental of housing, the provision of services, or in any other matter in New Hampshire based on race, color, religion, age, sex, national origin, physical or mental disability, familial status, marital status, gender identity, creed, or sexual orientation.

Fair Admissions

AVESTA HOUSING shall not automatically deny admission to a particular group or category of otherwise eligible Applicants (e.g., households with children born to unmarried parents, or households whose head or spouse is a student).

In compliance with the July 13, 2015 HUD Final Rule – Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, Avesta Housing’s policy is to ensure that HUD-assisted housing is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status.

Each Applicant in a particular group or category must be treated on an individual basis in the normal processing routine.

Reasonable Accommodations

AVESTA HOUSING shall make reasonable accommodations in policies and procedures and, if necessary and reasonable, make certain structural modifications for persons with disabilities (Applicants or residents) in accordance with the AVESTA HOUSING Reasonable Accommodation Policy (See Chapter 8).

Records of Applications for Admission and Transfer

AVESTA HOUSING will maintain separate waiting lists and transfer lists for each Development. All applications, regardless of Development, shall indicate the date and time of receipt. (see Chapter 4- Establishing and Maintaining Waiting Lists)

Applicant/Transfer Applicant Appeal Procedure

An Applicant or resident who believes himself/herself to have been aggrieved by any action, inaction or decision of AVESTA HOUSING in the processing of his/her application for admission or transfer application shall have the right to a Redetermination Review. Applicants for admission and transfer applicants are entitled to a Redetermination Review before a hearing officer.

Accessibility and Plain Language

Facilities and programs used by applicants and residents shall be made accessible for applicants. Application and management offices and hearing rooms and other public spaces will be available for use by residents with disabilities. If these facilities are not already accessible (and located on accessible routes), they will be made accessible so long as this does not impose an undue financial and administrative burden on Avesta Housing or the Development Owner.

Upon request, documents intended for use by applicants and residents will be presented in accessible formats for those with vision or hearing impairments. Documents will be written simply and clearly to enable Applicants and residents with learning or cognitive disabilities to understand as much as possible. Requests for accommodation with respect to documents used by AVESTA HOUSING should be made to the Property Manager.

Some applicants will not be able to read (or to read English), so Avesta staff must be prepared to read and explain documents that they would normally hand to an applicant to be read or filled out. Applicants who read or understand little English may need to be provided with an interpreter who can explain what is occurring. AVESTA HOUSING will make an effort to coordinate foreign language interpreter services upon request by the applicant.

Confidentiality of Applicant and Resident Files

The contents of Applicant and Resident files at AVESTA HOUSING are confidential and will not be misused or the information therein improperly disseminated. AVESTA HOUSING will not share the contents of an Applicant or Resident file with persons not authorized to view the file.

CHAPTER 2: MARKETING AND OUTREACH

Marketing Policy

It is the policy of AVESTA HOUSING to conduct marketing and outreach as needed to maintain an adequate application pool representative of the eligible population in compliance with each Development's Affirmative Fair Housing Marketing Plan (AFHMP). The AFHMP is a document that describes how the Development will be marketed to the applicants who are least likely to apply. The AFHMP is designed to promote equal housing choice for all prospective residents regardless of race, color, religion, age, sex, national origin, creed, physical or mental disability, familial status, marital status, sexual orientation, or gender identity.

All marketing materials must comply with the Fair Housing Act requirements with respect to wording, Equal Housing Opportunity logo, slogan or statement, etc.

The Development's Affirmative Fair Housing Marketing Plan will be reviewed and updated every five years, or sooner if Avesta determines changes are necessary. For those Developments funded by USDA-Rural Development, the AFHMP will be updated every three years. The AFHMP will be submitted to the appropriate Federal or State regulatory agency for approval.

Targeting Social Service Agencies

An effort shall be made to provide marketing materials to agencies that serve and advocate for potentially eligible applicants (e.g. the disabled/ handicapped) in order that accessible/adaptable apartments are brought to the attention of people who can best take advantage of these apartment's accessible or adaptable features. Additionally, social service agencies that serve and advocate for potential applicants as identified in the Affirmative Fair Housing Marketing Plan as least likely to apply.

When AVESTA HOUSING Will Market Apartments

AVESTA HOUSING will undertake marketing effort(s) whenever there is a need to do so in order to address areas such as:

- changes required as a result of legislative or regulatory requirements;
- fair housing needs;
- apartment vacancy or turnover considerations;
- an insufficient pool of housing applicants on the waiting list;
- an insufficient pool of housing applicants in a particular category, i.e. those needing accessible units, homeless, Extremely Low Income;
- or any other factor which may require marketing efforts to further housing program goals.

AVESTA HOUSING shall assess these factors at least annually in order to determine the need and scope of the marketing effort.

CHAPTER 3: PRELIMINARY APPLICATIONS AND PROCESSING

General

Communications with Potential Applicants and Applicants will be by telephone, email or first-class mail, in person at site offices or in person at the main offices of Avesta Housing Management Corporation, 307 Cumberland Avenue, Portland ME 04101. Potential Applicants or Applicants who are Disabled Persons may request some other form of communication (for example, communication with a designated third party, TTY telephone communication, etc.)

Failure to respond to AVESTA HOUSING communications may result in withdrawal of an applicant from the Development waiting list.

It is the policy of AVESTA HOUSING MANAGEMENT CORPORATION to accept and process applications in accordance with applicable AVESTA HOUSING, Federal and state regulations and handbooks. Program

requirements and other restrictive covenants that may affect the acceptance and processing of applications are defined in Program Requirements, Appendix 1.

Enterprise Income Verification (EIV)

As of January 2010, HUD has made the use of the Enterprise Income Verification (EIV) mandatory for all HUD assisted properties. This system is an online system that can be used to compare the income and personal information provided by residents to information provided to several databases (including the National Directory of New Hires and Social Security). EIV will not be accessed for applicants or residents of projects funded by US Department of Agriculture – Rural Development or through the Low Income Housing Tax Credit Project.

This information will be used to determine if there are any instances of fraud, misreported or under reported income. Applicants/Residents will be given a copy of HUD's EIV and You Brochure at each certification, which will provide further detail on the uses and purpose of the EIV system.

Existing Tenant Report: EIV will be accessed at admissions to determine if an applicant is currently receiving assistance at another HUD project. This process is done by using an "Existing Tenant Report" in the EIV system while the applicant's full application is being processed, and prior to offering the unit to the applicant. If it is discovered through the "Existing Tenant Report" that the applicant is currently receiving assistance at another HUD project, Avesta Housing will work directly with the applicant and the other housing organization to ensure that the start of the applicant's tenancy does not overlap with the tenancy at the HUD-assisted housing in which the applicant is currently residing

EIV Use at Recertification: EIV will be accessed at annual recertification for all residents to determine if the income reported matches the information stored in the EIV system. If there are discrepancies in EIV compared to the information reported by the resident, Management will independently verify the information to determine if there is an error in reporting, including under-reported or non-reported income. If it is found that the resident misreported income or under-reported income, the resident may be asked to repay the difference in rent that occurred due to the misrepresentation or under-reporting.

Accepting and screening Preliminary applications:

Any person interested in being put on an AVESTA HOUSING COMMUNITY waitlist will need to complete a Preliminary application, which shall be available online and at the main office of AVESTA HOUSING Management Corporation, 307 Cumberland Avenue, Portland, ME 04101. Preliminary applications will be mailed upon request. No one shall be denied a Preliminary application or the right to submit one. Staff is prepared to assist any Applicant who requests help in completing Preliminary application. Applicants may be asked to make an appointment with Property Management Staff for this assistance. The assistance may take the form of answering questions about the application packet, helping an Applicant who may have literacy, vision, hearing or translation needs and in general, making it possible for interested parties to apply for housing.

The Preliminary application is prescreened at the time of receipt for completeness including but not limited to:

- Every application must be correctly and fully completed, including being signed by the head of the household and/or co-head, and all household members over 18 (if applicable).
- Every Preliminary Application must indicate which Development(s) listed the Applicant is applying for and how many bedrooms they prefer.

Incomplete or unreadable paper applications will be returned by mail to the Applicant for correction. All completed applications shall be dated and time stamped when they are submitted at an office of AVESTA HOUSING.

Based on the information submitted on the application, the applicant's preliminary eligibility for each Avesta Development will be determined. Eligibility is a term used differently under the requirements of the Development's restrictive covenants or loan documents.

Threshold Requirements

In order to be preliminarily eligible, a household must meet minimum threshold requirements only to the extent necessary to determine eligibility for a Development requiring those characteristics:

1. The household must meet the definition of the household characteristics, such as elderly, disabled, chronically homeless, or family.
2. The household must have an Annual Income at or below program guidelines, as defined in Program Requirements, Appendix 1.
3. For Applicants to Developments subsidized by HUD's Section 8 program only, each household member must have a Social Security number or certify that he/she has no number, is a citizen of United States or has eligible non-citizen status, or who is otherwise eligible for continued assistance or prorated assistance under applicable regulations. If a child under the age of 6 years was added to the applicant's household within the 6-month period prior to the household's move-in date; the applicant household may still be allowed to move-into the property, and receive assistance, so long as the proof of SSN can be provided within 90-calendar days from the move-in date. An extension of one (1) additional 90-day period may be granted, if it is determined that the applicant's failure to comply was due to circumstances that could not have been reasonably foreseen and were outside the control of the applicant's household.

4. HUD Requirement for Verification of Citizenship: Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits HUD from making financial assistance available to persons other than United States Citizens, Nationals, or certain categories of eligible non-citizens. Anyone applying for assistance is required to declare U.S. Citizenship or submit evidence of eligible immigration status for each family applicant. During the interview we will provide all necessary forms for completion. Failure to complete the required forms or providing false information will result in rejection of the application. Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements)
 - SAVE ASVI database - the Department of Homeland Security (DHS) automated system. After accessing the ASIV database, the owner/agent enters the required data fields.
 - The system will display one of the following messages for immigration status confirmation on the screen.
 - Lawful Permanent Resident
 - Temporary Resident
 - Conditional Resident
 - Asylee
 - Refugee
 - MIXED HOUSEHOLDS
 - A mixed household—a household with one or more ineligible members and one or more eligible household members—may receive:
 - Prorated assistance
 - Continued assistance
 - APPEALING DETERMINATIONS OF INELIGIBILITY
 - The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result. The applicant or resident has thirty (30) days from receipt of the notice to choose which option to follow.
 - The applicant or resident may appeal the owner/agent’s decision directly to the DHS. The applicant or resident must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within thirty (30) days.
 - If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the appropriate housing assistance. If the DHS decision results in a negative determination of eligibility, the household has thirty (30) days to request a hearing with the owner/agent.
 - PROHIBITION AGAINST DELAY OF ASSISTANCE
 - Owner/agents may not delay the household’s assistance if the applicant or resident submitted immigration information in a timely manner but the DHS verification or appeals process has not been completed.
 - If a unit is available, the household has come to the top of the waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. The owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.
5. The household must meet the initial eligibility requirements defined by the restrictive covenants

under the Development's mortgage loan documents. See Program Requirements, Appendix 1.

If the Applicant is determined to be ineligible for all Developments, the Applicant shall be sent a notice via first class mail including HUD Form 5380, VAWA Protections notification, informing them of such, along with the reason(s) they have been determined to be ineligible and the right of the Applicant to request a Redetermination Review regarding the decision.

If the Applicant chooses to request a Redetermination Review, they must contact AVESTA HOUSING, in writing, within fourteen (14) calendar days of the date of the notice of denial. For USDA-Rural Development properties the applicant must contact AVESTA HOUSING in writing within ten (10) calendar days of the date of the notice of denial. The Hearing Officer will contact the Applicant to set up the Redetermination Review date, time and place. If the decision to reject the Applicant is final, the applicant will be sent written confirmation including HUD Form 5380, VAWA Protections notification and Preliminary Application will be filed with other applications of ineligible Applicants.

Income Qualifications

Persons meeting the income qualifications are those households whose Annual Income at the time of admission, does not exceed the income limits for occupancy established by Development's program requirements. Applicants must meet the minimum income guidelines; the monthly rent must not exceed 40% of gross monthly income. If an applicant has insufficient income (less than needed to meet the 40% threshold) but has access to enough money from their assets to make up the difference, they may be approved. They need to be able to supplement their income for at least 12 months.

Determination of Preliminary Qualifications

If an Applicant is determined to be preliminarily eligible for one of more Developments, the Preliminary Application will then be screened to determine whether the applicant is preliminarily qualified. The information listed on the Preliminary Application will be reviewed to determine if the Applicant is preliminarily qualified based on the answers to the following questions:

- "Is any member of your household required to register under any sex offender registration program?
If yes, name(s) of household member(s): _____"

If an Applicant answers YES to this question, the Applicant shall be rejected and will be sent a notice stating the specific reason(s) for the determination of Ineligibility and the right of the Applicant to request a Redetermination Review regarding the decision. This notice will be sent first class mail to the Applicant and will include HUD Form 5380, VAWA Protections notification; denial of admission to a USDA- Rural Development regulated Development will be sent certified mail.

If the Applicant chooses to request a Redetermination Review, they must contact AVESTA HOUSING, in writing, within fourteen (14) calendar days of the date of the notice of denial. For USDA-Rural Development properties the applicant must contact AVESTA HOUSING in writing within ten (10) calendar days of the date of the notice of denial. The Hearing Officer will contact the Applicant to set up the Redetermination Review date, time and place. If the decision to reject the Applicant is final, the applicant will be sent written confirmation and the application will be filed with other applications of ineligible Applicants.

CHAPTER 4: ESTABLISHING AND MAINTAINING WAITING LISTS

Waiting List Management

It is the policy of AVESTA HOUSING to administer its waiting lists as required by the contractual agreements between the Development's Owner(s) and the Department of Housing and Urban Development (HUD), Maine State Housing Authority, New Hampshire Housing Finance Authority, USDA-Rural Development, City of Portland Maine, Federal Home Loan Bank, as well as other applicable Federal and State requirements.

AVESTA HOUSING maintains individual waiting lists for each Development. The waiting list is maintained by apartment size, then preference or priority if applicable, then chronologically according to application date. Since each Development has eligibility requirements, all applications will be prescreened for program eligibility prior to being added to the applicable waiting list. Applicants who do not meet the initial program eligibility requirements will be notified in writing of the denial of admission. See Program Requirements, Appendix 1.

Opening and Closing Waiting Lists

AVESTA HOUSING, at its discretion, may limit application intake, suspend application intake, and close waiting lists in whole or in part except as otherwise provided in federal or state regulations. AVESTA HOUSING will also update the waiting list by removing the names of those who are no longer interested or no longer qualify for housing or cannot be reached by telephone or mail, utilizing information provided by the Applicant and in accordance with procedures indicated below.

If AVESTA HOUSING has sufficient applications to fill anticipated vacancies for the ensuing 18-24 months, it may elect to: 1) close the waiting list completely; 2) close the list during certain times of the year; or 3) limit intake by Priority and/or Preference, housing program, or by size and type of apartment.

Decisions about suspending application intake in whole or in part will be based on the number of applications available for a particular size and type of apartment, and the number of Applicants who qualify for a Priority and/or Preference. Suspending application intake, limiting intake, or opening the waiting lists will be publicly announced in the local newspapers in the applicable geographic area and written notice will be provided as required by HUD, MSHA and/or USDA-RD.

During the period when the waiting list is closed, AVESTA HOUSING will not maintain a list of individuals who wish to be notified when the waiting list is reopened.

Priorities and Preferences

Certain Applicants may qualify for a Priority and/or Preference, which affects the position of those Applicants on the Development waiting list. Due to these preferences and priorities AVESTA HOUSING does not disclose an applicant's position on the waitlist.

Priorities or Preferences are as defined by HUD, MH or RD, or other requirements under the restrictive covenants of the Development's loan documents. See Program Requirements, Appendix 1 for Tax Credit Properties only. AVESTA HOUSING will verify the Priority and/or Preference during the application process.

Application of Priorities and Preferences to the Waiting List

Not a Guarantee of Admission

It is the policy of AVESTA HOUSING that a Priority and/or Preference establishes placement on the waiting list. Every applicant must still meet the AVESTA HOUSING Applicant Screening Criteria before being accepted as a resident. A Priority and/or Preference determines the order in which eligible and qualified Applicants will be processed for an offer of housing.

Change in Status

Occasionally, households on the waiting list who did not qualify for a Priority and/or Preference at the time of application will experience a change in circumstances that qualifies them for a Priority and/or Preference. In such instances, it is the Applicant's obligation to contact Avesta Housing so that a change in status can be verified.

If Avesta Housing determines that the applicant is no longer eligible for the Priority and/or Preference prior to being considered for a vacancy, the Priority and/or Preference will be removed from the applicant's file (i.e. the applicant becomes housed, therefore no longer meets the homeless Preference).

Verification

To the extent that the verification determines that the household does now qualify for a Priority and/or Preference, the household will be moved up on the waiting list in accordance with its Priority and/or Preference(s), and its date and time of application. Similarly, removal of a Priority and/or Preference (because a family is discovered to be ineligible for a Priority and/or Preference) will result a change of waiting list position for a household. Intentional misrepresentation by an Applicant may result in criminal federal or state prosecution for fraud.

Matching of Applicant and Apartment Characteristics

Before applying Priorities and Preferences, AVESTA HOUSING will determine the appropriate apartment size, and special needs requirements if any, based on household composition and special needs required.

Applicants or Residents who have been previously approved for a Transfer or Reasonable Accommodation as it applies to apartment size or special needs requirements will be given priority over other priorities and preferences. For additional information, see Chapter 6: Assignments.

Applicants with Equal Preference/Priority Status

Among applicants with equal priority or preference status, the waiting list is organized by date and time of receipt of the application.

Update of Waiting Lists

Annually, each Applicant on a waiting list may be contacted by first class mail to ensure that the waiting list is current and accurate. The mailing will ask for confirmation of continued interest and an update of household information including household members, income, assets, etc.

Applicants will be given a specific deadline for response, up to 14 days, and the notice will state that failure to respond will result in the Applicant being dropped from the waiting list, without further notice.

Upon receiving the annual update form from the applicant, the number of household members and total household income will be checked to ensure that the household remains eligible for the Development and unit size for which they originally applied. If it is determined, based on the information provided on the update form, that the applicant is no longer eligible, a letter will be sent via first class mail informing the Applicant that they have been removed from the relevant Development waiting list(s). If during the waitlist updating process, or at any other time while the applicant is on the waitlist(s), AVESTA HOUSING is notified that the applicant's household size has changed, AVESTA HOUSING will update the waitlist information and determine whether the household needs the same or different unit size. If a different unit size is needed based on the new household size, the original application date will be honored.

Mailings to Applicants which are returned by the U.S. Post Office without a forwarding address will result in the Applicant being removed from all waiting lists without further notice. The envelope and letter will be maintained in the file.

An extension of 14 days to respond will be granted if requested and needed as a reasonable accommodation for a person with a disability.

Former Residents

When a resident moves out of an Avesta Housing development, if there is an outstanding balance due, the resident will be removed from any waiting lists they are on at that time. If a resident is evicted from an Avesta Housing development, the resident will be removed from all waiting lists they are on at the time.

CHAPTER 5: DETERMINATION OF FINAL ELIGIBILITY

Final Eligibility Determination

Once an applicant is being considered for an upcoming vacancy, the Applicant, and other members of the Applicant's household must be able to demonstrate through verified information of past and present conduct, the ability, either alone or with a reasonable accommodation, to meet the resident selection criteria found in this policy, including compliance with the terms of the lease, and any other Development rules governing tenancy. In determining final eligibility AVESTA HOUSING will, in all cases, consider Mitigating Circumstances, and where applicable, a request for a reasonable accommodation.

Qualified and Unqualified Applicants

To determine final eligibility, verified information will be secured and evaluated and a determination will be made with respect to:

1. Eligibility of the Applicant household as a elderly, disabled, chronically homeless, family or other special exception definitions (See Program Requirements, Appendix 1);
2. Eligibility of the Applicant household with respect to Income Limits for admission;
3. Apartment size and design and whether an accessible or modified apartment is required for the household;
4. Priority and/or Preference category (if any) to which the household belongs;
5. Qualification of the Applicant household with respect to the Applicant Screening Criteria.

Factors that determine Eligibility and Qualification can be found in the Program Requirements, Appendix 1 and in the sections below.

Student Status

At the time of move-in, and initial certification, annual recertification and interim recertification if one of the family composition changes reported is that a household member is enrolled as a student, Avesta will determine a student's eligibility for Section 8 assistance following the guidance in the HUD 4350.3 Change 4 and additional guidance from issued on September 21, 2016.

Student eligibility is determined at move in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. All students are required to report any change in their student status.

A student who is enrolled as either a part time or full time student at an institute of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential will be eligible for assistance if the student meets all other eligibility requirements, meets screening criteria requirements and:

- Is living with his or her parents/guardian or
- Is at least 24 years old or
- Is married or
- Is a veteran of the Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes or
- Has legal dependents other than a spouse or
- Is a person with disabilities who was receiving Section 8 assistance as of November 20, 2005 or
- Is a graduate or professional student or
- Is an independent student, defined as:
 - a) The individual is 24 years of age or older by December 31 of the award year;
 - b) The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older;

- c) The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence
- Or, is classified as a Vulnerable Youth. A student meets HUD's definition of vulnerable youth when:
 - i) The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act), or as unaccompanied, at risk of homelessness and self-supporting, by
 - ii) A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
 - iii) The director of a program funded under the Runaway and Homeless Youth Act or designee of the director;
 - iv) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director or
 - v) A financial aid administrator.
- Or, the individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances or
- Has parents who are income eligible for the Section 8 program

Any financial assistance a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

1. If the student is over the age of 23 with dependent children or
2. If the student is living with his or her parents who are receiving Section 8 assistance

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".

Citizens and Eligible Non-citizens

Per HUD Handbook 4350.3 Rev 1 Change 4, only citizens and eligible non-citizens may receive assistance. Applicants must complete a Citizenship Declaration Form at time of application to determine if the household is a U.S. citizens or nationals or Noncitizens that have eligible immigration status. AVESTA HOUSING will follow guidance from HUD Handbook 4350.3 Rev 1 Change 4 Sections 3-12 regarding documentation of eligible non-citizens.

Screening

Interviews and Verification Process

As households approach the top of AVESTA HOUSING waiting list, they will be contacted for an interview with an AVESTA HOUSING staff member. The interview may be conducted in person or by telephone. In order to update the household information, Applicants will be required to complete a Full Application form and provide the following items. These items will be verified by third-parties to every extent possible, to determine eligibility and qualification for admission to the Development:

1. Household composition

2. Birth date of each household member
3. Total annual household income for all household members
4. Assets and asset income
5. Allowances information
6. Priorities and/or Preferences
7. Social Security numbers of all household members if available
8. Status as full-time student for each household member (applicants to tax-credit properties only)
9. Information used in Applicant screening
10. Eligible citizenship or non-citizen status for those who are otherwise eligible for assistance or prorated assistance under applicable regulations.
11. Verifiable Identification of Household members

All adult members of an Applicant household must sign the appropriate releases so Avesta Housing may obtain the required third-party verifications. Refusal by any adult household member to sign the releases will cause the Applicant to be withdrawn from the waiting list.

Applicant Screening Criteria

All Applicants for Developments managed by Avesta Housing will be screened according to the criteria set forth below.

- AVESTA HOUSING will conduct credit checks sufficient to determine whether the applicant household has the ability to pay the rent and evidence of a positive rent payment history. If an applicant does not have a social security number due to being an immigrant or asylum-seeker, the credit check requirement will be waived. Applications will not be rejected for lack of credit history.

Applicants with poor credit will be denied. Poor credit is defined as follows:

- Collection account(s) with money owed to a landlord/property management company in the past five years, regardless of amount,
 - Pattern of three or more past due debt or collection account(s) for money owed to a utility company within the past five years, regardless of amount. Utilities include electric, gas, oil, phone (cell or landline), and cable/satellite.
 - Outstanding past due debt within the past five years exceeding \$3,000 for any household member. This includes amounts due on open accounts and total past due on collection accounts. The following will be excluded in this calculation: outstanding student loans, past due amounts on mortgages, money owed to refugee/asylee resettlement services, medical bills in collections, foreclosure, and/or bankruptcies.
- AVESTA HOUSING will obtain landlord references in order to establish evidence of a positive resident history including rent payment history and lease compliance. This includes landlord references within Avesta Housing managed properties. Applications will not be rejected for lack of landlord references. In instances in which an applicant does not have recent rental history, professional references will be obtained.

A poor landlord reference is defined as follows:

- Any rent or charges in arrears in the past five years,
- Eviction proceedings brought against the applicant,
- Failure to maintain a clean, safe, and sanitary apartment, including damages above normal wear

and tear, insect/rodent infestations, and vandalism in the apartment or common areas.

- Noncompliance with rules, including permitting individuals not on the lease to reside in the unit, interfering with the quiet and peaceful enjoyment of other residents, and acting verbally or physically violent to staff or neighbors.
- AVESTA HOUSING will conduct criminal history background checks sufficient to determine whether any household member has a criminal record.
- AVESTA HOUSING will verify all sources of household income. If an Applicant is applying for a tax credit property, and the household's income is determined to be insufficient, the Applicant may be approved for an apartment with approval of a qualified party to guarantee the lease. AVESTA HOUSING will conduct a credit check of the proposed guarantor to determine whether the guarantor has the ability to pay the rent.

AVESTA HOUSING may prohibit admission of a household if any household member is currently engaged in or has been convicted of one of the following activities:

- Violent criminal or drug related activity (other than a conviction for manufacture or distribution of illegal drugs) in the past five (5) years, or a pattern of violent criminal or drug related activity (other than a conviction for manufacture or distribution of illegal drugs) over an extended period;
- Criminal activity (other than a conviction for manufacture or distribution of illegal drugs) which may threaten the health or safety, or the right to peaceful enjoyment of the premises by other residents;
- Criminal activity (other than a conviction for manufacture or distribution of illegal drugs) which may threaten the health or safety of an AVESTA HOUSING employee or contractor.
- A Class A felony conviction in the past twenty (20) years (other than a conviction for manufacture or distribution of illegal drugs). This classification includes, but is not limited to the following crimes:
 - Murder
 - Manslaughter
 - Elevated Aggravated Assault
 - Kidnapping
 - Arson
- A Class B felony conviction in the past fifteen (15) years (other than a conviction for manufacture or distribution of illegal drugs). This classification includes, but is not limited to the following crimes:
 - Aggravated Reckless Conduct
 - Aggravated Assault
 - Aggravated Sex trafficking
- Any other felony conviction in the past ten (10) years (other than a conviction for manufacture or distribution of illegal drugs). Note that Unlawful Trafficking of Scheduled Drugs and Burglary could be Class B crimes depending on the circumstances
- Any activity which constitutes a material violation of the lease, or any other types of disqualifying conduct referenced or provided in AVESTA HOUSING Screening Policy. Any Applicant Household with a history of eviction for material noncompliance of a lease or rental agreement in the past five (5) years will be considered ineligible.

AVESTA HOUSING ***shall*** prohibit admission of a household if any household member is currently engaged in or has been convicted of one of the following activities:

- Persons convicted of sexual offenses and are subject to a lifetime Sexual Offender registration requirement are permanently prohibited from admission to AVESTA HOUSING managed Developments. AVESTA HOUSING will conduct initial and annual criminal history background checks sufficient to determine whether any household member is subject to such a registration requirement.
- Persons that have been convicted of drug-related criminal activity involving manufacture or production of methamphetamine on the premises of federally-assisted housing are permanently prohibited from admission to Federal assisted Developments.
- Persons convicted of distribution or manufacture of illegal drugs.
- Persons who are, at the time of admission, illegally using a controlled substance, as defined by the Controlled Substance Act, which includes marijuana. (HUD only)

Screening Policy

Information to be considered in completing Applicant screening shall be reasonably related to assessing the conduct of the Applicant and other household members listed on the application, in present or prior housing. AVESTA HOUSING shall reject an Applicant if it finds any of the following conditions are present and there is reason to believe the future behavior of the Applicant or Applicant household members will exhibit the same behavior, unless there are accepted mitigating circumstances. The history of the Applicant household's conduct must demonstrate that the Applicant household can reasonably be expected not to:

- Cause damage to the Development or fail to pay rent in full and on time;
- Violate the terms and conditions of the lease;
- Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
- Violate the civil rights of any person, while on the premises of AVESTA HOUSING managed developments;
- Require services from AVESTA HOUSING staff that would alter the fundamental nature of AVESTA HOUSING's program or the Development program.
- Illegal use of a controlled substance; or
- Give AVESTA HOUSING reasonable cause to believe that the illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.
- The Applicant household's ability and willingness to comply with the above requirements in current and former housing will be checked and documented in accordance with AVESTA HOUSING's applicant screening procedures.

Relevant information respecting habits or practices to be considered may include, but is not limited to:

1. The most recent five (5) year housing history, and whether there is a record of lease/rental agreement violation(s) including disturbances, destruction of property, or housekeeping habits at present or prior residences which, if repeated, may adversely affect the health, safety, or welfare of other residents or neighbors during such time.
2. References from owner entities of any Avesta Housing community. This may include information from any owner entity about disturbances at the property, destruction of property, and/or criminal activity

occurring at the property, which if repeated, may adversely affect the health, safety, or welfare of other residents or neighbors during such time.

3. Eviction from housing within the past five (5) years.
4. Applicant households must be able to demonstrate the ability and willingness to comply with the terms of the Development's lease.
5. Information related to an Applicant's knowing misrepresentation of any information related to Priority and/or Preference eligibility, household composition, household income and/or assets, rent or use of the apartment.
6. Failure to provide consent for verification of information can be considered grounds for denial of admission.
7. Applicants who, during the application process, act in an uncooperative, threatening, and/or verbally or physically abusive manner toward Avesta Housing employees, may be denied admission.

Outcome of Screening Process

Households determined to be Eligible and Qualified after screening will be notified by AVESTA HOUSING of the approximate date of occupancy insofar as that date can be reasonably determined. AVESTA HOUSING will make every effort to estimate accurately an approximate date of occupancy. However, the date given by AVESTA HOUSING does not mean that Applicants should expect to be housed by that date. The availability of a suitable apartment to offer a household is contingent upon factors not directly controlled by AVESTA HOUSING, such as turnover rates, and availability of apartments of the appropriate size and/or with special features.

Delays in obtaining third-party verification of any factors necessary for determining eligibility or placement will be cause for AVESTA HOUSING to move to the next Applicant on the waiting list.

Applicants determined unqualified for admission will be promptly notified in writing. These Applicants will receive a notice of denial from AVESTA HOUSING including HUD Form 5380, VAWA Protections notification, stating the basis for such determination and advising them of the opportunity for a Redetermination Review. All requests for a Redetermination Review meeting must be in writing as stated in their notice of denial from Avesta Housing.

If denied due to poor landlord or criminal record, the applicant may re-apply after a 12 month period.

If denied for poor credit, the notice of denial will also include:

- a. A statement explaining what aspect of the credit screening criteria was not met.
- b. A statement that if the applicant provides proof that the credit item(s) which resulted in the denial has been resolved within 14 days of the denial letter, they will be reinstated to the waitlists.
- c. A statement that if it's beyond the 14 days of the denial letter but less than one year from the denial, the applicant can reapply **only** if proof is provided that the credit item(s) which resulted in the denial has been resolved.
- d. A statement that if proof of resolution of the credit issues has not been provided, then the applicant may re-apply after a 12 month period.

When an applicant seeks to re-apply prior to the passing of 12 months from the denial, the applicant must submit a letter requesting this, along with proof that the credit item(s) for which the application was denied have been resolved. This proof could be any of the following:

- e. Receipt(s) showing proof of payment of outstanding utility or landlord collection accounts
- f. A new credit report

Rehabilitation and Mitigating Circumstances

In the event of the receipt of unfavorable information with respect to an Applicant's apparent history of criminal convictions, AVESTA HOUSING shall inform the Applicant in writing of AVESTA HOUSING'S receipt of such allegations and permit the Applicant to show whether there are Mitigating Circumstances present that may influence AVESTA HOUSING'S decision with regard to a tenancy application. This must include sufficient evidence so that when the potentially disqualifying conduct is weighed against the Mitigating Circumstances, AVESTA HOUSING is reasonably certain that the Applicant will not engage in any similar conduct in the future. In making this determination, AVESTA HOUSING shall consider all relevant circumstances including but not limited to:

- the nature and severity of a conviction;
- the time that has passed since a conviction;
- The severity of the potentially disqualifying conduct associated with the conviction;
- The degree of danger, if any, to the health, safety, and security of others or to the security of the property of others or to the physical conditions of the development and its common areas if the conduct such as that conduct associated with the conviction reoccurred;
- The disruption, inconvenience, or financial impact that recurrence of the conduct such as that conduct associated with the conviction would cause the housing provider;
- The likelihood that the applicant's behavior will be substantially improved in the future;
- the facts and circumstances surrounding the criminal conduct;
- the age of the individual at the time of the conduct;
- evidence that the applicant has maintained a good tenant history before and/or after the conviction; and,
- evidence of rehabilitation efforts.

The greater the degree of danger, if any, to the health, safety and security of others or to the security of property of others or the physical condition of the housing, the greater must be the strength of the showing that a recurrence of behavior, which would have been disqualifying, will not occur in the future.

In the event that AVESTA HOUSING informs a resident in writing of a criminal conviction that could potentially be disqualifying, the applicant shall have fourteen (14) days from the date of mailing of such written notification to present AVESTA HOUSING with mitigating information that includes, but is not limited to, the above-referenced factors. At the conclusion of the fourteen (14) days, if AVESTA HOUSING has not received any response to AVESTA HOUSING'S request for information related to potential mitigating factors, AVESTA HOUSING shall consider an applicant's application based on the information it has and inform the applicant of AVESTA HOUSING'S decision after a full evaluation of the information that has been provided to AVESTA HOUSING.

In the event that the applicant does respond within fourteen (14) days, a committee comprised of AVESTA HOUSING management staff will conduct a review of the information provided to determine if there is sufficient evidence so that when the potentially disqualifying conduct is weighed against the Mitigating

Circumstances, AVESTA HOUSING is reasonably certain that the Applicant will not engage in any similar conduct in the future. The outcome of this review will be communicated to the applicant in writing.

Applicants determined unqualified for admission will receive a notice of denial from AVESTA HOUSING, stating the basis for such determination and advising them of the opportunity for a Redetermination Review. All requests for a Redetermination Review meeting must be in writing as stated in their notice of denial from Avesta Housing.

Live-In Aides

A Live-in Aide is defined as a person who lives with a household that includes one or more elderly members (age 62 or older), persons with disabilities and who:

1. Is determined to be essential to the care and well being of those members;
2. Is not obligated to support the household member; and,
3. Would not be living in the apartment except to provide the necessary supportive services.

The AVESTA HOUSING policy on Live-in Aides is as follows:

If a person who is elderly (age 62 or older), near-elderly (age 50 or older), or has a disability requests permission to have a Live-in Aide, Avesta Housing must consider the request. Avesta Housing must determine whether the individual qualifies as “disabled” under federal law and whether the person requires the live-in aide in order to have an equal opportunity to use and enjoy the Development.

The aide would live in the household member’s apartment for the sole purpose of providing supportive services essential to the member’s care and well-being.

Residents or Applicants who request to have a live-in aide must provide the name, address and telephone number of their health care provider. Avesta Housing will contact the health care provider to verify the need for the request.

The Live-in Aide will be required to meet the criteria of the AVESTA HOUSING Screening Policy. Failure to sign and submit consent forms for release of information shall constitute reason for denial of admission.

Since the Aide is not a member of the household, their credit worthiness will not be a consideration in regards to approving or disapproving the request to move into the unit. Also, their income will not be considered income when calculating the total household income for the purposes of rent calculation or program income limits.

The household member and the Live-in Aide must sign an agreement with Avesta Housing stating that the live-in aide will live in the unit 1) solely to provide supportive services and, 2) will not have the right to live in the unit if the household member who requires assistance moves out or dies. Should both parties refuse to sign the agreement, Avesta Housing will deny the request for a live-in aide.

Applicants as Additions to Existing Household

If a Head of Household requests to add an additional adult to the household, the prospective household member must complete an application and releases. Avesta Housing will screen the applicant according to the Applicant Screening Criteria (see Chapter 5) in order to make a determination to accept or deny the request.

If the additional household member would result in overcrowding, as defined in Occupancy Standards (see Chapter 6), the request will be denied. If a property is operated under the Low Income Housing Tax Credit program, additional adult household members may not be allowed to be added to a lease in the initial one year lease period.

CHAPTER 6: ASSIGNMENTS

Occupation by Households of Appropriate Size

It is the policy of AVESTA HOUSING that apartments will be occupied by households of the appropriate size.

Occupancy Standards

The following table of maximum and minimum number of persons per apartment will govern the number of bedrooms required to accommodate a household of a given size and composition: The objective of these occupancy standards is to achieve utilization of apartments without overcrowding or providing more space than is needed by the number of people in the household.

In the absence of State or local health safety restrictions the following standard will apply:

<i>Number of Bedrooms</i>	<i>Min. Persons</i>	<i>Max. Persons</i>
OBR	1	2
1BR	1	3
2BR	1	5
3BR	2	7
4BR	4	9

With these standards as a guideline, the resident will select the unit size they deem appropriate to their needs insofar as overcrowding by the household does not happen and under-utilization of the unit does not occur.

Management will not provide bedroom space for others who are not members of the household such as permanently institutionalized family members or visitors. Live-in Aides and Foster Adults will be counted for purposes of determining the appropriate bedroom size.

If the Head of Household opts for a smaller apartment size than their first choice (for example, they are on both the efficiency waiting list and the one bedroom list, and they accept the efficiency), they may choose to remain on the waiting list for their first choice. See also Chapter 7: Transfer Policy.

A single person household will not be permitted to occupy an apartment with two or more bedrooms except for the following reasons:

1. A person with a disability who needs the larger unit as a reasonable accommodation.
2. A displaced person when no appropriately sized unit within the development is available.
3. An elderly person who has a verifiable need for a larger unit.
4. A remaining family member of a resident family when no appropriately sized unit within the development is available

Method of Applicant Assignment from the Waiting List

The plan for assignment of Qualified Applicants from the waiting list and assignment of apartments is to assure equal opportunity and nondiscrimination on grounds of race, color, religion, age, sex, national origin, creed, physical or mental disability, familial status, marital status, sexual orientation, or gender identity. Under this plan, the Eligible Applicant with the highest Priority and/or Preference and earliest application date is made ONE offer of an apartment of appropriate size and type.

Income-Targeting

For each project assisted under a contract for project-based Section 8 assistance, the owner must lease not less than 40% of the dwelling units (assisted under the contract) that become available for occupancy in any project fiscal year to extremely low-income families. Avesta Housing will alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list. For the first vacancy each year, the property manager will select the first extremely low-income applicant on the waiting list (which may mean "skipping over" some applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached. This practice will be regularly monitored by the Regional Property Managers to ensure compliance.

Placing Applicant Households with Disabled Family Members

When an apartment comes available that has features that would provide accommodations to suit a disabled Resident or Applicant, the household who has a member who needs the accessibility features of the unit will take priority to occupy over households with no disabled family members. See also Chapter 7, Transfer Policy.

Offers of Accessible/Adapted Apartments to Non-Disabled Applicants

AVESTA HOUSING will make every effort to have a sufficient pool of applicants for the number of accessible/adapted apartments in the Development. However, to avoid prolonged vacancy and loss of revenue, AVESTA HOUSING may permit temporary occupancy of a specially designed accessible/adapted apartment by a household not needing such specially designed features under the following conditions:

1. No household needing the specially designed features of the accessible unit is available to occupy the unit and management has made a diligent effort to reach tenants who qualify for the specially designed unit;
2. The Resident agrees to transfer to an appropriate unit if and when it becomes available in the Development once an applicant or resident with handicaps needing the features of the accessible unit is on the waiting list or transfer list and is ready to move in.

Accepting/Rejecting Housing Offers

When assigned an apartment, Applicants will be given one choice. An Applicant must accept an apartment offered within three (3) working days of the date the offer is communicated by the Property Manager (by phone and/or mail), or he/she will be moved to last place on all waiting lists which the household is on. Failure to accept an apartment offer will result in the following actions unless the Applicant can establish Mitigating Circumstances for their failure to respond.

The Applicant will be dropped to the bottom of all AVESTA HOUSING waiting lists that the household is on,

meaning that his or her date of application will be changed to the date that the Applicant declined the offer of a suitable apartment, rather than the original date of application; and, the Applicant will lose any approved priority and/or Preference.

CHAPTER 7: TRANSFER POLICY

General Transfer Policy

A Resident Head of Household may request a transfer to another unit within the Development. Requests must be submitted in writing to the Property Manager who will make a determination to approve or disapprove the request based on the Avesta Housing Transfer Policy. If the request is a Reasonable Accommodation request, the Reasonable Accommodation Policy and procedures will apply.

The Avesta Housing Property Manager may initiate an Administrative Transfer Request of a household.

Residents will be notified in writing of the approval or disapproval of the Transfer Request. Avesta Housing will maintain a Transfer List for each Development. When a unit comes available to rent, the Property Manager will refer to the list and contact residents on the list. However, for example, if the available apartment is a one (1) bedroom unit and the Resident has requested a two (2) bedroom unit, they will not be contacted.

Priority

Residents who have been approved for a transfer and are on the Transfer List for a development will take priority over new admissions, if the available apartment is appropriate to the reason for transfer. Recognizing that most transfer requests are related to apartment size or features, Avesta Housing will make a determination of the appropriateness of the transfer at the time of renting up the available apartment.

On occasion, Avesta Housing may offer an efficiency apartment with the agreement that the resident may continue to keep his/her name on the one bedroom waiting list. When this is the case, the resident may continue to keep their name on the waiting list but does not receive any special priority or preference for another unit. He/She would be considered for a one bedroom unit in turn, after all required unit transfers, in date order of his/her application.

Residents in Good Standing

In order to be considered for a Resident Initiated Transfer, residents must be in good standing, i.e. residents who are delinquent in rent payments, owe other charges, or engage in behavior prohibited by the lease will not be considered eligible for transfers. However, a resident in a situation which may constitute a life threatening situation to the health, safety or well being of the resident or a household member who does not meet all of the criteria may have some or all of these conditions waived. The Property Manager will make a recommendation to the Regional Property Manager, who will make a determination approving or disapproving the waiver. In the case where there is legal action pending, the legal action against the resident will continue.

Transfer Categories

Resident Initiated Requests

Residents have the right to request a transfer within the development. Reasons for transfer requests may include:

1. The resident household is over or under housed in their current unit by at least one (1) bedroom due to change in family size or composition;
2. The resident household has disabilities requiring the accessibility features of a unit and they are currently occupying a unit not having such features.
3. A resident who is a victim of domestic violence, dating violence, sexual assault or stalking as provided in HUD and USDA regulations, may be eligible for an emergency transfer as per the Avesta VAWA Emergency Transfer Plan if the resident reasonably believes there is a threat of imminent harm from further violence if the resident remains within the same unit. If the resident is a victim of sexual assault, the resident may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period receding a request for an emergency transfer. A resident requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

If the transfer is approved, the resident is responsible for the cleaning and preparation for re-renting the unit which the resident is leaving.

Administrative Requests

Property Managers may request an Administrative Transfer of a Resident household; reasons may include:

1. The transfer is required to permit occupancy of an accessible unit by another resident or applicant with disabilities.
2. The resident is in an accessible unit but no longer needs the accessible features.
3. The resident is over-housed by at least one (1) bedroom and a transfer is required to permit occupancy by another resident or applicant household who is of the appropriate size.
4. The current unit is located in a building or section of a building scheduled for major rehabilitation or capital improvements.
5. The unit has become uninhabitable, such as destruction by fire or other disaster, and immediate relocation is required.

Denial of Transfer Requests

In all instances, transfer approval shall be denied if the resident does not provide appropriate documentation to substantiate the transfer request; or if AVESTA HOUSING determines that the resident, other household member, or guest was the cause of the situation resulting in the need for transfer unless the existing condition of the apartment makes it uninhabitable in which case any approved transfer will be under a lease.

Transfers at Residents' Expense

Resident Initiated transfers, except those required by capital improvement programs or instances when the apartment becomes uninhabitable due to maintenance reasons or catastrophe such as fire or flood, are at the resident's expense.

Waiver of Policy

The Property Manager may recommend a waiver of any provision of this policy not required by law if the waiver of such provision would avoid substantial hardship or substantial injustice to a transfer applicant. The Director of Management and will have final approval authority for waivers.

CHAPTER 8: REASONABLE ACCOMMODATION POLICY

AVESTA HOUSING is committed to compliance with all applicable civil rights laws prohibiting discrimination in housing.

This policy is intended to benefit and assist ONLY individual(s) with disabilities.

Process for Request

A request for reasonable accommodation or modification may be made by or on behalf of a person with a disability. AVESTA HOUSING encourages, but does not require, that the request be made in writing. The request must be specific as to the accommodation or modification that is sought by the individual.

Unless the disability-related need for accommodation or modification is obvious, AVESTA HOUSING will verify the need for the requested accommodation or modification. Specifically, verification will focus on:

- 1) Whether the individual meets the state or Federal definition of disabled
- 2) Whether, in the opinion of a qualified medical or social service professional, the requested accommodation is necessary due to the disability.

NOTE: NO inquiries will be made concerning the nature or extent of the disability.

The individual requesting an accommodation shall sign the appropriate authorizations for release of information if one is necessary to verify the need for the requested accommodation. Failure to do so will result in a denial of the request.

Approval or Rejection of Request

- 1) Once AVESTA HOUSING receives the completed request from the medical or social service professional, the request will be reviewed and a prompt determination will be made. The requesting individual will be notified in writing in the event an extension of time is needed to obtain all necessary documentation.
- 2) In the event the verifying official states either: (i) the individual does not meet the state or federal definition of disabled or (ii) the request accommodation or modification is not necessary as a result of the disability, the request will be denied with no further action and the requester shall be notified in writing.
- 3) Once it is verified that the requester meets the state or federal definition of an individual with a disability AND that the request is necessary for them to benefit and enjoy the housing, or program, the Property Manager will determine the reasonableness of the request (i.e., Undue financial and administrative burden or fundamental alteration of program.)
- 4) If the request is reasonable, the accommodation or modification will be granted and the requester will be notified of this approval in writing.
- 5) If the request is not reasonable, the Property Manager will notify the requester in writing and will work with the requester to identify any means that are equally as effective in meeting their needs.

DEFINITIONS

- **Individual with Disabilities:**

Federal definition: An individual with a physical or mental impairment that substantially limits one or more major life activities; or an individual with a record of such an impairment; or an individual who is regarded as having such an impairment.

State definition: "Physical or mental disability" means:

A. A physical or mental impairment that:

(1) Substantially limits one or more of a person's major life activities;

(2) Significantly impairs physical or mental health; or

(3) Requires special education, vocational rehabilitation or related services;

B. Without regard to severity unless otherwise indicated: absent, artificial or replacement limbs, hands, feet or vital organs; alcoholism; amyotrophic lateral sclerosis; bipolar disorder; blindness or abnormal vision loss; cancer; cerebral palsy; chronic obstructive pulmonary disease; Crohn's disease; cystic fibrosis; deafness or abnormal hearing loss; diabetes; substantial disfigurement; epilepsy; heart disease; HIV or AIDS; kidney or renal diseases; lupus; major depressive disorder; mastectomy; mental retardation; multiple sclerosis; muscular dystrophy; paralysis; Parkinson's disease; pervasive developmental disorders; rheumatoid arthritis; schizophrenia; and acquired brain injury; [2007, c. 385, §3 (NEW).]

**a. C. With respect to an individual, having a record of any of the conditions in paragraph A or B;
or**

D. With respect to an individual, being regarded as having or likely to develop any of the conditions in paragraph A or B.

For purposes of this section:

A. The existence of a physical or mental disability is determined without regard to the ameliorative effects of mitigating measures such as medication, auxiliary aids or prosthetic devices; and

B. "Significantly impairs physical or mental health" means having an actual or expected duration of more than 6 months and impairing health to a significant extent as compared to what is ordinarily experienced in the general population.

Exceptions. "Physical or mental disability" does not include:

A. Pedophilia, exhibitionism, voyeurism, sexual behavior disorders, compulsive gambling, kleptomania, pyromania or tobacco smoking;

B. Any condition covered under section 4553, subsection 9-C; or

C. Psychoactive substance use disorders resulting from current illegal use of drugs, although this may not be construed to exclude an individual who:

(1) Has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs or has otherwise been rehabilitated successfully and is no longer engaging in such use;

(2) Is participating in a supervised rehabilitation program and is no longer engaging in such use;

(3) Is erroneously regarded as engaging in such use, but is not engaging in such use; or

(4) In the context of a reasonable accommodation in employment, is seeking treatment or has successfully completed treatment. [2007, c. 385, §3 (NEW).]

- **Reasonable Accommodation:** Any alteration or amendment to a policy, practice or procedure that is both reasonable and necessary to enable a person with a disability to have an equal opportunity to use and enjoy the housing.
- **Reasonable Modification:** Any alteration to the physical structure, including the dwelling units and

common use area, that is both reasonable and necessary to enable a person with a disability to have full enjoyment of the premises.

- **Undue Financial Burden:** The cost of the requested modification or accommodation is so excessive that the Development would be materially and/or financially harmed by the granting of the accommodation or modification.
- **Undue Administrative Burden:** The amount of staff time required for the accommodation or modification is so excessive that there would be a loss of services to other residents.
- **Fundamental Alteration of Program:** The accommodation or modification requested falls outside the scope of services routinely provided to residents.