



A RESOURCE GUIDE FOR HOMEOWNERS OF WESTCHESTER COUNTY AFFORDABLE HOUSING UNITS





Robert P. Astorino
County Executive

Department of Planning

Edward Buroughs, AICP
Commissioner

Congratulations on the purchase of your new home.

Thanks to Westchester's long-term commitment to developing affordable rental and homeownership units that will affirmatively further fair housing in our county you've joined the ranks of the millions of Americans who own their own home.

This guide describes the requirements of owning an affordable home in Westchester. In it you will find information about the rules and regulations that govern the occupancy, purchase and resale of affordable housing. You will find facts on tenant eligibility and a list of resources and non-profit housing organizations you may need to contact. There are also samples of letters to use if you want to sell or refinance your home and the answers to some frequently asked questions.

Please keep this guide with your other important homeownership documents, so that you can consult it as needed in the years to come.

Sincerely,
Edward Buroughs
Commissioner of Planning

Disclaimer

The County of Westchester, acting by and through its Department of Planning, prepared this brochure to enhance your access to information about the County's Fair and Affordable Housing programs. The data and information contained in this brochure is intended for informational purposes only and is not necessarily comprehensive or up to date. It is not the Department's intention to provide specific real estate or legal advice, but rather to provide new affordable housing homeowners with general information to help them better understand their rights and responsibilities. Our goal is to keep this information timely and accurate; however, the Department accepts no responsibility or liability whatsoever with regard to the information contained in this brochure, or for any actions taken in reliance thereon. If you need specific advice, you should always consult a suitably qualified professional.

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Please fill out the Acknowledgment on page 26 and 27,
remove it, and mail it to:

Westchester County Department of Planning
Office of Housing and Community Development
148 Martine Avenue, Room 414
White Plains, NY 10601

(Please make sure to keep a copy for your own
records.)

This guide may also be found at <http://homes.westchestergov.com>
under the *Resources* tab.

I. PROGRAM SUMMARIES

Housing developers use a variety of Federal, State, and County programs to help make homeownership affordable for purchasers. These programs are used to reduce the cost of land, construction or the purchase price that the homebuyers must pay for their home. To make a new home as affordable as possible, several programs may be used in combination to finance the development and each program may have different requirements. Usually the requirements with the strictest limitations are followed in such cases. Such limitations are explained later in the guide.

The requirements for all sources used to develop the housing are usually recorded with a mortgage or deed restriction during the required affordability or regulatory period. Most of the programs are administered by the Westchester County Department of Planning. Staff from the Department of Planning (Planning Staff) will be available to assist you during the affordability or regulatory period with your obligations so you stay in compliance with program requirements. Each of the programs is summarized below, and those that are applicable to your home have been marked with an "X" in the box preceding the program summary.

New Homes Land Acquisition (NHLA) and Fair and Affordable Housing (FAH) Program:

These programs provide County funds to reduce the cost of the land for the developer where fair and affordable housing units will be built or rehabilitated. Homes must remain affordable for a minimum period of up to fifty (50) years from the date of the initial sale to the first homebuyer, though some units built in the 1990's through 2009 may have shorter affordability periods. Each initial purchaser and subsequent purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. For compliance purposes, the County reserves the right to monitor the home annually. Homes

must be maintained in good condition during the affordability period. Homeowners are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing their mortgage. It should be noted that during the affordability period, profits on resale are limited and the home must be sold to an income eligible household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. This price will be calculated by the Planning Staff as required for any sale or refinance request. All of these requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

□ Housing Implementation Fund (HIF) and Fair and Affordable Housing (FAH) Program:

These programs provide County funds to pay for infrastructure to assist fair and affordable housing developments, such as streets, sidewalks, storm sewers, parking lots and lighting and similar public improvements. Affordability requirements are spelled out in an Inter-Municipal Agreement (IMA) between the County and the local government and a related Developer-Municipal Agreement (DMA) between the municipality and the affordable housing developer. In some cases these documents are combined into an Inter-Municipal Developer Agreement (IMDA). Housing benefiting from these improvements must remain affordable for a minimum of fifty (50) years, though some units built in the 1990's through 2009 may have shorter affordability periods.

Each initial purchaser and subsequent purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. Recapture of the individual unit share of HIF funds is required of the original homeowner if the home is sold within the first ten (10) years of the recapture period. It should be noted that the full amount of the prorated

share of the unit's HIF funds is to be recaptured from the homeowner if the property is sold within the first five years. A portion is to be recaptured if the property is sold during the last five years. The homeowner may be able to obtain a waiver for this recapture as long as the unit is sold to an income eligible homebuyer and can document hardship if required to repay the amount due. Such a waiver can be requested from the Westchester County Department of Planning. See Appendix for contact information.

For compliance purposes, the County reserves the right to monitor the home annually. Homes must be maintained in good condition during the affordability period. Homeowners are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing their mortgage. During the affordability period profits on resale are limited and the home must be sold to an income eligible household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. This price will be calculated by Planning Staff as required for any sale or refinance request. All of these requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

□ **HOME Program - *single-family home*:**

This program uses federal funds from the United States Department of Housing and Urban Development ("HUD") administered by Westchester County, to reduce the construction costs of building a new home or rehabilitating an existing home. Homes must remain affordable for a minimum period of fifty (50) years from the date of the initial sale, though some units built in the 1990's through 2009 have shorter affordability periods. Each initial purchaser and subsequent purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. For compliance

purposes, the County reserves the right to monitor the HOME assisted unit on an annual basis. Homes must be maintained in good condition during the affordability period. Homeowners are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing the mortgage. It should be noted that during the affordability period profits on resale are limited and the home must be sold to an income eligible household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. Since the homeowner must obtain the County's consent to sell or refinance their home, the County will provide the maximum resale price to the homeowner at the time they notify the County of their intention to sell or refinance. All of these requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

□ **Neighborhood Stabilization Program (NSP) -
*single-family home:***

This program uses federal funds from the United States Department of Housing and Urban Development (HUD) administered by Westchester County, to reduce the cost of acquisition and rehabilitation of an existing vacant home. Homes must remain affordable for a minimum period of forty (40) to fifty (50) years from the date of the initial sale. Each initial purchaser and subsequent purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. For compliance purposes, the County reserves the right to monitor the home on an annual basis. Homes must be maintained in good condition during the affordability period. Homeowners are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing the mortgage. It should be noted that during the affordability period profits on resale are limited and the home must be sold to an income eligible

household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. Since the homeowner must obtain the County's consent to sell or refinance their home, the County will provide the maximum resale price to the homeowner at the time they notify the County of their intention to sell or refinance. All of these requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

□ **Fair and Affordable Acquisition & Rehabilitation Program (FAH A/R) - *single-family home*:**

This program uses federal funds from the United States Department of Housing and Urban Development (HUD) administered by Westchester County, to reduce the cost of acquisition and rehabilitation of an existing vacant home. Homes must remain affordable for a minimum period fifty (50) years from the date of the initial sale. Each initial purchaser and subsequent purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. For compliance purposes, the County reserves the right to monitor the home on an annual basis. Homes must be maintained in good condition during the affordability period. Homeowners are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing the mortgage. It should be noted that during the affordability period profits on resale are limited and the home must be sold to an income eligible household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. Since the homeowner must obtain the County's consent to sell or refinance their home, the County will provide the maximum resale price to the homeowner at the time they notify the County of their intention to sell or refinance. All of these

requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

□ **NHLA , HIF, FAH, FAH A/R, HOME & NSP Program - *two- three- or four-family home:***

The NHLA, HIF, FAH, FAH A/R, HOME & NSP programs, described above, can also be used to reduce the construction costs of building a new home or rehabilitating homes which have both an owner's unit and one or more rental units. All units must remain affordable for a minimum period of fifty (50) years from the date of the initial sale, though some units built in the 1990's through 2009 and later may have shorter affordability periods. This period will be spelled out in the Declaration of restrictive Covenants filed with the deed to your property.

Both owners and tenants must meet income and asset eligibility requirements. Additional criteria apply to the selection of tenants, including income eligibility and maximum rent limits. Owners and tenants must occupy their units as their primary residence. Compliance will be monitored annually. Owners are responsible for maintaining the units in good condition, meeting required housing standards during the affordability period. Owners are required to obtain the County's consent prior to initial and subsequent leasing, as well as subsequent refinancing, and resale. It should be noted that during the affordability period profits on resale are limited and the home must be sold to an income eligible household.

□ **American Dream Downpayment Initiative:**

This program uses federal funds from HUD administered by Westchester County to reduce the cost of the purchase of a home. Homes purchased using American Dream Downpayment Initiative (ADDI) funds must remain affordable for a period of

twenty (20) years from date of the initial sale. If the homeowner wishes to sell the unit prior to the end of the 20 year affordability period, they will be required to pay the ADDI funds back to the County in full. It should be noted that if multiple funding sources are used; the most restrictive standards for resale will apply and the affordability period may be longer. Each purchaser must meet income and asset eligibility requirements, and must occupy the home as their primary residence. For compliance purposes, the County reserves the right to monitor the ADDI funded home on an annual basis.

Homes must be maintained in good condition during the affordability period. The funding is secured through a mortgage that is usually subordinate to the primary purchase mortgage. Homeowners are required to obtain the County's written consent prior to refinancing or resale.

□ NYS Affordable Housing Corporation Programs:

Although the County does not always administer funds from the Affordable Housing Corporation, (AHC), this program description is included here because this program is frequently used in addition to funding administered by the County. The AHC program uses New York State funds that are administered by the County or another eligible sponsor to reduce the purchase price to eligible homebuyers. It may be used for single family or two-, three- or four- family homes that contain both owner and rental units and is occupied by the homeowner and tenants as their primary residence. The funding is secured through a grant enforcement note and mortgage that is subordinate to the primary purchase mortgage.

All units must remain affordable for a minimum of ten years, and funds may be recaptured if the home is sold during this period. However, if the home is sold to another income eligible homebuyer, as approved by New York State, this mortgage

may be assumed by the new homeowner. Purchasers and, in the case of two, three and four family homes, tenants must meet income and asset eligibility requirements.

Compliance will be monitored annually. Owners are required to obtain written consent from the NYS AHC and/or County, as applicable, prior to refinancing or resale. If the County is the sponsor for these funds, then the refinancing or resale request can be handled by Planning Staff. Otherwise refinance and resale will be handled by the non-profit housing agency administering the funding with the County's consent. If the owner decides to sell their home prior to end of the initial ten (10) year period, all or a portion of the funds may need to be repaid as determined by AHC. Homeowners are advised to contact AHC if they decide that they want to sell their home prior to the end of the initial 10 year period and no other sources of funding administered by the County (programs listed above) are checked off.

☐ Locally Designated or Inclusionary Homes:

A number of local governments require that developers of new residential developments include some portion of the homes as affordable by local standards. Among these municipalities are those which have adopted the County's affordability requirements for these local inclusionary homes; and with these homes, the County will monitor the affordability restrictions in accordance with its affordability requirements. Among these requirements are that the homes must remain affordable for a minimum period fifty (50) years from date of the initial sale; each initial homebuyer and subsequent homebuyer must meet income and asset eligibility requirements; and the homebuyer must occupy the home as their primary residence. For compliance purposes, the County reserves the right to monitor the home on an annual basis. Homes must be maintained in good condition during the affordability period. Homeowners

are required to obtain the County's written consent prior to putting the home on the market for resale or refinancing the mortgage. It should be noted that during the affordability period profits on resale are limited and the home must be sold to an income eligible household at a price no higher than the maximum resale price. Similarly, refinance amounts are limited based upon the restricted maximum resale price. Since the homeowner must obtain the County's consent to sell or refinance their home, the County will provide the maximum resale price to the homeowner at the time they notify the County of their intention to sell or refinance. All of these requirements are spelled out in a Declaration of Restrictive Covenants filed with the deed to your property.

Other:

From time to time, a special program may be used in conjunction with a particular homeownership development project. If this box is checked, a description of the special program has been added below.

It should be noted that if multiple funding sources are used, the most restrictive standards would apply

II. FREQUENTLY ASKED QUESTIONS

If my income goes up after I've purchased my home, will I have to move?

No. You must meet income limitations for your family size only at the time of your purchase. So, if your income or family size changes after that time, you will not be disqualified. When monitored, you should accurately report your current income and family size without fear of penalty.

Who can occupy my home? May friends or relatives move in with me?

Your purchase application identified all those whom you expected to occupy your home. Generally, this will include your immediate family, though its size and composition may change during the affordability period. You may not sublet your single family home to either friends or relatives; you must occupy it as your primary residence. Condominium corporations, homeowners' associations, mortgage lenders and local governments may impose additional restrictions for occupancy to prevent overcrowding and deterioration of the property. Be sure to check the requirements of each of these sources as applicable. If you have a unique or unusual circumstance that warrants further discussion, call the County Planning Department representative for assistance. See Appendix for contact information.

What does the term 'primary residence' mean?

Your primary residence is your permanent address, the one that determines where you vote, pay your taxes, and send your children to school and similar long-term actions. In order to meet the requirement that you occupy the home as your primary residence during the affordability period, you must live there most of the

year, and longer than in any other place. Each year during the regulatory period, you will have to show that you are in compliance with this requirement. Nothing in this requirement prevents you from traveling on business, taking vacation, or participating in military service or other activity. However, you may not rent your home during any absence.

Do I need permission to make changes to my home, such as finishing the basement or painting the kitchen?

Minor changes such as interior painting or carpeting typically do not require local municipal or County permission. However, if you live in a condominium you should review its rules to determine whether any additional restrictions apply. Major changes such as finishing a basement may require permits and approvals from the local building department. If you plan to take out a new loan or increase the size of your existing mortgage loan to finance the work, then County permission is also needed. Consult Planning Staff if you expect to refinance or change your mortgage. As long as the additional debt does not jeopardize the affordability of your home, the County will review your request. If the AHC box on page 7 is checked, Planning Staff will assist you in securing that agency's consent to the refinancing as well.

Can I refinance to reduce my housing expenses if mortgage interest rates go down?

Yes. However, you will still need County (and AHC, if applicable) consent to refinance under these circumstances. Generally, both agencies will consent to a refinancing to improve affordability. See the Appendix for a sample of the information you will need to provide at least 30 days before you plan to close on a refinancing.

My home is now worth more than I paid for it. Can I refinance the mortgage at a higher value, using the extra money for another purpose?

Generally, permission will not be granted for refinancing that would jeopardize the continued affordability of the home. The amount that you are allowed to refinance is based upon the affordable purchase price and will not exceed that price, even if the market value indicates that values in the area are much more than what you paid for the home. Planning Staff, will review each case individually and may consent to refinancing for a capital improvement to the home, and may also consider closing costs that do not exceed the maximum resale price. Consult Planning Staff before applying for such refinancing, or agreement, in order to avoid disappointment. In the event you wish to request permission to refinance see the Appendix for a list of the information that you will need to provide to the County.

Can I take out a Home Equity Line of Credit (HELOC)?

The County does not generally approve taking out additional debt on your home through a HELOC or other forms of debt, but may make exceptions based on your specific circumstances. In no case can the total amount of the HELOC plus the balance of the existing mortgage(s) exceed the restricted resale price of the home. In all cases where you are borrowing against the value of the home, you must request permission from the County in writing and be granted approval before proceeding. In your letter, you should explain the need and used of the additional financing. You will also be encouraged to consult with a HUD Certified Housing Counseling Agency (HCA) which can help to identify a loan product that is suitable for your purposes. See Appendix for HCA contact information.

I've lost my job and can no longer afford my home. What should I do?

Call Planning Staff immediately to arrange for homebuyer counseling by a HUD certified Housing Counseling Agency (HCA) to help you assess your options. Of those HCAs listed in the Appendix, several specialize in default and foreclosure counseling. It may be possible to prevent foreclosure if you act promptly. The County may be able to help you access eviction prevention funding to prevent a foreclosure.

I'd like to retire to another state and turn my home over to my kids. Can I do that?

During the affordability period, you would need to obtain approval from the County (and AHC, if applicable) prior to any transfer of ownership, including a transfer to your children. Your children, like any subsequent purchaser, would need to meet income and asset eligibility requirements. Consult with Planning Staff for information on steps to take to determine their eligibility. You should also consult with your mortgage lender regarding an assumption of any remaining term on your mortgage.

How do I determine the sales price when I want to sell my home?

When you've reached a decision to sell your home during the affordability period, consult with Planning Staff which will help you determine the maximum permitted sales price. Generally, this will reflect a Consumer Price Index adjustment starting with the original purchase price, plus the adjusted value of any major capital improvements you might have added to the home. The resulting resale price must be affordable to households within eligible income levels. Planning Staff will be able to assist with determining the eligible income limit, which is measured as a

percentage of the Westchester County area median income at the time of the proposed sale. When requesting assistance from the Planning staff, please have information regarding your capital improvements available for the staff to review at that time. Typically, an itemized list of the improvements will be requested, along with receipts for those improvements that you listed. Additionally, Planning Staff will conduct an inspection of your unit to help in determining the value of the improvements.

How do I find an eligible buyer when I want to sell?

Your best bet is to contact a County designated HUD certified Housing Counseling Agency (HCA) for assistance in marketing your home. Please be aware that the Declaration of Restrictive Covenants filed with the deed to your home may require that you hire an HCA for this purpose. The cost is similar to what you would pay for a Real Estate Agent to market your home. The HCAs are listed in the appendix. They will assist you in identifying an eligible buyer and assist you through the sales process. If you wish, you may refer friends and/or co-workers to these nonprofit agencies for homebuyer counseling and income eligibility determination. You should contact Planning Staff to find out which HCA has been designated, and to provide you with a determination of the maximum resale price and the current income limit for the prospective purchaser.

May I use a Real Estate Broker or Agent in the sale of my unit?

If you chose to use the services of a Real Estate Broker or Agent, they must be advised the unit is "affordable" with "restrictive covenants" placed on the property that restrict the sale price, limits the income for eligible buyers, and if the home must be affirmatively marketed. In some cases you may be required to hire County designated HUD certified Housing Counseling Agency

(HCA) for assistance in marketing your home whether or not you have engaged a Real Estate Broker or Agent. Any prospective buyer must receive homebuyer counseling and education through one of the HCAs listed in the appendix. The County does not maintain a list of potential buyers but may be able to assist with the marketing of your unit through its Homeseeker website at <http://www.Westchestergov.com/homeseeker>. The HCAs do have lists of potential homebuyers with whom they are working, and may also have marketing experience for affordable homes that will assist you in finding a buyer. The County designated HCA has demonstrated its experience and ability to market affordable homes, and may be a good choice for you as seller.

What is a HCA?

HUD certifies nonprofit housing counseling agencies throughout the country that can provide advice on buying a home, renting, defaults, foreclosures, and credit issues. Included in these services are home buying counseling and education programs which provide homebuyers with information needed to understand the rights and responsibilities of homeownership. These agencies are listed in the Appendix.

What information do I need to provide the County if I want to sell my Fair and Affordable Home?

The list of items that will be required by the homeowner will include:

1. A letter to Planning Department staff stating that you wish to sell your home and requesting the maximum resale price of your home (See Sample Letter #1)
2. The name of the HCA or nonprofit agency that may have assisted you when you originally purchased your home or the one that you are currently working with.

3. Information on any major capital improvements you have made to your home, including the date of those improvements and receipts detailing your cost to do the improvements.

What do I do once I find an approved buyer?

To prevent a delay in closing on your proposed sale, notify Planning Staff as soon as possible, and at least 45 days before a scheduled closing. If you are working with a HCA to qualify the buyer, this process may go easier for you. The HCA can help to coordinate the sale with all the entities that are involved. Planning Staff and/or the HCA will also assist you in obtaining the consent needed for the buyer assume and subordinate the remaining term on the mortgage provided by AHC or other funding source, if applicable.

How do I select tenants for the rental unit(s) in my two- three- or four-family home?

Tenants leasing the affordable apartments in your home must meet income eligibility and other qualifications. You can work with the HCA assisting you with your home purchase to qualify your first tenants. You are required to obtain the County's consent prior to initial and subsequent leasing of any rental apartment. Planning Staff should be contacted as soon as you know there will be a vacancy. Planning Staff can assist you in determining the income eligibility of the tenant, the amount of rent you may charge and other requirements that apply. You may work with a HCA to identify and secure a qualified tenant or you may also identify potential tenants on your own. The Declaration of Restrictive Covenants filed with your deed may provide additional requirements for both marketing the apartment and selection of the tenant. For example, you may need to advertise the availability of the unit or you may be required to hire the County designated HCA to market the apartment. In all cases, the tenant must be income

qualified by a qualified agency, and approved by the County. The HCA may also assist in screening tenants such as reviewing the prospective tenant's income eligibility, employment status and references prior to leasing the unit. They may also assist you or provide guidance with the leasing terms for your income eligible tenant. You must receive final income eligibility approval by the County for your tenant prior to signing a lease and allowing the tenant to move into your rental unit.

Can I increase the rent I charge my tenant each year?

Allowable rent increases vary by program. If the property was assisted under the HOME program, the allowable rents are published each year by HUD. If it is assisted by AHC and/or NSP, then there is a 2% limit on any rental increase from one year to the next. The requirements for your property will be include in the Declaration of Restrictive Covenants filed with the deed to your property. Please be aware that you are not required to increase the rents, even if allowable. For example, if the rent starts to exceed rents for similar apartments in your neighborhood, the apartment will be priced out of the market by prospective tenants. If you have provided your tenant an annual lease, you will need to provide the tenant with adequate notice of a rent increase. To start, you should consult Planning Staff which can assist you in determining the allowable rent approximately 90 days prior to the lease renewal.

What rights do I have as a landlord in my two- three- or four-family home? What rights do my tenants have? How can I get more information about landlord/tenant issues?

The County's Housing Website at <http://homes.westchestergov.com> contains information for both tenants and landlords. In addition, the Westchester County publication *A Roof Over Your Head* can help you with many of these questions. You can request a copy of

this booklet from the Westchester County Planning Department, or you may find it on their website (see above) under the **Resources** tab. Planning Staff and several nonprofit organizations listed in the ***A Roof Over Your Head*** publication can also be of assistance. Additionally the New York State Office of the Attorney General has an informative website. See the Part III of this guide for website and contact information.

***What should I do with the Acknowledgment Page
(On page 29 of this guide)?***

The County wants to be certain that you have received and have read the information contained in this guide. To verify both, you have been asked to complete the form on page 29 and 30, clip the pages (make a copy for your records) and mail the signed original back to the County.

It should be mailed to:

Westchester County Department of Planning
148 Martine Avenue, Room 414
White Plains, NY 10601
Attention: Housing Monitoring

III. Where to Go for More Information

The below list includes contact information you are most likely to need during your home's affordability period. Any staff or positions named below may change over time. If the staff member listed is not available, ask to be referred to someone else who can help with your inquiry.

Program Information, Affordability Criteria, Affordable Rents Monitoring Information, Refinancing, & Resale

Westchester County Department of Planning

148 Martine Avenue, Room 414

White Plains, New York 10601

Housing and Community Development

(914) 995-2413

Email address: tkal@westchestergov.com

Website: <http://homes.westchestergov.com/>

New York State Affordable Housing Corporation (AHC)

New York State Affordable Housing Corporation

641 Lexington Avenue, 4th floor

New York, New York 10028

Phone: (212) 688-4000

Fax: (212) 872-0789

Email: BHyatt@nyshcr.org

Website: <http://www.nyshcr.org/Agencies/AHC>

Tenant/Landlord Information

Westchester County

County Executive's Office

148 Martine Avenue

White Plains, New York 10601

Phone: 914-995-2738

Website: <http://homes.westchestergov.com/landlords>

Website: <http://homes.westchestergov.com/tenants>

NYS Office of the Attorney General

Westchester Regional Office

101 East Post Road

White Plains, New York 10601-5008

(914) 422-8755

http://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenant_Rights_2011.pdf

HUD Certified Housing Counseling Agencies

Community Housing Innovations, Inc.

190 East Post Road Suite #401

White Plains, NY 10601

Contact: Homeownership Counseling

Phone: (914) 683-1010

Fax: (914) 683-6158

Email: jstern@chigrants.org

Housing Action Council

55 South Broadway (2nd floor)

Tarrytown, NY 10591

Contact: Homeownership Counseling

Phone: (914) 332-4144

Fax: (914) 332-4147

Email: hac@affordablehomes.org

Website: <http://www.housingactioncouncil.org/>

Human Development Services of Westchester

28 Adeo St

Port Chester, NY 10573

Contact: Homeownership Counseling

Phone: (914) 939-2005

Fax: (914) 939-3531

Email: blancalhds@aol.com

Westchester Residential Opportunities

470 Mamaroneck Avenue, Suite 410

White Plains, Y 10605

Contact: Homeownership Counseling

Phone: (914-428.-4507

Fax: 914-428-9455

Email: homebuying@wroinc.org

If you call any HCA and have any questions or problems (or if you just want to let us know how you've made out) please feel free to contact us.

PUBLICATIONS

A Roof Over Your Head: This publication, available in English and Spanish (Español), is a housing guide that is available on our website at <http://homes.westchestergov.com>. It also may be obtained from the Westchester County Department of Planning by calling 914-995-2413 or you may request it in writing from the Department of Planning at 148 Martine Avenue, 4th Floor, White Plains, NY 10601.

IV. Appendix

The sample letters included on the following pages are letters that you may use when requesting the County's consent to sell or refinance your home. There is also a list of documents included in this guide that you may need to provide to the County or the non-profit housing agency you are working with when you decide to sell your home or refinance or subordinate the mortgage for your affordable home. Additionally, there is a Homebuyers Acknowledgement page included at the end of this guide that each and every homebuyer of an affordable unit, must read and sign prior to purchasing an affordable unit funded via Westchester County. Your signature on that page indicates to us that you clearly understand all of the restrictions placed upon the property as well as your obligations as a purchaser of a fair and affordable home. This signed page should be mailed to the County at:

Westchester County Department of Planning
Housing & Community Development
148 Martine Avenue, 4th Floor
White Plains, NY 10601

(Please make sure to make a copy for your own records.)

A. Sample Letter #1

LETTER TO REQUEST PERMISSION TO SELL YOUR FAIR AND AFFORDABLE HOME

DATE: _____

Westchester County Department of Planning
Housing & Community Development
148 Martine Avenue, Room 414
White Plains, New York 10601

Attention: Housing Staff, Monitoring Administrator

To Whom It May Concern:

I currently reside in a fair and affordable home located at

Please be advised I wish to sell my current fair and affordable home. I am aware that my home must be sold to an income eligible household and that maximum resale restrictions and recapture provisions may apply. Please provide me with the maximum resale price for my home.

My telephone number is _____.

Thank you for your assistance in this matter.

Sincerely,

Signed

Name: _____

(Insert your signature and print your name)

B. Sample Letter #2

LETTER TO REQUEST PERMISSION TO REFINANCE AND/OR SUBORDINATE YOUR FAIR AND AFFORDABLE HOME

DATE: _____

Westchester County Department of Planning
Housing & Community Development
148 Martine Avenue, Room 414
White Plains, New York 10601

Attention: Housing Staff, Monitoring Administrator

To Whom It May Concern:

I currently reside in a fair and affordable home located at

Please be advised I wish to refinance and/or subordinate my current mortgage balance. My mortgage balance is

\$_____.

The amount I would like to refinance for is \$_____.
(If applicable please indicate the reason for any additional funds above the mortgage balance to be paid off.)

I am requesting additional funds above the outstanding mortgage for the following reasons:

Please provide me with the maximum refinance amount.

My telephone number is _____.

Thank you for your assistance in this matter.

Sincerely,

Signed

Name: _____

(Insert your signature and print your name)

C. Documents Necessary to Refinance or Subordinate Mortgages for Your Fair and Affordable Home

- **New York State Affordable Housing Corporation Subordination Request Form** (Supplied by Westchester County upon refinance request)
- **Westchester County Subordination Request Form** (Supplied by Westchester County upon refinance request)
- **Mortgage Commitment Letter (after approval)**
- **Contractor's Proposal for home improvements**
- **Title Report**

D. Home Buyers Acknowledgements

I, _____ (print your full first and last name), have read all of the information within this "Resource Guide for Homeowners" and I understand all of my obligations as a Fair and Affordable Housing homeowner. I also understand the affordability requirements and restrictions placed on my home by Westchester County. These restrictions are applicable to the Fair and Affordable Home that I have purchased or the home that has been subsidized by the County that I am willing to purchase.

I understand that this home should remain affordable for a minimum period of _____ years from the date of the initial sale of this unit. The initial sale took place on _____. I understand that if I plan to sell or refinance my home I am required to contact the Westchester County Planning Department and obtain their consent, in writing, before I sell or refinance my home. I also understand that this home must be my primary residence and that I may not rent my home, but must reside in the home.

I further understand that the County of Westchester, acting by and through its Department of Planning prepared this brochure to enhance my access to information about Fair and Affordable Housing programs. The data and information contained in this brochure is intended for informational purposes only and is not necessarily comprehensive or up to date. I understand that it is not the



Department's intention to provide specific real estate or legal advice, but rather to provide me with general information to help me better understand my rights and responsibilities. The Department's goal is to keep the information contained in this guide timely and accurate; however, the Department accepts no responsibility or liability whatsoever with regard to such information or for any actions taken in reliance thereon. If I need specific advice, I should always consult a suitably qualified professional.

I, _____ living at
(Print your full name)

(Print your current address)

hereby acknowledge receipt of this information.

(Signature)

(Date)

Insert address of the fair and affordable housing property, if different from above:





Westchester County Department of Planning
414 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601
(914) 995-2413 / (914) 995-9093 (fax)
www.westchestergov.com/planning

Westchester
gov.com

Robert P. Astorino, County Executive
Edward Burroughs, Commissioner
Department of Planning