

June 21, 2010

Dear Applicant:

Enclosed are the program guidelines, application, and lead based paint notice for the County's Senior Citizen Owner-Occupied Property Rehabilitation Program. Keep the guidelines and lead based paint notice for your files.

You must submit copies of the following items with your application:

- \_\_\_\_\_ (a) **2009 federal income tax statement (not your W-2's);**
  
- \_\_\_\_\_ (b) **Proof of income for all household members, as applicable:**
  - \_\_\_\_\_ 2010 Social Security, Pension, VA, Unemployment and Public Assistance Benefit Statements
  - \_\_\_\_\_ Pay Stubs for the Past Three (3) Months
  - \_\_\_\_\_ Documentation of Child Support, Alimony
  - \_\_\_\_\_ Other Income Documentation, as applicable
  
- \_\_\_\_\_ (c) **A copy of the current year's school and property tax bills.**
  
- \_\_\_\_\_ (d) **A copy of the trust agreement if the property is owned by a trust.**
  
- \_\_\_\_\_ (e) **Signed participation affidavit of *each* property owner or trustee who is not the applicant.**

Review your application to ensure it is complete and that the income documentation described above is attached. Use this letter as a checklist.

This application will be valid for thirty (30) days from mailing. Contact me at (845) 486-3600 or [asaylor@co.dutchess.ny.us](mailto:asaylor@co.dutchess.ny.us) if you have questions or need assistance.

Sincerely,

Anne E. Saylor  
Housing Coordinator

DUTCHESS COUNTY  
SENIOR CITIZEN OWNER-OCCUPIED  
PROPERTY REHABILITATION PROGRAM GUIDELINES

PURPOSE

The purpose of the Dutchess County Senior Citizen Owner-Occupied Property Rehabilitation Program is to upgrade existing owner-occupied housing by providing assistance to low and moderate-income senior citizen households to complete rehabilitation on properties with code violations.

ELIGIBLE APPLICANTS

The applicant(s) must be:

- a. 62 years of age or older at the time of application
- b. At least one of the legal property owners or be a life tenant (i.e. you can have others on your deed as long as you have remained on the deed or you can have transferred your home to other parties or a trust so long as you have maintained your legal right to life tenancy.)
- c. Have a household income at or below the following limits:

<u>Family Size</u>	<u>Income Limits</u>	<u>Family Size</u>	<u>Income Limits</u>
1	\$45,100	4	\$64,400
2	\$51,550	5	\$69,600
3	\$58,000	6	\$74,750

Annual household income is the gross income anticipated to be received by all adults (18 years or older) in the household during next 12 months. Documentation as noted in the application must be submitted to verify income.

ELIGIBLE PROPERTIES

Eligible properties are:

- a. Only single-family, detached, owner-occupied units
- b. Properties must contain one or more substandard conditions that do not meet state and local health, safety and fire codes.
- c. Properties must have a minimum of \$1,000 in repairs but must not exceed the \$20,000 maximum.

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- d. Properties in any Dutchess County municipality except the City of Poughkeepsie, Towns of East Fishkill and Fishkill and the Village of Wappinger Falls who are not members of the 2010-2012 County Consortium.

Ineligible properties include:

- Properties for sale through real estate agents or other methods
- Properties with repairs that are less than \$1,000 or more than \$20,000
- Properties that include legal or illegal rental units, mobile homes, trailers, attached townhomes/condominiums.

**ELIGIBLE IMPROVEMENTS**

Eligible improvements include major system repairs necessary to meet HUD Housing Quality Standards (HQS) and the NYS Uniform Fire Prevention and Building Code (NYS Building Code). The program's focus is repairs to "major systems" including but not limited to: furnaces, plumbing, structural (roofs, walls, and decks/porches), electrical, necessary handicapped accessibility improvements, conventional septic systems, lead based paint abatement, bathrooms, and kitchens with significant deterioration, window and appliances (see below). **GENERAL PROPERTY IMPROVEMENTS, MAINTENANCE AND COSMETIC IMPROVEMENTS ARE PROHIBITED.** All improvements must be an integral, structural part of the property. The rehabilitation of outbuildings, including but not limited to detached garages and sheds, is ineligible.

The following are guidelines for specific types of improvements:

**Windows**

The program will replace inoperable windows in habitable space as defined by the NYS Building Code. Operable single pane windows may receive storms and screens for energy efficiency. Deteriorated but operable single pane windows may be replaced if the cost of repairing the window and installing storms and screens is more than the cost of new double pane windows.

**Appliances**

The program funds may not be used for appliances, as they are not an integral, structural part of the property. The only exceptions to this rule are stoves and refrigerators. Program funds may be used for stoves and refrigerators under the following conditions:

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- The property does not contain a stove and/or refrigerator
- The property contains an inoperable stove and/or refrigerator. The program will replace an appliance if the repair cost is more than 50% of the replacement value of a refrigerator under the program guidelines. The property owner must prove, with a written estimate, the cost to repair the appliance. Appliance repairs are the responsibility of the property owner.
- The existing stove and/or refrigerator is not suitable due to a handicap. The handicap must be documented and the new appliance must relate to that handicap and make the appliance accessible to the particular individual(s).

### Septics

Only conventional septic systems are eligible. Unconventional systems, such as raised systems, are ineligible.

### Handicapped Renovations

Persons confined to wheelchairs or braces or who are blind, deaf or otherwise limited by health factors will be considered handicapped and may be eligible for barrier removal, ramps, and special facilities in their homes. The DCPD may require that the handicapping condition be certified by an acceptable third party.

## LEAD-BASED PAINT

All projects funded under this program must comply with HUD's new "Regulation on Lead-Based Paint Hazard". Except for minor disturbances as defined by the regulation, any painted surface proposed to be disturbed during rehabilitation must be tested for lead-based paint. A risk assessment will also be completed by a certified risk assessor to determine potential lead-based hazards and recommend lead hazard controls. Lead hazard control methods recommended by the risk assessor must be added to the specification and completed as part of the rehabilitation. All required lead hazard controls will be completed by contractors trained in safe work practices. At the end of the project, the areas where lead hazard controls were completed will be retested to see that they were properly cleaned.

## ASSISTANCE LIMITS/ELIGIBILITY DETERMINATION

6/21/2010

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The maximum funding is \$20,000. An application will be rejected if the scope of the rehabilitation necessary to comply with HUD HQS and NYS Building Code standards exceeds \$20,000.

The maximum funding is based on the scope of rehabilitation. A household eligible for \$20,000 may not receive the full amount if the scope of rehabilitation, as determined by the DCPD staff, is less than the maximum.

Households whose income is between 0-50% of the county median will receive a deferred payment loan. The following are the income ranges for the deferred payment loan:

<u>Family Size</u>	<u>Income Limits</u>	<u>Family Size</u>	<u>Income Limits</u>
1	\$0-\$29,200	4	\$0-41,700
2	\$0-\$33,400	5	\$0-45,050
3	\$0-\$37,550	6	\$0-48,400

A lien will be placed against the property for the amount of the deferred payment loan. There are no monthly payments for a deferred payment loan. The loan will be repaid when the property is sold.

Households between 50% and 80% of the county median income are eligible for a 0% interest loan.

<u>Family Size</u>	<u>Income Limits</u>	<u>Family Size</u>	<u>Income Limits</u>
1	\$29,201-\$45,100	4	\$41,701-\$64,400
2	\$33,401-\$51,550	5	\$45,051-\$69,600
3	\$37,551-\$58,000	6	\$48,401-\$74,750

Loans will be repaid through monthly payments (i.e. like a regular mortgage payment) over 10 years. The loan will be secured through a lien against the property.

**TAXES**

Taxes must be current. You must submit proof that your taxes are current.

**PROGRAM PRIORITIES**

## **KEEP FOR YOUR RECORDS**

Applications are reviewed and approved on a first-come, first-serve basis. Households with the most imminent and serious threats to the health and safety of the residents will be given priority.

## **COMMITMENT OF FUNDS**

Upon application approval funds are set-aside in the amount noted in the approval letter. Funds are considered committed when the applicant signs the County/Owner agreement. The County may recapture and reallocate funds if they are not committed within six (6) months of application submission.

## **PROGRAM REQUIREMENTS**

Each property owner will be required to sign the following contracts:

COUNTY/OWNER agreement - This agreement lists the owner's obligations to the program. States that if the property is conveyed during the term of the loan/deferred payment loan the owner must repay the outstanding loan/deferred payment loan amount at the time of the sale.

MORTGAGE/NOTE - A lien is placed for the loan/deferred payment loan amount to ensure that the conditions of the COUNTY/OWNER agreement are complied with.

OWNER/CONTRACTOR agreement - States the scope and cost of rehabilitation. It is signed by the property owner and the contractor and states the responsibilities of each party.

## **BUILDING PERMIT**

The contractor is responsible for obtaining and paying for a building permit from the local municipality.

## **ENVIRONMENTAL REVIEWS**

Environmental reviews will be conducted by the DCPD staff for each property. It is possible that environmental conditions, such as location in a floodplain/wetland or inclusion on the county historical survey, could delay the project implementation. Improvements to properties listed on the Dutchess County Historic Survey must be approved by the New York State Historic Preservation Office (SHPO).

## **SUBSEQUENT FUNDING**

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Properties with outstanding loan balances may not reapply for funding. Properties with deferred payment loan liens may reapply once every 10 years measured from the issuance of the most recent certificate of completion. Properties may not reapply prior to restrictions noted above even if they did not receive the maximum funding available at the time they applied. This restriction holds for properties under obligation to the predecessors of the program including but not limited to the Beacon Community Development Agency's Property Rehabilitation Program.

**PROGRAM IMPLEMENTATION**

**A. Information/Application Intake -**

Applications are accepted year-round and should be submitted to the Dutchess County Department of Planning and Development, 27 High Street, Poughkeepsie, NY 12601.

**B. Eligibility Determination -**

Your eligibility determination will be made by the DCPD staff based from the information provided in the application. Additional information or verification may be requested if questions arise during the review process. After application review, a letter is sent, with sample contracts, to the property owner stating their preliminary eligibility determination. The final determination is made after the DCPD staff site visit.

**C. Initial Inspections -**

Upon a preliminary eligibility determination, the DCPD staff will conduct a complete property inspection. The DCPD staff needs access to the entire property, including the attic and basement. If such access is not afforded the application will be denied.

**D. Work Write-Up and Cost Estimate -**

After the inspection, the DCPD staff will complete a detailed work write-up and cost estimate that will detail all code violations.

**E. Work Write-Up/Cost Estimate Approval -**

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A proposed work write-up and cost estimate will be sent to the homeowner for their review and approval. The final scope of work will be determined by mutual agreement between the DCPD staff and the property owner. The property owner's signature on the "Work Write-Up/Contract Approval Form", included with the final scope of work, will be accepted as the property owner's approval. If dispute arises over the scope of work, the Housing Coordinator will resolve disputes.

**F. Bidding -**

Once the owner's approval has been received the project will be put out to bid. All projects will be publicly bid meaning an advertisement will be placed in local newspapers. Minority and women-owned businesses will be informed, in writing, of all DCPD property rehabilitation projects.

Jobs with only two distinct trades (i.e. electrical, heating systems, roofs etc.) may be bid as separate trades if the DCPD staff determines due to the type of project that it would result in cost savings for the program.

Bids may be submitted in person or by mail by the date and time stated on the bid package. Bid packages which are incomplete or contain irregularities will be rejected. Bids are opened on a specified date and time by the DCPD staff. Bids are recorded on a bid sheets and are public information.

**G. Bid Review -**

Construction proposals will be reviewed by the DCPD staff. The lowest responsible bidder must be selected. The DCPD staff will check the qualifications and references of all contractors proposed to complete work under the program.

**H. Owner's approval of bidder -**

The owner will be forwarded information regarding the lowest responsible bidder for their review. Owners may also check the contractor's qualifications and references. The owner must select the recommended lowest responsible contractor. If the owner chooses to select someone other than the lowest responsible bidder, the owner must pay the difference between the lowest responsible bid and the bid they selected. The owner's approval of the recommended contractor, in the form of a completed "Preliminary Contractor Approval Form", must be returned before any contracts will be completed.

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I. Contracts/Title Search -

Once the contractor is approved by the owner, the DCPD staff will complete the contracts described under "PROGRAM REQUIREMENTS". The DCPD staff will contact the property owner to set up a contract signing. Copies of finalized agreements will be forwarded to all parties for their files.

J. Construction Begins-

Construction may not begin until a notice to proceed order is issued and signed by the property owner, the contractor and the County staff. The County's Rehabilitation Specialist who will arrange the signing of the notice to proceed order which will state when work will begin and end.

K. Inspections -

The DCPD staff will conduct progress inspections throughout construction. Progress payments may be approved. The DCPD staff must be given reasonable notice for all payment or required inspections. If the DCPD staff is not informed of a particular inspection (i.e. completion of framing), the contractor may be required to undo any subsequent work (i.e. sheet rocking) so that the DCPD staff may complete the necessary inspection. This will be completed at the expense of the contractor.

Payment request inspections and forms are completed by the county Rehabilitation Specialist upon the request of the contractor. Payment requests must be signed by the contractor, the property owner and the DCPD Rehabilitation Specialist. The check is mailed directly to the contractor.

L. Change Orders -

All change orders must be on County change order forms signed by the contractor and approved by the property owner and DCPD staff. The DCPD will not pay for or mediate any non-approved changes to the specification or project.

M. Completion -

A project is considered complete once the final payment has been disbursed and the Certificate of Completion is signed. Final payments will be disbursed once

**KEEP FOR YOUR RECORDS**

the work is completed to the satisfaction of the owner, the DCPD staff and the local building inspector, if applicable.

N. Evaluation -

Program evaluation forms will be sent to the property owner after the project completion.

# DUTCHESS COUNTY SENIOR CITIZEN OWNER-OCCUPIED PROPERTY REHABILITATION PROGRAM APPLICATION

## A. APPLICANT INFORMATION

1. Full Name \_\_\_\_\_
2. Address \_\_\_\_\_  
(Street) (City/Town) (Zip Code)
3. Home Phone: (\_\_\_\_) \_\_\_\_\_ E-Mail \_\_\_\_\_
4. Name of Employer (If retired, note so): \_\_\_\_\_

## B. PROPERTY INFORMATION

1. Is anyone other than you/your spouse listed on your deed, has your home been placed in a trust or have you transferred it but retained a life tenancy?  
Yes \_\_\_ No \_\_\_

If you answered “yes” you must submit a signed participation affidavit with the application for each property owner or trustee that is not the applicant.

## C. HOUSEHOLD COMPOSITION

(List all persons living in the property and their relationship to the head of household.)

Full Name	Relationship	Age	Social Security No.
	Self		

## D. MONTHLY INCOME

<b>Source</b>	<b>Applicant</b>	<b>Others</b>	<b>Staff use</b>
Social Security	\$_____ per month	\$_____ per month	
Pension	\$_____ per month	\$_____ per month	
Wages and Overtime	\$_____ per month	\$_____ per month	
Commission/Tips	\$_____ per month	\$_____ per month	
Interest/Dividends	\$_____ per month	\$_____ per month	
Income from Business/Rental	\$_____ per month	\$_____ per month	
Unemployment Benefits	\$_____ per month	\$_____ per month	
Worker's Compensation	\$_____ per month	\$_____ per month	
Alimony/Child Support	\$_____ per month	\$_____ per month	
Welfare Payments	\$_____ per month	\$_____ per month	
Other	\$_____ per month	\$_____ per month	

2. Were you required to file a 2009 Federal Income Taxes? Yes\_\_ No\_\_

## E. ASSETS

<b>Type</b>	<b>Amount</b>
Checking Account	\$
Savings Account	\$
Stocks/Bonds	\$
Other	\$

**F. REHABILITATION REQUESTED**

List the items you feel need rehabilitation.

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**G. LEAD BASED PAINT**

**Lead Warning Statement**

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. Any household receiving federal funds for rehabilitation must receive the enclosed federally approved pamphlet on lead poisoning prevention.

By signing this application you are acknowledging that you have received the pamphlet “Protect Your Family from Lead in Your Home”.

**H. CERTIFICATION**

The information provided in this application is true and complete to the best of my knowledge. I consent to the disclosure of such information for purposes of verification related to my application. I understand that any willful misstatement will be grounds for disqualification. I also certify that I have received and read the Program Guidelines and agree to comply with all program requirements.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

## **INFORMATION FOR HUD MONITORING PURPOSES**

The following information is requested to monitor compliance with fair housing. You are not required to furnish this information. The County may neither discriminate on the basis of this information, nor on whether you choose to furnish it. However, if you choose not to furnish it, the County may note the race and sex on the basis of visual observation or surname.

Ethnicity (select only one)

- Hispanic or Latino  
 Not Hispanic or Latino

Race (select one or more)

- American Indian or Alaska Native  
 Asian  
 Black or African American  
 Native Hawaiian or Other Pacific Islander  
 White

Sex (select only one)

- Male  
 Female

### **DO NOT COMPLETE - FOR OFFICE USE ONLY**

Household Size: \_\_\_\_\_

Monthly Household Income: \_\_\_\_\_

Annual Household Income: \_\_\_\_\_

Income Category: Extremely Low (0-30%), Low (31-50%), Moderate (51-80%)

Action Taken:             Approved  
                                  Conditionally Approved  
                                  Rejected – Reason \_\_\_\_\_

Type of Financing: Loan      Deferred Payment Loan

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

PARTICIPATION AFFIDAVIT

**ONLY COMPLETE THIS FORM IF YOU ANSWERED YES  
TO QUESTION B1 ON THE APPLICATION**

I, \_\_\_\_\_, do hereby state my legal address is  
\_\_\_\_\_. I understand that  
\_\_\_\_\_ (an eligible applicant(s) under the program) is/are  
applying to Dutchess County's Senior Citizen Owner-Occupied Property Rehabilitation  
Program for rehabilitation of their property at  
\_\_\_\_\_.

As an owner of the above reference property, I confirm the following:

1. I have received, read and understand the program guidelines. Additional copies of the guidelines are available online at [www.dutchessny.gov](http://www.dutchessny.gov) or can be mailed by contacting Audra Murray at [amurray@co.dutchess.ny.us](mailto:amurray@co.dutchess.ny.us) or 845-486-3600.
2. I understand unless all those with a property interest in the above referenced property sign the county/owner agreement, the owner/contractor agreement and the mortgage the applicant will not be eligible to participate in the program.
3. I understand that amount of the agreements and mortgage will be determined at a later date after a scope of work and bidding process is conducted in accordance with the program guidelines.
4. I understand that the County reserves the right, at its sole discretion, to deny an application or withdraw an approval if it is determined that any property owner is unwilling to comply with the program requirements.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail