

## AGENDA

### TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, December 19, 2012 @ 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a meeting open to the public on Wednesday, December 19, 2012 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting Town manager (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

### TOWN COUNCIL REGULAR MEETING AGENDA

#### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

#### 2. ROLL CALL

MAYOR GREG BRYAN

VICE MAYOR AL MONTOYA

COUNCILMEMBER BILL FITZGERALD

COUNCILMEMBER JOHN RUETER

COUNCILMEMBER CRAIG SANDERSON

*\* One or two Council Members may attend by telephone*

#### 3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

*Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.*

*Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Speakers will be limited to three minutes each.*

#### 4. JOINT MEETING WITH GRAND CANYON UNIFIED SCHOOL DISTRICT GOVERNING BOARD REGARDING TUSAYAN COMMUNITY PARK POLICIES

#### 5. CEREMONIAL AND/OR INFORMATIONAL MATTERS

- A. Presentation from Irshad Ansari from NI Solutions, Inc. regarding options to expand internet services in Tusayan

**6. CONSENT AGENDA**

ITEMS ON THE CONSENT AGENDA ARE ROUTINE IN NATURE AND WILL BE ACTED ON WITH ONE MOTION AND ONE VOTE. PUBLIC HEARING ITEMS ARE DESIGNATED WITH AN ASTERISK (\*). MEMBERS OF THE COUNCIL OR STAFF MAY ASK THE MAYOR TO REMOVE ANY ITEM FROM THE CONSENT AGENDA TO BE DISCUSSED AND ACTED UPON SEPARATELY.

A. Minutes of Town Council Meetings of 11/14/12, 12/4/12, and 12/5/12 and Public Hearings of 11/14/12 and 12/11/12

B. Accounts Payable Billings

**7. COMMITTEE REPORTS**

**8. ACTION ITEMS**

A. Consideration, discussion, and possible approval of Liquor License Application for Grand Canyon Spirits

**9. DISCUSSION ITEMS**

A. Presentation on Updated Capital Improvement Plan

B. Overview of report from International Housing Solutions on composition and responsibilities of a housing authority

**10. TOWN MANAGER'S REPORT**

**11. FUTURE AGENDA ITEMS**

**12. COUNCIL MEMBERS' REPORTS**

**13. MAYOR'S REPORT**

**14. MOTION TO ADJOURN**

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 13<sup>th</sup> day of December, 2012, at \_\_\_\_\_ p.m. in accordance with the statement filed by the Tusayan Town Council.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
Signature of person posting the agenda

ITEM NO. 4

# TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park

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December 12, 2012

TO: Honorable Mayor and Town Council

FR: Tami Ryall, Interim Town Manager

RE: Park Policy Discussion Points

As you recall, during the Town Council Municipal Code Workshop on **Chapter 13 - Parks and Recreation** (draft attached) there was discussion about various policy issues anticipated with the new community park. Feedback was requested from the Grand Canyon School District Board by letter (attached). A joint meeting with the School Board has been scheduled for December 19, 2012. In preparation for the meeting, the following are highlights of the previous points of inquiry to help guide the discussion:

- How to handle or prohibit smoking in park.
- Should alcohol be allowed at the ramada by special use permit?
- Prioritization of future park phases to dovetail with the Town's five-year Capital Improvement Program.

Please let me know if you have other items you would like included.

Best Regards,

Tami

October 9, 2012

Grand Canyon School District  
P.O. Box 519  
100 Boulder Street  
Grand Canyon, AZ 86023

Attn: Chairwoman Clarinda Vail

Dear Chairwoman Vail and School Board members:

Recently the Tusayan Town Council was working on its Municipal Codes and Policies and a question came up in regard to operating policies at the new Community Park. Specifically the question of alcohol use at the Ramada was brought up for discussion. We had asked our Town Attorney whether there was any State Statutes prohibiting alcohol use on school property. He responded that there were none he could find and that it would be a question of School District policies.

Our initial thoughts were that alcohol would be prohibited at the Ramada, except under a Special Use Permit for a specific function or event. The SUP would require an event permit from the State Liquor Department, insurance, security, etc. Discussion took place that the Ramada would be signed prohibiting alcohol use without a SUP, so that use by individuals would be discouraged. Smoking was also discussed and whether we want to set designated areas or ban all together.

We are coming to you now, as we are looking into the future and want to be ready with operating policies when the Park is open and ready for use. We would welcome your input and thoughts on this or other topics.

The Council is also working on its five year Capital Improvements Plan and would like to discuss timing and phasing goals in relation to the Community Park. We would like to be sure we are on the same page as to what pieces are next in Phase I and timing for the next Phase in terms of fund raising/grants applications and priorities. We are all supportive of the overall concepts we would just like to create our CIP with realistic goals and coordination with the School District Board.

We would welcome the Board's thoughts and if a joint meeting or sub-committee meeting would help let us know.

Respectfully on behalf of the Town Council,

Greg Bryan  
Mayor, Town of Tusayan

CHAPTER 13  
PARKS AND RECREATION

ARTICLE 13-1

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PARKS AND RECREATION CODE

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- 13-1-1 General Provisions
  - 13-1-2 Fees
  - 13-1-3 Rules and Regulations
  - 13-1-4 Interpretation of Rules
  - 13-1-5 Penalty
- 

SECTION 13-1-1 GENERAL PROVISIONS

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**A. Exclusions**

The developing trails system for the town is excluded from this article.

**B. Hours of operation.**

1. All parks, playgrounds, recreational areas or facilities owned or managed by the Town shall be open for the use of the general public during the hours posted.
2. Use or occupancy of any public park outside of its posted hours of operation may be considered criminal trespass.

**C. Authority to Close Parks, Playgrounds.**

1. The Town Manager or designated representative(s) are hereby authorized to close any park, playground, recreational area or facility owned or managed by the Town, to all persons not properly authorized to be there, when an emergency exists that demands such closure for the protection of the public peace, health, safety, welfare, morals, or at the direction of the Council.
  2. In the event the town manager or designated representative(s) directs the closure of any park, playground, recreational area or facility owned or managed by the Town, the date and time of such emergency closure shall be posted upon the property affected.
  3. It is unlawful for any person, not properly authorized, to enter or fail to vacate any park, playground, recreational area, or facility when notice of emergency closure has been given.
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SECTION 13-1-2 FEES

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The Council shall establish and set by resolution, the amount of charges for activities sponsored by the parks and recreation department or for the use of any park property or facilities owned or managed by the Town. Fees are determined by Council Resolution on an annual basis. The Town Manager may require an additional clean-up deposit be provided for larger events, to be determined on a case-by-case basis.

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SECTION 13-1-3 RULES AND REGULATIONS

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The Council may adopt rules and regulations for use of Town owned or managed parks, recreation areas, and facilities by resolution.

.....  
SECTION 13-1-4 INTERPRETATION OF RULES  
.....

- A. The Town Manager shall interpret these rules and regulations and may act in any case not specifically covered herein.
- B. Any request not contemplated by the provisions of this article or any refusal of a permit request may be appealed to the Town Manager, which may at his discretion decide such appeal or refer it to the Council.

.....  
SECTION 13-1-5 PENALTY  
.....

Violations of this article shall be a class 3 misdemeanor.

ITEM NO. 6A

**TUSAYAN TOWN COUNCIL MEETING**  
PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, November 14, 2012 @ 5:30 P.M.  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

**TOWN COUNCIL SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 6:25pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN  
VICE MAYOR AL MONTOYA**

**COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Melissa Malone, Town Clerk

**3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None

**4. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**A. Discussion/Presentation from the Tusayan Fire District**

Fire Chief Robbie Evans spoke about the state of affairs for the Fire District. He stated that:

- Services/needs continue to expand but there has been very little increase in revenue. If things continue as they have been, taxes will have to be raised. The town has annexed land but there are not any taxable increases. There is only 144 acres of taxable space in the town.
- They are currently staffed with 2-3 people on a daily basis when comparable districts run with 6-7.
- They are searching for additional funding for staffing and training.
- They have lost one of their FEMA positions and estimate that they need 2 firefighters and 1 administrative person to keep services available.
- Staff housing is also an issue.

Councilmember Rueter stated that he had met with Fire District representatives and determined that they are in an unsustainable position. He suggested that they research their options and come back to the Council with a long-term (5 year or more) sustainable solution.

## **5. CONSENT AGENDA**

### **A. Minutes of:**

- a. **Town Council Meetings of 10/17/12, 11/5/12, and 11/6/12**
- b. **Town Council Municipal Code Workshop of 10/2/12**

Mayor Bryan requested that the Harley comment be removed from the minutes of the Council Meeting on 10/17/12 (Item 4.A.2). He also suggested that the minutes for the Meeting of 11/5/12 be corrected to show the Motion to Adjourn was at 7:48PM.

### **B. Accounts Payable – none**

Councilmember Sanderson made a motion to approve the Consent Agenda with the corrections mentioned above. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

## **6. COMMITTEE REPORTS – none**

## **7. ACTION ITEMS**

### **A. Consideration, Discussion, and Possible Approval of a Liquor License Amendment Application for Grand Canyon Wild West Experience**

The application is a change in ownership of the liquor license from a single owner (Elling B. Halvorson) to 4 owners (Elling B. Halvorson, Elling K. Halvorson, Brenda Halvorson, and Lon Halvorson).

Vice Mayor Montoya questioned whether he may have a conflict of interest since Elling B. Halvorson owns the restaurant and the company he works for. Councilmember Sanderson questioned a similar situation since Brenda Halvorson owns Grand Canyon Airlines, for whom he works.

Mayor Bryan asked if the Councilmembers receive any remuneration with the success of Grand Canyon Wild West Experience. Both said no. The Mayor also noted that one of the applicants listed on the License Application has partial ownership in the Mayor's business. He stated that he receives no remuneration from Grand Canyon Wild West Experience and does not see a conflict.

Vice Mayor Montoya made a motion to approve the Liquor License change, subject to the Town Attorney's approval with regard to conflict. Councilmember Rueter seconded the motion and it passed on unanimous vote.

## **8. DISCUSSION ITEMS – none**

**9. TOWN MANAGER'S REPORT**

Manager Ryall received the graphics today from the Sheriff's Department that will go on the town's patrol car. The Council was concerned with the resolution of the graphics. Manager Ryall noted that Lt. Christian will be at the Council Meeting on December 5, 2012 and suggested that the Council may want to discuss the issue with him at that time.

She also stated that the basketball hoops are up at the park.

**10. FUTURE AGENDA ITEMS**

- Dec. 5 - Update on snow plow bidding progress
- Dec. 5 – Add discussion item of Community Development Block Grant funding
- Dec. 5 – Action Item to move Jan 1 & Jan 2 meetings to Jan 8 & 9
- Nov. 27 – Special Executive Session to begin at 8am, (all day) to evaluate applicants for the Town Manager Position – to be held in Town Hall
- Dec. 19<sup>th</sup> – Discussion Item regarding donating money to the Fire Department

**11. COUNCIL MEMBERS' REPORTS - none**

**12. MAYOR'S REPORT**

Mayor Bryan discussed the Broadband conference in Mesa yesterday, 11/13/12.

**13. MOTION TO ADJOURN**

Councilmember Rueler moved to adjourn the meeting at 7:50pm. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

\_\_\_\_\_  
Greg Bryan, Mayor Date

ATTEST:

\_\_\_\_\_  
Melissa A. Malone, Town Clerk

CERTIFICATION

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on November 14, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
TOWN CLERK

**TUSAYAN TOWN COUNCIL MEETING**  
PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Tuesday, December 4, 2012 at 5:00 P.M.  
TUSAYAN TOWN HALL BUILDING  
845 Mustang Drive, Tusayan Arizona

**TOWN COUNCIL SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 5:02pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

Upon roll call, the following were present:

<b>MAYOR GREG BRYAN</b>	<b>COUNCILMEMBER BILL FITZGERALD</b>
<b>VICE MAYOR AL MONTOYA</b>	<b>COUNCILMEMBER CRAIG SANDERSON</b>
<b>COUNCILMEMBER JOHN RUETER –</b>	joined the meeting at 6:08pm (Executive Session to review applications)

Also present were: Tami Ryall, Interim Town Manager  
Melissa Malone, Town Clerk

**3. STATUS OF DEVELOPMENT AGREEMENT FOR CAMPER VILLAGE, KOTZIN RANCH, AND TEN X RANCH**

Councilmember Sanderson made a motion to move the council into Executive Session to discuss the Development Agreement with the Town Attorney. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

Mayor Bryan, Vice Mayor Montoya, Councilmember Fitzgerald, Councilmember Sanderson, and Interim Town manager Ryall entered Executive Session.

Councilmember Sanderson made a motion to exit the Executive Session at 6:07pm. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

**4. REVIEW OF APPLICATIONS FOR THE POSITION OF TOWN MANAGER**

Councilmember Rueter joined the meeting at 6:08pm. Councilmember Fitzgerald made a motion to move the council into Executive Session to review applications. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

Mayor Bryan, Vice Mayor Montoya, Councilmember Fitzgerald, Councilmember Rueter, and Councilmember Sanderson entered Executive Session.

Councilmember Fitzgerald made a motion to exit the Executive Session at 6:28pm. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

The Town Council reconvened into open session at 6:30pm and Vice Mayor Montoya left the meeting.

## 5. DISCUSSION OF DRAFT LANGUAGE FOR THE TUSAYAN MUNICIPAL CODE

### A. Chapter 6 – Animals

Manager Ryall explained that current animal issue enforcement is handled by Coconino County using its ordinances which are already in place. The Council then reviewed and edited three ordinances as a basis to develop the Tusayan Town Municipal Code.

In Coconino County Ordinance 2007-03, the Council made the following changes:

- Section 3, remove the specified leash length
- Section 4, remove the first 2 lines and modify the new first sentence to say "a County enforcement agent" instead of "the County enforcement agent"
- Section 7, add 6 foot leash requirement for a vicious dog
- Section 10, correct "trails" to "trials"
- Section 11, remove the emergency provision

Councilmember Fitzgerald asked how these issues will be handled in court. Manager Ryall will research the situation.

In Coconino County Ordinance 2007-04, the Council made the following changes:

- Section 1, #8, the definition of "working animal" should be expanded to cover animals other than those used in law enforcement
- Section 2, #7, the beginning of the second line should be corrected to say "interfere with, kill, or cause..."
- Section 2, #8, should include recreational vehicle along with motor vehicle

In Coconino County Ordinance 2011-01, the Council made the following changes:

- Section 2, change "In all unincorporated areas of Coconino County" to "in all areas of the town of Tusayan"

Councilmember Sanderson asked what the Animal Ordinances were in Flagstaff. Manager Ryall will research the topic.

Councilmember Fitzgerald asked if there will be Ordinances which cover chickens and roosters, and the associated sanitation, noise, and outbuildings. Manager Ryall will consult the Town Planner, Richard Turner.

**6. MOTION TO ADJOURN**

Councilmember Sanderson moved to adjourn the meeting at 7:21pm.  
Councilmember Rueter seconded the motion and it passed on unanimous vote.

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Melissa A. Malone, Town Clerk

**CERTIFICATION**

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on December 4, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
TOWN CLERK

**TUSAYAN TOWN COUNCIL REGULAR MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, December 5, 2012 @ 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

**TOWN COUNCIL SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 6:00pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

**MAYOR GREG BRYAN  
VICE MAYOR AL MONTOYA**

**COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Richard Turner, Town Planner  
Melissa Malone, Town Clerk

**3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None.

**4. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**A. Swearing-in of newly re-elected councilmembers Greg Bryan and Al Montoya**

Judge Robert Krombeen swore-in Councilmember Greg Bryan.

Judge Robert Krombeen swore-in Councilmember Al Montoya.

**B. Update on status of Intergovernmental Agreement with Williams Justice Court for court services**

Judge Robert Krombeen presented an update on the status of Court Services. He stated that the services are going well. We are adding a public defender (on the agenda tonight), have added a kiosk (first in Coconino County) for court users, and are fully staffed.

**C. Coconino County Sheriff's Department update**

Lt. Mark Christian presented a packet of information on activity involving the Sheriff's Department in Tusayan. He stated that these figures do not include activity by Arizona Department of Public Safety. There have been some foot patrols within town, interacting with tourists, business owners, etc.

Mayor Bryan asked if the graphics for the Sheriff's vehicle can be sharper (higher resolution). Lt. Christian and Chief Deputy Jim Driscoll stated that they would work to improve the resolution. Chief Driscoll also stated that the vehicle is ready to go, just awaiting the graphics. They will try to have the new graphics to present again at the next meeting on 12/19/12.

## **5. CONSENT AGENDA**

**ITEMS ON THE CONSENT AGENDA ARE ROUTINE IN NATURE AND WILL BE ACTED ON WITH ONE MOTION AND ONE VOTE. PUBLIC HEARING ITEMS ARE DESIGNATED WITH AN ASTERISK (\*). MEMBERS OF THE COUNCIL OR STAFF MAY ASK THE MAYOR TO REMOVE ANY ITEM FROM THE CONSENT AGENDA TO BE DISCUSSED AND ACTED UPON SEPARATELY.**

### **A. Minutes of Town Council Meetings of 9/10/12, 9/26/12, 11/7/12, and 11/20/12**

Councilmember Rueter moved to approve the minutes. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

### **B. Accounts Payable Billings**

After discussion, Vice Mayor Montoya moved to approve the Accounts Payable Billings. Councilmember Rueter seconded the motion and it passed on unanimous vote.

## **6. COMMITTEE REPORTS**

None

## **7. ACTION ITEMS**

### **A. Consideration, discussion, and possible approval of Contract for Public Defender Services**

Manager Ryall gave an overview of the contract for Public Defender Services with a term of 6 months. Councilmember Rueter moved to approve the Contract for Public Defender Services. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

### **B. Consideration, discussion, and possible approval of Resolution No. 2012-15 rescinding Resolution No. 2012-14 and declaring the Planning and Zoning Ordinance of the Town of Tusayan, dated December 5, 2012, to be a Public Record and establishing a Planning and Zoning Ordinance of the Town of Tusayan**

Councilmember Rueter moved to approve Resolution No. 2012-15. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

### **C. Consideration, discussion, and possible approval of Ordinance No. 2012-04 (Case No. ZOA2012-01) adopting by reference the establishment of the Planning and Zoning Ordinance, repealing Ordinance 2010-06-09-1 and all amendments thereto and prescribing penalties for violations thereof**

Richard Turner presented the changes which were requested by the Council on 11/7/12. Some of the language was clarified as requested. He recommended that the Council pass Ordinance No. 2012-04 and No. 2012-05.

Councilmember Rueter moved to approve Ordinance No. 2012-04. Vice Mayor Montoya seconded the motion.

Councilmember Sanderson asked about the minimum setback for spas/hot tubs of 10 feet in Section 9.6.C.5, Page 9, noting that "hot tubs and spas" should have deleted.

After discussion, Councilmember Sanderson made a motion to amend the ordinance by deleting the words "hot tubs and spas" from 9.6.C.5. Vice Mayor Montoya seconded the motion and it passed unanimously.

Ordinance No. 2012-04 with the above amendment passed on unanimous vote.

**D. Consideration, discussion, and possible approval of Ordinance No. 2012-05 (Case No. ZOA2012-02) deleting the Design Review Overlay and including the provisions of the Design Review Overlay in the revised Planning and Zoning Ordinance**

Councilmember Rueter moved to approve Ordinance No. 2012-05. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

Mayor Bryan requested that bound copies of the new Zoning Ordinance be given to the Council.

**E. Consideration, discussion, and possible approval of a change order request of \$2,501.73 for unforeseen conditions encountered in the field associated with the installation of utilities for Tusayan Employee Housing project**

Councilmember Rueter moved to approve the change order for the amount of \$2,501.73. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

**F. Consideration, discussion, and possible approval of moving the Tusayan Town Council Workshop scheduled for Tuesday, 1/1/13 to Tuesday, 1/8/13 at 5:00pm and the Tusayan Town Council Meeting scheduled for Wednesday, 1/2/13 to Wednesday, 1/9/13 at 6:00pm**

Vice Mayor Montoya made a motion to move the Workshop from 1/1/13 to 1/8/13 and the Meeting from 1/2/13 to 1/9/13 AND move the meeting scheduled for 1/16/13 to 1/23/13, at 6pm. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

**G. Tusayan Town Council's selection of Mayor**

Councilmember Rueter moved to nominate Greg Ryan as Mayor of Tusayan. Vice Mayor Montoya seconded the motion and it passed on a vote of 4 to 1. Councilmember Fitzgerald voted "No."

## **H. Tusayan Town Council's selection of Vice Mayor**

Councilmember Rueter moved to nominate Al Montoya as Vice Mayor of Tusayan. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

## **8. DISCUSSION ITEMS**

### **A. Discussion of possible Community Development Block Grant projects**

The next Public Hearing is scheduled for December 11, 2012 at 5:00pm at the Squire Inn. Project requests are due by December 31, 2012. Any project to be considered must be discussed in at least one Public Hearing.

## **9. TOWN MANAGER'S REPORT**

Manager Ryali discussed the timeline handout for internship

She also introduced the International Housing Solutions report for the Council's perusal.

Manager Ryali updated the Council on the bidding process for a snow removal contract. The deadline for submissions is December 19, 2012.

At the December 19, 2012, NI Solutions will present to Council on Broadband expansion in Tusayan.

We've been working to incorporate the Town of Tusayan into the Coconino County Emergency Preparedness Plan.

## **10. FUTURE AGENDA ITEMS**

Conceptual discussion of enforcement of new Zoning Ordinance & "grandfather provisions" on 12/19/12

Remove the National Park Service shuttle item from 12/19/12

Town Council Policies & Procedures Manual – future date

Updated schedule for workshops at the 1/8/13 Workshop

Workers Comp Insurance coverage for volunteers working for the Town on 1/23/13

## **11. COUNCIL MEMBERS' REPORTS**

Councilmember Fitzgerald reported that he had a discussion with the Coconino County GIS department and a large scale map is available of the Town but it currently does not have the annexed portions defined.

## **12. MAYOR'S REPORT**

- The Mayor and the Chairman of the Planning & Zoning (P&Z) Commission will attend a P&Z workshop in Phoenix.
- There will be a blood drive at the Squire Inn on 1/14/13 and Vice Mayor Montoya will take lead on that.

- In a meeting with Mr. Uberraga with the National Park Service we discussed:
  - Unisource, Broadband, and internet services
  - shuttle bus ridership
  - having one of their staff members to participate in the General Plan process
  - Stilo development, the water supply, and the roundabout & street project

**13. MOTION TO ADJOURN**

Vice Mayor Montoya moved to adjourn the meeting at 8:12pm. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

ATTEST: \_\_\_\_\_  
Greg Bryan, Mayor Date

\_\_\_\_\_  
Melissa A. Malone, Town Clerk

**CERTIFICATION**

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on December 5, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
Town Clerk

## **TUSAYAN TOWN COUNCIL PUBLIC HEARING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, November 14, 2012 @ 5:00 P.M.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bryan called the meeting to order at 5:04pm and the Pledge of Allegiance was recited.

#### **2. ROLL CALL**

Upon roll call, the following were present:

**MAYOR GREG BRYAN**

**VICE MAYOR AL MONTOYA**

**COUNCILMEMBER BILL FITZGERALD**

**COUNCILMEMBER JOHN RUETER** ~ Arrived at 5:20pm

**COUNCILMEMBER SANDERSON** ~ Arrived at 5:24pm

Also present were:

Tami Ryan, Interim Town Manager

Melissa Malone, Town Clerk

#### **3. PUBLIC HEARING TO TAKE PUBLIC COMMENT REGARDING USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

Isabel Rollins with Northern Arizona Council of Governments (NACOG) presented information on CDBG funding and led the discussion with the Council and the Public. Tracy Bouvier, also with NACOG, was present. Topics included:

- Davis-Bacon Labor Standards must be applied to a CDBG funded project.
- NACOG expects \$10M to come to the State of Arizona, \$1.2M to NACOG, and \$250,000 to Coconino County and the Town of Tusayan.
- A grievance procedure is on file with the Tusayan Town Clerk.
- The 2010 Census showed that Tusayan has a 40% Hispanic population which requires postings and ads to be in both English and Spanish.
- The next Public Hearing will be Dec. 11 at 5pm in town, not at Town Hall. Another meeting will be held in February.
- A Project Summary Form must be completed for suggestions on how to spend the funds. They will be due by the end of the year.
- Only one project is allowed by the Department of Housing unless a waiver is obtained.
- The process is very long; funds will most likely not be available until Spring of 2014.
- The Tusayan Town Council is responsible for making the final selection of the project.
- The State of Arizona does not allow new home building or recreation projects.

- Funds could be used for flood abatement projects but anything that benefits the whole town (or buying equipment for the fire district) would require proof that 51% of the town is low to mid income. NACOG can help with a survey about income. A 70% return would be required.
- An income survey would not be required if the project is specifically to benefit senior citizens or to make American with Disabilities Act (ADA) accessibility changes.

Sandra Angat stated that she had been speaking with people around town who could not attend the meeting. She listed several small project suggestions:

- food bank
- temporary housing (if an employee gets fired)
- transportation service
- utility assistance
- food vouchers
- emergency assistance (such as a truck to cut wood, or someone to cut wood, chainsaw rentals)
- emergency auto repair
- clothing bank/drive

Clayann Cook mentioned that the Buck Schrader Memorial Fund is a 501-3C set up to do the types of things Ms. Angat mentioned. She also stated that the fund is currently very low.

Councilmember Rueter asked if Tusayan employees living in Valle could be included. Ms. Rollins stated that a special case may be able to be made. Councilmember Rueter also asked if funds could be used to improve roads that are not owned by the town. Ms. Rollins said that the question would have to be researched. Mayor Bryan noted that the Town does not own any roads.

Interim Town Manager Ryall listed projects which had been suggested to her:

- weatherization for renters
- work on drainage problems
- a fire department purchase
- town-wide ADA upgrades
- internet broadband expansion

Ms. Rollins stated that the Town would have 2 years to complete a project from the time a signed contract is received.

Councilmember Rueter asked if Public Facilities improvements (Water & Waste Water), even if privately-owned, or a fiber optic system expansion might qualify. Ms. Rollins confirmed that it may be possible.

Mayor Bryan asked what would happen to the CDBG funds if the Council does not identify a project. Ms. Rollins stated that the money goes back into the competitive funds.

The Public Hearing closed at 6:17pm.

**4. MOTION TO ADJOURN**

Councilmember Sanderson moved to adjourn the meeting at 6:17pm. The motion was seconded by Councilmember Rueter and it passed on unanimous vote.

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Melissa A. Malone, Town Clerk

**CERTIFICATION**

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on November 14, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
TOWN CLERK

**PUBLIC HEARING REGARDING COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDING OR THE TOWN OF TUSAYAN**

Tuesday, December 11, 2012 @ 5:00 P.M.  
GRAND CANYON SQUIRE INN, ZUNI ROOM  
74 State Route 64, Tusayan Arizona

**PUBLIC HEARING SUMMARIZED MINUTES**

**1. TOWN COUNCIL MEMBERS IN ATTENDANCE WERE:**

**MAYOR GREG BRYAN  
VICE MAYOR AL MONTOYA  
COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Melissa Malone, Town Clerk

**2. PUBLIC HEARING TO TAKE PUBLIC COMMENT REGARDING USE OF  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

Isabel Rollins with Northern Arizona Council of Governments (NACOG) presented information on CDBG funding. Topics included:

- Davis-Bacon Labor Standards must be applied to a CDBG funded project.
- NACOG expects \$10M to come to the State of Arizona, \$1.2M to NACOG, and \$250,000 to Coconino County and the Town of Tusayan.
- A grievance procedure is on file with the Tusayan Town Clerk.
- The 2010 Census showed that Tusayan has a 40% Hispanic population which requires postings and ads to be in both English and Spanish.
- A Project Summary Form must be completed for suggestions on how to spend the funds. Forms will be due to the Town by 5pm, Friday, January 4, 2013.
- Only one project is allowed by the Department of Housing unless a waiver is obtained.
- The process is very long; funds will most likely not be available until Spring of 2014.
- The Tusayan Town Council is responsible for making the final selection of the project and will do so by February 6, 2013.
- A project which benefits the whole town would require proof that 51% of the town is low to mid income. NACOG can help with a survey about income.
- An income survey would not be required if the project is specifically to benefit senior citizens or to make American with Disabilities Act (ADA) accessibility changes.

Interim Town Manager Tami Ryall led a workshop-style session to gather input on possible projects from the attendees. Possible projects discussed were:

- Mike Halpin, Airport Manager -- Renovation of a building at the airport to serve as an Emergency Operations Command Center for the area
- Robert Petzoldt, South Grand Canyon Sanitary District Superintendent:
  - Tusayan Flood Study and possible remediation
  - Sewer collection – Installation of higher capacity lines
- Grand Canyon Unified School District:
  - ADA compliant restroom facilities at the new Tusayan Community park
  - ADA compliant parking spaces and access ways to the new Tusayan Community Park
  - ADA compliant routes along Long Jim Loop to the east to connect to the roundabout and to the west to the housing areas
  - ADA compliant seating and covers at the new Tusayan Community Park and along the above mentioned sidewalks
  - Water system upgrades to provide ADA compliant drinking fountain facilities at the new Tusayan Community Park
  - Boys and Girls “type” club
- Sandra Angat:
  - food bank
  - temporary housing (if an employee gets fired)
  - transportation service
  - utility assistance
  - food vouchers
  - emergency assistance (such as a truck to cut wood, or someone to cut wood, chainsaw rentals)
  - emergency auto repair
  - clothing bank/drive
- Interim Town Manager Ryall listed projects which had been suggested to her:
  - NACOG weatherization for renters
  - work on flood/drainage problems in Tusayan
  - affordable housing project
  - ADA sidewalks and parking at Town Hall
  - internet broadband expansion
- Bill Tutty, Tusayan Fire District:
  - cardiac monitor
  - digital radio
  - Type 1 Apparatus (Structural)

Mayor Bryan requested Ms. Rollins to provide a NACOG proposal to conduct a an Income Study in Tusayan for either the Dec. 19, 2012 or Jan. 9, 2013 Council Meeting.

The Public Hearing adjourned at 5:40pm

\_\_\_\_\_  
Greg Bryan, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Melissa A. Malone, Town Clerk

CERTIFICATION

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the Public Hearing held on December 11, 2012.

DATED this 13<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
TOWN CLERK

ITEM NO. 8A

## **PUBLIC HEARING NOTICE**

A public hearing will be held at 6:00 p.m. on December 19, 2012 at Tusayan Town Hall, 845 Mustang Drive, Tusayan, AZ 86023 regarding a Liquor License Application for Grand Canyon Spirits.

Any natural person who is a bona fide resident residing or owning or leasing property within a one mile radius from the premises proposed to be licensed, and who is in favor of or opposed to the issuance of the license, to file written arguments in favor of or opposed to the issuance of the license with the clerk within twenty days after the date of posting. The posting shall be limited to a copy of the license application and shall not contain any attachments filed with the application.

Arizona Department of Liquor Licenses and Control  
 800 West Washington, 5th Floor  
 Phoenix, Arizona 85007  
 www.azliquor.gov  
 602-542-5141

2012 OCT 24 PM 3:39

**APPLICATION FOR LIQUOR LICENSE**

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of a business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

**SECTION 1** This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT Complete Section 5
- NEW LICENSE Complete Sections 2, 3, 4, 13, 14, 15, 16
- PERSON TRANSFER (Bars & Liquor Stores ONLY) Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY) Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT Complete Sections 2, 3, 4, 10, 13, 15, 16

**SECTION 2** Type of ownership:

- J.T.W.R.O.S. Complete Section 6
- INDIVIDUAL Complete Section 6
- PARTNERSHIP Complete Section 6
- CORPORATION Complete Section 7
- LIMITED LIABILITY CO. Complete Section 7
- CLUB Complete Section 8
- GOVERNMENT Complete Section 10
- TRUST Complete Section 6
- OTHER (Explain) \_\_\_\_\_

**SECTION 3** Type of license and fees LICENSE #(s):

Type of License(s): 09 Liquor Store

09030048

2. Total fees attached:

	Department Use Only
\$	

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE**  
 The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

**SECTION 4** Applicant

Owner/Agent's Name: Cliff-  
 Mr. Maniaci Cecily P 1020000 Olivia  
(Use one name ONLY to appear on license) Last First Middle

Corp./Partnership/L.L.C.: Crimson Partners LLC B1047787  
(Exactly as it appears on Articles of Inc. or Articles of Org.)

Business Name: Grand Canyon Spirits  
(Exactly as it appears on the exterior of premises)

Principal Street Location: Building 469 Route 64 Grand Canyon Coconino 86023  
(Do not use PO Box Number) City County Zip

Business Phone: 480-338-3157 Daytime Contact: 480 338 3157

Is the business located within the incorporated limits of the above city or town?  YES  NO

Mailing Address: PO BOX 1808 Grand Canyon AZ 86023  
City State Zip

Price paid for license only bar, beer and wine, or liquor store: Type 09 \$ 45,000 Type \$

**DEPARTMENT USE ONLY**

Fees: 2.00 Application 22.00 Interim Permit 222.00 Agent Change Club Finger Prints \$ 222.00  
**TOTAL OF ALL FEES**

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete?  YES  NO

Accepted by: M.C. Date: 10/25/2012 Lic. # 09030048

**SECTION 5 Interim Permit:**

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. 09030048
4. Is the license currently in use?  YES  NO If no, how long has it been out of use? 0

**ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.**

I, Cecily Maniaci declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER, MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

(Print full name)

State of \_\_\_\_\_ County of \_\_\_\_\_

X \_\_\_\_\_  
(Signature)

The foregoing instrument was acknowledged before me this

My commission expires on: \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_  
Day Month Year

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

**SECTION 6 Individual or Partnership Owners:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0191), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City, State, Zip
Maniaci	Cecily	Olivia	100	PO BOX 1808 Grand Canyon AZ 86023	

Partnership Name: (Only the first partner listed will appear on license) \_\_\_\_\_

General-Limited	Last	First	Middle	% Owned	Mailing Address	City, State, Zip
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						

) Y R A S S E C E N F I T

2. Is any person, other than the above, going to share in the profits/losses of the business?  YES  NO

If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

**SECTION 7 Corporation/Limited Liability Co.:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

- CORPORATION Complete questions 1, 2, 3, 5, 6, 7, and 8.  
 L.L.C. Complete 1, 2, 4, 5, 6, 7, and 8.

1. Name of Corporation/L.L.C.: Crimson Partners HC  
 (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 1/7/2010 State where Incorporated/Organized: Arizona
3. AZ Corporation Commission File No.: \_\_\_\_\_ Date authorized to do business in AZ: 02/10/2010
4. AZ L.L.C. File No: L-15753590 Date authorized to do business in AZ: 02/10/2010
5. Is Corp./L.L.C. Non-profit?  YES  NO

6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip
Maniaci	Cecily	Olivia	<del>Member</del> Member	PO BOX 1808 Grand Canyon AZ 86023	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip
Maniaci	Cecily	Olivia	100	PO BOX 1808 Grand Canyon AZ 86023	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

**SECTION 8 Club Applicants:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: \_\_\_\_\_ Date Chartered: \_\_\_\_\_  
 (Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit?  YES  NO

3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

**SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:**

Current Licensee's Name: \_\_\_\_\_  
Last First Middle  
Exactly as it appears on license)

Assignee's Name: \_\_\_\_\_  
Last First Middle

License Type: \_\_\_\_\_ License Number: \_\_\_\_\_ Date of Last Renewal: \_\_\_\_\_

ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

**SECTION 10 Government: (for cities, towns, or counties only)**

Governmental Entity: \_\_\_\_\_

Person/designee: \_\_\_\_\_  
Last First Middle Contact Phone Number

**A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.**

**SECTION 11 Person to Person Transfer:**

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

Current Licensee's Name: Hernandez Jimenez David Enrique Entity: Indiv.  
Last First Middle (Indiv., Agent, etc.)

Corporation/L.L.C. Name: \_\_\_\_\_  
(Exactly as it appears on license)

Current Business Name: Western Post  
(Exactly as it appears on license)

Physical Street Location of Business: Street 10 S. San Francisco St.  
City, State, Zip Flagstaff, AZ 86001

License Type: Liquor Store License Number: 09030048

If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_

Current Mailing Address: Street 26 S. San Francisco St.  
(Other than business) City, State, Zip Flagstaff, AZ 86001

Have all creditors, lien holders, interest holders, etc. been notified of this transfer?  YES  NO

Does the applicant intend to operate the business while this application is pending?  YES  NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

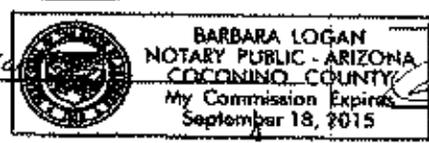
I, David Enrique Hernandez Jimenez, hereby authorize the department to process this application to transfer the privileges of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, David Enrique Hernandez Jimenez, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

[Signature]  
(Signature of CURRENT LICENSEE)

State of AZ County of Cocconino  
The foregoing instrument was acknowledged before me this

commission expires on: Sept 18 2015



11 Day October Month 2012 Year  
[Signature]  
(Signature of NOTARY PUBLIC)

\*12 OCT 22 11:41 AM '12



**SECTION 13 - continued**

- Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?  
 YES  NO If yes, attach explanation.
- Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business?  YES  NO
- Is the premises currently licensed with a liquor license?  YES  NO If yes, give license number and licensee's name:  
 license # \_\_\_\_\_ (exactly as it appears on license) Name \_\_\_\_\_

**SECTION 14 Restaurant or hotel/motel license applicants:**

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location?  YES  NO  
 If yes, give the name of licensee, Agent or a company name:  
 \_\_\_\_\_ and license #: \_\_\_\_\_  
Last First Middle
- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this  hotel/motel  restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

\_\_\_\_\_  
applicant's signature

As stated in A.R.S. § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit [www.azliquor.gov](http://www.azliquor.gov) and click on the "Information" tab.

\_\_\_\_\_  
applicant's initials

**SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)**

Check ALL boxes that apply to your business:

- Entrances/Exits       Liquor storage areas      Patio:  Contiguous
- Service windows       Drive-in windows       Non Contiguous

Is your licensed premises currently closed due to construction, renovation, or redesign?  YES  NO  
If yes, what is your estimated opening date? \_\_\_\_\_  
month/day/year

Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

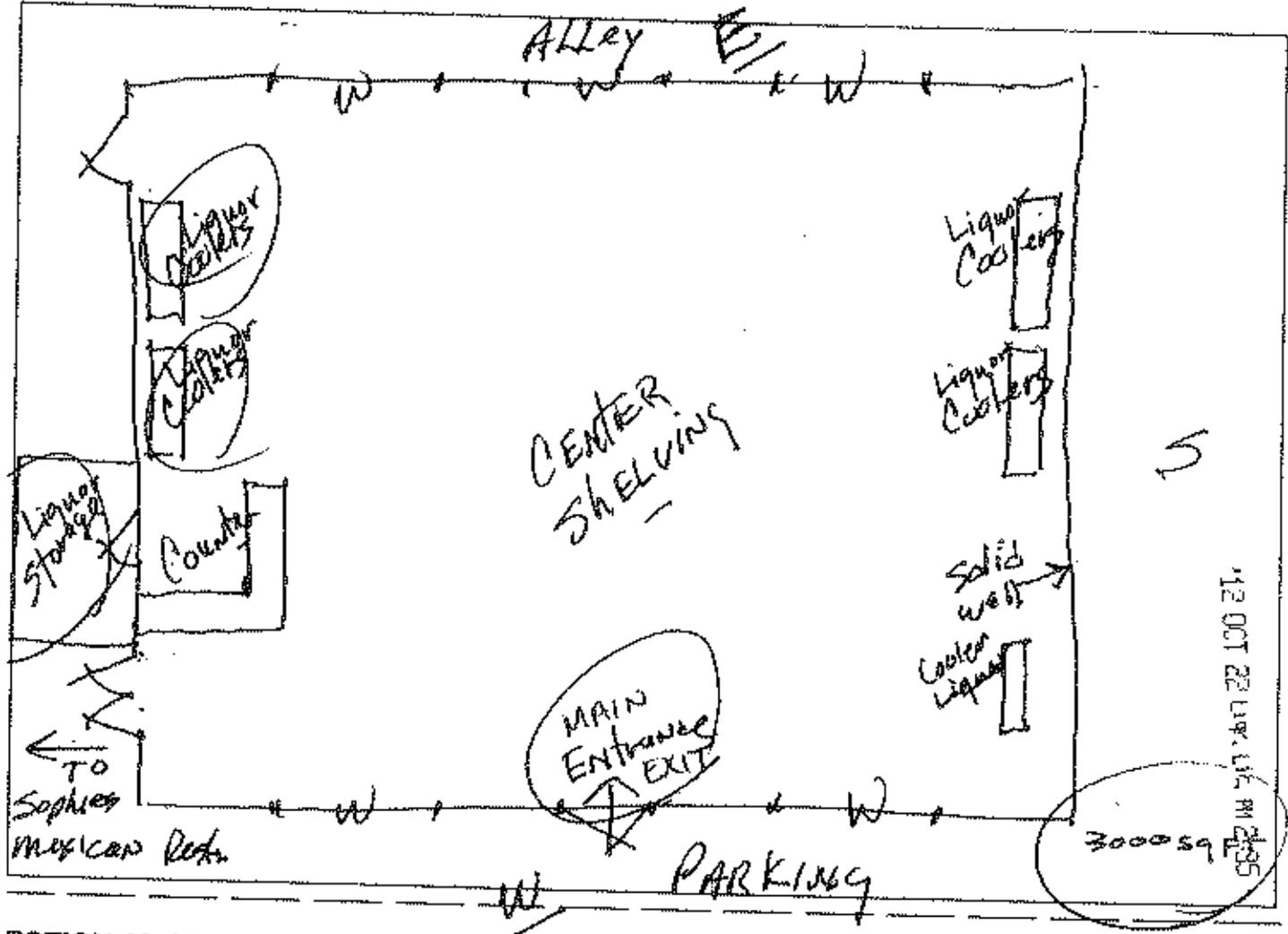
Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

          
applicant's initials

dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



**SECTION 16 Signature Block**  
 OLIVIA CLIFT  
CECILY MANIACI  
(print full name of applicant)

hereby declare that I am the OWNER/AGENT filing this

application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

Cecily Maniaci  
(signature of applicant listed in Section 4, Question 1)



State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this  
17<sup>th</sup> of Oct, 2012  
Day Month Year

Connie M. Chavez  
 signature of NOTARY PUBLIC

commission expires on: 05 Sept 2015  
Day Month Year

ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL

800 W Washington 5th Floor  
Phoenix AZ 85007-2934  
www.azliquor.gov  
(602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: 11/29/12 Date of Posting Removal: 12/19/12

Applicant Name: Cliff-Maniaci Cecily Olivia  
Last First Middle

Business Address: Building 469 Route 64 Grand Canyon 86023  
Street City Zip

License #: 09030048

I hereby certify that pursuant to A.R.S. § 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

Melissa A. Malone Tusayan Town Clerk 928-638-9909  
Print Name of City/County Official Title Telephone #

Melissa A. Malone  
Signature

11/29/12  
Date Signed

Return this affidavit with your recommendation (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents.

If you have any questions please call (602) 542-5141 and ask for the Licensing Division.

Individuals requiring special accommodations please call (602) 542-9027

ITEM NO. 9A

**CIP0001****Tusayan Partners Park Development****Description:**

Partnering with the Grand Canyon School District, build a community park in multiple phases that will include ball fields, play equipment (tot lot), restrooms, a group ramada, and other amenities. A masterplan for the park has been prepared and prioritization of phases is on-going

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
\$18,522	\$250,000	\$150,000	\$150,000	\$150,000		

**Phases:**

FY 13/14 Complete Phase 1 - tot lot fencing, and ramada  
 FY 14/15 TBD - multi-use ball fields and ramada  
 FY 15/16 TBD

**Sources:**

General Fund

**CIP0002****Fiber Optic Expansion****Description:**

Develop a comprehensive strategy to improve internet service within Tusayan

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$275,000	\$150,000	\$150,000	\$150,000		

**Phases:**

FY 12/13      Research and pre-design, evaluation of possible providers  
FY 13/14      Design & implementation  
FY 14/15      Construction

**Sources:**

General Fund

**CIP0003****Town Hall Parking Improvements/Sidewalks****Description:**

Construct improvements to the parking lot around Town Hall facilities

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$50,000					

**Phases:**

FY 12/13      Landscaping, sidewalks, monument sign, lighting and reconfigure parking lot to provide better circulation

**Sources:**

General Fund

**CIP0004**

**Tusayan Employee Housing Project**

**Description:**

Design and install housing units and associated utilities for Town employees

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
\$2,850	\$250,000	\$150,000	\$150,000	\$200,000	\$0	\$0

**Phases:**

FY11-12 Professional services  
FY12-13 Professional services, site preparation, utility installation, & purchase of 2 units  
FY 13/14 Purchase of an additional unit, professional services, site preparation, utility installation  
FY 14/15 Placeholder for additional employee housing  
FY 15/16 Placeholder for additional employee housing

**Sources:**

General Fund

**CIP0005**

**Future Water System Investment**

**Description:**

Future water system evaluation

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
		\$1,200,000	\$1,200,000	\$1,200,000		

**Phases:**

- FY 13/14 Placeholder to potentially determine possible phases, purpose & timing, preliminary engineering
- FY 14/15 Placeholder

**Sources:**

- General Fund?
- Possible funding with WIFA & GADA
- Possible repayment of General Fund through future rate-based Enterprise Fund

**CIP0006**

**Tusayan Affordable Housing Project (40 acre dedication)**

**Description:**

Develop 40 acres of land to be dedicated to the Town for provision of affordable housing for Tusayan residents

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
		\$50,000	\$200,000	\$250,000	\$250,000	\$500,000

**Phases:**

- FY 13/14 Consultant, product mix, sizing, help Housing Authority, professional services for financing
- FY 14/15 Planning for infrastructure design \$200,000
- FY 15/16 Placeholder for construction
- FY 16/17 Placeholder for construction
- Beyond 5 years Placeholder of \$250,000 per year FY 17/18 and 18/19

**Sources:**

General Fund

**CIP0007**

**Natural Gas Extension**

**Description:**

In partnership with Grand Canyon National Park, design and construct a natural gas line extension to service Tusayan residents

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
			\$100,000			

**Phases:**

FY 14/15            Engineering support

**Sources:**

General Fund

**CIP0008**

**Drainage Study/ Model Update**

**Description:**

Conduct a drainage analysis of the Town of Tusayan to supplement previous flood analysis prepared by the National Forest Service

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$50,000	\$50,000				

**Phases:**

- FY 12/13      Engineering services to do preliminary analysis
- FY 13/14      Construction of initial mitigation

**Sources:**

General Fund  
possible CDBG

**CIP0009****Bus Stop Art Program/ Public Art "Set-Aside"****Description:**

Develop and implement a public art program at shuttle bus stops for Grand Canyon National Park

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$40,000	\$15,000	\$15,000	\$15,000	\$15,000	

**Phases:**

FY 12/13	Conceptual masterplan & landscape \$30,000, \$10,000 concrete pad extension & conduit at 4 locations
FY 13/14	Program support / acquisition
FY 14/15	Program support / acquisition
FY 15/16	Program support / acquisition
FY 16/17	Program support / acquisition

**Sources:**

General Fund

**CIP0010**

**Trail System & Improvements**

**Description:**

Develop and improve access and connections to existing trails around Town of Tusayan

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
	\$15,000	\$30,000				

**Phases:**

- FY 12/13 Identify and construct small connections to existing local trails, with section from the 302 to the sidewalk as priority
- FY 13/14 Placeholder for additional connections identified in General Plan process

**Sources:**

General Fund

**CIP0011**

**Utility Undergrounding Study**

**Description:**

Identify potential areas for undergrounding of overhead utilities to improve community aesthetics

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
						\$40,000

**Phases:**

**Sources:**

General Fund

**CIP0012**

**Snow Park**

**Description:**

Development of a winter park to provide areas for sledding and snow activities

**Allocated Funds:**

Previous Years	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	Beyond 5 Years
						\$43,000,000

**Phases:**

**Sources:**

ITEM NO. 9B

# International Housing Solutions

0095 Lighthill Rd.  
Snowmass, CO 81654  
(970) 948-2614

The Town of Tusayan

Nov. 23, 2012

P.O. Box 709

Tusayan, AZ 86023

Dear Mayor, Council, and Manager,

Enclosed is the first of three reports contracted for under Phase Two of our services. We are excited to begin the process that will lead to the creation of your Housing Authority. The goal of building affordable housing will be one of the Town's greatest achievements when this chapter of your history is written. It is an honor to play a role in this, one that we do not take lightly. We are confident that you can accomplish your objectives once the board is seated.

Sincerely,



John B. Young & Scott V. Brown,

Managing General Partners



# International Housing Solutions

## Phase Two – Task One

*"Develop a recommendation for the membership composition of a Tusayan Housing Authority, and suggested qualifications, based on a review of existing authorities within Arizona, or comparable regions. A summary will be provided of how at least three authorities currently operate."*

*"Provide a written overview of the purpose of the proposed Authority, roles and responsibilities of the members, and an outline of the duties typically performed."*

### Review of Existing Authorities

We chose three Housing Authorities within our region to serve as examples, based on the extensive experience they have over the last thirty years, and the acceptance of them as leaders within the industry. They are; The Town of Snowmass Village, The City of Aspen/Pitkin County, and the Town of Telluride/San Miguel County.

### The Town of Snowmass Village

TOSV currently has jurisdiction over 177 for sale units and 247 rental units. They have a full time staff of seven and hire an additional part time landscaper in the summer. They have achieved a good balance in that there are enough units built to satisfy most of the demand. When a unit becomes available to rent it is rented within a week off of a waiting list of 10-50 employees looking for a unit. When a unit is placed on the market to sell there are anywhere from 3-10 qualified buyers looking to acquire it. They have strived to keep things simple and are about to retire some bonds that will create a true "cash cow" for them on a going forward basis. They have healthy reserves funds and have set up a system that launches their new sales units with a required capital improvement fund that the new HOA's manage on behalf of themselves. Once the debt on the early rentals is retired they plan on doing major remodels with an emphasis on energy efficiency thus insuring an ongoing affordable program. The principle duties performed by the staff are;

1. Handle all rent-ups
2. Process any sales of existing deed restricted units
3. Maintain the units on a short and long term basis
4. Maintain adequate reserve funds forecasted for a 5-10 year time frame on usual items and 15-17 years on the roofs
5. Maintain all landscaping
6. Perform the painting functions
7. Process all applications
8. Handle complaints, noise, etc.
9. Act as the developer of any new projects.
10. Report on an annual basis to the Town Council

Prior to 1990 the Town Council acted as the Housing Authority by merely adjourning from one entity into the other. At that time, the decision was made to abandon the housing authority in favor of making it a department of the town government. They did it on the advice of their Bond Council and Underwriter that by doing so, their borrowing capabilities would be enhanced. While they do not pledge anything beyond the rents and/or sales of the units, the fact that the Town is in the shadows of every deal, gave great comfort to the bond holders. They have seen no reason to establish a separate housing authority due to the fact that their current system works so well. The Town Council has full confidence in the Town Manager and Staff to do the right thing and keep a fair and transparent approach to everything they do.

### **The Town of Telluride/San Miguel County**

The Town of Telluride established a housing authority in the early 80's that has gone through changes in its history. They started out as a five member board appointed by the Town Council. A Town Council member, the Planning & Zoning Chairman, a local architect, and two employees made up the first board. Their focus was initially on rental housing which resulted in four rental projects being built over the first seven years of the authority's existence. There was a regional authority set up in the mid 90's that was to be modeled after the Aspen/Pitkin approach that was never agreed to by one of the principals to be involved. After several years the organization was revised to allow for the rental projects to go back to the sponsoring entities and the regional authority was kept to handle the sale and resale of the deed restricted units created by all parties. The Town currently manages 134 rental units, a day care center, and an office space. The functions that they are involved in are the same as the Town of Snowmass Village with the exception of the for sale program. Their director is a Town Division Head and reports to the Town Manager. They are solid financially having remained full throughout the recession. They recently completed a \$100,000 energy upgrade program targeted at super insulating their units. The Town has four and one half FTE's and is balanced as well in that the waiting list is appropriate to the number of units managed. The regional authority operates out of the same office complex as the Town and they have 3 employees. Their function, as mentioned, is to administer the deed restricted for sale housing with currently about 10-12 units for sale out of a pool of 1,126 that have 10 separate guidelines governing them. The director for the regional housing authority now reports to a board made up of the County Manager and the Two Town Managers. They meet on a monthly basis or more often if needed.

### **The City of Aspen/Pitkin County**

The City and the County formed the Aspen/Pitkin County Housing Authority (APCHA) over 30 years ago and it remains pretty much the same as it was then. They manage 1,314 rental units and 1,501 deed restricted for sale units. They have 13 full time staff and handle all of the functions listed with the TOSV program. The board is comprised of two members selected by both the Town and the County and a fifth member that must be mutually agreed upon. By agreement, the Executive Director reports to the

Assistant City Manager for day-to-day supervision. They have developed a complex system for categorizing employees intended to reserve some units for the lower pay scale employees and to prevent trust funders from occupying the units. They have sliced their program into 8 different types of employees depending on their income, years of service, and net worth. Currently they have approximately fifty units for sale with some having been on the market for five years. They are planning on building 189 more units this spring and are hoping that by allowing dogs they will generate enough interest to fill the units.

We have attached each entity's guidelines governing their for sale programs as a reference manual for you in the future.

### Recommendations for a Tusayan Housing Authority

1. **Number of members** -- We would strongly recommend five members as our experience tells us that three can create frequent quorum issues and seven members extends dialogue and action, sometimes to a point of paralysis. The new board will have much to do, not only when they are launched, but in an ongoing way.
2. **Makeup** -- Given the sometimes highly charged nature of Tusayan it will be extremely important to create an Authority that passes the "smell test" of all of the citizens. If the new entity is transparent, and fair, it will stand the test of time no matter which way the political winds blow. Often times if a community is divided and the group chosen are stacked one way or the other, the success of the program will be tempered. It is with that in mind that we recommend that one of two approaches be utilized.
  - A. **Acknowledge the differences** -- It becomes quickly clear to an outsider, (such as us), that the early history of the incorporation has been divided into two camps, those for and those against. If the Authority was made up of individuals who represent both sides of the issue, the chances are increased for the community at large to embrace the new group. There are management level individuals that deal every day with the problems of employees that would make excellent candidates for the board. If two were chosen from each point of view and a fifth by the initial four (presumably someone neutral, perhaps a federal employee), the result will be a broader acceptance by the community. It will be up to the town council to select the individuals willing to serve. No matter what approach is taken, recruitment will be necessary to fill the spots.
  - B. **Select motivated people no matter what their political past may have been** -- There are citizens within your community that will get it that establishing your program transcends any particular party affiliation or point of view. The mission is pure, "***create a program that produces housing for those who need it, irrespective of who they are***". In our experience, the members of a housing authority take great satisfaction out of the fact that they are making a real difference. You have these people.

3. **Qualifications** – It can be useful to try and get a blend of individuals who bring a particular skill set to the table. Having an architect, attorney, accountant, or other professional can be a great asset. An employee who would be representative of who you are trying to target is great as well. They will bring a perspective that will be invaluable in creating the type of unit you are after. As previously mentioned, managers of employees are important because they understand the urgency of the need, as well as how to keep the group "on point". There truly is no exact set of qualifications other than a desire to help create opportunity for those who live there to improve their chance of acquiring a "piece of the rock", or live in a place that does not require them to be locked into a particular job in order to keep their housing.

### **Overview of purpose, roles, responsibilities, and duties of the Board**

1. **Purpose** – Tusayan has made it very clear to us that your first priority is to create units that can be acquired. With those marching orders in mind, the initial purpose will be to launch a program that targets the varying types of housing matching up with the income levels of your typical employee. As previously presented to you, it will likely include a mix of condos, townhomes, and single family units. Each type of unit requires the creation of how the product is to remain affordable in the future. Some level of deed restriction may be necessary. This important debate will set the tone for the future of the program and is difficult to change if it isn't right the first time. Even though you are not interested in creating a rental program to begin with, some dialogue will be important in how and when, this will be enacted. The spirit of your mission is an important component that again, will likely be critical to the overall success of your program. The decisions made by the "founding members" will be the cornerstones for the future.
2. **Roles** – Roles will evolve once the group is seated. Clearly you will need a chairperson to conduct the meetings and interact with your staff once they are hired. A vice chair and treasurer are typically needed to fill in during the absence of the chair, and to keep an eye on the important role of the fiduciary responsibilities of the organization. There will be statutory obligations assigned to these key roles that must be adhered to.
3. **Responsibilities** – Each board member will be expected to keep up with the dialogue, written reports, and community input in an ongoing manner. Remembering that most likely this will be a volunteer position, it is unreasonable to think that anyone can treat this as a job. The selection of a housing authority director will be a very important first step in the creation of your program. It will be the board's responsibility to recruit and hire a qualified director who will do the bulk of the work associated with running the program.
4. **Duties** – Duties will be assigned to each member as tasks arise. As an example, someone will likely take the initial stab at creating a mission statement for the full board to consider. Others will agree to "specialize" in certain aspects of running the program. The following represents common duties.

- A. Audit
- B. Legal
- C. Community outreach
- D. Political liaison
- E. Employee interface
- F. Construction management
- G. RFP generation
- H. Finance
- I. Architectural guidelines
- J. Homeowners Associations
- K. News media
- L. Maintenance
- M. Selection of applicants for units, (typically lotteries)
- N. Application process
- O. Banking matters
- P. Agendas
- Q. Utilities
- R. Rules and regulations/guidelines
- S. Operational procedures
- T. Sale and resale agreements
- U. Leases
- V. Equipment acquisition
- W. Other as required

We are available to discuss any of the above with you with reasonable notice. Tasks two and three are anticipated to be completed by mid December, as scheduled.

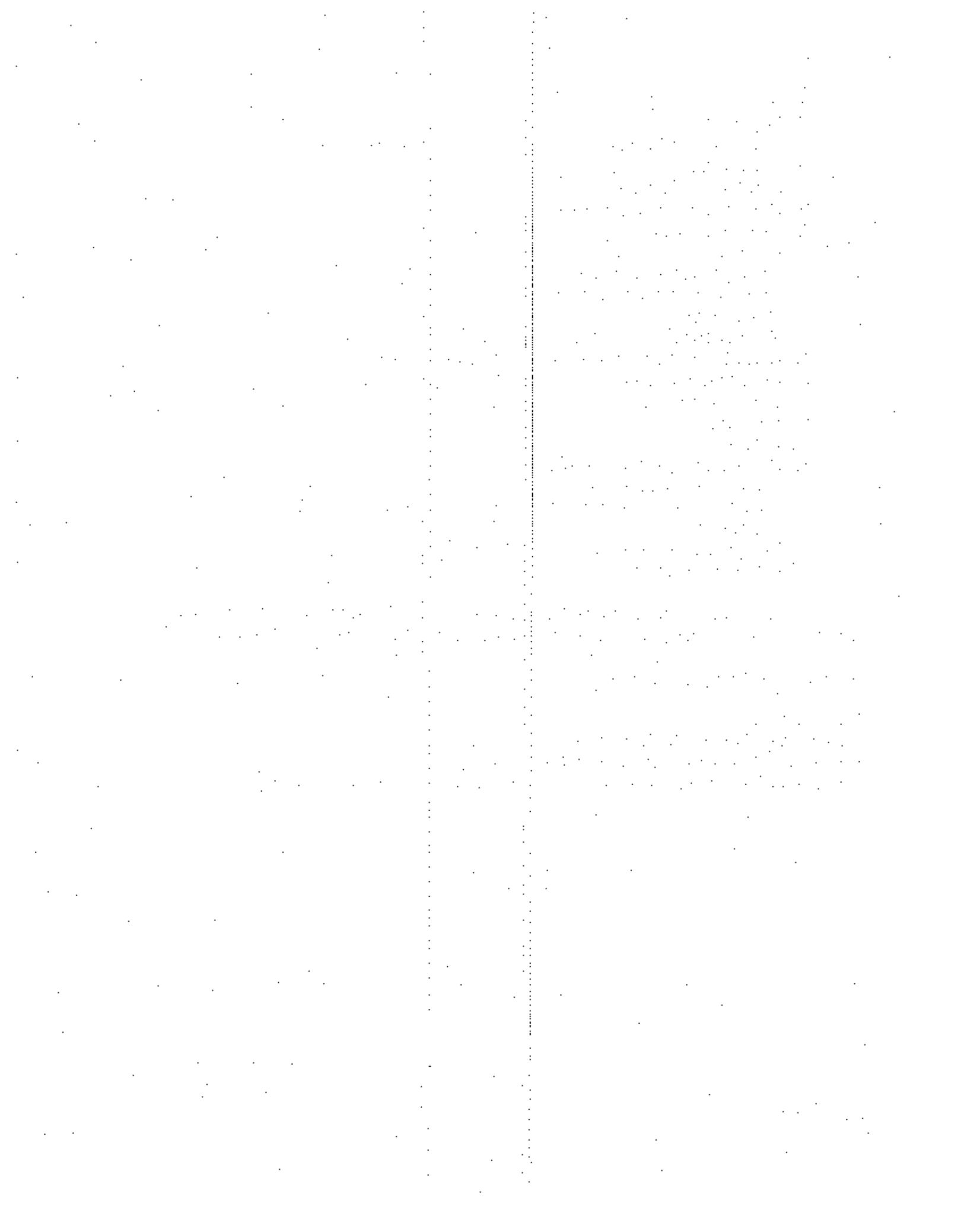
International Housing Solutions

**Attachments**

Aspen/Pitkin County Guidelines

Snowmass Village General Information

San Miguel Regional Housing Authority Application Process





**GENERAL INFORMATION FOR PITKIN COUNTY  
EMPLOYEES INTERESTED IN PURCHASING TOWN OF  
SNOWMASS VILLAGE DEED RESTRICTED EMPLOYEE  
HOUSING UNITS**

The Town of Snowmass Village Housing Department is now accepting purchase applications from full time Pitkin County employees with a minimum of three years of employment time for various size deed restricted employee housing units.

Please note full time Snowmass Village employees always receive the first priority to purchase these units but sometimes we do not receive applications from Snowmass Village employees.

Full time workers employed within Pitkin County receive a priority after the Snowmass Village applicants are exhausted.

The sales process works as follows. The Housing Department will accept applications from both Snowmass Village employees and full time Pitkin County employees for 30 days after the first newspaper ad is printed. After this 30 day period the Housing Department will then qualify all the applicants and a lottery will be scheduled. If we do not have a qualified Snowmass Village applicant then Pitkin County employee applicants become eligible to purchase these units.



Town of Snowmass Village  
Employee Housing Sales Application  
Pitkin County Employee

**Information and Instructions**

Welcome to the Town of Snowmass Village For Sale Employee Housing program. Enclosed is the application with instructions and information for this program. If you have any additional questions after you have read this packet, please contact the Housing Department at 923-2360 or at [housing@tosv.com](mailto:housing@tosv.com) or at 555 Deerfield Drive (within the Mountain View Apartment complex) Monday through Friday 8:00am to 5:00pm.

**General Program Information**

- 1) This is an honesty based program. All applications are expected to be completed honestly and thoroughly.
- 2) A \$20.00 (twenty dollars) per unit application fee payable to the Town of Snowmass Village Housing Department. Cash and checks accepted.
- 3) An application is active for 12 (twelve) consecutive months from the date it is submitted to the Housing Department
- 4) It is up to the applicant to provide all the information and submit a completed application to the Housing Department to an acceptable level before the application deadline. **Incomplete applications will not be accepted.**
- 5) You are welcome to wipe out all account numbers from your statements. Please do not wipe out the names.
- 6) Joint ownership is permitted as long as one applicant, as defined, is working in Pitkin County. **Both applicants must submit a completed application at the same time. All financial information will be combined to determine eligibility.**

**Application Instructions**

- 1) Complete the Housing Department Information Sheet.
- 2) List all Pitkin County full time employment on the Employment History Form. Applicants must be an employee of a Pitkin County based business that has a current business license, whose principle place of business is conducted in Pitkin County, and be employed a minimum of one thousand four hundred (1,400) hours within eight (8)

to twelve (12) months at the time of application and being awarded a unit. Conversion: 40 hours per week for 35 weeks per calendar year OR 35 hours per week for 40 weeks per calendar year OR 32.56 hours per week for 43 weeks per calendar year. Employment time will not be double counted.

3) An Employment Verification form must be completed and signed by each employer for the time listed on the Employment History sheet. Social Security printouts will be accepted as a substitute if the employment verification form can not be filled out by an employer.

4) A loan pre-qualification letter is required from a financial institution on letterhead, dated and signed by an officer stating the maximum amount the applicant is qualified to obtain. The amount stated by the financial institution is part of the approval process for a unit.

5) Copies of the last three years of filed and signed (if applicable) complete personal Federal Income Tax forms and W-2's. Non-taxable income is to be included and verifiable documentation will need to be submitted. 80% (eighty percent) of the applicant's income must be earned within Pitkin County and verified by a W-2.

Calculating income level: The last three (3) years of filed and signed (if applicable) Federal Income Tax Adjusted Gross Income (line 33 on form 1040 or line 4 on form 1040 EZ) added together then divided by three (3). Tax free income must be reported and will be included in the Maximum Income average.

6) Complete and sign the Ownership of Other Property and Persons Per Bedroom form.

7) Complete and sign the Acknowledgments and Verification of True and Accurate Information form.

8) Complete and sign the Authorization to Obtain a Copy of Loan Application form.

9) If you own your own business, you must submit a copy of your current business license, your last three (3) years of filed business Federal Income Tax and a current Profit and Loss Statement. 80% (eighty percent) of the business must be conducted within Pitkin County to be a qualified Pitkin County business.

10) The Financial Statement is to be completed with real numbers (i.e.- if your checking account statement says your balance is \$1,856.32, please write in \$1,856. DO NOT round up or down the numbers - just drop off the cents!) For each item listed on the Financial Statement, copies of back up documentation must be submitted.

For Example: Cash in the bank - bank statements

Automobiles/Planes/Boats/Motorcycles - blue book value, and title, and registration.

Free Market Stocks/Bonds - copies of the certificates AND a recent statement or financial value.

Property- most current County property tax forms

Net Worth of Business - current Profit and Loss Statement

Loans/Mortgage - pay off amounts from the lending institution

Credit Cards- most current statements showing pay off amounts.

Calculating Net Worth level:

Assets - (cash [checking, savings, money market], automobiles, planes, boats, motorcycles, free market stocks, bonds, insurance and real estate, retirement accounts and net worth in a personal business)

MINUS

Liabilities - (bank loans, mortgage, credit card debt, college loans and car, boat or plane loans)

MINUS

Retirement Funds - (IRA, KEOGH, 401K, FPPA - Tax Deferred Retirement Account)

EQUALS

Net Worth

NOTE - Contingent liabilities and personal effects are not included in this calculation.

11) The entire completed application and application fee must be submitted by the designated date and time specified by the Housing Department located at 555 Deerfield Drive in the Mountain View Apartment complex. **All applications submitted after the specified date and time will not be accepted. All incomplete applications will not be accepted.**

#### General Information

- Each applicant will be given a number of chances per their employment time.
- All chances will be drawn from the bin.
- The order that the names are drawn is the order that the applicants will be permitted to accept the unit they are applying for.
- All applicants will be confirmed for the unit they have applied for by persons per bedroom and financial qualifications before being placed in the lottery.
- Only the first time that an applicant's name is drawn will they be permitted to accept a unit.
- Should a selected applicant change their mind about their chosen unit, the next applicant on the drawn list will be allowed to accept that unit.
- The Seller and Buyer will have 7 (seven) calendar days by 5:00 pm to bring a completed contract to the Housing Department.
- The Seller and Buyer can choose the title company.

#### Lottery Procedures

The following lottery procedures were approved by the Town of Snowmass Village Town Council on July 27, 2009. After applicants are qualified they will be entered into a lottery tier using the priorities listed below.

Lottery Tiers	Lottery Priorities
1st	In-Complex (meets employment, income, assets and occupancy requirements)
2nd	Snowmass Village full-time employment with 3 or more years (meets occupancy requirements)
3rd	Snowmass Village full-time employment with 1 - 3 years (meets occupancy requirements)
4th	Snowmass Village full-time employment with 3 or more years; 2 people may apply for a 3-bedroom unit
5th	Snowmass Village full-time employment with 1 - 3 years; 2 people may apply for a 3-bedroom unit
6th	Pitkin County full-time employment with 3 or more years (meets occupancy requirements)

**Unit Size 17.3.3.** To maximize the occupancy of housing units an applicant can only apply to purchase a housing unit to accommodate the number of persons that will be residing with the applicant. The number of persons will include a dependant as defined in the Internal Revenue Code, or a minor child who resides on a part time basis of not less than one hundred twenty one (121) days per calendar year as a result of an order of a court. A first priority applicant can only apply to purchase a housing unit with the number of bedrooms as follows:

**First Priority Occupancy Table #1**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
1*	X	X		
2	X	X		
3		X	X	
4		X	X	X
4+			X	X

\*One person is not eligible to purchase a single family home.

After the first priority qualified applicants have been selected the Second Priority Occupancy Table will be used. This table will only be used for qualified Snowmass Village employee applicants in the 4<sup>th</sup> and 5<sup>th</sup> lottery tier from the 17.3.1 lottery procedures table.

Note: All Pitkin County employees in the 6<sup>th</sup> lottery tier must meet the requirements listed in the First Priority Occupancy Table #1.

**Second Priority Occupancy Table #2**

Total Persons	1 bedroom	2 bedrooms	3 bedrooms	4 or more bedrooms
2	X	X	X	



## Housing Application Check List

Please use this check list to complete your Housing Application. The Housing office will use this check list to verify that you have submitted all the information required. Please make sure each box is checked that pertains to your application. The following items must be included with the application. If this is a joint application both applicants information must be included.

### Check List

- \$20.00 (twenty dollars) per unit application fee payable to the Town of Snowmass Village Housing Department.
- 80% (eighty percent) of the applicant's income must be earned within Snowmass Village and verified by a W-2.

### Financial Information:

- 2009 Tax Returns                       2009 W-2's                       2009 Business Tax Returns
- 2010 Tax Returns                       2010 W-2's                       2010 Business Tax Returns
- 2011 Tax Returns                       2011 W-2's                       2011 Business Tax Returns
- A copy of your current Snowmass Village business license.
- Copy of a current Profit and Loss Statement
- An Employment Verification form must be completed and signed by each employer for the time listed on the Employment History sheet.
- A loan pre-qualification letter from a institution on letterhead, dated and signed by an officer stating the maximum amount the applicant is qualified to obtain.

### Net worth back up information:

- Copies of all bank account statements: Checking, Savings, Certificate of Deposits and Money Markets.
- Copies of Stocks/Bonds Certificates and statement of the current values.
- Copy of the current annual county property tax bill showing assessed value of real estate owned.
- Automobiles/Planes/Boats/Motorcycles copy the title or registration.
- Copy of the blue book value for all vehicles.
- Copy of your Life Insurance policy and statement of the cash value.
- Copy of Retirement accounts.
- Copy of bank loans.
- Copy of mortgage payoff.
- Copy of Auto loan payoffs.
- Copy of all recent credit card statements.

Applicant/s: \_\_\_\_\_

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

Town of Snowmass Village  
Employee Housing Sales Application

**HOUSING DEPARTMENT INFORMATION SHEET**

Applicants Name: \_\_\_\_\_

Social Security No.: \_\_\_\_\_ Driver's License: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Co-Applicants Name: \_\_\_\_\_

Social Security No.: \_\_\_\_\_ Driver's License: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Home No.: \_\_\_\_\_ Work No.: \_\_\_\_\_ Other No.: \_\_\_\_\_

What name(s) will be on the deed? \_\_\_\_\_

**DO NOT WRITE BELOW - OFFICE USE ONLY**

Employment time: \_\_\_\_\_ Total number of chances: \_\_\_\_\_

Net Worth: \_\_\_\_\_ Average Annual Income: \_\_\_\_\_

No. of Adults \_\_\_\_\_ No. of Dependents: \_\_\_\_\_ Housing Unit Size: \_\_\_\_\_

Bank approved amount: \_\_\_\_\_

Date application(s) submitted: \_\_\_\_\_

Date fee(s) paid: \_\_\_\_\_

Unit(s) applied for: \_\_\_\_\_





Town of Snowmass Village  
Employee Housing Sales Application

**EMPLOYMENT VERIFICATION**

I am verifying that \_\_\_\_\_ is/has been employed  
Name of applicant

by \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
Business name Month/year Month/year

and that this business is located and licensed within Pitkin County. I am also verifying that this employee work(s/ed) over 1,400 hours within eight (8) to 12 (twelve) months per calendar year.

\_\_\_\_\_  
Employer signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contact phone no.

**You will need to make additional copies of this form if you have more than one employer listed on the Employment History page.**



Town of Snowmass Village  
Employee Housing Sales Application

**EMPLOYMENT VERIFICATION**

I am verifying that \_\_\_\_\_ is/has been employed  
Name of applicant

by \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
Business name Month/year Month/year

and that this business is located and licensed within the Pitkin County. I am also verifying that this employee work(s/ed) over 1,400 hours within eight (8) to 12 (twelve) months per calendar year.

\_\_\_\_\_  
Employer signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contact phone no.

**You will need to make additional copies of this form if you have more than one employer listed on the Employment History page.**

**Town of Snowmass Village  
Employee Housing Sales Application**

Applicant's name: \_\_\_\_\_

Co-Applicant's name: \_\_\_\_\_

**OWNERSHIP OF OTHER PROPERTY**

\_\_\_\_\_ I/We do not own any residential property within the Roaring Fork Drainage to include the area between No Name to Rifle, Colorado.

\_\_\_\_\_ I/We do own residential property within the Roaring Fork Drainage included in the area between No Name to Rifle, Colorado.  
The address is \_\_\_\_\_

The ownership is in the name of \_\_\_\_\_

**I/We agree to sell the above specified residential property within 6 (six) months from the time of closing on the awarded housing unit.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Co-Applicant's Signature

**NUMBER OF PERSONS REQUIRED PER BEDROOM**

\_\_\_\_\_ One person for a one (1) or a two (2) bedroom Condominium, Duplex or Townhome unit. (One person is not eligible to purchase a single family home)

\_\_\_\_\_ Two persons for a one (1) or a two (2) bedroom unit.

\_\_\_\_\_ Three persons for a two (2) or a three (3) bedroom unit.

\_\_\_\_\_ Four persons for a two (2), three (3) or four (4) bedroom unit.

\_\_\_\_\_ Five persons for a three (3), four (4) or five (5) bedroom unit.

The parent(s) or legal guardian(s) of a dependent(s) must submit a copy of legal documentation confirming that the applicant(s) have legal custody of the dependent(s) for 121 days or more within a calendar year.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Co-Applicant's signature





Town of Snowmass Village  
Employee Housing Sales Application

**Authorization to Obtain a Copy of Loan Application**

I/We give the authorization to the Town of Snowmass Village Housing Department to obtain a copy of my/our actual loan documents from my/our lender.

My/Our signature(s) below do(es) hereby authorize my/our lending institution \_\_\_\_\_ to furnish a copy of my/our completed loan application to the Town of Snowmass Village Housing Department.

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature and date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Signature and date

# Town of Snowmass Village Employee Housing Sales Application

## NET WORTH APPLICATION

Applicant's Name: \_\_\_\_\_

Co-Applicant's Name: \_\_\_\_\_

ASSETS		LIABILITIES	
AMOUNT/VALUE	INSTITUTION	PAY OFF AMMOUNT	INSTITUTION
Cash in the Bank 1) _____	_____	Bank Loans 18) _____	_____
2) _____	_____	19) _____	_____
3) _____	_____	20) _____	_____
Stocks and Bonds 4) _____	_____		
5) _____	_____		
	LOCATION		
Real Estate 6) _____	_____	Mortgage 21) _____	_____
7) _____	_____		
	YEAR/MAKE		
Automobiles 8) _____	_____	Auto Loan 22) _____	_____
9) _____	_____	23) _____	_____
10) _____	_____	24) _____	_____
	INSTITUTION		
Life Insurance 11) _____	_____	Credit Cards 25) _____	_____
Retirement Accts (IRA, 401K) 12) _____	_____	26) _____	_____
13) _____	_____	27) _____	_____
College Funds (529 Plan) 14) _____	_____	28) _____	_____
Other Assets 15) _____	_____	Other Obligations 29) _____	_____
Child Support/Alimony 16) _____	_____		
	NAME OF BUSINESS	Child Support/Alimony 30) _____	_____
Net Worth Of Business 17) _____	_____		
<b>TOTAL ASSETS</b> _____		<b>TOTAL LIABILITIES</b> _____	

**FOR OFFICE USE ONLY**

Assets \_\_\_\_\_ minus Liabilities \_\_\_\_\_ minus Retirement/College Funds \_\_\_\_\_ equals Net Worth \_\_\_\_\_

**Request for Transcript of Tax Return**

(Rev. January 2011)

DMB No. 1545-1872

Department of the Treasury  
Internal Revenue Service

▶ Request may be rejected if the form is incomplete or illegible.

**Tip.** Use Form 4506-T to order a transcript or other return information free of charge. See the product list below. You can quickly request transcripts by using our automated self-help service tools. Please visit us at [IRS.gov](http://IRS.gov) and click on "Order a Transcript" or call 1-800-908-9946. If you need a copy of your return, use Form 4506, Request for Copy of Tax Return. There is a fee to get a copy of your return.

**1a** Name shown on tax return. If a joint return, enter the names shown first.

**1b** First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)

**2a** If a joint return, enter spouse's name shown on tax return.

**2b** Second social security number or individual taxpayer identification number if joint tax return

**3** Current name, address (including apt., room, or suite no.), city, state, and ZIP code (See instructions)

**4** Previous address shown on the last return filed if different from line 3 (See instructions)

**5** If the transcript or tax information is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number. The IRS has no control over what the third party does with the tax information.

Town of Snowmass Village Housing Department P.O. Box 6156 Snowmass Village, CO 81515 Telephone # 970-923-2360

**Caution.** If the transcript is being mailed to a third party, ensure that you have filled in line 4 and line 5 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy.

**6** Transcript requested. Enter the tax form number here (1040, 1065, 1120, etc.) and check the appropriate box below. Enter only one tax form number per request. ▶

**a** Return Transcript, which includes most of the line items of a tax return as filed with the IRS. A tax return transcript does not reflect changes made to the account after the return is processed. Transcripts are only available for the following returns: Form 1040 series, Form 1065, Form 1120, Form 1120A, Form 1120H, Form 1120L, and Form 1120S. Return transcripts are available for the current year and returns processed during the prior 3 processing years. Most requests will be processed within 10 business days

**b** Account Transcript, which contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed. Return information is limited to items such as tax liability and estimated tax payments. Account transcripts are available for most returns. Most requests will be processed within 30 calendar days.

**c** Record of Account, which is a combination of the item information and later adjustments to the account. Available for current year and 3 prior tax years. Most requests will be processed within 30 calendar days

**7** Verification of Nonfiling, which is proof from the IRS that you did not file a return for the year. Current year requests are only available after June 15th. There are no availability restrictions on prior year requests. Most requests will be processed within 10 business days

**8** Form W-2, Form 1099 series, Form 1098 series, or Form 5408 series transcript. The IRS can provide a transcript that includes data from these information returns. State or local information is not included with the Form W-2 information. The IRS may be able to provide this transcript information for up to 10 years. Information for the current year is generally not available until the year after it is filed with the IRS. For example, W-2 information for 2007, filed in 2008, will not be available from the IRS until 2009. If you need W-2 information for retirement purposes, you should contact the Social Security Administration at 1-800-772-1213. Most requests will be processed within 45 days

**Caution.** If you need a copy of Form W-2 or Form 1099, you should first contact the payer. To get a copy of the Form W-2 or Form 1099 filed with your return, you must use Form 4505 and request a copy of your return, which includes all attachments.

**9** Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than four years or periods, you must attach another Form 4506-T. For requests relating to quarterly tax returns, such as Form 941, you must enter each quarter or tax period separately.

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax information requested. If the request applies to a joint return, either husband or wife must sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506-T on behalf of the taxpayer. Note: For transcripts being sent to a third party, this form must be received within 120 days of signature date.

Telephone number of taxpayer on line 1a or 2a

Sign Here

Signature (see instructions) \_\_\_\_\_ Date \_\_\_\_\_

Title of the 1a above is a corporation, partnership, estate, or trust \_\_\_\_\_

Spouse's signature \_\_\_\_\_ Date \_\_\_\_\_

## General Instructions

**Purpose of form.** Use Form 4506-T to request tax return information. You can also designate a third party to receive the information. See line 5.

**Tip.** Use Form 4506, Request for Copy of Tax Return, to request copies of tax returns.

**Where to file.** Mail or fax Form 4506-T to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts, one for individual transcripts (Form 1040 series and Form W-2) and one for all other transcripts.

If you are requesting more than one transcript or other product and the chart below shows two different RAVS teams, send your request to the team based on the address of your most recent return.

**Automated transcript request.** You can quickly request transcripts by using our automated self-help-service tools. Please visit us at [irs.gov](http://irs.gov) and click on "Order a Transcript" or call 1-800-828-8846.

## Chart for individual transcripts (Form 1040 series and Form W-2)

If you filed an individual return and lived in:	Mail or fax to the "Internal Revenue Service" at:
Florida, Georgia (After June 30, 2011, send your transcript requests to Kansas City, MO)	RAVS Team P.O. Box 47-421 Stop 81 Doraville, GA 30362 770-455-2335
Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	RAVS Team Stop 6716 AUSC Austin, TX 73301  612-460-2272
Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	RAVS Team Stop 37106 Fresno, CA 93688  559-456-5876
Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia	RAVS Team Stop 6705 P-6 Kansas City, MO 64998  618-282-6102

## Chart for all other transcripts

If you lived in or your business was in:	Mail or fax to the "Internal Revenue Service" at:
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, or A.P.O. or F.P.O. address	RAVS Team P.O. Box 9941 Mail Stop 6734 Ogden, UT 84409  801-620-5022
Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	RAVS Team P.O. Box 145300 Stop 2800 F Cincinnati, OH 45250  855-869-3692

**Line 1a.** Enter your employer identification number (EIN) if your request relates to a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

**Line 3.** Enter your current address. If you use a P.O. box, include it on this line.

**Line 4.** Enter the address shown on the last return filed if different from the address entered on line 3.

**Note.** If the address on Lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address.

**Line 6.** Enter only one tax form number per request.

**Signature and date.** Form 4506-T must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the information be sent to a third party, the IRS must receive Form 4506-T within 120 days of the date signed by the taxpayer or it will be rejected.

**Individuals.** Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506-T exactly as your name appeared on the original return. If you changed your name, also sign your current name.

**Corporations.** Generally, Form 4506-T can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer.

**Partnerships.** Generally, Form 4506-T can be signed by any person who was a member of the partnership during any part of the tax period requested on line 9.

**All others.** See Internal Revenue Code section 6109(a) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

**Documentation.** For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the Letters Testamentary authorizing an individual to act for an estate.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. You are not required to request any transcript; if you do request a transcript, sections 6103 and 6109 and their regulations require you to provide this information, including your SSN or EIN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506-T will vary depending on individual circumstances. The estimated average time is: Learning about the law or the form, 10 min.; Preparing the form, 12 min.; and Copying, assembling, and sending the form to the IRS, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506-T simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAP:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the form to this address. Instead, see Where to file on this page.

# SAN MIGUEL REGIONAL HOUSING AUTHORITY

820 Black Bear Road, Unit G-17 P.O. Box 940, Telluride, CO 81435  
Tel: 970-728-3034 Fax: 970-728-5371; e-mail: [smrha@telluridecolorado.net](mailto:smrha@telluridecolorado.net) web: [www.smrha.org](http://www.smrha.org)

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## Welcome To the Deed Restriction Application Process!

**Dear Applicant:**

On the following pages you will be asked to provide information which will permit us, the San Miguel Regional Housing Authority (SMRHA) to determine if you are eligible to own or rent a unit that has been deed restricted.

Please read all of the information carefully and contact us with questions. We cannot process an application until it is complete.

The SMRHA is subject to the Colorado Open Records Act (CORA) Colorado Revised Statutes section 24-72-201, *et seq.* Any information that you provide becomes public record, with the exception of specific confidential information as stated in CORA. Confidential information under CORA includes items such as financial information; for example, state and federal income tax returns. However, please be aware that any confidential documents or information that you choose to provide or disclose at a public meeting will become a part of the public record of that meeting, and therefore subject to disclosure pursuant to CORA.

We look forward to assisting you with your application.

If you have questions about any of the information you need to provide or about the process, please contact us at 970-728-3034, extensions, 4 or 5.

Sincerely,

SMRHA Staff

App #:	_____
HH Size:	_____
Qual/Unqual:	_____

## TOWN OF MOUNTAIN VILLAGE APPLICATION for AFFORDABLE HOUSING

For those persons interested in purchasing an Affordable Housing Unit or Affordable Housing Lot in Mountain Village, please submit the following to the San Miguel Regional Housing Authority located at the above address:

1. Completed **Application Form** (Please remember to have Notarized where applicable)
  - a. Currently employed – pages 1-5 and 7
  - b. Retired – pages 1-4 and 6-7
  - c. Handicapped or disabled – pages 1-4 and 6-7 (please call for additional information requirements).
2. Enclose \$50.00 nonrefundable **Application Fee** (make check payable to SMRHA).
3. Enclose a copy of **Colorado Driver's License** (or other acceptable proof of identification) for each adult occupant and automobile registration.
4. Enclose copies of complete tax returns for the last 3 years (this includes all W2s, 1099s, schedules, etc.)
5. Copies of your most recent paystub(s) (from any/all current employers) with year to date information (AND current year pay information from any PREVIOUS employers).
6. A loan Pre-Approval letter from a lender.
- 7.

This Lottery is for Castellina Unit E a 1 Bedroom Unit

### HOUSEHOLD INFORMATION

(Please Print)

---

**APPLICANT:** \_\_\_\_\_

Mailing address: \_\_\_\_\_ Phone # (res.) \_\_\_\_\_

Phys address: \_\_\_\_\_ Phone # (cell) \_\_\_\_\_

E-mail address: \_\_\_\_\_ Phone # (bus.) \_\_\_\_\_

---

**CO-APPLICANT** (if applicable): \_\_\_\_\_

Mailing address: \_\_\_\_\_ Phone # (res.) \_\_\_\_\_

Phys address: \_\_\_\_\_ Phone # (cell) \_\_\_\_\_

E-mail address: \_\_\_\_\_ Phone # (bus.) \_\_\_\_\_

---

**OTHER HOUSEHOLD MEMBERS:**

\_\_\_\_\_ Relationship to Applicant(s): \_\_\_\_\_

\_\_\_\_\_ Relationship to Applicant(s): \_\_\_\_\_

\_\_\_\_\_ Relationship to Applicant(s): \_\_\_\_\_

Please supply this same information for additional Household Members on another sheet of paper.

1. How long have you lived within the Telluride R-1 School District? \_\_\_\_\_ Yrs. \_\_\_\_\_ Mos.
2. How long have you been employed within the Telluride R-1 SD? \_\_\_\_\_ Yrs. \_\_\_\_\_ Mos.
3. Do you, your spouse or any of your dependents own other property Yes \_\_\_\_\_ No \_\_\_\_\_  
if Yes, describe the type (free market, deed restricted, residential, commercial, improved, unimproved, etc.) and location of each property: \_\_\_\_\_

4. Location of **Deed Restricted Property** Applicant wishes to purchase:  
Physical Address: \_\_\_\_\_ Lot#: \_\_\_\_\_  
Development/Building name: \_\_\_\_\_ Unit #: \_\_\_\_\_

Please total your **gross income** of the **past 12 months** from the following sources (if married, indicate whether amounts are household or individual income):

Household or Individual Applicant

- |         |   |
|---------|---|
| _____   | <b>Income from employment</b> (includes income on W-2 and 1099 forms such as wages, salaries, overtime pay, commissions, fees, tips and bonuses, and any other employment income from partnerships or S corporations) |
| _____   | <b>Benefit payments</b> (includes Social Security, SSI, Workers' Compensation, Disability pay or benefits, unemployment benefits, severance pay, annuities, pensions, retirement or death benefits)                   |
| _____   | <b>Alimony and/or child support</b>   |
| _____   | <b>Interest, dividends, and other income from household assets</b> (includes interest from bank accounts or bonds, dividends from stocks or mutual funds, income distributed from trust funds, etc)                   |
| _____   | <b>Re-occurring monetary gifts from family members</b>  |
| _____   | <b>Rental income</b> (includes income from renters/roommates)   |
| _____   | <b>Other capital income</b> (includes multiple-year capital gains, royalties)   |
| _____   | <b>Other income (please specify)</b>  |
| = _____ | <b>TOTAL GROSS HOUSEHOLD INCOME</b>   |

Please complete the Net Worth Calculation Worksheets (p.4-5) and enter your total household **net asset** here: \_\_\_\_\_. The total should include the documented value of all assets, including but not limited to ownership interest in a business or in land (developed or undeveloped), bank accounts, stocks, bonds, mutual funds, cars, household appliances, etc.

Please indicate which public or community service groups are you involved with:  
\_\_\_\_\_  
\_\_\_\_\_

---

**Every Applicant and adult co-occupant must sign and date the following statement:**

I hereby certify that I understand that ownership and occupancy of this property is limited to qualified Employee(s) (and their spouse and children), and I intend to occupy this employee housing unit as my primary Residence.

I hereby certify that all information provided above is true and complete to the best of my knowledge. I also give my permission to the Housing Authority or its designee to make inquiries to verify any information provided herein.

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

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

## Net Worth Calculation Worksheet

Assets (What you own)			Check if Jointly Held
	<u>Applicant</u>	<u>Co-Applicant (if any)</u>	
<b>Cash:</b>			
Cash On Hand	\$ _____	\$ _____	_____
Checking Account	\$ _____	\$ _____	_____
Saving Account	\$ _____	\$ _____	_____
Money Market Funds	\$ _____	\$ _____	_____
Cash Value of Life Insurance	\$ _____	\$ _____	_____
Anticipated Gift(s) towards Down Payment	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Real Estate / Property (Fair Market Value):</b>			
Home(s) in San Miguel County	\$ _____	\$ _____	_____
Land in San Miguel County	\$ _____	\$ _____	_____
Home(s) outside San Miguel County	\$ _____	\$ _____	_____
Land outside San Miguel County	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Investments (Market Value):</b>			
Certificates of Deposit	\$ _____	\$ _____	_____
Stocks	\$ _____	\$ _____	_____
Bonds	\$ _____	\$ _____	_____
Mutual Funds	\$ _____	\$ _____	_____
Annuities	\$ _____	\$ _____	_____
Retirement Funds	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Personal Property (Present Value):</b>			
Automobiles	\$ _____	\$ _____	_____
Recreational Vehicle / Boat	\$ _____	\$ _____	_____
Home Furnishings	\$ _____	\$ _____	_____
Appliances and Furniture	\$ _____	\$ _____	_____
Collections	\$ _____	\$ _____	_____
Jewelry and Furs	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Business Assets (Present Value):</b>			
All	\$ _____	\$ _____	_____
<hr/>			
<b>Total Gross Household Assets</b>	\$ _____	\$ _____	

**Liabilities (What you owe)**

	<u>Applicant</u>	<u>Co-Applicant (if any)</u>	<u>Check if Jointly Held</u>
<b>Current Debts:</b>			
Household e.g., Lease Obligation	\$ _____	\$ _____	_____
Business	\$ _____	\$ _____	_____
Medical	\$ _____	\$ _____	_____
Credit Cards	\$ _____	\$ _____	_____
Department Store Cards	\$ _____	\$ _____	_____
Back Taxes	\$ _____	\$ _____	_____
Legal	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Mortgages:</b>			
Home(s) in San Miguel County	\$ _____	\$ _____	_____
Land in San Miguel County	\$ _____	\$ _____	_____
Home(s) outside San Miguel County	\$ _____	\$ _____	_____
Land outside San Miguel County	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Loans:</b>			
Bank / Finance Company	\$ _____	\$ _____	_____
Bank / Finance Company	\$ _____	\$ _____	_____
Automobile	\$ _____	\$ _____	_____
Recreational Vehicle / Boat	\$ _____	\$ _____	_____
Education	\$ _____	\$ _____	_____
Life Insurance loan	\$ _____	\$ _____	_____
Personal (from family and/or friends)	\$ _____	\$ _____	_____
Business	\$ _____	\$ _____	_____
Other	\$ _____	\$ _____	_____
<b>Total Liabilities</b>	\$ _____	\$ _____	

<b>Household Net Assets = Total Assets</b>		
<b>Minus Total Liabilities</b>	\$ _____	\$ _____

# EMPLOYER/EMPLOYEE AFFIDAVIT OF EMPLOYMENT

Note: Complete this page for each occupant to be considered a qualified Employee.

## Employer's Affidavit

I, \_\_\_\_\_, hereby declare that \_\_\_\_\_  
is presently employed as an employee or as an independent contractor by \_\_\_\_\_  
whose principal address of business is: \_\_\_\_\_  
which is located within the Telluride R-1 School District boundaries of San Miguel County.

Employer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employer phone #: \_\_\_\_\_

The foregoing instrument was sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

## Employee's Affidavit

I, \_\_\_\_\_, hereby declare that I am presently employed as an  
employee or as an independent contractor by \_\_\_\_\_  
whose principal address of business is: \_\_\_\_\_  
which is located within the Telluride R-1 School District boundaries of San Miguel County.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note: If self-employed, remember to enclose a copy of your business license.**

The foregoing instrument was sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**VERIFICATION OF EMPLOYMENT HOURS AND INCOME**  
**RELATED TO ELIGIBILITY TO OCCUPY AFFORDABLE HOUSING**

\*\*\*Note: To be completed by your employer(s) or, if you are self-employed, by yourself.\*\*\*

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

This document serves to verify the employment hours and income for the following Employee:

\_\_\_\_\_

Employee began employment with \_\_\_\_\_ on (date) \_\_\_\_\_  
(Company)

If no longer employed by you, the Employee's last date of employment was \_\_\_\_\_

Employee is (was) employed as \_\_\_\_\_  
(Job title)

Is (was) this employment seasonal or year round? (circle one)

If seasonal, Employee typically works (worked) from \_\_\_\_\_ to \_\_\_\_\_

Employee works (worked) an average of \_\_\_\_\_ hours per week.

Employee works (worked) a total of \_\_\_\_\_ weeks per year.

Employee works (worked) a total of \_\_\_\_\_ hours per year.

Employee earns (earned) income of \$ \_\_\_\_\_ per \_\_\_\_\_

Signed:

\_\_\_\_\_  
Employer's signature

\_\_\_\_\_  
Contact telephone number

\_\_\_\_\_  
Employer's name and job title

**Affidavit of Employee Qualifying by Virtue of Age**

I, \_\_\_\_\_, hereby declare that I qualify as an Employee, as defined in the Mountain Village Affordable Housing Restriction, by being at least 60 years of age and by having been employed within the Telluride R-1 School District boundaries for a period of at least 5 years immediately prior to retirement.

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

The foregoing instrument was sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

or

**Affidavit of Employee Qualifying by Virtue of Handicap or Disability**

I, \_\_\_\_\_, hereby declare that I qualify as an Employee, as defined in the Mountain Village Affordable Housing Restriction, by being handicapped or disabled and by having been a Resident within the boundaries of the Telluride R-1 School District for at least 12 months.

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

The foregoing instrument was sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

## PERMITTED CAPITAL IMPROVEMENTS

*For the sale of homes whose purchase was funded by a mortgage insured by FHA*

1. The "Permitted Capital Improvements" shall only include the following:
  - a. Improvements or fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacements and/or maintenance improvements;
  - b. Improvements for energy and water conservation;
  - c. Improvements for the benefit of seniors and/or handicapped persons;
  - d. Improvements for health and safety protection devices;
  - e. Improvements to add and/or finish permanent/finished storage space;
  - f. Improvements to finish unfinished space;
  - g. Garages;
  - h. The cost of adding decks and any extension thereto;
  - i. Landscaping;
  - j. Repairs or replacements related to structural, major mechanical or roofing deficiencies after any applicable warranty period is expired.
2. Permanent Capital Improvements shall NOT include the following:
  - a. Upgrades/replacements of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of the unit;
  - b. Improvements required to repair, replace and maintain existing fixtures, appliances, plumbing and mechanical fixtures, painting, carpeting and other similar items;
  - c. Upgrades or addition of decorative items, including lights, window coverings, floor coverings and other similar items.
  - d. Jacuzzis, spas, saunas, steam showers and other similar items.

In order to qualify as Permitted Capital Improvements, the Owner must furnish to the Funding Partners following information with respect to the improvements which the Owner seeks to include in the calculation of Equity Share payoff calculation:

- a. Original or duplicate receipts to verify the actual costs\* expended by the Owner for the Permitted Capital Improvements; and
- b. Owner's affidavit verifying that the receipts tendered are valid and correct; and
- c. True and correct copies of any building permit or certificate of occupancy required to be issued by the City or County, as jurisdiction requires, with respect to the Permitted Capital Improvements.

*\*In calculating the Capital Improvement costs, only the Owner's actual out-of-pocket costs and expenses shall be eligible for inclusion. Such amount shall not include an amount attributable to Owner's "sweat equity" or to any appreciation in the value of the improvements.*

**ASPEN/PITKIN COUNTY**  
**AFFORDABLE HOUSING GUIDELINES**



*Little Ajax Condominiums*

**AMENDED AND APPROVED**

**January 2012**

*Aspen/Pitkin County Housing Authority  
530 East Main, Lower Level  
Aspen, Colorado 81611  
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## **HOUSING AUTHORITY BOARD**

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for their continued support.

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## CREATION

The housing program was created in 1974. There were two separate entities at that time -- the City and County. In 1981/1982, a citizen panel was formed and combined both entities into one City and County entity, creating the Aspen/Pitkin County Housing Authority. The entity became the Aspen/Pitkin County Housing Authority (APCHA) in November of 1988 so that the entity could do the following:

- incur debt
- borrow money
- secure mortgages
- obtain grants, gifts or otherwise
- obtain funds for implementing, completing and operating housing projects
- condemnation

There were two new legislations that passed in 2001 relating to Housing Authorities -- House Bill 1172 and House Bill 1174. Both Bills expanded the duties of Housing Authorities. The City of Aspen, Pitkin County and the Community support the Aspen/Pitkin County Housing Authority. There are two main funding sources for the housing program -- a Real Estate Transfer Tax (RETT) and a portion of a sales tax. The RETT is a 1% transfer tax on the sales price of all real estate sold within the City of Aspen only and does not apply to the first \$100,000 of each sale. The RETT alone raises over \$3 million per year for the affordable housing program and was extended for a third time in 2001 for an additional 20 years -- December 31, 2024.

The APCHA was established for the purpose of effecting the planning, financing, acquisition, construction, reconstruction or repair, maintenance, management and operation of housing projects pursuant to a multi-jurisdictional plan to provide residential facilities and dwelling accommodations at rental or sale prices within the means of persons of low, moderate and middle income who are permanent residents and persons employed in the City and County.

Housing authorities are created by Section 29-1-204.5, Colo. Revised Statutes. The Housing Board consists of a five-member (with an additional alternate) Board of Directors (Board) that help to make policy. Until November of 1992, the Authority dealt with three separate accounting firms. Currently, all money transactions are handled through the City of Aspen with support by Pitkin County.

## **PURPOSE**

*"To assure the existence of a supply of desirable housing for persons currently employed in Pitkin County, persons who were employed in Pitkin County prior to retirement, the handicapped, and other qualified persons of Pitkin County as defined herein."*

*- Aspen/Pitkin County Housing Authority's Goal -  
(Originally Adapted 1983)*

Each year the Aspen/Pitkin County Housing Authority (hereinafter APCHA) establishes Guidelines that govern the development of, admission to and occupancy of deed restricted affordable-housing units for Aspen and Pitkin County. The guidelines support the APCHA's goals and are not intended to supersede City or County Land Use Codes or the International Building Code.

The Affordable Housing Guidelines respond to housing needs in Aspen and Pitkin County as identified by the APCHA. The guidelines are used to:

- Review land use applications
- Establish employee rental rates
- Establish employee sales prices
- Establish criteria for qualifications and occupancy
- Develop and prioritize current and long range housing programs
- Provide information and a process for developing affordable housing

It is the intent of the Housing Program to provide housing opportunities for persons who are or have been actively employed or self-employed in Pitkin County, which provide goods and services to individuals, businesses or institutional operations in Pitkin County.

***These Affordable Housing Guidelines shall remain in effect until such time as the Housing Board, the City Council and the Board of County Commissioners approve new or amended Guidelines.***

## **HOUSING BOARD POLICY STATEMENTS**

The purpose of this section is to assist the staff, development community and public in understanding the Housing Board of Director's (hereinafter the Board) philosophies regarding various aspects of the program. These Policy Statements will be reviewed and revised in detail by the Board every three years with minor administrative changes done on an as-needed basis and a yearly update for incomes, rental rates and sales prices.

### **AFFORDABLE/WORK FORCE HOUSING**

As the purpose states on page 2, the existence of the housing program is to provide housing opportunities for persons who are or have been actively employed or self-employed in Pitkin County and Aspen in businesses which provide goods and services to individuals, businesses or institutional operations in Pitkin County. The term "affordable housing" is used interchangeably throughout this document as work force housing. All deed-restricted housing, of any type or Category, requires an individual to:

- Work full-time in Pitkin County (due to the seasonal nature of the town, full-time is defined as working 1500 hours per calendar year) and as defined herein;
- Utilize their home as their primary residence; and
- Not own any other developed property within the Ownership Exclusion Zone (hereinafter referred to as the "OEZ") as defined in Part X, *Definitions*.

There are other specific criteria for the category units and for the RO units and these are spelled out within this document. Most relate to maximum household income and maximum assets for the specific category unit and/or RO units. However, the deed restriction for each unit will provide the specific criteria for the unit. It is understood that there are a variety of deed restrictions in our program and that the individual deed restriction should be reviewed.

### **Mitigating Affordable Housing Impacts**

The Board has prioritized the following mitigation options in order of preference:

1. On-Site Housing - that the location of a deed restricted property used for construction or redevelopment of a property for mitigation purposes be either next to or attached to the development.
2. Off-Site Housing - the location of a deed restricted property used for construction or redevelopment of a property for mitigation purposes is at a separate location approved by the APCHA. However, at no time will a single unit be approved in an existing free-market complex.
3. Cash-in-Lieu or Land-in-Lieu - that the applicant for a development may satisfy the mitigation requirement by payment of an affordable housing dedication fee or a donation of land. The preference of cash or land shall be determined on a case-by-case basis.

## **Development and Construction of Deed-Restricted Housing**

The Board has prioritized the following objectives in order of preference regarding the highest need of types of units to construct:

The private sector priorities for development should be as follows:

1. For-sale type units whereby the average sales price is no higher than Category 3 and the units consist of one-bedroom and two-bedroom units, with associated RO units
2. Three-bedroom sales units (Categories 3 and 4)

The public sector priorities for development should be as follows:

1. Entry-level rental units consisting of 1-bedroom Categories 1 and 2
2. For-sale units consisting of Categories 2 and 3 1-bedroom and 2-bedrooms
3. Three-bedroom sales units consisting of Categories 3 and 4

**PART I**  
**DEED-RESTRICTED HOUSING CATEGORIES**

Rental rates and sales prices are established in these Guidelines and they apply to employees of Category 1 through RO income levels as related to housing costs in Aspen and Pitkin County. In order to carry out this objective, deed-restricted housing units are categorized with the intent to reflect which income levels they are to service as set forth in Sections 1 and 2 below.

*Category 1 low-income level*

*Category 2 lower moderate-income level*

*Category 3 upper moderate-income level*

*Category 4 middle-income level*

*Category 5, 6, 7 and RO upper middle-income level*

**SECTION 1**  
**INCOME CATEGORIES**

Prior to 1990, income categories were designated as low, moderate or middle income in accordance with the applicable guidelines at that time. In 1990, APCA redefined the terms and established four income categories in an effort to create a greater variety of units to serve the community's income levels, along with Resident Occupied (RO). The four income categories were equated to the past income categories and adjusted annually using the Consumer Price Index (CPI). In 2003, Categories 5, 6 and 7 were added.

Current income amounts were derived from 1999 data collected by the APCA including: 1999 Housing Survey of Pitkin County Employees; Colorado Department of Labor and Employment reports; Colorado Department of Employment and Wages reports; U.S. Census Bureau: Flow of Funds Accounts Report and Annual Expenditures Per Child Report; and Housing and Urban Development Data Sets. Increases from these amounts are determined annually based upon the CPI or 3%, whichever is lower, of the existing maximum income levels.

The 1999 survey of employees within Pitkin County determined the median household income for households with zero and one dependent was \$60,000.

The maximum gross household income (defined in the Definitions) for each income category is set forth in Table I.

The following procedure may be utilized by a qualified household with a Category 1, 2 or 3 income level, but net assets greater than Category 4, desiring to rent or purchase a Category 4, 5, 6 or 7 unit:

**If the household's net assets exceed the Category 4 net asset limit, each \$45,000 of assets over \$175,000 (the Category 4 asset limit) will be treated as \$4,152 of income and added to the Gross Household Income. However, should a household's net assets exceed \$900,000, that household will be ineligible for deed-restricted housing. THIS PROCEDURE ONLY ALLOWS FOR A HOUSEHOLD TO MOVE INTO CATEGORY 4 OR ABOVE.**

**TABLE I  
MAXIMUM INCOMES BY CATEGORY**

Maximum rental incomes are different than maximum sales incomes. Due to the nature of the working adult in Pitkin County and the wages that are required to maintain a consistent employee base, the APCA and Board have recognized the need for a higher allowable income adjusted by the number of adults and the bedroom mix. Maximum sales incomes are not attributed to the number of bedrooms, but will remain the same per household, with an adjustment to dependents only.

<b>Maximum Incomes for RENTAL Units Only</b> (See Income Verification, Part II, Section 2, No. 1)				
No. Of Adults	Category 1	Category 2	Category 3	Category 4
One Adult	\$34,000	\$53,000	\$85,000	\$139,000
Two Adults	49,000	78,000	129,000	207,000
Three Adults	59,000	92,000	149,000	242,000
Net Assets not in Excess of	100,000	125,000	150,000	175,000

<b>Maximum Incomes for SALES/OWNERSHIP Units Only</b> (See Income Verification, Part III, Section 2, No. 1)				
No. Of Dependents	Category 1	Category 2	Category 3	Category 4
0 Dependents	\$34,000	\$53,000	\$85,000	\$139,000
1 Dependent	41,500	60,500	92,500	146,500
2 Dependents	49,000	68,000	100,000	154,000
3 or More Dependents	56,500	75,500	107,500	161,500
Net Assets Not in Excess of	100,000	125,000	150,000	175,000

<b>Maximum Incomes for SALES/OWNERSHIP Units Only</b> (See Income Verification, Part III, Section 2, No. 1)				
No. of Dependents	Category 5	Category 6	Category 7	Category RO
0 Dependents	\$148,000	\$162,000	\$179,000	N/A
1 Dependent	155,500	169,500	186,500	N/A
2 Dependents	163,000	177,000	194,000	N/A
3 or More Dependents	170,500	184,500	201,500	N/A
Net Assets Not in Excess of	200,000	225,000	250,000	\$900,000

NOTE: A household can qualify to purchase a unit in a higher category.

**SECTION 2**  
**RESIDENT OCCUPIED UNITS**

In addition to the income categories for affordable housing units set forth in Table I, affordable-housing units may also be designated "Resident Occupied" (RO) units. Persons shall occupy RO units who qualify as stated in Part III, Section 1 and 3, **Qualifications for Purchase of Resident Occupied Units**. Resident Occupied units with deed restrictions recorded prior to the establishment of the RO Guidelines are subject to their individual deed restrictions. Information on Resident Occupied Units is also found in Part V, Section 6, **Sale or Resale of Resident Occupied Units**, and Part VII, Section 7, **Resident Occupied Units**.

**PART II**  
**RENTING AFFORDABLE HOUSING**  
**SECTION 1**

**TENANT QUALIFICATIONS TO RENT AFFORDABLE HOUSING**

1. To qualify, be eligible, and remain eligible to *rent and reside* in an affordable-housing unit (Category 1, 2, 3, 4, 5, 6, 7, RO, or long-term at Marolt & Truscott), except for approved seasonal housing units, a person/household may not exceed the following:

Maximum Incomes for RENTAL Units Only (See Income Verification, Part II, Section 2, No. 1)				
No. Of Adults	Category 1	Category 2	Category 3	Category 4
One Adult	\$34,000	\$53,000	\$85,000	\$139,000
Two Adults	49,000	78,000	129,000	207,000
Three Adults	59,000	92,000	149,000	242,000
Net Assets not in Excess of	100,000	125,000	150,000	175,000

2. To qualify for tenancy, a person/household must be a full-time employee working in Pitkin County for an employer whose business address is located within Aspen or Pitkin County, whose business employs employees within Pitkin County, whose business license is in Aspen or Pitkin County, and/or the business taxes are paid in Aspen or Pitkin County (if an employer is not physically based in Pitkin County, an employee must be able to verify that they physically work in Pitkin County a minimum of 1500 hours per calendar year for individuals, businesses or institutional operations located in Pitkin County); or be a retired person who has been a full-time employee in Pitkin County a minimum of four years immediately prior to his or her retirement (as further defined in the Definition section); or be a handicapped person residing in Pitkin County who has been a full-time employee for a Pitkin County employer a minimum of four years immediately prior to their disability as defined in these Guidelines.
3. The occupying qualified household, at the time of a qualified employee's death, are permitted to remain for the balance of the lease term. The remaining member of the household can remain in the unit beyond the lease term IF the qualified member worked as a qualified employee for at least four years or the remaining member of the household becomes a qualified employee.
4. In a two-person household of two adults only (no dependents as defined in the Guidelines), both adults must be working in Pitkin County to qualify for an additional bedroom.
5. Upon rental of the unit, employee(s) must occupy the unit as their primary residence.
6. The tenant must not own developed residential real estate or a mobile home, or have an interest in a LIC pertaining to such developed residential real estate or a mobile home, in those portions of the OEZ as defined in Part X, Definitions. If the tenant owns developed residential real estate or a mobile home in those specific areas defined in Part X, Definitions, the tenant will have 180 days to sell said property. Documentation shall be provided to the APCHA on how the property is to be disposed.

7. The tenant must not own developed residential real estate or a mobile home in the OEZ as defined in Part X, *Definitions*. There may be specific conditions whereby a waiver will be given on a case-by-case basis.
8. Household income and assets may be no greater than the maximum amount specified for the applicable Category 1, 2, 3, 4, 5, 6, 7 or RO unit. Assets which have been assigned, conveyed, transferred or otherwise disposed of within the last two years without fair consideration in order to meet the net asset limitations shall be valued at fair market prices. Maximum net asset limits for households, which consist of at least one qualified employee of retirement age, shall be 150% of the applicable income category. Fair Market Value will be determined by an appraiser of APCHA's choice and paid by tenant.
9. If the tenant's residency began prior to ownership by the City, County or the APCHA as a result of a "Buy down" situation, and the tenant's residency has been continuous since that time, the tenant must qualify *only* as a full-time employee. The tenant does not have to qualify under the income or asset provisions. The tenant will be required to pay rent commensurate with his or her household income regardless of the price category of the unit.
10. If a tenant or potential tenant is under review for a non-compliance issue, the tenant or potential tenant will not be approved and/or his or her lease will not be renewed until the non-compliance issue is satisfied.
11. An emergency worker may be placed in the top position of the rental sign-up list if approved as a qualified Emergency Worker through the Public Safety Council Committee review and as defined under the *Definitions* section herein. The applicant's supervisor must request the priority, in writing, to the Public Safety Council Housing Subcommittee. This Subcommittee will consist of members from any emergency worker department, and a member of the Public Relations Board (PRB). It is the responsibility of the supervisor to prove to the Public Safety Council that the employee is a required emergency response priority. The member of the PRB will not vote, but will comment on whether the individual should be allowed the priority. If the Public Safety Council Housing Subcommittee approves the individual for priority status, written verification must be provided to the APCHA. At such time, the APCHA will place the individual at the top of the rental sign-up list for City-owned projects. They must verify their continued service (see *Definitions*) to that agency for their lease to be renewed. This requirement expires after two years of residency/service.
12. Roommates are permitted under the Guidelines. Individuals residing in two or three bedroom units must, at all times, have the unit filled with qualified tenants. In case of the vacancy of any bedroom, the remaining tenant(s) must find a new qualified person within forty-five (45 days). All tenants must be qualified through the APCHA prior to occupancy within that unit's category requirements and must be part of the lease.
13. All qualification requirements must be verified every two years by the APCHA staff unless the property has a yearly verification requirement.

## SECTION 2 INITIAL QUALIFICATION TO RENT

In order to determine that a person or household desiring to rent an affordable housing unit meets all of the criteria set forth in Part II, Section 1, PRIOR to occupancy, the APCHA must review and have on file specific documentation which provides proof of: residency, employment, income and assets. The APCHA may request any or all of the following documentation. (All information and documentation received will remain confidential.) It is understood that applicants who are working in traditional jobs are able to provide traditional forms of documentation to verify eligibility. It is also understood that some applicants are working in non-traditional jobs whereby traditional documentation may not be available. In these circumstances, APCHA may require non-traditional forms of documentation to determine eligibility. If documents provided are still not to APCHA's satisfaction, the applicant may appeal to the Special Review Committee.

### 1. Income Verification:

- a. Copy of the previous year's (most current) completed, executed and filed tax return, including federal and state returns and any applicable schedules.
- b. Current income and financial statement verified by the applicant to be true and correct. If there is a variance of 20% or more between the last two years' tax returns, the two years' incomes will be averaged. This will establish the income category. If someone did not have to file an income tax return or just started working full-time, their current income (based on a full year) will be used to establish the household category.
- c. Social Security report of employer(s) and location(s).

If the above information is not available, the applicant must provide other documentation as requested by APCHA and to their satisfaction.

### 2. Employment Verification:

- a. All W-2 and/or 1099 forms from the current or previous year (a potential tenant who has applied for a specific unit must provide documentation of employment for the full term that was specified on the Sign-Up sheet).
- b. Recent paystubs (if W-2's are not available).
- c. Employer(s) name, address, telephone and dates of employment.
- d. APCHA's "Employment Verification Form" [signed by employer(s)].
- e. Evidence of legal residency.
- f. Landlord verification of residency, stating specific dates.
- g. Valid Colorado Driver License.
- h. Valid Pitkin County Voter Registration.
- i. Verification of telephone service in Pitkin County.
- j. Court-approved Divorce Decree or Separation Agreement, including alimony, division of assets, custody and child support. A copy must indicate that it has been entered in the record with all exhibits and supplements attached.
- k. A picture I.D. (driver's license, state issued ID card, passport, etc.) is required.

If the above information is not available, the applicant must provide other documentation as requested by the APCHA.

3. When someone is self-employed and works too few or no hours for an employer, then the number of hours worked in Pitkin County must be clearly documented by providing:
- a. A complete copy of the applicant's most recent tax returns, including Federal tax returns, Schedule C (profit and loss statement) and all other completed schedules, and State tax returns, and copies of most recent W2's and/or 1099's for each job (if applicant received W2's and/or 1099's).
  - b. Copies of any paycheck stubs received by the employee or an up-to-date profit and loss statement.
  - c. A copy of a current Aspen business license.
  - d. Copy of a lease if the applicant rents office space located in Pitkin County.
  - e. The following documentation must be provided if a, b, c and d above does not verify the employment requirement and the residency requirement.
    - 1) A copy of a current detailed work log or appointment book for the last year (or at least the last quarter) listing hours worked each day for each job or appointment and clients' names and local addresses. Time spent in marketing, accounting and other administrative tasks in support of the business will also count towards the 1,500 hours per year employment requirement if the applicant can clearly demonstrate to the APCHA that this is the case.
    - 2) Copies of invoices sent to clients, particularly if the invoices reflect the amount of time spent on the job invoiced (and copies of payment for invoiced work);
    - 3) A Client List, which would provide client names with local telephone numbers and local addresses, type of work done, and approximate time spent with client per appointments in a year.
    - 4) Any additional documentation the APCHA may require verifying the applicant is employed in Pitkin County and occupying the unit as their primary residence, such as business and personal banking records, utility bills, payments received, etc.

It is the responsibility of the applicant to clearly demonstrate that he/she is meeting the full-time employment and residency criteria. If the household does not specifically fall under the current policy, the household may request a Hearing before the Board for review.

Due to the need for an employer to house their employees on-site, for rental units owned by employers, if the deed-restricted housing is located on-site of the business, the employer may choose the tenant. If the income and/or assets are greater than the maximum allowed for that specific unit, that employee's income and/or assets shall be waived. All other qualifications must be adhered to.

**Note:** Applicants for Affordable Housing must attest on the application that all information provided is true and accurate. If any of the information is determined to be false or non-verifiable, the applicant may be subject to disqualification by the APCHA. If any of the information is determined to be false or non-verifiable after the applicant has qualified, the lease will be terminated immediately. If such documentation is determined to be false, the applicant may be denied future participation in the affordable housing program.

### SECTION 3

## MAINTAINING ELIGIBILITY FOR RENTAL OF AFFORDABLE HOUSING

The status of Renters/Tenants of Affordable Housing Units shall be reviewed and verified every two years to ensure that they continue to meet the requirements of the Guidelines, including but not limited to: Minimum Occupancy, Income and Asset Requirements, and Employment. The APCA shall notify the landlord to provide the tenant written notice of the requalification at least thirty (30) days prior to the expiration of the two years. The APCA Rental Approval form should accompany this notice. The landlord shall disclose in the lease that the tenants must requalify every two years. Breach by the tenant and/or owner of the Guidelines or agreement/deed restriction will be considered a violation and result in denying any further participation in the affordable housing program. See Part VI, Compliance.

#### APCHA Responsibilities:

1. If a complaint is received, it is forwarded to the Compliance Officer, who researches the complaint. If staff finds grounds to move forward, the first compliance letter will be mailed within 30 calendar days of receipt of the complaint. The bi-annual requalification request will be treated as a compliance letter.
2. If the client does not respond within two weeks to the initial compliance letter, a second compliance letter will be sent. The first and second compliance letters will be sent by regular mail.
3. If the client does not respond to the second compliance letter within two weeks, and/or if the compliance situation is not fully resolved within 60 calendar days from the date of the first letter, a Notice of Violation (NOV) letter will be sent to the landlord. The NOV will provide the landlord an option if they wish to dispute the violation by requesting a Board Grievance Hearing in writing within 15 calendar days from the date of the NOV letter. The NOV letter will be sent by regular and certified mail. APCA will also notify the Board when a NOV letter is sent. For Board update purposes, the landlord situation will be referred to by a case number only, with no mention of client name or address, and will briefly outline the case.
4. If the landlord does not respond or does not request a Board hearing, or the landlord does not request a Board hearing within the specified deadline, APCA will send a final letter to the landlord. For ownership units, the final letter will state the client has 30 days to list their unit with the APCA and that their appreciation has stopped. For rental units, the client will be notified their lease will terminate by a date agreed upon by the APCA and the Property Manager (end of lease term or the Property Manager may choose to pursue legal eviction). The final letter will be sent by regular and certified mail.
5. Should a tenant or owner be receiving unemployment benefits, the tenant or owner must still meet the 1500-hour per calendar year work requirement.

#### Landlord Responsibilities:

1. The landlord shall provide disclosure in the lease that tenants must be qualified every two years and must reapply in the second year.

2. The landlord shall provide the tenant written notice of the requirement for requalification at least thirty (30) days prior to the expiration of the two years. The APCHA Rental Approval form should accompany this notice.
3. Provide the APCHA a copy of the lease signed by both parties, prior to tenant occupancy.

Tenant Responsibilities:

1. Tenant must meet all of the Initial Qualifications stated previously in Part II, Section 1. Should a tenant not meet the income/asset requirements of the category unit, the tenant shall have one year to come into compliance or find another place. A tenant who has entered into the bidding process to purchase a deed-restriction unit and is looking for other rental opportunities has one additional year to reside in the unit. However, the rent shall be increased to the category that matches the tenant's income.
2. Once a tenant receives a letter from the APCHA, the tenant must provide the completed form and/or any additional documentation requested by the deadline stated in the letter.
3. If a tenant wishes to dispute a NOV, the tenant must submit a written request for a Board Grievance Hearing within the deadline stated in the tenant's NOV letter.
4. Once a tenant receives a final letter, the tenant will be notified their lease will terminate by a date agreed upon between the APCHA and the designated Property Manager.
5. If the client does not respond by the final deadline, legal counsel will follow-up with appropriate legal action.
6. The tenant must pay a requalification fee, as stated in the Fee Schedule adopted on a yearly basis, when the documentation is filed with the APCHA.

#### SECTION 4 MANAGEMENT OF RENTAL UNITS

Private management companies manage most of the deed-restricted rental properties. Each specific complex may differ in its rental procedures. **Persons desiring to rent a Deed-Restricted unit must meet employment, income and asset requirements, as well as minimum occupancy. A list of the rental projects and managers is located in Appendix D.** Units managed by the APCHA are Truscott Place Phase I and Phase II, Smuggler Mountain Apartments, Aspen Country Inn and Marolt Ranch Seasonal Housing. Please contact the APCHA or individual property managers for specific rental information.

If a qualified tenant of a deed-restricted rental unit requests Alpine Legal Services (ALS) to resolve a housing dispute, ALS will contact the landlord to initiate mediation between the landlord and the tenant. If the landlord refuses to participate in the mediation process, ALS may directly assist the tenant to pursue their legal claim. If the parties are unable to resolve their dispute, ALS will refer the parties to private counsel, or for qualified tenants, ALS will attempt to place their case with a pro bono attorney for direct representation.

**SECTION 5**  
**RENTAL SIGN-UP POLICY**

The APCHA advertises any vacancies in the classified section of the local newspaper on Mondays and Tuesdays. Any interested party may sign up for that specific unit in the APCHA office on Main Street. The sign-up for an advertised unit ends at 3:00 p.m. on Wednesday of the same week. Staff reviews the sign-up list and contacts the household with the most years worked full-time in Pitkin County. The interested applicant(s) must provide proof of their work history in Pitkin County for all the years stated on the sign-up sheet.

**SECTION 6**  
**SEASONAL HOUSING FOR STUDENTS AND INTERNS**

Beginning September 1 of each year and ending May 31 (winter season) of each year, the units located at Marolt Ranch and Burlingame Seasonal Housing can accept students, as defined in the Guidelines. At the time of sign-up, each student shall provide to APCHA documentation proving enrollment in a school, or documentation proving an internship with a Pitkin County business. Each student shall sign a lease for the appropriate time frame and provide first, last months and a security deposit as required from each seasonal housing project. See the **Definition** section for the definition of Accredited and Student.

**PART III  
PURCHASING AFFORDABLE HOUSING  
SECTION 1**

**QUALIFICATIONS TO PURCHASE AFFORDABLE HOUSING**

1. To qualify, be eligible, and remain eligible to *purchase and reside* in an affordable-housing unit, a person/household must meet the following criteria and must not be over the maximum income as stipulated in the table below. Once ownership is established for each specific unit, the household does not have to continue to comply with income, assets or minimum occupancy.

Maximum Incomes for SALES/OWNERSHIP Units Only (See Income Verification, Part III, Section 2, No. 1)				
No. Of Dependents	Category 1	Category 2	Category 3	Category 4
0 Dependents	\$34,000	\$53,000	\$85,000	\$139,000
1 Dependent	41,500	60,500	92,500	146,500
2 Dependents	49,000	68,000	100,000	154,000
3 or More Dependents	56,500	75,500	107,500	161,500
Net Assets Not in Excess of	100,000	125,000	150,000	175,000

Maximum Incomes for SALES/OWNERSHIP Units Only (See Income Verification, Part III, Section 2, No. 1)				
No. of Dependents	Category 5	Category 6	Category 7	Category RO
0 Dependents	\$148,000	\$162,000	\$179,000	N/A
1 Dependent	155,500	169,500	186,500	N/A
2 Dependents	163,000	177,000	194,000	N/A
3 or More Dependents	170,500	184,500	201,500	N/A
Net Assets Not in Excess of	200,000	225,000	250,000	\$900,000

**NOTE:** A household can qualify to purchase a unit in a higher category.

2. To qualify for ownership, a person/household must be a full-time employee working in Pitkin County for an employer whose business address is located within Aspen or Pitkin County, whose business employs employees within Pitkin County, whose business license is in Aspen or Pitkin County, and/or the business taxes are paid in Aspen or Pitkin County (if an employer is not physically based in Pitkin County, an employee must be able to verify that they physically work in Pitkin County a minimum of 1500 hours per calendar year for individuals, businesses or institutional operations located in Pitkin County); or be a retired person who has been a full-time employee in Pitkin County a minimum of four years immediately prior to his or her retirement (as further defined in the Definition section); or be a handicapped person residing in Pitkin County who has been a full-time employee for a Pitkin County employer a minimum of four years immediately prior to their disability as defined in these Guidelines.
3. At the time of a qualified employee's death the surviving household members are permitted to remain in the unit. If the remaining household member is a minor child (under the age of 18), the ownership of said unit may remain with the household; however, upon completion of high school

and/or a four-year higher educational program, the minor child must return to Pitkin County and begin working full time to retain ownership of the unit.

4. In a two-person household of two adults only (no dependents as defined in the Guidelines), both adults must be working in Pitkin County to qualify for an additional bedroom. Both qualified adults must continue to work in Pitkin County until they become a qualified retiree as stated in the Guidelines.
5. Upon purchase of the unit, employee(s) shall occupy the unit as the primary residence and maintain at least the minimum work requirement until retirement age as specified in these Guidelines.
6. The purchaser/owner must not own developed residential real estate or a mobile home in the OEZ as defined in Part X, *Definitions*. If property is owned, the purchaser/owner must list for sale, at competitive market prices, the residential real estate or mobile home prior to or simultaneously with closing on the affordable housing unit and still meet the asset/income limitations as set forth in Table I. The purchaser must provide the APCA with a copy of the appraisal of the property. Upon the sale, a copy of the closing documents indicating the sale price must be provided to the APCA. If the property is not sold by the time of closing on the affordable-housing unit, it must remain listed until sold. The owner has 180 days to sell the free-market unit. After such time, the owner must list and sell the deed-restricted unit according to their deed-restriction.
7. The purchaser/owner must have total current household income and assets no greater than the maximum amount specified in Part III, Section I, for the particular category. At no time can a member of the same household bid separately UNLESS they provide proof of a legal separation and/or divorce. At no time can a member of a household in a specific category bid on a lower category unit. Assets which have been assigned, conveyed, transferred, or otherwise disposed of within the last two years without fair consideration in order to meet the net asset limitations shall be valued at fair market prices. Fair Market Value will be determined by an appraiser of APCA's choice and paid by owner. Maximum net asset limits for households, which consist of at least one qualified employee of retirement age, shall be 150% of the applicable income category. This is applicable at the time of purchase ONLY. After purchase, owners must continue to work full-time in Pitkin County until retirement age as stated in the Guidelines, not only any other residential property within the OEZ AND live in the unit at least nine months out of each calendar year to continue to own and reside in APCA deed-restricted housing. For the purposes of entering a lottery, an individual can be a member of one household at one time. Each name can appear only one time in a lottery.
8. The ownership of any property shall be considered in determining Maximum Net Assets.
9. Each owner is required to sign a Requalification Affidavit every two years verifying continuation of work in Pitkin County, not owning other residential property in the OEZ and residing in the unit at least nine months out of each calendar year.
10. Any individual or household who is under review for a possible non-compliance issue may not enter any new lotteries, including in-complex bids, until the non-compliance issue has been satisfied. The owner MUST also be in good standing with their homeowners' association and a notarized document from the HOA will be required at the time of application.

## SECTION 2 INITIAL QUALIFICATION TO PURCHASE

In order to determine that a person or household desiring to purchase an affordable housing unit meets all of the criteria set forth in Part III, Section 1, the APCHA must review and have on file specific documentation which provides proof of: residency, employment, income and assets. The APCHA may request any or all of the following documentation. **All information and documentation received will remain confidential.** It is understood that applicants who are working in traditional jobs are able to provide traditional forms of documentation to verify eligibility. It is also understood that some applicants are working in non-traditional jobs whereby traditional documentation may not be available. In these circumstances, the APCHA may require non-traditional forms of documentation to determine eligibility. If documents provided are still not to the APCHA's satisfaction, the applicant may appeal to the Special Review Committee.

### 1. Income Verification:

- a. Copies of the past two years completed, executed and filed tax returns, including federal and state returns and any applicable schedules, with W2's attached.
- b. Current income and financial statement verified by the applicant to be true and correct. If there is a variance of 20% or more between the last two years' tax returns, the two years' incomes will be averaged. This will establish the income category. If someone did not have to file an income tax return or just started working full-time, their current income (based on a full year) will be used to establish the household category.
- c. Social Security report of employer(s) and location(s), or W2's for all the years worked in Pitkin County.

If the above information is not available, the applicant must provide other documentation as requested by APCHA and to their satisfaction.

### 2. Employment Verification:

- a. All W-2 forms from a minimum of the previous four years (purchase); paystubs will be accepted if W-2's cannot be provided.
- b. Recent paystubs.
- c. Employer(s) name, address, telephone and dates of employment.
- d. APCHA's **Employment Verification Form** [signed by employer(s)].
- e. Evidence of legal residency.
- f. Landlord verification of residency, specific dates.
- g. Valid Colorado Driver's License.
- h. Valid Pitkin County Voter Registration.
- i. Verification of telephone service in Pitkin County.
- j. Court approved Divorce Decree or Separation Agreement including alimony and child support. A copy must indicate that it has been entered in the record with all exhibits and supplements attached.
- k. Applicants desiring to purchase a unit will be required to sign a release in order for the APCHA to obtain a copy of the loan application from the lender.

- l. Any additional information the APCA will require verifying the applicant's full-time residency in their unit, e.g., business and personal banking records, utility bills, etc.
- m. Picture I.D.

If the above information is not available, the applicant must provide other documentation as requested by the APCA.

3. When someone is self-employed and works too few or no hours for an employer, then the number of hours worked in Pitkin County must be clearly documented by providing:
  - a. A complete copy of the applicant's most recent tax returns, including Federal tax returns, Schedule C (profit and loss statement) and all other completed schedules, and State tax returns and copies of most recent W2's and or 1099's for each job (if applicant received W2's and/or 1099's).
  - b. Copies of any paycheck stubs received by the employee and/or an up-to-date profit and loss statement.
  - c. A copy of a current Aspen business license.
  - d. Copy of a lease for any office space rented by the applicant located in Pitkin County.
  - e. The following documentation must be provided if a, b, c and d above does not verify the employment requirement and the residency requirement.
    - 1) A copy of a current detailed work log or appointment book for the last year (or at least the last quarter) listing hours worked each day for each job or appointment and clients' names and local addresses. Time spent in marketing, accounting and other administrative tasks in support of the business will also count towards the 1,500 hours per year employment requirement if the applicant can clearly demonstrate to the APCA that this is the case.
    - 2) Copies of invoices sent to clients, particularly if the invoices reflect the amount of time spent on the job invoiced (and copies of payment for invoiced work);
    - 3) A Client List, which would provide client names with local telephone numbers and local addresses, type of work done, and approximate time spent with client per appointments in a year.
    - 4) Any additional documentation the APCA may require to verify the applicant is employed in Pitkin County and occupying the unit as their primary residence, such as business and personal banking records, utility bills, payments received, etc.

It is the responsibility of the applicant to clearly demonstrate that he/she is meeting the full-time employment and residency criteria. The applicant must provide documentation to the APCA's satisfaction. If the household does not specifically fall under the current policy, the household may request a Hearing before the Special Review Committee for review.

**Note: Applicants for APCHA deed-restricted housing must attest on the application that all information provided is true and accurate. If any of the information is determined to be false or non-verifiable, the applicant may be subject to disqualification by the APCHA.**

### SECTION 3 QUALIFICATIONS FOR THE PURCHASE OF RESIDENT OCCUPIED UNITS

In order to determine that a person or household desiring to purchase a Resident Occupied housing unit meets all of the criteria set forth in Part III, Section 1 (except income limits), the APCHA must review and have on file specific documentation which provides proof of: residency, employment, and assets. The APCHA may request any or all of the following documentation. **All information and documentation received will remain confidential.** It is understood that applicants who are working in traditional jobs are able to provide traditional forms of documentation to verify eligibility. It is also understood that some applicants are working in non-traditional jobs whereby traditional documentation may not be available. In these circumstances, the APCHA may require non-traditional forms of documentation to determine eligibility. If documents provided are still not to the APCHA's satisfaction, the applicant may appeal to the Special Review Committee.

1. Income Verification:

- a. Copies of the past two years completed, executed and filed tax returns, including federal and state returns and any applicable schedules, with W2's attached.
- b. Current income and financial statement verified by the applicant to be true and correct.
- c. Social Security report of employer(s) and location(s), or W2's for necessary amount of years worked in Pitkin County required for the specific RO project.

If the above information is not available, the applicant must provide other documentation to the APCHA's satisfaction.

2. Employment Verification:

- a. All W-2 forms from a minimum of the previous four years (purchase).
- b. Recent pay stubs.
- c. Employer(s) name, address, telephone and dates of employment.
- d. APCHA's **Employment Verification Form** (signed by employer(s)).
- e. Evidence of legal residency.
- f. Landlord verification of residency, specific dates.
- g. Valid Colorado Driver's License.
- h. Valid Pitkin County Voter Registration.
- i. Verification of telephone service in Pitkin County.
- j. Court approved Divorce Decree or Separation Agreement including alimony and child support; must indicate it has been entered in the record with all exhibits and supplements.
- k. Applicants desiring to purchase a unit will be required to sign a release in order for the APCHA to obtain a copy of the loan application from the lender.
- l. Any additional information the APCHA will require verifying the applicant's presence in Pitkin County; e.g., business and personal banking records, utility bills, etc.
- m. Picture I.D.

If the above information is not available, the applicant must provide other documentation to APCHA's satisfaction.

3. When someone is self-employed and/or works too few hours for an employer, then the number of hours worked in Pitkin County must be clearly documented by providing:
  - a. A complete copy of the applicant's most recent tax returns, including Federal tax returns, Schedule C (profit and loss statement) and all other completed schedules, and State tax returns and copies of most recent W2's and or 1099's for each job (if applicant received W2's and/or 1099's).
  - b. Copies of any paycheck stubs received by the employee or an up-to-date profit and loss statement.
  - c. A copy of a current City of Aspen business license.
  - d. Copy of the lease for any business space rented by the applicant located in Pitkin County.
  - e. The following documentation must be provided if a, b, c and d above do not verify the employment requirement and the residency requirement.
    - 1) A copy of a current detailed work log or appointment book listing hours worked each day for each job or appointment and clients' names and local addresses. Time spent in marketing, accounting and other administrative tasks in support of the business will also count towards the 1,500 hours per year employment requirement if the applicant can clearly demonstrate to the APCHA that this is the case.
    - 2) Copies of invoices sent to clients, particularly if the invoices reflect the amount of time spent on the job invoiced (and copies of payment for invoiced work);
    - 3) A Client List, which would provide client names with local telephone numbers and local addresses, type of work done, and approximate time spent with client per appointments in a year.
    - 4) Any additional documentation the APCHA may require verifying the applicant is employed in Pitkin County and occupying the unit as their primary residence, such as business and personal banking records, utility bills, payments received, etc.

It is the responsibility of the applicant to clearly demonstrate that he/she is meeting the full-time employment and residency criteria. The applicant must provide documentation to the APCHA's satisfaction. If the household does not specifically fall under the current policy, the household may request a Hearing before the Special Review Committee for review.

4. Additional Conditions and/or Requirements:
  - a. In most instances, gross income is not limited, but net assets are limited to no more than \$900,000.
  - b. An owner cannot own any other developed residential property within the OEZ as defined herein in the Definition section.
  - c. See the deed restriction for the specific RO unit for any other additional restrictions and/or conditions.
  - d. Applicant must demonstrate that their income/earnings are earned primarily in Pitkin County (75%). Applicants must demonstrate that they pay Colorado Income Tax as a Colorado resident.
5. Resale of RO Units: The owners of an RO unit must list the unit through the APCHA, unless the specific deed restriction states otherwise. At the time of the listing, the Owner will pay to the APCHA a Listing Fee of one percent (1%) of the total sales price. The unit will go through the normal selling process, with a lottery held at the end of the two-week bid period. At the time of closing, the Owner will pay an additional Sales Fee of one percent (1%) of the total sales price, for a total of two-percent (2%) of the overall sale's price.

#### SECTION 4 MAINTAINING ELIGIBILITY FOR OWNERSHIP OF AFFORDABLE HOUSING

There is not a requalification requirement to meet Income, Asset and Minimum Occupancy for persons who have purchased and own an affordable-housing unit. The household must remain a qualified employee or retiree, continue to occupy the unit as their primary residence as defined in these Guidelines, and not own any other property within the OEZ as defined in these Guidelines, and as they are amended from time to time. APCHA will require all owners to complete and sign a Requalification Affidavit on a biennial basis.

The APCHA has the right to request additional documentation through an audit or follow-up on a complaint to show proof of employment and residency. Additional documentation may include items previously stated in Section 1 above.

All qualification items under Part III, Section 1, 1-5 shall apply to continue ownership.

#### APCHA Responsibilities:

1. If a complaint is received, it is forwarded to the Compliance Officer, who researches the complaint. If staff finds grounds to move forward, the first compliance letter will be mailed within 30 calendar days of receipt of the complaint or if the bi-annual Affidavit has not been returned. The bi-annual affidavit will be treated as a compliance letter.
2. If the owner does not respond within two weeks to the initial compliance letter, a second compliance letter will be sent. The first and second compliance letters will be sent by regular mail.

3. If the owner does not respond to the second compliance letter within two weeks, and/or if the compliance situation is not fully resolved within 60 calendar days from the date of the first letter, a Notice of Violation (NOV) letter will be sent to the owner. The NOV will provide the owner an option if they wish to dispute the violation by requesting a Board Grievance Hearing in writing within 15 calendar days from the date of the NOV letter. The NOV letter will be sent by regular and certified mail. The APCHA will also notify the Board when a NOV letter is sent. For Board update purposes, the owner will be referred to by a case number only, with no mention of client name or address, and will briefly outline the case.
4. If the owner does not respond or does not request a Board hearing, or the owner does not request a Board hearing within the specified deadline, the APCHA will send a final letter to the owner. The final letter will state the client has 30 days to list their unit with the APCHA and that their appreciation has stopped. The final letter will be sent by regular and certified mail.

#### Owner's Responsibilities:

1. Owner must meet and maintain all of the initial qualifications previously stated in Section 1 except for the income/asset qualification.
2. When vacant land is owned in the O EZ as defined in Part X, *Definitions*, and the same qualified household owns an affordable-housing unit, the land must remain unimproved. When that land is improved, the individual must relinquish the APCHA deed-restricted unit by listing and selling that deed restricted unit.

#### 3. Ownership of Other Property:

- Prior to May 1, 1994 – Persons owning improved residential property while at the same time residing in APCHA deed restricted housing (NOT FREE MARKET HOUSING) prior to May 1, 1994, will be allowed to retain ownership of that specific free market residential property and still continue to reside in their current APCHA deed-restricted home. However, once the free market residential property is sold, the person residing in affordable housing may not acquire additional residential property within the O EZ while still residing in APCHA deed-restricted housing.
- Prior to September 1, 2009 – Persons residing in APCHA deed-restricted housing PRIOR to September 1, 2009 and owning free market residential property within the new boundaries of the O EZ (which now includes Rifle and No Name), may retain ownership of that specific property; however, if the property is sold, no other property can be purchased within the entire O EZ.
- No household that currently owns any property in the recently expanded O EZ (see definition in APCHA Guidelines) can retain ownership of O EZ property for longer than 180 days after closing on any new purchase of APCHA deed restricted housing. Failure to sell the O EZ property within 180 days of closing on APCHA housing will trigger the requirement to list and sell the APCHA housing immediately. Price, salability, financing, or other market factors that may affect the ability to sell the O EZ property are not factors that can delay the need to sell the APCHA property.

A business owner, who owns a deed restricted unit, has an opportunity to purchase another unit in the OEZ as defined in Part X, *Definitions*, under the following conditions:

- a. the business owner would contact the APCA that a unit has been found in the free market that they would like to purchase;
- b. the business owner would then discuss with the APCA the needs of the owner;
- c. the specific Category would be agreed to by both parties (the owner and APCA) and
- d. the APCA has the option to approve the request as long as a recorded deed restriction is placed on the free market property relating to the business.
- e. if an agreement cannot be reached between APCA and the business owner, about how to manage the purchase of such a property, it will be equivalent to a denial by the APCA.

The employer would only be allowed to rent the unit to a qualified employee of Pitkin County unless the unit is located in the down valley area. Should the unit be located down valley, the owner would be allowed to rent to an individual employed somewhere in the OEZ as defined in Part X, *Definitions*, as long as the employees have the top priority to rent that unit, with the second priority going to someone employed in Pitkin County, with the last priority to any other qualified employee.

4. Owner must make timely payment of all regular and special assessments duly imposed upon the property by the applicable homeowners' association.
5. Once an owner receives a letter from the APCA, the owner must provide the completed form and/or any additional documentation requested by the deadline stated in the letter.
6. Should the owner be found out of compliance, the appreciation on the unit will be suspended.
7. If an owner wishes to dispute the NOV, the owner must submit a written request for a Board Grievance Hearing within the deadline stated in the NOV letter. The owner will then be scheduled for a hearing at the next available Board meeting. The owner and the APCA will each be allowed one extension of the originally scheduled Board meeting. Per the APCA Guidelines and Grievance procedures, "the decision of the Board shall be binding and the APCA shall take all action necessary to carry out their decision."
8. Once an owner receives the final letter, the owner shall list their unit for sale within 30 days.
9. If the owner does not respond and/or if the owner does not list said unit by the final deadline, legal counsel will follow-up with appropriate legal action.

#### **SECTION 5 PRIORITIES FOR PERSONS BIDDING TO PURCHASE AN AFFORDABLE HOUSING UNIT**

The APCA operates a lottery for the sale of affordable housing properties. The qualified person(s) submitting the highest bid price, which does not exceed the maximum bid price, during the bid period shall have the first right to negotiate the purchase of the unit. If two or more qualified bids are submitted at the highest bid price, they shall receive preference and be prioritized for selection as the top bidder in the following order:

1. Persons with a present ownership interest Joint or Tenants In Common, in the affordable housing unit.
2. Person(s) chosen by the remaining owner(s) to purchase the interest of another owner, as long as the household is qualified as defined herein. **ANY OTHER OWNERSHIP INTEREST MUST BE APPROVED BY SPECIAL REVIEW IF NOT UNDER A COURT ORDER DUE TO DISSOLUTION PROCEDURES AND SOLD TO A QUALIFIED EMPLOYEE.**
3. Qualified spouses and/or children of current owners, including joint custody of the children, and/or qualified parent(s) meeting minimum occupancy. A transfer between siblings is permitted; however, any person who is gaining ownership by a transfer between a family member (as defined in these Guidelines) must qualify fully under that specific category. Any transfer must be to an actively employed Pitkin County employee as defined herein. For example, if the unit is a Category 3 unit, the sibling must qualify as a fully qualified Category 3 person with a work history of at least the last four years. *Transfer within immediate family to a qualified buyer requires a \$100 transfer fee, and must be approved by the APCA prior to the transfer. The qualified buyer is also required to enter into a new deed restriction during the transfer process.*
4. Persons living in and owning another unit within the complex who meet minimum occupancy standards. A person must have owned his in-complex unit for at least one year prior to receiving the in-complex priority; however, a household who has owned less than one year can also receive an in-complex priority if a person with at least one year ownership in that complex has not applied or will be in the next highest priority. However, in new developments, the initial owner of a new unit may exercise the "in-complex" priority prior to a one-year ownership as long as minimum occupancy is met and the household still qualifies within the category of the unit opening up. If there are more than one in-complex bids meeting minimum occupancy, a lottery will be held by giving the number of chances as stipulated below. On an in-complex move, a unit must open up to bid to other qualified persons before receiving the in-complex priority. For new multi-phase projects, the in-complex priorities will apply after completion of each phase; however, the initial owner may exercise the "in-complex" priority prior to a one-year ownership within the phase associated with that household's unit and may not exercise the in-complex priority in any other additional employee-housing phases of the project. **The in-complex priority DOES NOT apply to any single-family homes.**

**PLEASE NOTE:** No bids will be accepted for a household that is in a higher category than the one being sold. Priorities for the lottery process are as follows for each specific type unit.

#### **STUDIO UNITS:**

1. A single person with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
2. A household greater than one with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
3. A household with one to four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.
4. A household with less than four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.

<sup>1</sup> Minimum Occupancy (see Definitions) as used herein is one person with an ownership interest per bedroom and/or a dependent. A Dependent is defined and can be claimed for a bedroom as stipulated in Part X, Definitions.

### **ONE-BEDROOM UNITS:**

1. A household of one or more qualified employees with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
2. A household of one or more qualified employees with one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
3. A household of one or more qualified employees with less than one consecutive year of employment in Pitkin County immediately prior to application.

### **TWO-BEDROOM UNITS:**

1. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
2. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
3. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
4. A household of one with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
5. A household of one with one to four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.
6. A household of one with less than four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.

### **THREE-BEDROOM UNITS:**

1. A household of at least two qualified employees and one dependent, or one qualified employee with two dependents which said employee(s) has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
2. A household of at least two qualified employees and one dependent, or one qualified employee and two dependents which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
3. A household of at least two qualified employees and one dependent, or one qualified employee and two dependents which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
4. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
5. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
6. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
7. A household of one with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.

8. A household of one with one to four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.
9. A household of one with less than four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.

**FOUR-BEDROOM UNITS:**

1. A household of at least two qualified employees and two dependents, or one qualified employee with three dependents, which said employee(s), has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
2. A household of at least two qualified employees and two dependents, or one qualified employee and three dependents which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
3. A household of at least two qualified employees and two dependents, or one qualified employee and three dependents which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
4. A household of at least two qualified employees and one dependent, or one qualified employee with two dependents which said employee(s) has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
5. A household of at least two qualified employees and one dependent, or one qualified employee and two dependents which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
6. A household of at least two qualified employees and one dependent, or one qualified employee and two dependents which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
7. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
8. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked one to four consecutive years of employment in Pitkin County immediately prior to application for purchase.
9. A household of at least two qualified employees or one qualified employee and one dependent which said employee(s) has worked less than one consecutive year of employment in Pitkin County immediately prior to application.
10. A household of one with four or more consecutive years of employment in Pitkin County immediately prior to application for purchase.
11. A household of one with one to four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.
12. A household of one with less than four years of consecutive years of employment in Pitkin County immediately prior to application for purchase.

*If you have left the Roaring Fork Valley and then returned, you would only become re-eligible if you meet all of the following criteria: 1) work in Pitkin County at least four years prior to absence; 2) absence has been for no more than one year; 3) currently working in Pitkin County; and 4) yearly income would be based on current annual income or annual income in Pitkin County prior to the absence, whichever is greater.*

Each household in the top priority will receive the following number of chances. These chances relate only to those households who have worked in Pitkin County four years or more. Any other applicant who has worked in Pitkin County less than four years, will receive only one chance if a separate lottery is held.

Working in Pitkin County greater than 4 years, less than 8 years	5 chances
Working in Pitkin County greater than 8 years, less than 12 years	6 chances
Working in Pitkin County greater than 12 years, less than 16 years	7 chances
Working in Pitkin County greater than 16 years, less than 20 years	8 chances
Working in Pitkin County greater than 20 years	9 chances

After prioritization, names of bidders with the highest bids of equal amounts and equal priority status shall be placed in a lottery which will be held within a reasonable amount of time following the deadline for bids.

If the terms of the proposed purchase contract, other than maximum price, as initially presented to the owner, are unacceptable to the owner, there shall be a mandatory negotiation period of three (3) business days. During this period, the owner and potential buyer shall endeavor to reach an agreement regarding said terms, including but not limited to the closing date and financing contingencies. If the owner and buyer have not reached an agreement at the end of the negotiation period, the next bidder's offer will then be presented to the owner for consideration. A new three-business day negotiating period will begin. All follow-up qualified bids will be processed in a like fashion until the unit is sold or all bids are rejected. If the owner rejects all bids, the unit shall be placed back on the market for new bids or withdrawn from sale. The owner shall be subject to the provisions of Part V, Section 3, paragraph 1, regarding sales fees.

If a unit has been expanded to include another bedroom, minimum occupancy shall be based on the original bedroom count (e.g., for a 1-bedroom unit expanded to a 2-bedroom unit, a single person household would meet minimum occupancy, and the unit would be marketed as a one-bedroom unit).

#### EXCEPTIONS TO PRIORITIES SUBJECT TO (SPECIAL REVIEW):

1. Emergency workers (see Definitions) meeting minimum occupancy may qualify for placement into the top lottery priority (except paragraphs 1, 2, 3 and 4, of Part III, Section 6). The employee may compete with other applicants in that category (with a maximum of 5 chances) upon approval from the Public Safety Council. In order to receive the emergency worker priority, the emergency worker must have been in service to the community with that agency for a least one year. The worker will be required to be in service to the agency as a qualification of ownership until they have completed four years of service. If the worker leaves the emergency status position before that time, they will be required to list their unit for sale to a qualified employee. (The option for Special Review of circumstances for leaving is open to emergency workers.)
2. After in-complex bidders, first priority for mobility disability units shall be given to handicapped persons prioritized by length of residency and who meet the definition of a mobility disability. The handicapped person must meet APCHA's Guidelines criteria for a mobility disability as well as other minimum occupancy criteria to receive this priority.
3. Persons removed from their residence in Aspen or Pitkin County due to conversion or reconstruction of their residence by government action may receive higher priority upon Special Review.

4. It is within the discretion of the APCHA to determine that any deed-restricted unit located in a condominium or subdivision, which also includes free-market units, has been rendered unaffordable as a deed-restricted unit as a result of general or special assessments. The owner(s) of the deed-restricted unit will have the highest priority to move into a like unit at the same category of the unit currently owned. The APCHA, City of Aspen, or Pitkin County will have the highest priority to purchase the unit that the owner is currently in at the maximum resale price according to the deed-restriction recorded on said property and subject to the provisions of these Guidelines. The APCHA may release the deed-restriction on said property and sell the property at fair-market value as a free-market property. The APCHA will be reimbursed the amount of the purchase price of said unit plus a 2% sales fee with the balance of the funds going to the City or County for future development of deed-restricted housing. If the APCHA, City or County paid in any additional assessments, those funds shall also be reimbursed to APCHA, City or County. The APCHA shall only approve deed-restricted units in mixed projects IF the condominium declarations include adequate provisions limiting assessments on the deed-restricted units so that they will remain affordable.

## **PART IV LOTTERY PROCESS**

*Priority for purchasing via the Housing Lottery is given to those persons who have worked in Pitkin County a minimum of four consecutive years. An initial lottery is held for persons who have priority status. A subsequent lottery may be held if necessary. Any persons employed in Pitkin County and meeting the criteria are eligible to participate in the Housing Lottery, however, demand for housing is so great that it is unlikely in the foreseeable future that a non-priority lottery will need to be held.*

1. The lottery is held the Monday after the listing period has ended, unless otherwise specified. Should there be an in-complex bid, the lottery will not be held. If there is more than one in-house bid, a lottery will be held for those in-complex households only. Should all in-house people decline the unit or not get financing, the lottery will be held for the households who entered the lottery prior to the deadline.
2. All top priority qualified households who have bid on the unit are entered into the lottery.
3. The names are printed out and verified prior to running the lottery to ensure that a household has not been excluded. The names are verified by the bid sheets and by the receipts provided to each bidder. This list will be posted on the outside door of the Courthouse Plaza Building by Noon, the Friday before the lottery is held.
4. The lottery shall be run on the date specified in the advertisement.
5. Once the lottery has been run, the list is printed out and the names are, again, verified to ensure that all households were included in the lottery. If there is a problem, the problem is noted on the printout and explained as to why the lottery has to be rerun. The lottery is then rerun with the correction(s) made.
6. The file of the lottery winner is pulled and reviewed for completion.
7. Once the winner's information is verified, the winner is notified by the APCHA and an appointment is scheduled.
8. The lottery is then classified as "official" and the names posted on the bulletin board in the APCHA office and can then be found on the APCHA website, [www.aspenhousingoffice.com](http://www.aspenhousingoffice.com).
9. If the winner of the lottery does not proceed to contact the APCHA and sign the contract within three business days, the next in line is notified and so on, until the unit is under contract for purchase.

**NOTE:** The APCHA has the right to disqualify a potential winner if the winner's qualification information cannot be verified, is incomplete, or inaccurate at the time of contract.

**PART V**  
**PROCEDURES FOR THE SALE**  
**OF A CATEGORY AFFORDABLE HOUSING UNIT**

**SECTION 1**  
**LISTING A UNIT WITH THE APCA**

1. An owner of an affordable housing unit desiring to sell should consult with the APCA and review the Deed Restriction covering the unit to determine the maximum sales price permitted and other applicable provisions concerning a sale.
2. Unless otherwise provided in the Deed Restriction, the unit must be listed for sale with the APCA and the APCA staff will administer the sale in accordance with the Guidelines in effect at the time of listing.
3. The sale of an Accessory Dwelling Unit (ADU) deed-restricted as a "for-sale" unit must be through the APCA lottery process, except that the developer may select the first fully-qualified purchaser as stated in Section 26.520.070, *Deed Restrictions and Enforcement*, of the City of Aspen Municipal Code.
4. There shall be a minimum listing period of three months before a unit's price can be readjusted. Any termination in the listing may require the payment of administrative and advertising costs.
5. The APCA acts as a Transaction Broker representing both Buyer and Seller. Questions will be answered and help provided to any potential purchaser or seller EQUALLY in accordance with the current Guidelines.
6. The APCA is responsible for preparing all documents pertaining to the sale and purchase of Category Units.
7. All purchasers and sellers are advised to consult legal counsel regarding examination of title and all contracts, agreements and title documents. The retention of such counsel, licensed real estate brokers, or such related services, shall be at purchasers or sellers own expense.
8. The fees paid to the APCA are to be paid regardless of any actions or services that the purchaser or seller may undertake or acquire.
9. A seller in the process of purchasing a different unit may find it necessary to secure additional financing should the property listed for sale not close prior to the closing date on the newly purchased property.
10. A *Seller's Property Disclosure Form* will be completed by the Seller at the time of listing. This will be reviewed with the Sales Manager. Each seller will be provided a copy of the Minimum Standards required in order for the Seller to receive maximum value. It is required that the Seller shall provide the Buyer with a clean, working unit upon delivery of deed. Holes in the walls will be filled, carpets steam cleaned, damaged windows will be repaired, appliances will be in working order, and the plumbing shall be in working order. A final inspection of the unit shall be conducted

by the Buyer on the day of closing. If the unit is not left in satisfactory condition, at the sole discretion of the APCHA, monetary compensation shall be held in escrow at closing from the Seller's proceeds until the repairs and/or cleaning are completed. The repairs and/or cleaning shall be paid from this fund. Any monies left over shall then be distributed to the Seller. The escrow amount shall be determined by the APCHA.

## SECTION 2 ADVERTISING THE SALE: BID PERIODS

1. After a unit is listed for sale with the APCHA, the APCHA, at its expense, arranges to advertise the unit for sale in the Wednesday daily papers. Upon listing, there is an initial two-week bid period during which the unit is advertised with one open house date for showing. APCHA will accept in-complex bids the first week only. Such deadline will be stated in the Guidelines. After the deadline, any bid from an in-complex owner will be treated as all other bids. The initial two-week bid period ends on the Wednesday after the second week of advertising. If there are no bids received in the initial bid period, there will follow consecutive one-week bid periods, ending Wednesday, until the unit is sold.
2. Prospective purchasers are encouraged to investigate sources of financing prior to submitting a bid for affordable housing and can obtain names of lenders from the APCHA sales department. Sales staff are available to assist interested parties with the purchase procedure and to answer any questions about the process.
3. If more than one bid is received during any bid period, bids are prioritized according to the Guidelines. If more than one bid is in top priority, a lottery is held.

## SECTION 3 FEES FOR LISTING AND SALES

There are two fees involved in the listing and sale of a Deed Restricted Affordable Housing unit -- a **Listing Fee** and a **Sales Fee**. The **Sales Fee** is equal to two percent (2%) of the sale's price of the property, unless otherwise specified in the Deed Restriction. Also, unless otherwise specified in the Deed Restriction, the APCHA will collect half of the total fee (the **Listing Fee**) at the time of the listing. If a sale is completed by the APCHA, the **Listing Fee** is considered part of the overall **Sales Fee** and will be applied to the total **Sales Fee** payable at closing. The APCHA may instruct the title company to pay said fees to the APCHA out of the funds held for the Seller at the closing. In the event that the Seller: a) fails to perform under the listing contract, b) rejects all offers at maximum price in cash or cash-equivalent terms, or c) withdraws the listing after advertising has commenced, that portion of the **Listing Fee** will not be refunded. In the event that the Seller withdraws for failure of any bids to be received at maximum price or with acceptable terms, the advertising and administrative costs incurred by the APCHA shall be deducted from the fee. The balance will be credited to the Seller's sales fee when the property is sold.

#### SECTION 4 DEED RESTRICTION

The purchaser must execute, in a form satisfactory to the APCA and for recording with the Pitkin County Clerk concurrent with the closing of the sale, a document acknowledging the purchaser's agreement to be bound by the recorded Deed Restriction covering the sale unit. This form is either a Memorandum of Acceptance that relates to a Master Deed Restriction, or a Deed Restriction. The form is provided for signature by the APCA at the time of closing, and will be recorded along with the other documents that are required to be recorded.

#### SECTION 5 CO-OWNERSHIP AND CO-SIGNATURE

1. Any co-ownership interest other than Joint Tenancy or Tenancy-In-Common must be approved by the APCA.
2. Co-signers (persons providing security or assuming partial responsibility for the loan) may be approved for ownership of the unit but shall not occupy the unit unless qualified by the APCA. An additional document will be required for the non-qualifying owner to sign at the time of closing and will be provided by the APCA.

#### SECTION 6 SALE OR RESALE OF RESIDENT OCCUPIED UNITS

1. There may be a maximum initial sales price for a newly developed Resident Occupied Unit. This will be based on a project-by-project basis.
2. If a vacant lot is purchased for development, an initial Certificate of Occupancy must be obtained within three years of the sale of the lot.
3. For those RO projects that do not require the unit to be listed with the APCA, the APCA shall qualify prospective purchasers (under the APCA qualifications). Any other resales of RO units shall be listed with the APCA and will be marketed through the same process as the category units, unless specified differently in that project's specific deed restriction. This will guarantee that the maximum sales price is being adhered to in all aspects of the housing program. The Seller will be required to pay a Listing Fee of one percent (1%) of the total sales price in addition to the one percent (1%) Sales Fee, for a total of two percent (2%) of the overall sale's price. Mobile home parks with no sales price limits are exempt from this section, except that at the time of closing, a 1% fee of the sales price will be paid by the seller into the housing program, unless stated otherwise.
4. The maximum resale price shall be calculated as follows (unless specified differently in a recorded deed restriction). The appreciation is calculated using the simple method, not the compounded method.
  - \* the initial sale price of the RO lot or unit, plus 3% or the Consumer Price Index (CPI) whichever is less, appreciation on that amount, subject to the requirements below; PLUS
  - \* the actual cost to construct a unit on a lot, plus 3% or CPI, whichever is less, appreciation on that amount from the time of Certificate of Occupancy (CO), subject to the requirements below; PLUS

- any additional cost to expand the unit to the maximum 2,200 square feet, plus 3% or CPI, whichever is less, appreciation on that amount, from the time of CO for that addition, subject to the requirements section stated below; PLUS
  - the actual cost of permitted capital improvements stated in an exhibit attached to the deed restriction, not to exceed 10% of the initial sales price of the completed unit, or the expanded unit.
5. Existing mobile home park(s) converted to the RO category will not have an appreciation cap on the mobile home and/or lot if the unit owners are qualified Pitkin County residents as defined by the Guidelines. The APCHA shall retain the right of first refusal on any resale.

### SECTION 7 SALE OF SINGLE FAMILY LOTS

The City or County will receive sales proceeds from single-family lots when the land is being provided as mitigation of affordable housing impacts for a development or growth.

The property owner or developer will receive sales proceeds from single-family lots when the land is not being provided as mitigation of affordable housing impacts for a development or growth.

### SECTION 8 LEAVE OF ABSENCE FOR OWNERS OF AFFORDABLE HOUSING UNITS

An owner of an affordable-housing unit must reside in their unit at least nine months out of the year and work at least 1500 hours per calendar year. There are instances in someone's life where they must leave Pitkin County for a limited period of time and desire to rent their unit during their absence. In those instances, a Leave of Absence may be granted by the APCHA. The homeowner must provide clear and convincing evidence, which shows a bona fide reason for leaving and a commitment to return to the Aspen/Pitkin area. A leave of absence can be requested for up to one year, with the possibility for an extension for up to one more year. At no such time shall a leave of absence be approved for longer than two years.

#### *Leave of Absence Request Procedure*

1. A *Leave of Absence Request* form must be completed and returned to the APCHA at least 30 days prior to leaving. This form must be obtained from the APCHA.
2. Notice of such intent to rent and the ability to comment shall be provided to any applicable homeowners' association at the time of request for their input and recommendation.

#### Terms and Conditions:

1. The unit may be rented during said period so long as the Deed Restriction covering the unit permits the rental. A three-month leave of absence may be granted upon approval of the APCHA and the appropriate HOA.
2. In the event that the rental rate is not set forth in the Deed Restriction, the rent shall be charged based on the owner's costs plus \$50. For someone who no longer has debt on their unit, the rent

would be calculated beginning with the rental amount associated with the Guidelines in effect at the time they bought the unit, and then appreciated forward per Table VI in the Guidelines.

3. Owner's cost as used herein includes the monthly mortgage principal and interest payment, condominium fees, utilities remaining in owner's name, taxes (if not part of the mortgage payment) and insurance prorated on a monthly basis, plus \$50 per month.
4. Prior to the APCHA's qualification of tenant, said tenant shall acknowledge as part of the lease that said tenant has received, read and understands the homeowners' association covenants, rules and regulations for the unit and shall abide by them. Enforcement of said covenants, rules and regulations shall be the responsibility of the homeowners' association.
5. A copy of the executed lease shall be furnished by the owner or tenant to the APCHA and homeowners' association.
6. Should the homeowners' association or APCHA recommend denial of the owner's request for a leave, the APCHA will conduct a Special Review with the owner, homeowners' association representative(s) present or a member of APCHA.
7. A short-term rental may be permitted, with the consent of the APCHA and the Homeowners' Association, to faculty or employees of a non-profit group and who shall be qualified without meeting income and assets only for a short-term rental (three months or less).

#### SECTION 9 ROOMMATES IN SALES UNITS

Owners are allowed to have roommates; however, there are certain conditions that must be followed when renting a room.

##### Terms and Conditions:

1. Roommates are permitted as long as the owner is a qualified employee and residing full-time in their unit.
2. The maximum rental rate for the room shall not exceed the maximum rental rate permitted under Part VII, Section 10, Table IV, for said unit pro rated on a per bedroom basis. One roommate in a two-bedroom unit shall pay a maximum rent of one-half (1/2) of the costs; one roommate in a three-bedroom household shall pay a maximum rent of one-third (1/3) of the total costs.
3. An owner may rent a unit or room to a qualified employee if it is permissible under the Deed Restriction and or covenants of the Homeowner's Association covering the unit. The owner must continue to reside in the unit as a sole and exclusive place of residence.
4. An owner may rent a room to a qualified employee for as short a period of time as one month. However, the rent cannot exceed the amount as stipulated in paragraph 2 above.

The owner shall be deemed to have ceased to use the unit as his or her sole and exclusive place of residence by accepting permanent employment outside of Pitkin County, or residing in the unit fewer than nine (9) months out of any twelve (12) consecutive months.

### SECTION 10 CAPITAL IMPROVEMENT POLICY AND MINIMUM STANDARDS TO RECEIVE FULL VALUE AT TIME AT RESALE

Capital improvements and upkeep on deed-restricted units are necessary to enhance the longevity of the affordable housing unit. A maximum sales price will be affected, either higher or lower, relating to the condition of the unit and if the unit meets the minimum standard criteria. Any owner wishing to utilize the new capital improvement policy will be required to enter into the deed restriction that is currently being used at the time of the request.

Units Built After January 1, 2004 and Re-Sale Units: An owner will be required to maintain a minimum standard for the unit purchased. See Table I, *Minimum Standards for Seller to Receive Full Value*. Prior to any sale of a unit, the APCA Staff will determine a maximum sales price. The Sales Manager shall conduct an inspection and a list provided to the Seller as to the items that will need to be done PRIOR to closing to get full value. The Buyer also has the right to pay for a formal inspection of the unit during the inspection period stated in the Sales Contract. If said inspection reflects items not met on the *Minimum Standards for Seller to Receive Full Value* table, the Seller shall be required to remedy those items. If the unit meets the standard criteria, the Property or Unit shall be sold for an amount ("Maximum Resale Price") in excess of the lesser of the purchase price:

- Plus an increase of three percent (3%) of such price per year from the date of purchase to the date of Owner's notice of intent to sell (prorated at the rate of .25 percent for each whole month for any part of a year); OR
- An amount based upon the Consumer Price Index (All Items, U.S. City Average, Urban Wage Earners and Clerical Workers (Revised), published by the U.S. Department of Labor, Bureau of Labor Statistics) calculated as follows: the Owner's purchase price divided by the Consumer Price Index published at the time of Owner's purchase stated on the Settlement Statement, multiplied by the Consumer Price Index current at the date of intent to sell;
- Plus any approved capital improvements.

**Homeowners Requesting the Ability to Use this Capital Improvement Policy:** If an owner requests to utilize the new capital improvement policy, such owner shall be required to enter into a new, updated deed restriction.

Capital improvements can be added to the maximum resale price. A 10% capital improvement maximum will be established for each new owner. All capital improvements will be depreciated. Certain capital improvements will not be counted as the 10%. Each capital improvement will depreciate according to the depreciation schedule stated in an approved handbook. The current source is the *Marshall Swift Residential Handbook*. Any capital improvements associated with health and safety, energy efficiency, water conservation, and green building products will be exempt from the 10% capital improvement cap; however, such capital improvements shall be depreciated according to the depreciation schedule stated in an approved handbook. An owner should check with the APCA prior to starting the improvement to verify that the cost can be recouped.

It will be up to the homeowner to maintain the unit in good condition. This would include, but not be limited to, the condition of the roof, boiler and water heater, and appliances. Educational programs shall be scheduled for existing homeowners' associations and newly developed homeowners' associations as to what their responsibilities are in maintaining the project in good condition

#### Permitted Capital Improvements

1. The term "Permitted Capital Improvement" as used in the Agreement shall only include the following:
  - a. Improvements or fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and/or maintenance improvements;
  - b. Improvements for energy and water conservation;
  - c. Improvements for the benefit of seniors and/or handicapped persons;
  - d. Improvements for health and safety protection devices (including radon);
  - e. Improvements to add and/or finish permanent/fixd storage space;
  - f. Improvements to finish unfinished space;
  - g. Landscaping;
  - h. The cost of adding decks and balconies, and any extension thereto; and/or
  - i. Improvements associated with health and safety, energy efficiency, water conservation, and green building products.
  
2. Permitted Capital Improvements as used in this Agreement shall **NOT** include the following:
  - a. Jacuzzis, saunas, steam showers and other similar items;
  - b. Upgrades or addition of decorative items, including lights, window coverings and other similar items.
  - c. Upgrades of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of a unit and/or improvements required to repair and maintain existing fixtures, appliances, plumbing and mechanical fixtures, painting, and other similar items, unless replacement is energy efficient or for safety and health reasons.
  
3. All Permitted Capital Improvement items and costs shall be approved by the APCHA staff prior to being added to the Maximum Resale Price as defined herein. In order to get credit for an improvement where a building permit is required, the improvement will not be counted unless a Letter of Completion was obtained by the Building Department.

### MINIMUM STANDARDS FOR SELLER TO RECEIVE FULL VALUE

- Clean unit
- Carpets steam-cleaned two or three days prior to closing
- All major scratches, holes, burned marks repaired in hardwood floors, linoleum, tile, counter tops, etc.
- No broken windows
- All screens in windows (if screens were originally provided)
- All doors will be in working order with no holes
- All locks on doors will work
- All keys will be provided; e.g., door, mail box, garage
- All mechanical systems shall be in working order
- Walls paint ready
- Normal wear and tear on carpet; if carpet has holes, stains, etc., the carpet and padding shall be replaced or escrow funds at current market value per square foot for a comparable product shall be held at the time of closing to be used by the new buyer
- No leaks from plumbing fixtures
- No roof leaks
- Any safety hazard remedied prior to closing
- All light fixtures shall be in working order

### DEFINITIONS:

Clean Unit: All rooms will be cleaned as stated below:

- Kitchen:
  - Range – Inner and outer surfaces will be cleaned.
  - Range hood and Exhaust Fan
  - Refrigerator and Freezer – Inner and outer surfaces of refrigerator and freezer will be clean. Freezer will be defrosted.
  - Cabinets and Countertops – Exterior and interior surfaces of cabinets and drawers will be clean. Door and drawer handles, if provided, shall be clean and in place.
  - Sink and Garbage Disposal – Sink and plumbing fixtures will be clean. If garbage disposal provided, this must be in working order.
  - Dishwasher – If provided, must be in working order and inner and outer surfaces shall be clean.
- Blinds, Windows, Screens:
  - Mini-blinds, Venetian Blinds, Vertical Blinds, and Pull Shades – Will be clean.
  - Windows – All window surfaces, inside and outside of the window glass, shall be clean.
  - Screens – Screens will be clean and in place with no holes or tears.
- Closets: Closets, including floors, walls, hanger rod, shelves and doors, shall be clean.
- Light Fixtures: Light fixtures will be clean and shall have functioning bulbs/florescent tubes.

- **Bathrooms:**
  - Bathtub, Shower Walls, Sinks – Bathtubs, shower walls and sinks shall be clean.
  - Toilet and Water Closet – Water closets, toilet bowls and toilet seats will be clean. If the toilet seat is broken or peeling, the seat shall be replaced.
  - Tile – All tile and grout will be clean.
  - Mirrors and Medicine Cabinets – Shall be cleaned inside and out.
  - Shelves and/or Other Cabinetry – Shall be cleaned inside and out.
- **Walls, Ceilings, Painted Doors and Baseboards:** Painted surfaces must be cleaned with care to ensure the surface is clean without damaging the paint.
- **Floors:** Floor cleaning includes sweeping and mopping and could include stripping, waxing and buffing. Types of floor surfaces include wood, wood parquet tiles, linoleum, asphalt tile, vinyl tile, mosaic tile, concrete and carpet. If carpet, all carpets shall be cleaned at least two days prior to closing.
- **Interior Storage/Utility Rooms:** Storage/utility rooms shall be cleaned. Properly cleaned storage/utility rooms will be free from odors, removable stains, grease marks or accumulations.

**Safety Hazard:** Any item that provides a safety hazard shall be fixed. This would include, but is not limited to, exposed electrical wiring, ventilation for gas hot water system, etc.

**Walls Paint-Ready:** All holes shall be patched; all posters, pictures, etc., shall be removed from all walls; all nails, tacks, tape, etc., shall be removed from all walls; and all walls shall be clean and ready for the new buyer to paint. If wallpaper has been placed on the wall and in good condition, the wallpaper can remain; if the wallpaper is peeling off, the wallpaper must be removed.

**Windows:** If a window is broken, including the locking mechanism, the window shall be replaced.

**PART VI**  
**SPECIAL REVIEW**

A Special Review for a variance from the strict application of these Guidelines may be requested if an unusual hardship can be shown, and the variance from the strict application of the Guidelines is consistent with the Housing Program intent and policy. In order to request a Special Review, a letter must be submitted to the APCA stating the request, with documentation regarding the unusual hardship. The applicant shall submit any additional information reasonably requested by the APCA and a Special Review meeting will be scheduled in a timely manner.

The Special Review Committee may grant the request, with or without conditions, if the approval will not cause a substantial detriment to the public good and without substantially impairing the intent and purpose of the Guidelines, and if an unusual hardship is shown.

## **PART VII INFORMATION FOR DEVELOPMENT OF AFFORDABLE HOUSING**

Private sector development is critical in order to meet our affordable housing goals. The APCA Operations Manager will track affordable housing zone projects through the Building Permit process in order to aid in communication between the developer and government. This tracking system will ensure that all affordable housing developments are treated as expeditiously as the City and County policies intend.

Part VII of the Guidelines contains information to be used by developers of affordable housing units in the City of Aspen and Pitkin County. This section applies to development applications for free-market development, residential subdivisions, under the Multifamily Housing Replacement Program, Chapter 26.530, of the City of Aspen Land Use Code, and in calculating the dedication fee (payment-in-lieu fee) for exempt single-family home and exempt duplex units, and for calculating mitigation requirements as stipulated under the growth management quota system.

Units developed by a private developer under the Affordable Housing Zone District will have the option to choose a qualified employee(s) for one-third of the deed-restricted units being developed. The one-third chosen by the developer must meet the minimum occupancy requirements, and all other top priority requirements for the specific category. All other units will be placed in the general housing lottery.

### **SECTION 1 PRIORITIES FOR AFFORDABLE HOUSING UNITS**

The Board establishes the following equal priority unit types based on current needs.

The private sector priorities for development should be as follows:

1. For-sale type units whereby the average sales price is no higher than Category 3 and the units consist of one-bedroom and two-bedroom units, with associated RO units
2. Family-oriented sales units (Categories 3 and 4)

The public sector priorities for development should be as follows:

1. Entry-level rental units consisting of 1-bedroom Categories 1 and 2
2. For-sale units consisting of Categories 2 and 3 1-bedroom and two-bedroom
3. Family-oriented sales units consisting of Categories 3 and 4

The Board has established the following options, in order of preference depending on the site location, available to obtain credit for providing deed-restricted affordable housing units under the City's or County's Growth Management Quota System (mitigation units):

- On-Site Housing – Affordable housing units located either on the same site as or attached to the proposed development.
- Off-Site Housing – Affordable housing units located within the City of Aspen or the Aspen Metro Area, as defined by the Aspen Area Community Plan and approved by the APCA.

- Cash-in-Lieu or Land-in-Lieu – Payment of an affordable housing dedication fee or a donation of land. The preference of cash or land shall be determined on a case-by-case basis.

## SECTION 2 AFFORDABLE HOUSING UNITS REQUIRED FOR MITIGATION

The following provisions shall apply to all affordable-housing units required as mitigation for residential or commercial development. All such affordable housing units must meet the size, type, income and occupancy requirements as contained in these Guidelines. Applicants are encouraged to schedule a pre-application conference with the APCA staff to obtain guidance regarding the application of these Guidelines to specific development projects. The following applies to, and credit shall be given for, Category 1, 2, 3, 4, 5, 6, 7 and Resident Occupied housing as defined in these Guidelines, and as amended from time to time.

1. Mitigation Credit: Credit under the Growth Management Quota system may be obtained by any of the following methods or combination thereof:
  - a. Production of new dwelling units deed restricted in perpetuity to rental and sale price terms as defined in these guidelines.
  - b. Conversion of existing dwelling units to deed restricted status by recording a deed restriction in perpetuity upon those units restricting them to the rental and sale price terms, qualification and occupancy requirements of these guidelines (such units may not already be deed restricted by APCA guidelines).
  - c. Payment or Land-in-Lieu may be accepted on a case-by-case basis. Payment shall be made to the City of Aspen for projects in the City, or Pitkin County, for projects in the County. Such payment shall be made prior to and on a proportional basis to the issuance of any building permits for the non-deed restricted dwelling units of the proposed development. Applicants may choose to prepay the affordable housing dedication fee prior to issuance of any building permits for the project and receive a discount on the fee, based on the present value index included within these Guidelines. Approval of the present value discount shall be at the option of the APCA and the City Council or Board of County Commissioners, depending on the location of the project.
  - d. Should a proposed development cause the displacement of housing units that are currently deed restricted to affordable housing guidelines, the Affordable housing mitigation credit of new free market development that is on a site where deed-restricted affordable housing was demolished is only given for the deed-restricted units that are constructed in excess of the deed-restricted units required to replace the deed-restricted units that were demolished.
  - e. The deed restrictions created to obtain credit for affordable housing may be amended by agreement between the property owner and the City Council upon the recommendation of the Planning and Zoning Commission.
2. Unit Location: Affordable housing units must meet the "Acceptance of Affordable Housing Units" policies set forth in the Housing Board Policy Statements.

3. Unit Size: Affordable housing units must meet the minimum size requirements set forth in Part VII, Section 8. Reductions in the minimum square footage shall be allowed based on the criteria specified.
4. Unit Price: Rental or sales prices shall be no greater than allowable under these Guidelines (Tables III and IV). Should a unit be proposed that is larger than the minimum sizes set forth in these Guidelines, the rental or sales price shall be no greater than the prices specified.
5. Buy-Down of Existing Units: If the affordable units are proposed to be provided off-site through the deed restriction of existing units, the applicant shall be required to document the feasibility of this off-site location by demonstrating that they have an interest in the property or dwelling units and by specifying the size and type of units to be provided and any physical upgrade to be accomplished. Future buy-down requests for deed-restricted units shall be accepted only in existing complexes at Category 3 or above, if at all, and shall be reviewed on a case-by-case basis. In any new projects that consist of free-market and deed-restricted units, the homeowners' assessments shall be based on the value of the free-market units compared to the deed-restricted units. This language shall be required in the approval and in the Covenants associated with the project. No changes to these requirements would be allowed without the APCHA's approval.
6. Mitigation Requirements for Lodge Developments: Lodge developments shall not be restricted to housing employees of their own business, but shall also be required to house qualified employees of the community at large. It should be anticipated that the housing units proposed will be required to be restricted to Category 2 price and occupancy guidelines unless the housing unit is restricted to use by an owner or manager. The category requirement is subject to review of the APCHA based on current community housing needs and wage rates.

### SECTION 3 REQUIREMENTS FOR AFFORDABLE HOUSING UNITS IN RESIDENTIAL SUBDIVISIONS

The requirements relating to affordable-housing units in residential subdivisions relates to Section 26.470.080 4 & 5 of the City of Aspen Land Use Code.

### SECTION 4 REQUIREMENTS FOR AFFORDABLE HOUSING UNITS UNDER THE MULTI-FAMILY HOUSING REPLACEMENT PROGRAM

Please see Section 26,530 of the City of Aspen Land Use Code.

- These requirements are not subject to any type of variance by Special Review.
- No Resident Occupied (RO) units are permitted in the affordable housing component.

**SECTION 5**  
**REQUIREMENTS FOR THE AFFORDABLE HOUSING ZONE DISTRICT**

The requirements for the Affordable Housing Zone District are required by Section 26.710.110 of the City of Aspen Land Use Code.

**SECTION 6**  
**DEDICATION FEE FOR EXEMPT SINGLE-FAMILY HOME  
AND DUPLEX UNITS**

See Part VII, Section 12, *Affordable Housing Dedication Fee (aka Payment-in-Lieu or Cash-In-Lieu Fee)* under these Guidelines.

**SECTION 7**  
**RESIDENT OCCUPIED UNITS**

This category was created to offer the private sector an incentive to produce affordable housing for the community. RO units shall be occupied by persons and families who qualify as stated below. RO units shall also be subject to their own deed restrictions recorded prior to the establishment of the RO Guidelines and are subject to their individual deed restrictions. This includes, but is not limited to, Smuggler Park Subdivision, Aspen Village, and the AABC Rowhouses. Williams Ranch contains 10 "RO Category 5" units, which limits gross income to \$199,000 and net assets to \$467,000.

RO Units shall meet the following criteria:

1. No income requirements, but the total net assets cannot exceed \$900,000.
2. Initial Sales Price will be set by the developer.
3. Maximum Resale Price/Appreciation: The maximum resale price is the purchase price plus appreciation of 3% or the Consumer Price Index (CPI), whichever is less (simple, not compounded) of the purchase price for each year or portion thereof, that the unit is owned.
4. Unit Size: A maximum of 2,200 gross square feet. In addition, a maximum 500 square foot garage and a maximum 800 square foot basement are permitted. If a larger garage or basement is constructed, then all square footage over 500 or 800 square feet, respectively, will be considered as a part of the 2,200 square feet of space allowed.
5. Employment Requirement: Applicants must demonstrate that they are qualified employees and that they have four years of consecutive full-time employment, as defined by the Guidelines, in Pitkin County immediately prior to application. Individuals who are retired are required to demonstrate that they were qualified employees based upon the definition in these Guidelines for four years immediately prior to their retirement.
6. Primary Residence: A RO unit must be the owner's primary residence. Proof of residency, including but not limited to, voter registration and automobile registration, shall be required.

7. **Income/Earnings:** Applicants must demonstrate that their income/earnings are earned primarily in Pitkin County (75%). Applicants must demonstrate that they pay Colorado Income Tax as a Colorado resident.
8. The owner cannot own any other developed residential property or mixed used property that contains residential units in what is defined as the OEZ, nor have any interest in a LLC or partnership in other developed residential property or mixed used property that contains residential units within the OEZ; said property must be listed for sale, at competitive prices, prior to or simultaneously with closing on the RO unit. Such other developed property must be sold to another buyer within 180 days, otherwise, said deed-restricted property must be sold as stipulated in the deed restriction.
9. **Sales and Marketing:** The APCHA shall market all RO units the same as the category units, unless specifically specified in the respective deed restriction, with the exception of the sales fee. The sales fee charged will be 2% of the sales price.
10. All other qualification requirements as stated in Part III, Section 1, 1 through 4.
11. Each owner shall be required to prove compliance with their deed restriction as to employment, residency, and ownership of other property as specified in the Guidelines and as they are amended from time to time, by completing the Compliance Affidavit, and providing documentation when requested.

**SECTION 8  
NET MINIMUM LIVABLE SQUARE FOOTAGE FOR  
NEWLY DEED RESTRICTED AFFORDABLE HOUSING UNITS**

Table II sets forth the allowable Minimum Net Livable Square Feet (see Definitions) for each unit type and category. Developers may choose to construct larger units; however, allowable rent and sale prices for such larger units may not exceed the maximum set forth in Tables III and IV.

***PLEASE NOTE:** Subject to approval by the APCHA, the minimum net livable square foot requirements may be reduced. It must be demonstrated that the development satisfies, or is required to adjust to other physical factors or considerations including, but not limited to, design for livability, common storage, other amenities, location or site designs.*

**TABLE II  
MINIMUM NET LIVABLE SQUARE FEET  
FOR EACH UNIT TYPE AND INCOME CATEGORY**

Unit Type	Categories 1 & 2	Categories 3 & 4	Categories 5 & 6	Category 7
	Square Feet	Square Feet	Square Feet	Square Feet
Studio	400	500	600	700
1 Bedroom	600	700	800	900
2 Bedroom	850	950	1,000	1,100
3 Bedroom	1,000	1,200	1,300	1,400
Single-Family Detached	1,100	1,400	1,700	1,900

In order to calculate mitigation requirements, 400 square feet of affordable housing units shall be used to equate to one full-time employee in determining the required affordable housing mitigation for the free-market residential component of a mixed use development. Net Livable Square Footage (see Definitions) calculations are required for the affordable housing component of a project. The Community Development Department prior to issuance of any building permits for either the free market or affordable housing component of the project must verify square footage. The Community Development Department shall retain a set of approved building permit drawings for the project. The Community Development Department or the APCA may check the actual construction of the affordable housing units for compliance with the approved building permit plans.

The conditions under which reductions may be made are stated below. However, no reduction greater than 20% of the category minimum will be allowed.

- Significant storage - additional storage outside the unit;
- Above average natural light - more windows than the Code requires;
- Efficient and flexible layout - limit to space used for halls and staircases;
- Site amenities - pool, near to park or open space, etc.;
- Location within the project - above ground versus ground level or below ground;
- If the applicant can achieve higher density of deed restricted units with this variance.

Square footage adjustments will be subject to the APCA approval. A written analysis and recommendation will be completed during the Development Review Committee referral. Staff comments will be used in developing the project's approval ordinance. Applicants will be allowed to appeal decisions to the Board, followed by City Council or the BOCC.

## **SECTION 9 MAXIMUM SALES PRICES FOR NEWLY DEED RESTRICTED AFFORDABLE LOTS AND HOUSING UNITS**

Table III sets forth the maximum sales price for newly deed-restricted affordable housing units and affordable lots to the initial purchaser. The maximum resale price of a unit shall be controlled by the Deed Restriction covering the unit executed by the initial purchaser upon closing of the initial purchase.

**TABLE III - MAXIMUM UNIT SALES PRICES**

<u>Unit Type</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Category 4</u>
Studio	\$39,000	\$89,000	\$148,000	\$252,000
1 Bedroom	\$49,000	\$107,000	\$162,000	\$269,000
2 Bedroom	\$60,000	\$133,000	\$193,000	\$300,000
3 Bedroom	\$69,000	\$161,000	\$224,000	\$330,000
SF Detached	\$84,000	\$192,000	\$254,000	\$357,000
SF Lot	N/A	N/A	N/A	N/A

<u>Unit Type</u>	<u>Category 5</u>	<u>Category 6</u>	<u>Category 7</u>	<u>Category RO</u>
Studio	\$351,000	\$392,000	\$440,000	N/A
1 Bedroom	\$381,000	\$421,000	\$470,000	N/A
2 Bedroom	\$412,000	\$453,000	\$501,000	N/A
3 Bedroom	\$440,000	\$480,000	\$528,000	N/A
SF Detached	\$471,000	\$511,000	\$558,000	N/A
SF Lot	\$101,000	\$140,000	\$146,000	\$179,000

**NOTES:**

1. Single-family lots shall be developed with homes of three bedrooms or larger and shall be prioritized for lottery as set forth in Part III, Section 6 herein.
2. Category 1, 2, 3 and 4 single-family lots are not allowed. Lot prices for Category 5 through RO include the cost of access and utilities for the lot as set forth in Part VII, Section 13 herein.
3. Sale units will be offered for sale through the APCHA to all qualified persons under the procedures established by the Guidelines.
4. Persons employed by an owner/operator shall be given first priority to purchase affordable-housing units associated with a lodge, agricultural operation, or commercial development, when ownership has been retained by the owner/operator of the development. Employees must meet the APCHA's Guidelines for occupancy, income and assets criteria in order to qualify to occupy the unit(s). In the event there are no persons directly employed by the owner who qualify, the unit shall then be offered to other qualified persons according to the Guidelines. (Affordable Housing [AH] Zone development is exempt from this section.) All resales will go into the general lottery and be sold by the APCHA per the deed restriction.
5. Newly deed restricted affordable-housing sales units must be in marketable condition. Properties must comply with the International Building Code and all rules, regulations, and codes of all governmental utilities and agencies having jurisdiction. Prior to sale, the unit must be inspected and approved by a certified building inspector, architect or engineer approved by the APCHA. Cost of such inspections shall be the responsibility of the applicant. The APCHA must approve the results of the inspection.

**SECTION 10  
MAXIMUM MONTHLY RENTAL RATES FOR NEWLY DEED RESTRICTED  
AFFORDABLE HOUSING UNITS**

Table IV sets forth the maximum monthly rental rates for newly deed-restricted affordable housing units. The rental rates apply and shall be in effect for a twelve (12) month period from the commencement date of the initial lease. Thereafter, the maximum monthly rental rate may be increased only to the extent that the Guidelines then in effect permit.

**TABLE IV  
MAXIMUM MONTHLY RENT**

<u>Unit Type</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Category 4</u>	<u>RO</u>
Studio	\$474	\$842	\$1,258	\$1,668	\$2,288
1 Bedroom	584	989	1,401	1,831	2,448
2 Bedroom	692	1,135	1,549	1,979	2,595
3 Bedroom	802	1,270	1,700	2,126	2,744
SF Detached	915	1,433	1,845	2,197	2,817

**NOTES:**

1. Units constructed prior to the effective date of these Guidelines shall charge rents that do not exceed those set forth in Part VIII, Table VI.
2. Rental rates shall apply whether the units are provided furnished or unfurnished.
3. Rental rates in Table IV include, and may not be increased to pay for, the cost of utilities in common areas, condominium dues, management costs and taxes. In the event that utilities are commonly metered, a charge to the tenant may be made in addition to the maximum rents in Table IV for the tenant's share of such utilities attributable to the tenant's net living area. Tenants shall be responsible for individually metered utilities.
4. Prior to occupancy of a deed restricted rental unit, the APCA must qualify the tenant. All verification required under these Guidelines must be provided. The tenant must provide the owner/landlord with proof of verification and qualification by the APCA prior to occupancy. The owner shall be required to provide a copy of the lease agreement to the APCA for approval. The APCA will approve or deny the agreement within five working days. Leases shall meet occupancy standards and allowable rental rates, and shall be for a minimum term of six consecutive months. Tenant shall provide an executed copy of the lease to the APCA prior to occupancy.
5. Persons employed by an owner/operator shall be given first priority to rent affordable housing units associated with a lodge, agricultural operation, or commercial development, when ownership has been retained by the owner/operator of the development. Employees must meet the APCA's Guidelines for occupancy, income and assets criteria in order to qualify to occupy the unit(s). In the event there are no persons directly employed by the owner who qualify, the unit shall then be offered to other qualified persons according to the Guidelines. (Affordable Housing [AH] Zone development is exempt from this section.)

6. All newly deed restricted affordable housing rental units must comply with all rules, regulations and codes of all governmental bodies and agencies having jurisdiction. The owner of affordable housing rental units, at its cost and expense, must keep and maintain the interior and exterior of the total structure (including all residential units therein) and the adjacent open areas in a safe and clean condition and in a state of good order and repair, reasonable wear and tear and negligent or intentional damage by tenants excepted.

## SECTION 11 REQUIREMENTS FOR DORMITORY/LODGE (Seasonal Units)

Pursuant to the applicable City or County Land Use Codes, an applicant for a development may, under certain conditions and subject to certain requirements, satisfy the affordable housing requirements by provision of dormitory/lodge units designed for occupancy by seasonal employees. Acceptance of such dormitory/lodge units shall be at the sole discretion of the respective governing body at the recommendation of the APCHA. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:

1. Occupancy of a dormitory unit shall be limited to no more than eight persons.
2. There shall be 150 or greater net livable square feet of living area per person, including sleeping and bathroom. For purposes of this requirement, Net Livable square footage shall not include interior or exterior hallways, parking, patios, decks, cooking, lounge used in common, laundry rooms, mechanical areas, and storage. Rents for dormitory/lodge units and units developed for seasonal occupancy pursuant to a plan approved by the APCHA shall be calculated on the net livable square footage as described in Table II and computed at the rates set forth on a case-by-case basis.
3. Notes 3, 4, 5 and 6 under Table IV, Part VII, Section 10, apply to Dormitory/Lodge units.
4. At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one water closet, one lavatory, one bathtub with a shower, and a total area of at least 60 net livable square feet.
5. A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the APCHA's approval and determination that the facilities are adequate in size to service the number of persons using the facility.
6. Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.
7. A manager's or assistant manager's rent shall be calculated based on the income category of the respective manager.
8. Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.

**SECTION 12**  
**AFFORDABLE HOUSING DEDICATION FEE**  
**(aka Payment-In-Lieu or Cash-in-Lieu Fee)**

1. Pursuant to the applicable City or County Land Use Codes, an applicant for a development may, under certain conditions and subject to certain requirements, satisfy the affordable housing requirement by payment of an affordable housing dedication fee (payment-in-lieu fee). The number of employees (affordable housing residents) required to be housed is determined by the Employee Generation schedules contained in the applicable City and County Codes, or included herein. The time of payment of the fee is prior to the issuance of a building permit. Acceptance of the payment-in-lieu fee shall be at the sole discretion of the respective governing body at the recommendation of the APCA.
2. All County fees shall be paid to the Pitkin County Finance Director and all City fees shall be paid to the City Finance Director. A receipt shall be issued by the Finance Directors to the applicant for submission to the Community Development Director as verification of payment, with a copy of the receipt supplied by the developer to the APCA prior to issuance of a building permit. The number of employees generated will be dictated by the applicable City and County codes or included herein. The City and County Codes will prevail in any conflict between the Guidelines and the Codes. The Employee Generation Table is included in the City Code for the specific zone districts.

3. Payment-In-Lieu Fee:	<i>Category 1</i>	\$283,864
	<i>Category 2</i>	\$237,500
	<i>Category 3</i>	\$224,094
	<i>Category 4</i>	\$139,890

*The fee required for the construction of an exempt single-family home or duplex unit shall be calculated as follows:*

*Average of the Category 2 and Category 3 payment-in-lieu fees as specified above, divided by 3,000 square feet X the net increase in FAR of the new structure will equal the payment-in-lieu payment for replacement structures. The formula assumes that for every 3,000 square feet of new single-family or duplex floor area, the public will be required to provide housing for one moderate income employee. Currently, that amount is  $\$237,500 + \$224,094 \div 2 = \$230,797 \div 3,000 = \$76.93$  per square foot of new structure.*

When any other payment-in-lieu fee is required and the category is not specified, an average of Category 2 and 3 will be used to calculate the amount owed.

4. Deferral of the Affordable Housing Impact Fee: If the owner of a single-family or duplex unit for which an affordable housing impact fee is due is a qualified working resident, as that term is defined in the Guidelines, the obligation to pay the impact fee may be deferred, at the owner's request, until such time as the dwelling unit is sold to a buyer who is not a qualified working resident. Furthermore, the amount of the impact fee that was deferred shall be recalculated at the time of sale based on the Guidelines in effect at the time of sale. The obligation for the fee and the procedures for calculating the fee shall be set forth in a written document, signed by the owner or owners of the subject dwelling unit, approved by an APCA representative and the Community Development Department Director, and recorded in the records of the Pitkin County Clerk and Recorder prior to the issuance of a Certificate of Occupancy.

5. For the purposes of calculating payment-in-lieu fee, the following occupancy standards shall apply:

**TABLE V  
OCCUPANCY STANDARDS BY UNIT TYPE**

<u>UNIT TYPE</u>	<u>OCCUPANCY</u>
Dormitory/Lodge	1.00 employee/150 sq. ft.
Studio	1.25 employees
One Bedroom	1.75 employees
Two Bedrooms	2.25 employees
Three Bedrooms	3.00 employees

For each bedroom in excess of three, the occupancy standard increases by .5 employees.

**SECTION 13  
CONVEYANCE OF VACANT LOTS**

Pursuant to the applicable City or County Land Use Codes, an applicant for a development, under certain conditions and subject to certain requirements, may satisfy the affordable-housing requirement by the conveyance of vacant lots. Acceptance of the lots shall be at the sole discretion of the respective governing body upon recommendation of the APCA.

1. All lots must be fully developed and ready for construction, i.e., improved lots with water or well, sewer or septic, roads, and telephone, electricity and gas (if available) in place to the property line. A soils report, prepared by a qualified engineer and based upon test holes within the building envelope of each lot, stipulating that the lot is suitable for construction of the intended dwelling type without requiring unusual excavation, foundation work or accommodation of other unusual conditions shall accompany the conveyance.
2. All lots shall be conveyed to the APCA concurrent with recordation of final plat for the project.
3. At the time of conveyance, the developer shall establish an escrow account in an amount sufficient to cover 125% of the estimated costs required to complete the improvement of the lots in accordance with number 1 above. Improvements as noted in number 1 above, shall be completed within one year from the date of conveyance of the property to the APCA.
4. The Subdivision Improvements Agreement and the Protective Covenants shall incorporate the conditions stated in 1, 2 and 3, directly above this paragraph.

**SECTION 14**  
**DEED RESTRICTING EXISTING DWELLING UNITS**

1. Pursuant to the applicable City or County Land Use Codes, an applicant for a development, under certain conditions and subject to certain requirements, may satisfy the affordable housing requirement by deed restricting existing unrestricted housing to comply with the Guidelines. Acceptance of existing units shall be at the sole discretion of the respective governing body upon recommendation of the APCA.
2. If accepted by the City or County, existing units must be upgraded in accordance with the following criteria, (unless a variance from these requirements is approved by the applicable governing body upon the recommendation of the APCA):
  - a. The interior walls of all units must be freshly painted.
  - b. The interior Appliances must be purchased within the last five years and be in good and working condition.
  - c. Carpet must be less than five year old and be in good condition and repair, or be replaced.
  - d. The exterior walls shall be freshly painted within one year of dedication.
  - e. A general level of upgrade to yards and landscaping shall be provided.
  - f. Windows, heating, plumbing, electrical systems, fixtures and equipment shall be in good and working order.
  - g. The roof must have a remaining useful life of at least ten (10) years.
  - h. All units shall meet the International Building Code minimum standards, any applicable housing code or, in the absence of an adequate code, the housing code acceptable to the APCA.
  - i. All units shall be approved by the APCA and verified by a qualified Building Inspector accepted and approved by the APCA.
  - j. Applicant shall bear the costs and expenses of any required upgrades to meet the standards stated in Part VII, Section 14, a through i, as well as any structural/engineering reports required by the APCA to assess the suitability for occupancy and compliance with the APCA standards of the proposed units.

**SECTION 15**  
**EXECUTION OF DEED RESTRICTIONS BY APPLICANTS**

Deed Restrictions must be submitted by the applicant to the APCA according to the following time schedule:

1. **Conditional Use Applications** - Prior to issuance of a final building inspection or certificate of occupancy for a caretaker or accessory dwelling unit, the APCHA shall have an approved, executed and recorded Deed Restriction for the required commitment by the applicant. For any other projects, specifically new subdivisions, new affordable-housing projects, new developments requiring filing a condominium plat, the deed restriction must be recorded simultaneously with the Final Plat, but prior to Certificate of Occupancy.
2. **Growth Management Plan Applications** - Prior to issuance of a final building inspection or certificate of occupancy for a project, the APCHA shall have an approved, executed and recorded Deed Restriction for the required commitment by the applicant. A copy of the recorded Land Use Code and Resolution and Deed Restriction shall be sent to the APCHA. Prior to issuance of any Certificate of Occupancy, the Deed Restriction shall be amended, if necessary. The amendment shall reflect changes approved by the APCHA and governing bodies that may have occurred during construction or conversion of the unit(s), (i.e., net livable square footage). The amendment will then be executed and recorded, with the original returned to the APCHA.
3. **Others** - Prior to issuance of a final building inspection or certificate of occupancy for a project, the APCHA shall have an approved, executed and recorded Deed Restriction for the required commitment by the applicant. A copy of the recorded Land Use Code Resolution and Deed Restriction shall be sent to the APCHA. Prior to issuance of any Certificate of Occupancy, the Deed Restriction shall be amended, if necessary. The amendment shall reflect changes approved by the APCHA that may have occurred during construction or conversion of the unit(s) (i.e., net livable square footage). The amendment will then be executed and recorded, with the original returned to the APCHA for their files.

## SECTION 16 MAXIMUM VACANCY

Deed restricted rental units are required to be occupied. They may be vacant between tenancies for a maximum period of forty-five (45) days, unless authorized by the APCHA. If the owner exceeds the forty-five day limit without the APCHA approval, then the APCHA will place a qualified employee by advertising the vacancy in the classified section of the local newspaper on Mondays and Tuesdays. Any interested party may sign up for that unit in the APCHA office. The sign-up for an advertised unit ends at 3:00 p.m. that following Wednesday. Staff reviews the sign-up list and contacts the household with the most years worked full-time in Pitkin County. The interested applicant must provide proof of their work history in Pitkin County for all the years stated on the sign-up sheet.

**PART VIII**  
**MAXIMUM ANNUAL RENT INCREASE FOR**  
**EXISTING DEED RESTRICTED RENTAL UNITS**

The maximum monthly rent for an existing affordable housing unit is calculated using the maximum monthly rent permitted under the Guidelines in effect at the time the unit was first occupied. The rent is increased each year by the maximum percentage permitted by the Guidelines.

Maximum rent increases allowed for existing units are as follows:

**TABLE VI**  
**PERMITTED INCREASE IN MAXIMUM RENT**  
**FOR EXISTING AFFORDABLE HOUSING UNITS**

<u>Year</u>	<u>Increase</u>	<u>Year</u>	<u>Increase</u>	<u>Year</u>	<u>Increase</u>	<u>Year</u>	<u>Increase</u>
1978-1982	0.0%	1993	1.2%	2002	1.63%	2011	1.3%
1983	6.6%	1994	1.0%	2003	2.15%	2012	3.0%
1984	5.0%	1995	1.1%	2004	1.6%		
1985	3.3%	1996	.99%	2005	3.0%		
1986-1988	0.0%	1997	1.31%	2006	3.0%		
1989	4.7%	1998	.73%	2007	1.7%		
1990	3.0%	1999	.54%	2008	3.0%		
1991	0.0%	2000	1.08%	2009	0.7%		
1992	2.0%	2001	1.40%	2010	2.3%		

The 3% increase is based on the lesser of the percentage change in the Consumer Price Index (Urban Wage Earners), November 2010 - November 2011, or 3%, whichever is less. The index increased at the rate of 3.8% during this period; therefore, the increase for 2012 is 3%.

Prior to 2002, operating costs for rental housing, which are subject to the CPI increase, were assumed to be 40% of rental income. In order to maintain the efficient running of existing deed restricted units, rental rates can increase at the rate of CPI, or 3%, whichever is less, on a yearly basis. Please contact the APCA for the actual maximum rental rates available and the APCA will assist any applicant in determining their maximum permitted rent.

## PART IX

### GRIEVANCE PROCEDURES

A grievance is any dispute that a tenant or purchaser (see Definitions) may have with the APCA with respect to action or failure to act in accordance with the individual tenant's or purchaser's rights, duties, welfare or status. A grievance may be presented to the APCA Board of Directors under the following procedures.

#### I. FILING A GRIEVANCE

A. Any grievance must be presented in writing to the APCA. It may be simply stated, but shall specify: 1) the particular ground(s) upon which it is based; 2) the action requested; and 3) the name, address, telephone number of the complainant and similar information about his/her representative, if any.

B. Upon presentation of a written grievance, a hearing before the APCA Board of Directors shall be scheduled for the next scheduled Board meeting. The matter may be continued at the discretion of the Board. The complainant shall be afforded a fair hearing providing the basic safeguard of due process, including notice and an opportunity to be heard in a timely, reasonable manner.

C. The complainant and the APCA shall have the opportunity to examine and, before the hearing at the expense of the complainant, to copy all documents, records and regulations of the APCA that are relevant to the hearing. Any document not made available after written request may not be relied upon at the hearing.

D. The complainant has the right to be represented by counsel.

#### II. CONDUCT OF THE HEARING

A. If the complainant fails to appear at the scheduled hearing, the Board may make a determination to postpone the hearing or make a determination based upon the written documentation and the evidence submitted.

B. The hearing shall be conducted by the Board as follows: Oral or documentary evidence may be received without strict compliance with the rules of evidence applicable to judicial proceedings.

C. The right to cross-examine shall be at the discretion of the Board and may be regulated by the Board as it deems necessary for a fair hearing.

D. Based on the records of proceedings, the Board will provide a written decision and include therein the reasons for its determination. The decision of the Board shall be binding on the APCA that shall take all actions necessary to carry out the decision.

## **PART X DEFINITIONS**

**Accessory Dwelling Unit** - The unit must be a totally private unit, with a private entrance, a full bath and a kitchen as defined in these Guidelines. Also see City of Aspen Land Use Code, Chapter 26.520.070.

**Accredited** - Is a process under which an education facility's services and operations are examined by a third party accrediting agency to determine if applicable standards are met. If the standards are met, the facility receives accredited status. In the United States, educational accreditation is performed by a private nonprofit membership association.

**Affordable Housing / Employee Housing / Work Force Housing** - Dwelling units restricted to the housing size and type for individuals meeting asset, income and minimum occupancy guidelines approved by the Aspen City Council, Board of County Commissioners and/or the APCHA, whichever shall apply.

**Affordable Housing Zone District** - See Aspen Land Use Code, Chapter 26.710.

**Aspen/Pitkin County Housing Authority**  
APCHA.

**Assets** - Anything owned by an individual that has commercial or exchange value. Assets consist of specific property or claims against others, in contrast to obligations due others. See also definition for Gross Assets and Net Assets.

**Basement** - As defined by the applicable City or County Land Use Code.

**Bedroom** - Designed to be used for sleeping purposes that shall contain closets, have access to a bathroom and meets applicable City or County International Building Code requirements for light, ventilation, sanitation and egress.

**Buy down Unit** - Free-market that the government (Aspen, Pitkin County, APCHA) and/or private sector acquired and deed restricted to affordable housing.

**Capital Improvements** - Unless otherwise defined in the Deed Restriction covering the affordable housing unit, any fixture erected as a permanent improvement to real property excluding repair, replacement, and maintenance costs.

**Caretaker Dwelling Units** - The unit must be a totally private unit, with a private entrance, a full bath and a kitchen as defined in these Guidelines. See Section 3-150-130, County Land Use Code.

**Category** - Income limits, sales prices or maximum rental rates as determined by the APCHA according to household income and net assets.

**Consumer Price Index (CPI)** - The Consumer Price Index that is used for purposes of the Guidelines and for purposes of the Deed Restriction is the *Consumer Price Index - U.S. City Average and Regions, Urban Wage Earners and Clerical Workers (CPI-W), All Items (1967=100)*. Updated information is received on a monthly basis from the U.S. Department of Labor, Bureau of Labor Statistics.

**Co-signer** - A joint signatory of a promissory note who shall not occupy the unit unless qualified by the APCHA.

**Deed Restriction** - A contract entered into between the APCHA and the owner or purchaser of real property identifying the conditions of occupancy and resale.

**Dependent** - a "dependent" is either a "qualifying child" or a "qualifying relative." Generally, a "qualifying child" is: (a) a child (including stepchild, adopted child, or eligible foster child), or a sibling (or stepsibling) of the taxpayer, or a descendant of either; (b) has resided in the principal abode of the taxpayer for at least 100 days out of a calendar year; (c) has not attained age 19 (or is a student who has not attained age 24 as of the end of the year); and (d) has not provided more than half of his or her support for that year. A child who does not satisfy the qualifying child definition may be a "qualifying relative."

Generally, a "qualifying relative" is an individual who: (a) is a child (including stepchild, adopted child, or eligible foster child), a sibling (including stepsiblings), the taxpayer's father or mother or an ancestor of either of them, a stepparent, a niece or nephew, an aunt or uncle, certain in-laws of the taxpayer, or an individual, other than a spouse, who resides in the principal abode of the taxpayer and is a member of the household; (b) has gross income in the relevant calendar year not exceeding the exemption amount (\$3,200 for 2005); (c) receives more than half of his or her support for the year from the taxpayer; and (d) is not a qualifying child of any other taxpayer for the calendar year.

In the case of divorced families with children, to obtain a bedroom, each child shall be used once for proving minimum occupancy. Should both parents enter the same lottery, the top winner only shall be allowed to purchase the unit; the other parent shall be able to use the child(ren) to obtain one additional bedroom only.

**Disabled Person** - See definition for Handicap.

**Dormitory** - A structure or portion thereof under single management that provides group sleeping accommodations for occupants in one (1) or more rooms for compensation. Standards for use,

occupancy, and design of such facilities shall be approved by the APCHA. See Part III, Sec. 4.

**Emergency Worker** - An employee or volunteer (on call 24 hours/day, 7 days a week for human, life threatening emergencies) of a community based organization that provides on-scene assistance giving personal care to victims, including, but not limited to the following: Fire Department Workers, Mountain Rescue, Sheriff's Deputies, Police Officers, Hospital Emergency Room Technicians, Social Service Workers (mental health and abuse case workers), Ambulance Drivers, Emergency Medical Technicians, Communications Dispatchers through the Sheriff's Office or Police Department, etc. Emergency Service Department Head approval is required, whereby the supervisor must demonstrate the need of that agency to house another Emergency Worker in the Aspen area by requesting a formal approval with the Public Safety Council Housing Subcommittee (see Part I, Section 1, #8 and Part III, Section 6, Exceptions).

**Employee/Qualified Resident/Buyer** - A person who is employed for an employer as defined below on the basis of a minimum of 1,500 hours worked per calendar year in Pitkin County, which averages 35 hours a week, 10 months a year; or 32 hours a week, 11 months a year, physically working in Pitkin County and must reside in the unit a minimum of nine (9) months out of the year. If self-employed, the worker must provide verification of the work done in Pitkin County.

**Employer (Pitkin County Employer)** - A business whose business address is located within Aspen or Pitkin County, whose business employs employees (as defined herein) within Pitkin County, who work in Pitkin County, and whose business taxes are paid in Aspen or Pitkin County. If an employer is not physically based in Pitkin County, an employee must be able to verify that they work in Pitkin County a minimum of 1500 hours per calendar year for individuals, businesses or institutional operations located in Pitkin County.

**Employee (Non-Profit)** - A person who works/performs for a non-profit organization. Employees include artists, performers, musicians, organizers, bookkeepers, etc., but excluding construction workers. Non-profit organizations include any certified non-profit organization providing services to and located in Pitkin County.

**Employee Dwelling Unit** - This is a deed-restricted unit that is required to be rented out. Also see the Pitkin County Land Use Code, Section 3-150-120.

**Employee Housing** - See definition for Affordable/Employee Housing.

**Family** - For purposes of transferring property only, a family (or immediate family) is defined as husband, wife, mother, father, brother, sister, son, daughter, either biologically or by legal adoption. Any transfer to a family member must fall under this definition.

**Family-Oriented Unit** - A dwelling unit attached or detached; 3 bedrooms or more, with direct ground floor access to a useable yard area.

**Fannie Mae (FNMA)** - Federal National Mortgage Association, a quasi-governmental agency that purchases mortgage loans in the secondary loan market.

**Fee Simple Estate** - The maximum possible estate that one can possess in real property; complete and absolute ownership of indefinite duration, freely transferable, and inheritable.

**Financial Statement** - A statement detailing all personal assets, liabilities, and net worth (the difference between assets and liabilities) as of a specific date.

**Fixture** - 1) A tangible thing which previously was personal property and which has been attached to or installed on land or a structure thereon in such a way as to become a part of the real property; 2) Any non-portable lighting device built in or attached securely to the structure; 3) The permanent parts of a plumbing system and fixtures.

**Gross Assets** - Anything which has tangible or intangible value, including property of all kinds, both real and personal; includes among other things, patents and causes of action which belong to any person, as well as any stock in a corporation and any interest in the estate of a decedent; also, the entire property of a person, association, corporation, or estate that is applicable or subject to the payment of debts. Gross assets shall include funds or property held in a living trust or any similar entity or interest, where the person has management rights or the ability to apply the assets to the payment of debts. Gross assets shall not include pension plans.

**Gross Income** - The total income to include alimony and child support derived from a business, trust, employment and from income-producing property, before deductions for expenses, depreciation, taxes, and similar allowances.

**Handicap** - With respect to a person, a physical or mental impairment, which substantially limits one or more major life activities; a record of such impairment; or being regarded as having such impairment. This term does not include current, illegal use of or addiction to a controlled substance. For purposes of these guidelines, an individual shall not be considered to have a handicap solely because that individual is a transvestite. Further explanations of "physical or mental impairment", "major life activities", and "has a record of such an impairment" can be found in the APCMA Office.

**Household** - All individuals who will be occupying the unit regardless of legal status and/or a married couple, whether both will be living in the unit or not.

**Household - Lotteries** - All individuals who will be occupying the unit regardless of legal status and/or a married couple, whether both will be living in the unit or not. All married couples may only enter into a lottery once and cannot bid separately. If two separate households (single, file separate income tax returns as single, etc.) enter together into one lottery, the combined income and assets will be carried forward to other single lotteries for a one-year period of time. Should circumstances change within the one-year time frame, the employee may request a change in category once during that one-year time frame.

**Household Net Assets** - Combined net assets of all individuals who will be occupying the unit regardless of legal status.

**Household Income** - Combined gross income of all individuals who will be occupying the unit regardless of legal status. See definition of Household Lotteries above for further clarification. Adjustments to the gross for business expenses can be made for persons who are self-employed.

**In-Complex (In House) Bid** - Priority bid granted to person(s) having lived in their unit in a given complex for a minimum of one year. If a new project is built in phases, the in-complex priority does not go into effect until all affordable housing phasing of the project is completed.

**Joint Tenancy** - Ownership of real estate between two or more parties who have been named in one conveyance as joint tenants. Upon the death of one tenant, surviving joint tenant(s) have the right of survivorship.

**Kitchen** - For Accessory Dwelling Units, Caretaker Dwelling Units and all other deed-restricted units, a minimum of a two-burner stove with oven, standard sink, and a refrigerator plus freezer. The oven must be able to bake and broil and be at least 3 cubic feet; the sink must measure at least 14"WX16"DX5.25"H; refrigerator must be at least 5.3 cubic feet and include at least a .73 cubic foot freezer.

**Leasehold Interest** - A less than fee simple estate that a tenant possesses in real property.

**Lottery** - A drawing to select a winner from equal applicants of highest priority.

**Maximum Bid Price** - Unless otherwise defined in the Deed Restriction covering the unit, the owner's purchase price multiplied by the appreciation (as permitted by the Deed Restriction) plus the present value of capital improvement costs including labor, if professionally provided, and for which verification of the expenditure is provided.

**Minimum Occupancy** - One person (with a leasehold/ownership interest) per bedroom. A minor child or dependent shall be granted equal status as a person with leasehold/ownership interest. In a two adult household, both adults must be working in Pitkin County in order to qualify for an additional bedroom.

**Mortgagee** - A lender in a mortgage loan transaction.

**Mortgagor** - A borrower in a mortgage loan transaction.

**Net Assets** - Gross assets minus liabilities. Retirement accounts will be reviewed on a case-by-case basis to determine whether or not they shall be included as a net asset.

**Net Livable Square Footage** - Is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry area. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

**Nondiscrimination Policy** - APCA shall not discriminate against anyone due to race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical handicaps, affectional or sexual orientation, family responsibility, or political affiliation, resulting in the unequal treatment or separation of any person, or deny, prevent, limit or otherwise adversely affect, the benefit of enjoyment by any person of employment, ownership or occupancy of real property, or public service or accommodations.

**Ownership Exclusion Zone (OEZ)** - Any developed residential property that has an address within the Roaring Fork Drainage situated in Eagle, Pitkin, Garfield or Gunnison Counties, or within the Colorado River Drainage from and including the unincorporated No Name area to and including Rifle, and including, but not limited to, the towns of Aspen, Basalt, Carbondale, El Jebel, Glenwood Springs, Marble, Meredith, New Castle, No Name, Redstone, Rifle, Snowmass, Snowmass Village, Woody Creek.

**On-Site / Off-Site** - Location of deed restricted property used for mitigation purposes: either next to or attached to the development (on-site) or at a separate location approved by the APCA (off-site).

**Prequalification** - A borrower's tentative mortgage approval from a lender.

**Present Value** - For the purposes of these Guidelines and any Deed Restrictions containing such terms, the present value shall be the cost or price of any capital improvements as established at the time of such improvement and shall be neither appreciated nor depreciated from such time.

**Primary Residence** - The sole and exclusive place of residence. The owner or renter shall be deemed to have ceased to use the unit as his/her sole and exclusive place of residence by accepting permanent employment outside of Pitkin county, or residing in the unit fewer than nine (9) months out of any twelve (12) consecutive months.

**Purchaser** - A person who is buying or has purchased a deed restricted unit which is subject to these Guidelines, and any qualifying potential purchaser or past owner of any such deed restricted unit, but only with respect to any issue arising under these Guidelines.

**Qualified Resident** - Person(s) meeting the income, asset, employment, and residency requirements and property ownership limitations, including retired and handicapped persons, or dependent(s) of any of these (as such terms are defined herein) established by the APCA.

**Requalification** - Requirements which renters/tenants and owners of affordable housing must meet bi-annually to ensure continued eligibility.

**Resale Agreement** - A contract entered into between the APCA and the owner or purchaser of real property identifying the conditions of occupancy and resale (also commonly referred to as a Deed Restriction).

**Residential Dwelling Unit** - Any residential property that has an address within the Ownership Exclusion Zone from and including, but not limited to, the towns of Aspen, Basalt, Carbondale, El Jebel, Glenwood Springs, Marble, Meredith, New Castle, No Name, Redstone, Rifle, Snowmass, Snowmass Village, Woody Creek, along with the unincorporated No Name area to and including unincorporated Rifle.

**Retirement Age** - The age where an employee can retire and maintain eligibility to continue to reside in affordable housing is 65 years of age.

**Roaring Fork River Drainage/Roaring Fork Valley** - See the Ownership Exclusion Zone.

**Seasonal Employee** - A person working not less than 35 hours per week during the Winter Season (generally November through April) and/or Summer Season (generally June through August).

**Self-Employed** - You are self-employed if you carry on a trade or business as a sole proprietor or an independent contractor; you are a member of a partnership that carries on a trade or business; you are otherwise in business for yourself; and you work for profit or fees. You must show a profit on an income tax return at least three out of every five years. The trade or business is required to provide goods and services to individuals, businesses or institutional operations in Pitkin County.

**Special Review Committee** - A Special Review Committee, as established from time to time by the APCA, is composed of three or more persons - one person from City staff, one person from County staff, and a Housing Board member. The Committee shall have the authority to review special circumstances with respect to matters specifically designated in the Guidelines that are eligible for special review, including, but not necessarily limited to, the priority system; financial and asset limitations; verifications and qualifications; self-employment financial considerations; occupancy; admission; etc.

**Storage Space** - Space intended and commonly utilized as location for preservation or later use or disposal of items. To be used for storage purposes only and shall not contain plumbing fixtures or mechanical equipment that support the principal residential use.

**Student** - A student enrolled in an accredited school full-time, and/or an intern who is a student or recent graduate undergoing supervised practical training full-time and working in a temporary capacity for a Pitkin County business; and/or a full-time combination of work in Pitkin County and school; such student shall be 18 years of age or older.

**Tenancy In Common** - Co-ownership in which individual holds an undivided interest in real property as if he were sole owner.

**Tenant** - A person who is leasing or has leased a deed restricted unit which is subject to these Guidelines, and any qualifying potential lessee or past lessee of any such deed restricted unit, but only with respect to any issue arising under these Guidelines.

**APPENDIX A**  
**MAXIMUM INCOMES BY CATEGORY**  
**(January 2012)**

Maximum rental incomes are different than maximum sales incomes. Due to the nature of the working adult in Pitkin County and the wages that are required to maintain a consistent employee base, the APCHA and Board have recognized the need for a higher allowable income adjusted by the number of adults and the bedroom mix. Maximum sales incomes are not attributed to the number of bedrooms, but will remain the same per household, with an adjustment to dependents only.

However, should a household's net assets exceed \$900,000, that household will be ineligible for deed-restricted housing.

Maximum Incomes for RENTAL Units Only (See Income Verification, Part II, Section 2, No. 1)				
No. Of Adults	Category 1	Category 2	Category 3	Category 4
One Adult	\$34,000	\$53,000	\$85,000	\$139,000
Two Adults	49,000	78,000	129,000	207,000
Three Adults	59,000	92,000	149,000	242,000
Net Assets not in Excess of	100,000	125,000	150,000	175,000

Maximum Incomes for SALES/OWNERSHIP Units Only (See Income Verification, Part III, Section 2, No. 1)				
No. Of Dependents	Category 1	Category 2	Category 3	Category 4
0 Dependents	\$34,000	\$53,000	\$85,000	\$139,000
1 Dependent	41,500	60,500	92,500	146,500
2 Dependents	49,000	68,000	100,000	154,000
3 or More Dependents	56,500	75,500	107,500	161,500
Net Assets Not in Excess of	100,000	125,000	150,000	175,000

Maximum Incomes for SALES/OWNERSHIP Units Only (See Income Verification, Part III, Section 2, No. 1)				
No. of Dependents	Category 5	Category 6	Category 7	Category RO
0 Dependents	\$148,000	\$162,000	\$179,000	N/A
1 Dependent	155,500	169,500	186,500	N/A
2 Dependents	163,000	177,000	194,000	N/A
3 or More Dependents	170,500	184,500	201,500	N/A
Net Assets Not in Excess of	200,000	225,000	250,000	\$900,000

NOTE: A household can qualify to purchase a unit in a higher category.

**APPENDIX B  
CHART OF PRINCIPAL OWNERSHIP PROJECTS**

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
1000 East Hopkins	3 2-Bedroom Units	Category 4	Per Guidelines
AABC Pitkin Park Place	14 Condos - 1, 2 & 3 Bedrooms	Category 1, 3 & RO	Per Guidelines
AABC Rowhouses	12 Townhomes	No Income Guidelines	See Covenants
Ajax Apartment Condominiums	8 1-Bedrooms	7 Category 2; 1 Category 3	See Guidelines
Alpine Cottages	10 Townhomes	Category 4 and RO	Per Guidelines
Alpine Grove	1 2-Bedroom	Category 3	Per Guidelines
Annie Mitchell Homestead	39 1-Bedrooms	Category 2 & 3	Per Guidelines
Aspen Highlands Village	67 Units	Category 1, 2, 3 & 4	Per Guidelines
Aspen Village Subdivision	150 Units	Resident Occupied	See Deed Restriction
Bavarian Inn Condos	19 Studios, 1, 2 & 3 Bedrooms	Category 2, 3 & 4	Per Guidelines
Benedict Commons	27 Studios & 1-Bedrooms	Category 2, 3 & 4	Per Guidelines
Billings Place	7 Studios, 2 & 3 Bedrooms	Category 2, 3 & 4	Per Guidelines
Boomerang Lot 2/521-523 W. Hopkins	2 1-Bedroom Units	Category 4 & 5	Per Guidelines
Burlingame Ranch	7 SFH / 84 Units	Category 2, 3, 4, 5, 6, 7, RO	Per Guidelines
Castle Creek Valley Ranch	4 Single-Family Homes	Category 4 & RO	Per Guidelines
Cemetery Lane (City)	3 Duplex Units	RO - City of Aspen Employment	City of Aspen Emp.
Centennial	92 Studios, 1, 2 & 3 Bedrooms	Category 4	Per Guidelines
Chaparral Ranch	3 SFH, 4 2-Bedrooms (2 duplexes)	Category 4/5	Employees of Ranch
Cipriano-Taylor	1 Duplex Unit	RO	Per Deed Restriction
Common Ground	21 Townhomes (land lease)	Category 2 & 3	Per Guidelines
Curton Condos (339 W. Francis)	1 3-Bedroom	Category 4	Per Guidelines
East Cooper (1230)	1 Single-Family Home	Category 4	Per Guidelines
East Cooper Court (939 E. Cooper)	2 Single-Family Homes	Category 3 & RO	Per Guidelines
East Hopkins	4 Townhomes	Category 4	Per Guidelines
East Owl Creek	4 Single-Family Homes	Category 4	Per Guidelines
Fairway III	30 Townhomes	Category 4	Per Guidelines
Five Trees	31 Single-Family Homes	Category 3 & 4	Per Guidelines
Highland Villas	16 2-Bedrooms	Category 4	Per Guidelines

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
Hoaglund Ranch	12 1, 2, 3 Bdrms + SFH	Category 2, 3, 5, RO	Per Guidelines
Hopkins Roan	2 1-Bedroom & 2-Bedroom	Category 3 & 4	Per Guidelines
Hunter Creek	79 Condominiums	Category 1, 3 & 4	Per Guidelines
Independence View Condos	2 1-Bedroom Units	Category 6	Per Guidelines
Juan Street	6 Units; 2 Duplexes, 2 SFH	Category 3 & 4	Per Guidelines
Lacet Court (East Cooper)	14 Townhomes/SFH	Category 3, 4 & RO	Per Guidelines
Lazy Glen	100 SFH	RO	Per Deed Restriction
Little Ajax/605 W. Hopkins	1 2-Bdrm; 13 3-Bdrm	Category 3 & 4	Per Guidelines
Little Victorian/634 W. Main	1 1-Bedroom	Category 3	Per Guidelines
Lone Pine	28 Condominiums	Category 4	Per Guidelines
Maroon Creek Club/1151 Tiehack	1 Single-Family Home	Category 1	Per Guidelines
Marthinsson-Nostdahl	10 Condominiums	Category 3 & 4	Per Guidelines
Midland Park	37 Condominiums	Category 4	Per Guidelines
North 40	72 - 59 SFH, 13 Townhomes	RO	Per Guidelines
Obermeyer	22 - 15 1-Bdrm / 7 2-Bdrm	Category 2, 3 & RO	Per Guidelines
Oh-Be-Joyful	5 Single-Family Homes	Category 3	Per Guidelines
Pacific Avenue Condos	9 3-Bedroom	Category 2 & 3	Per Guidelines
Park Avenue - 407-B	1 3-Bedroom	Category 4	Per Guidelines
Park Circle / 425 A-1	1 2-Bedroom	Category 2	Per Guidelines
Park Place - 411 E. Cooper	2 1-Bedrooms	Category 4	Per Guidelines
Pekin Iron	15 Units	Category 2, 3 & 4	Per Guidelines
Red House Enclave	6 1, 2 & 3 Bedrooms	Category 2 & 3	Per Guidelines
Seventh & Main	12 Units; 11 1-Bdrm; 1 2-Bdrm	Category 2 & 3	Per Guidelines
Shadow Mountain OOA	1 3-Bedroom	Category 3	Per Guidelines
Shady Lane Condominium	1 3-Bedroom	Category 4	Per Guidelines
Smuggler Cove	3 2-Bedroom & 3-Bedroom	Category 2 & 4	Per Guidelines
Smuggler Park Subdivision	87 Single-Family (Modular)	RO	Per Deed Restriction
Smuggler Run	17 Single-Family (Modular)	Category 4	Per Guidelines
Snyder	15 1- and 3-Bedrooms	Category 2, 3 & 4	Per Guidelines
Sopris Creek Meadows (Cabins)	6 Units - SFH & Duplexes	Category 1 & 3	Per Guidelines

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
Stillwater	13 Units - 1 & 3-Bedrooms	Category 2, 3, 4 & 5	Per Guidelines
Tom Thumb	1 Studio	Category 3	Per Guidelines
Top of Mill	4 3-Bedrooms	Category 3 & 4	Per Guidelines
Traylor's Landing (aka Barbee)	7 Units - SFH & Duplexes	Category 4 & RO	Per Guidelines
Twin Ridge	12 Townhomes; 13 SFH	Category 4	Per Guidelines
Two Moon	1 Single-Family Home	Category 4	Per Guidelines
Ute Park	7 Townhomes	Category 3 & 4	Per Guidelines
Valley Condo / 1135 Cemetery Lane	1 3-Bedroom	Category 3	Per Guidelines
Victorians at Bleeker	5 Condominiums	Category 4 & RO	Per Guidelines
Villas at Elk Run, Basalt	2 - 1 1-Bedroom / 1 3-Bedroom	Category 2 & 4	Per Guidelines
Vincenti Condos	2 - Studio & 1-Bedroom	Category 1	Per Guidelines
Water Place (City)	22 - Studio, 1, 2 & 3 Bedrooms	City of Aspen Employment	City of Aspen Emp.
Waterview Condos	1 2-Bedroom	Category 3	Per Guidelines
West Hopkins	11 Townhomes	Category 2 & 3	Per Guidelines
Williams Ranch	35 Units	Category 2, 3, 4, RO-5 & RO	Per Guidelines
Williams Woods	18 Townhomes	Category 2 & 3	Per Guidelines
W/J Ranch	64 SFH & Duplexes	Category 4 & RO	Per Guidelines
Woody Creek Mobile Home Park	58 SFH Homes	Category 6	Per Guidelines
<b>TOTAL</b>	<b>1,501 Units</b>		

**APPENDIX C**  
**CHART OF PRINCIPAL RENTAL PROJECTS AND REQUIREMENTS**  
*(Below is not a complete list of the deed-restricted rental units)*

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
715 CEMETERY LANE	1 Units	School Dist. Priority	Per Ordinance
719 E. HOPKINS, #101, 102, 103	3 Units	Category 2	Per Ordinance
985 MAROON CREEK (City)	1 2-Bedroom	City of Aspen Employment	Per Ordinance
AABC APARTMENTS	8 Units	Category 3 - School Dist. Priority	Per Deed Restriction
AABC MISC. APARTMENTS	44 Units	Category 1, 2 & 3	Per Deed Restriction
ALPINA HAUS	44 Units	RO	Per Deed Restriction
ANDERSON PARCEL	1 Units	Category 3	Per Guidelines
ANIMAL SHELTER (AABC)	2 Units	Category 2	Per Guidelines
ANNABELLE INN	2 Units	Category 2 & 3	Per Guidelines
ASPEN BROWNSTONES	2 Units	Category 2	Per Guidelines
ASPEN CONSOLIDATED SAN. DISTRICT	6 Units	ACSD EMPLOYEES ONLY	Per Guidelines
ASPEN COUNTRY INN	40 Units	Category 1 & 2	Per Guidelines
ASPEN HIGHLANDS VILLAGE	8 Rooms/13 Down Rooms	Category 1 & 2/RO	Per Guidelines
ASPEN RECREATION CENTER	1 1-Bedroom	Category 2	Per Guidelines
BEAUMONT	24 Units	Hospital Priority	Per Deed Restriction
BELL MOUNTAIN LODGE	5 Units	Category 2	Per Guidelines
BOOGIES (534 E. Cooper)	1 Unit	Category 3	Per Guidelines
BRUSH CREEK	2 Units	Category RO	Per Guidelines
BURLINGAME - Permanent Seasonal	8 Units 92 Units (184 beds)	Category 2	Per Guidelines
CASTLE RIDGE	80 Units	Category 3	Per Guidelines
CENTENNIAL	148 Units	Category 3	Per Guidelines
CHRISTIAN SCIENCE (734 W Main)	2 Units	Category 3	Per Guidelines
CHITWOOD (411 E Main)	3 Units	Category 4	Per Guidelines
CITY PLAZA BLDG.	4 Units	Category 1	Per Resolution
CLARENDON (625 W End St)	1 Unit	Category 3	Per Guidelines
COMCAST (AABC)	8 Units	Category RO	Per Guidelines
COPPER HORSE	13 Units	N/A - Resident Occupied	Per Resolution

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
CORTINA (Hotel Jerome)	16 Units	Category 1	Per Resolution
END, 410 WEST	3 Units	Category 2	Per Guidelines
GARMISCH, 306 SOUTH	2 Units	Category 2	Per Guidelines
GUIDO'S	3 Units	Category 3	Per Guidelines
HEATHERBED	21 Dorm-Style Units	RO	Per Deed Restriction
HOLIDAY HOUSE	35 Dorm-Style Units	RO	Per Deed Restriction
HOPKINS 992 EAST	1 Units	Category 2	Per Guidelines
HOTEL ASPEN	2 Units	Category 1	Per Guidelines
HOTEL LENADO	1 Units	Category 4	Per Guidelines
HUNTER LONGHOUSE	33 Units	Category 3	Per Guidelines
HYATT GRAND ASPEN	9 Units	Category 2	Per Guidelines
INNSBRUCK LODGE	1 Unit	Category 2	Per Guidelines
ISIS	2 Units	Category 3	Per Guidelines
KATY REID	2 Units	Category 3	Per Guidelines
KING LOUISE (210 W Main)	1 Unit	Category 1	Per Guidelines
KING STREET (981,985,995,995½)	4 Units	Category 1 & 2	Per Guidelines
L'AUBERGE COTTAGES	1 Units	Category 2	Per Guidelines
LAZY GLEN	3 Units	Category 3	Per Guidelines
MAROLT HOUSE (City)	1 Unit	City Employee	Per Guidelines
MAROLT RANCH - Permanent Seasonal	1 Units 99 Units	Category 3 Pitkin County Employee	Per Guidelines
MAROON CREEK CLUB	42 Units	Maroon Ck Club Priority	Per Guidelines
MILL STREET STATION	7 Units	Category 3	Per Guidelines
MILL STREET PLAZA	3 Units	Category RO	Per Guidelines
MOCKLIN	7 Units	Category 1, 2 & 3	Per Guidelines
MOUNTAIN OAKS/HOSPITAL	21 Units	Hospital Priority	Per Hospital
PITKIN CENTER BLDG. (520 E. Hyman)	4 Units	Category 3	Per Guidelines
PUPPYSMITH APARTMENTS	18 Units	Resident Occupied	Per Resolution
RITZ (Prospector)	1 Unit	Category 2	Per Guidelines
RIVER GLEN (1015 E. Durant)	12 Units	Category 1 & 2	Per Guidelines

PROJECT NAME	No. & Type of Units	Max. Income Category	Required Residency
RIVER PARK	3 Units	Category 2 & RO	Per Guidelines
ST. MORITZ	2 Units	Category 3	Per Guidelines
SEGUIN (Range Restaurant)	2 Units	Category 2	Per Guidelines
SHADOW MTN LDGE (232 W Hyman)	2 Units	Category 1	Per Guidelines
SMUGGLER MTN APARTMENTS	11 Units	Category 1	Per Guidelines
STARRY PINES	2 Units	Category 2	Per Guidelines
SUNDECK	2 Units	Category 2	Per Guidelines
TENTH MOUNTAIN	2 Units	Category 3	Per Guidelines
TOWNE PLAZA	4 Units	Category 2 & 3	Per Guidelines
TRUSCOTT PLACE TRUSCOTT PLACE L.L.P.	108 Units 87 Units	RO & Category 3 Category 2 & 3	Per Guidelines
ULLR COMMONS	26 Units	Category 3 & 4 - Employer Owned	Per Guidelines
UTE CITY PLACE	22 Units	Category 2 & 3 - St. Regis Priority	Per Guidelines
WATER PLACE (City)	3 Units	City Employee	Per Guidelines
WEST RANCH (School District)	10 Units	Category 4 - School District	Per Guidelines
<b>TOTAL</b>	951 Long-term Units 260 Seasonal Units <u>193 Scattered Single Units</u> 1,314 Units		

**APPENDIX D  
EMPLOYEE HOUSING RENTAL PROJECTS**

FOR MORE INFORMATION, PLEASE CALL THE APCA AT (970) 920-5050  
[www.aspenhousingoffice.com](http://www.aspenhousingoffice.com)

Below are properties managed by Aspen/Pitkin County Housing Authority. *You must sign up for these units at the APCA Office in person when advertised in the classified section of the Aspen Daily News on Mondays and Tuesdays, and on our website. The sign-up for an advertised unit ends at 3:00 p.m. that Wednesday. Staff reviews the sign-up list and contacts the household with the longest work history of consecutive full-time employment in Pitkin County. Rents listed are as of January 1, 2012; the rents may change during the year.*

<u>Property</u>	<u>Unit Size/Square Feet</u>	<u>Rent</u>
Aspen Country Inn - Seniors Priority - 40 units NO PETS - 1-Year lease minimum Cindy Tucker-Davis, Property Manager PH (970) 429-2898; FAX (970) 920-5722	Studio/408-562 sf	\$ 559 or \$733
	1-Bdrm/545-691 sf	\$ 681 or \$843
	2-Bdrm/835-1022 sf	\$1,017
Truscott Phase I Apartments - 108 units One CAT OR DOG allowed per unit in Bldgs. 500, 600 & 700 - 1-Year lease min. Kai Ramsey, Property Manager PH (970) 920-5139; FAX (970) 920-5358	Studio/360 sf	\$ 624
	Studio/392 sf	\$ 672 / \$ 850
	1-Bdrm/616 sf	\$ 790 / \$1,076
	2-Bdrm/840 sf	\$ 908 / \$1,189
Truscott LLLP Phase II Apartments - 87 units NO PET - 1-Year lease minimum Kai Ramsey, Property Manager PH (970) 920-5139; FAX (970) 920-5358	Studio/392 sf	\$ 756
	Studio Loft/570 sf	\$ 711
	1-Bdrm/616 sf	\$1,011
	1-Bdrm Flat/670 sf	\$ 692
	2-Bdrm/840 sf	\$1,186
	2-Bdrm Flat/670 sf	\$ 924
2-Bdrm Loft/896 sf	\$1,186	

Below are properties that are NOT managed by the Aspen/Pitkin County Housing Authority.  
*You need to contact the property manager directly to see if any units are available.*

Alpina Haus / Copper Horse - 43/13 units NO PETS - 6-Month lease minimum Kevin DeCarlo, Property Manager ALPINA - 935 East Durant, Aspen, CO 81611 COPPER - 328 W. Main St, Aspen, CO 81611 PH (970) 920-3975; FAX (970) 920-2396 <a href="mailto:deconovitch@comcast.net">deconovitch@comcast.net</a>	Room with bath/97 sf	\$407 - \$650
	1-Bdrm/261-335 sf	\$871 - \$1,104

Castle Ridge Apartments - 80 units CATS ONLY - 1-Year lease minimum David Ramirez or Maxine Jacobs, Managers 403 Castle Ridge, Aspen, CO 81611 PH (970) 925-6851; FAX (970) 925-6851	Studio/448 sf	\$ 828
	1-Bdrm/631 sf	\$1,107
	2-Bdrm/864 sf	\$1,352
	3-Bdrm/1,062 sf	\$1,469

Rates change in July

**Centennial Apartments - 146 units**  
 One CAT OR DOG (in some units) – 6-Month lease min.  
 Kim Keilin, Property Manager  
 100 Luke Short Ct, Aspen, CO 81611  
 PH (970) 925-1876; FAX (970) 920-2691  
[centmg@rof.net](mailto:centmg@rof.net)

Studio/455-470 sf	\$ 776 - \$1,078
1-Bdrm Flat/598 sf	\$1,014 - \$1,387
1-Bdrm Loft/733-841 sf	\$1,407 - \$1,608
2-Bdrm/881 sf	\$1,504 - \$1,802
3-Bdrm/1,097 sf	\$1,826 - \$2,071

**Hunter Longhouse Apartments - 33 units**  
 CATS ONLY – 1 Year lease minimum  
 Terry Kappell, Property Manager  
 101 Lone Pine Road, Aspen, CO 81611  
 (970) 963-6494; FAX (970) 963-6665  
[preferprop@comcast.net](mailto:preferprop@comcast.net)

1-Bdrm/560 sf	\$ 800
2-Bdrm/725-850 sf	\$1,040 - \$1,210
	Rates change in Oct

**Maroon Creek Apartments-42 units**  
 NO PETS – 1-Year lease minimum  
 Stephanie Thurston, Property Manager  
 305 Stage Court, Aspen, CO 81611  
 PH (970) 544-1885; FAX (970) 544-0558  
[stephthurs@aol.com](mailto:stephthurs@aol.com)

1-Bdrm/875 sf	\$ 631 - \$ 915
2-Bdrm/1,036 sf	\$ 727 - \$1,045
3-Bdrm/1228 sf	\$ 817 - \$1,180

**Winter Seasonal Housing**

**Maroon Ranch - 96 units**  
 NO PETS – Sep 1 to April 30 each year  
 John Mickles, Property Manager  
 Aspen/Pitkin County Housing Authority  
 PH (970) 925-2087; FAX (970) 544-0849  
[maroonranch@ci.aspen.co.us](mailto:maroonranch@ci.aspen.co.us)

1-Bdrm/442 sf	\$ 750 - \$1,045
	Monthly rent is based on date lease starts

**Burlingame Seasonal Housing - 100 units**  
 NO PETS – Sep 1 to April 30 each year  
 Mary Ferguson, Resident Manager  
 050 Harmony Pl., Aspen, CO 81611  
 (970) 920-0171; FAX (970) 920-0171  
[burlingamehousing@comcast.net](mailto:burlingamehousing@comcast.net)  
[www.burlingamehousing.net](http://www.burlingamehousing.net)

2-Bdrm/480 sf	\$1,110
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**Other Housing Options**

**Snowmass Housing Office (970) 923-2360**  
**Ski Co Housing (970) 922-9001**  
**Hunter Creek Condos (970) 925-1060**  
**St. Moritz (970) 925-3220**  
**Chalet Lisi (970) 925-3520**  
**Tyrolean (970) 925-4595**  
**Best Western Aspen/Alt Lodge (970) 927-3191**

**Carbondale Days Inn (970) 963-9111**  
**Carbondale Comfort Inn and Suites (970) 963-8880**  
**Glenwood Springs Hostel (970) 945-8545**  
**Thunder River Lodge (970) 963-2543**  
**Snowmass Housing Office (970) 923-2360**  
**Aspen/Basalt Campground (970) 927-3405**  
**Lazy Glen (970) 927-3632**

**Property Management Companies**

**Basalt Realty (970) 927-4020**  
**Bray & Co. (970) 625-1288**  
**Carol Dopkin (970) 920-1186**  
**Fries Properties (970) 920-2000**  
**Fleisher Land & Homes (970) 925-2122**  
**Interwest Inc. (970) 925-2772**

**Morris & Fynwald (970) 925-6060**  
**Resort Quest (970) 925-3900**  
**Stirling Homes (970) 925-5757**  
**M&W Properties (970) 925-8032**  
**Joshua & Co. (970) 925-8810**

\*Aspen/Pitkin County Housing Authority does not endorse any of the companies listed above; the list is being provided for additional housing opportunities.