



Waterville Community Land Trust (WCLT)

Homebuyer Education Packet

The mission of the Waterville Community Land Trust is to support neighborhood preservation and improvement through the development of affordable housing and other community assets.

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WCLT would like to express our sincere appreciation to the Northwest Montana Community Land Trust as this homebuyer education packet is modeled after theirs

Once you've reviewed the information in this packet you should have an understanding of...

...the benefits of living in a WCLT home that include:

- ! Long-term security of home ownership
- ! The right to will your home to spouse or partner
- ! Reduced mortgage costs
- ! Ability to accumulate earned and market equity

...the additional WCLT programs, services, and support provided for residents that will:

- ! Help you understand what it means to own a WCLT home
- ! Teach you how the WCLT resale formula works
- ! Help you find eligible homebuyers if you decide to sell your home
- ! Provide you with access to home maintenance and repair classes for seasonal tasks
- ! Assist you as you deal with financial budgeting and management, including foreclosure prevention

...the following responsibilities:

- ! Obtain a mortgage
- ! Vote as a member of the WCLT
- ! Participate in WCLT activities and trainings that interest you
- ! Understand the resale formula (this formula gives you a share of the appreciated value of your home when you sell it)
- ! Understand the ground lease
- ! Enjoy the privileges and responsibilities of owning a WCLT home

What is a community land trust?

A community land trust (CLT) is a nonprofit, community-based organization that works to provide permanently affordable home ownership opportunities. In the truest sense, a CLT acquires land and removes it from the speculative, for-profit, real estate market. CLTs hold the land they own "in trust" forever for the benefit of the community by ensuring that it will always remain affordable for homebuyers.

A community land trust provides access to home ownership for people who cannot afford homes for sale on the real estate market. CLTs provide greater housing security than renting. CLT residents benefit from stable monthly payments, security, and the opportunity to build equity through home ownership.

Like all non-profits, CLTs follow local laws and zoning requirements, and also follow the organizational bylaws put in place when the CLT was established. CLTs are governed by a board of directors that is made up of community members and CLT homeowners. Members of the CLT elect the board of directors.

There are over 250 CLTs in the nation today. There are CLTs in cities, suburbs and rural areas.

What is the long-term agreement between the CLT and the CLT homeowner?

CLT homeowners enter into a long-term agreement with the CLT to preserve the affordability of the CLT home

! Ground Lease agreement for single-family homes and townhomes

Ground Lease:

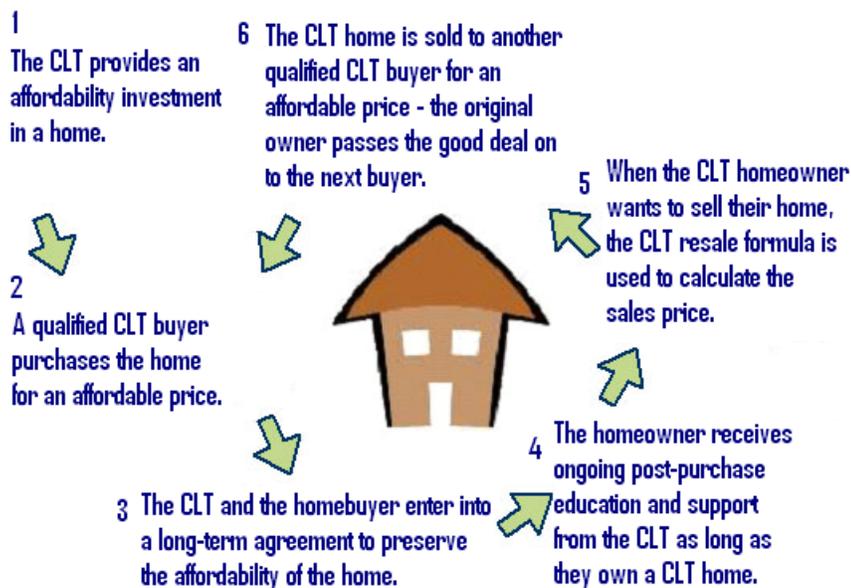
With single-family homes and townhouses, the CLT homeowner owns *just the house* and the CLT owns the land beneath the home. The CLT is holding the land in 'trust' for the benefit of the greater community. Because a CLT owns the land and the homeowner owns the home, a CLT and the homeowner sign a Ground Lease that defines the roles and responsibilities of both the CLT and the homeowner.

The Ground Lease allows the homeowner secure, long-term rights to use the land. CLT homeowners have full use of the land, and they have full responsibility for the property. WCLT homeowners pay \$25/month to the WCLT as a Ground Lease payment. The lease fee gives the homeowner full use of the land and support services from the CLT.

How does CLT home ownership work?

Homebuyers with CLT programs receive affordability assistance from the land trust and enter into a long term agreement to preserve the affordability of the home. CLT homes are sold to households with limited incomes. When a CLT household decides to sell a CLT home, they pass the home and the long-term affordability agreement on to another household with a limited income. The sales price is determined by using the WCLT resale formula. The home stays affordable for future generations.

The CLT Perpetual Affordability Cycle



What are the benefits of CLT home ownership?

There are a number of benefits to purchasing a house through a community land trust:

- ! *Affordability* – CLT homes are more affordable than homes purchased on the open real estate market because the CLT provides affordability assistance to its homebuyers.
- ! *Mortgage* – consistent and affordable housing payments.
- ! *Community* – CLT homeowners are members of the CLT for as long as they own their CLT homes – as part of this larger community, they can choose to participate in the CLT community through voting, volunteering, and becoming a CLT board member.
- ! *Support* – CLT homebuyers have the support of the CLT and its staff as long as they own their homes. The CLT provides a wide array of support to its homeowners and can also be available to help homeowners in dealing with financial problems and foreclosure prevention.
- ! *Stability* – Homeownership provides stable housing costs and security. With this stability, homeowners have a solid foundation that can allow them to pursue other dreams, like going back to school and getting better jobs.

How does CLT home ownership compare to renting?

CLT homeownership provides households stability and security not found with renting. CLT homeowners have control of their housing. CLT homeowners benefit from stable monthly housing payments, security, and the opportunity to accumulate both earned equity and market equity. CLT homeowners can also take advantage of income tax deductions for their property taxes and the interest paid on their mortgage.

How does CLT home ownership compare to non-CLT home ownership?

Land trust home ownership is essentially the same as other home ownership except that CLT homeowners get to take advantage of the land trust affordability and agree to pass that affordability on to the next homeowner.

Similarities:

- ! The homeowner has a mortgage with a bank
- ! The homeowner accumulates earned equity by paying down their mortgage
- ! The homeowner accumulates market equity according to changes in housing market values
- ! The homeowner pays property taxes
- ! The homeowner can make alterations and improvements
- ! The homeowner receives federal tax deductions for mortgage interest and property taxes

Differences:

- ! The purchase price is lower, because the CLT provides affordability assistance to its homeowners
- ! The CLT and the CLT homeowner enter into long-term agreement to preserve the affordability of the CLT home. For single-family homes and townhomes, this agreement is called the Ground Lease.
- ! If a CLT homeowner chooses to sell her home, the sales price will be calculated using the WCLT resale formula – this will keep the home affordable for the next buyer, and will ensure that the seller gets 100% of their earned equity plus a 25% share of the market equity.

The table on Page 8 outlines costs and benefits of CLT homeownership, non-CLT homeownership and renting.

What kind of support does a CLT provide for its homeowners?

The CLT makes a long-term commitment to its homeowners. Types of support offered by CLTs to homeowners after they purchase their homes include education, resources, and community events.

CLTs have helped homeowners with foreclosure prevention, property tax refunds, and re-financing options.

CLTs can also provide a connection to the CLT by providing opportunities for homeowners to be involved in the decision-making process for the organization.

Why do CLTs use a resale formula to calculate the sales price?

CLTs provide access to home ownership for people that cannot afford houses that are for sale on the real estate market. CLTs make home ownership affordable for today's homebuyers as well as for future generations of homebuyers.

CLT homes are affordable today because the CLTs access grants and subsidies that are available to make homes affordable. These public subsidies create affordability for the CLT homebuyers.

The resale formula preserves the affordability for the next family who will buy the CLT house.

Essentially, by agreeing to the resale formula, CLT homebuyers are agreeing to help another limited income family purchase a house in the same way that they were helped in purchasing their house.

The WCLT resale formula gives the WCLT homeowner 100% of their earned equity (the amount they have paid down on their mortgage) PLUS 25% of any market equity (the change in market value for their home).

An example of buying and selling a WCLT home using the resale formula is outlined on page 8 of this packet. The table on page 9 of this packet outlines the differences between renting, CLT homeownership and non-CLT homeownership.

What is the process for selling a CLT home?

When a CLT homeowner wants to move there are several options. The home can be sold directly to an income-qualified buyer, can be sold back to the CLT, or it can be given to other qualified heirs of the homeowner.

All CLTs ensure that when a CLT homeowner sells their home, they get all of their equity (the amount of money that they used as a down-payment as well as the portion of the mortgage paid off) plus a portion of the appreciated value of the home.

The sales price for the house is determined using an independent appraisal of the value of the house and the resale formula outlined in the ground lease. Different CLTs have different resale formulas.

The example on the next page shows how the selling price for a CLT house would be determined. This example uses resale guidelines that determine the sales price by adding 25% of the increase in value of a home to the initial purchase price of home – this is the resale formula used by the Waterville Community Land Trust.

Who pays the property taxes?

The CLT homeowner pays all the taxes associated with the property. As with all homeowners, property taxes and mortgage interest are tax deductible.

Buying and Selling a WCLT Home Using the Resale Formula

Let's say you purchased your home through the WCLT. It is worth (market appraisal) \$150,000, and you pay a net price of \$120,000 (assumes subsidies/investments of \$30,000 through the WCLT and/or other means).



7 years later, you decide to sell your home to either the WCLT or another CLT income-qualified buyer.

Let's now assume that your home's new value (market appraisal conducted by independent third party appraiser) is \$210,000.

Your home's value increased by \$60,000 ($\$210,000 - \$150,000$). Your share of the increased value is 25% or \$15,000 ($\$60,000 \times .25$)

The WCLT or another income-qualified CLT homebuyer may purchase your home for what you originally paid (\$120,000)

PLUS your share of the increased value of your home (\$15,000)

For a maximum sales price of \$135,000 ($\$120,000 + \$15,000$)

What this means for you

You were able to purchase a home you otherwise would not have been able to responsibly purchase at the time. You were able to receive all the benefits of homeownership including mortgage interest deductions. You also are able earn equity (\$15,000 + down-payment made on the home purchase + principal paid)

What this means for long-term affordability

The importance of the Community Land Trust model is demonstrated by the ability to extend long-term affordability to households similar to yours in the future. Another family or individual will be able to purchase this home for \$135,000, even though it is valued at \$210,000. (the initial \$30,000 WCLT investment has grown to \$65,000 in only 7 years)

Comparing CLT Ownership to Other Types of Housing

See how CLT home ownership compares to renting a three-bedroom home and purchasing a home through non-CLT ownership over a seven-year period:

	Rental	CLT Ownership	Non-CLT Ownership
Purchasing the Home			
Initial Market Value of Home	N/A	\$150,000	\$150,000
WCLT Affordability Investment	N/A	\$50,000	N/A
Total Purchase Price	N/A	\$100,000	\$150,000
Monthly Housing Costs*			
Monthly Rent	\$900	N/A	N/A
Mortgage Payment: Principal and Interest	N/A	\$565	\$847
Taxes and Insurance	N/A	\$175	\$175
Utilities (Sewer, Water, Trash, Heat, Electric)	\$125	\$125	\$125
WCLT Ground Lease or Covenant Fee	N/A	\$25	N/A
Total Monthly Housing Cost	\$1025	\$890	\$1,147
After 7 Years – Selling the Home			
New value of Property <i>(assumes 3%/yr increase)</i>	N/A	\$184,481	\$184,481
Total Increase in Value – Market Equity	N/A	\$34,481	\$34,481
Owner's Share of Market Equity <i>(assumes resale formula allowing 25% of market equity to go to CLT owner)</i>	N/A	\$8,620	\$34,481
New Sales Price <i>(original purchase price plus owners increase in appreciation)</i>	N/A	\$108,620	\$184,481
Financial Gain			
Amount of Mortgage Paid Off – Earned Equity	N/A	\$11,184	\$16,776
Plus Share of Market Equity	\$0	\$8,620	\$34,481
Total Financial Gain	\$0	\$19,804	\$51,257
Additional Benefits	Rental	CLT Ownership	Non-CLT Ownership
Ability to deduct mortgage interest on taxes	NO	YES	YES
Monthly housing payments protected from increase	NO	YES	YES
Property tax write off allowed	NO	YES	YES
Long-term Security	NO	YES	YES
Ability to make alterations and improvements	NO	YES	YES
Future Affordability	?	YES	NO

*assumes 30-year 5.5% mortgage, annual property tax of \$1500, annual homeowners insurance of \$600

WCLT Goals, Mission, Vision and Actions

WCLT Mission:

To support neighborhood preservation and improvement through the development of affordable housing and other community assets

WCLT Goals:

Provide quality, permanently affordable housing (and thereby revitalize Waterville's neighborhoods)

Offer home ownership for low- to moderate-income families and first time homeowners

Increase affordable housing choices in Waterville

Offer a unique option for home ownership

Help land trust residents and neighbors take care of their homes and neighborhoods

Ensure that land in the city is used to improve community life

Revitalize Waterville's neighborhoods by increasing the number of homeowners

WCLT Vision:

Waterville's neighborhoods are safe, stable, desirable places to live, work, and play.

How WCLT Works Towards Our Mission, Goals, and Vision:

We provide quality, permanently affordable housing primarily for low- and moderate-income families that earn less than 80% of area median income.

We work to increase affordable housing choices throughout Waterville.

We foster resident and community leadership in the long-term stewardship of housing located on community land trust land to improve the quality and security of available housing and the safety and well-being of the community.

We collaborate with public and private entities, neighborhood and community organizations, community-based and for-profit developers, and local and state government agencies to develop and maintain permanently affordable housing.

We use the community land trust model of stewardship of community-controlled assets to protect investments made in land and resources used for residential, commercial and other community facilities that improve the quality of life in the community.

Review of the Ground Lease: WCLT Homeowners Rights, Responsibilities, and Requirements

The Ground Lease describes the long-term agreement between the Waterville Community Land Trust (WCLT) and the homeowner. The Ground Lease spells out homeowner rights, responsibilities and requirements. By signing either of these agreements, a WCLT homeowner agrees with the WCLT that long-term affordability of the home is a mutual goal.

The Ground Lease is used with single-family homes and townhomes.

Additional key factors for the Ground Lease include:

Responsibility to Community: You have the right to use the property in a reasonable way: This includes not damaging the land or common space, being a good neighbor in your community, and using the property primarily for residential purposes.

Inheritance: You have the right to leave your home to your spouse, partner, or individual identified in the ground lease. You have the right to leave the home to any other heir, provided that they meet the conditions of the Ground Lease.

Landscape: You are responsible for maintaining the property so that it is safe and decent. Like any homeowner, you have the right to make improvements to your yard (gardening, planting, landscaping). You may have the responsibility of paying association fees.

Ground Lease and Housing Subsidy Fee: You have the responsibility to pay a \$25 per month fee to WCLT to lease the land on which the dwelling sits.

Stewardship Fee: You have the responsibility to pay a \$25 per month fee to cover WCLT administrative costs and WCLT property stewardship initiatives.

Home Improvements: You agree to seek permission from and provide information to the WCLT before making any improvements/remodel to your home.

Loans: No loan for any improvements (either interior or exterior) can be tied to (or secured by) the land under the home.

Solving Problems: You will agree to work out any disputes that may arise between you and the WCLT through an arbitration process, which involves impartial mediators instead of lawyers and judges.

Community Involvement: You agree to be an active member of the WCLT for as long as you are a Community Land Trust homeowner. You will be a voting member of the corporation that owns the land and the housing subsidy (In effect, you are leasing the land and/or the CLT affordability from yourself and your fellow members of the WCLT).

Future Affordability: Should you ever decide to sell your home, you will work with the WCLT to ensure that your home will remain affordable for future low- to moderate-income households by giving the WCLT the first option to purchase it for a price (based on market appraisal) which will enable the WCLT to sell to other low- to moderate income households.

Income Limits – Who is Eligible for WCLT Homeownership?

The WCLT organizational mission and bylaws mandate that only households at or below 80% of Kennebec County Area Median Income at the time of purchase are eligible to purchase a Community Land Trust Home. As of April 2016 – the income limits are as follows:

WCLT Maximum Income (80% Kennebec County Median Income)*	\$34,650	\$39,600	\$44,540	\$49,450	\$53,450	\$57,400	\$61,350	\$65,300
Household Size (# of people)	1	2	3	4	5	6	7	8

* If you make this amount or under you may qualify. Note that the income of ALL household members must be included.

NOTE: Exceptions to WCLT's maximum income eligibility criteria may apply in certain situations. For example:

- Households at any income level that propose to *donate* land they own to the WCLT and retain ownership of and occupy their dwelling unit subject to the provisions of the standard WCLT Ground Lease will be considered eligible
- Households at any income level that propose to *sell* land they own to the land trust and retain ownership of and occupy their dwelling unit subject to the provisions of the standard WCLT Ground Lease will be considered eligible
- The WCLT Board of Directors may, from time to time, waive certain homebuyer criteria, including maximum income limits, when doing so advances WCLT's overall charitable mission, land acquisition, and/or community revitalization strategies. In such instances, however, the prospective WCLT homebuyer shall be required to execute and abide by all provisions and terms of the standard WCLT Ground Lease agreement.

Application Process – How to Apply for WCLT Homeownership

The following process is recommended for interested buyers (the order is recommended, but listed items within phases could vary).

Phase I – Qualification for WCLT Programs and Properties:

1. Attend a homebuyer education workshop/class (either through KVCAP or another hoMEworks program)
2. Optional-Complete a one-on-one pre-purchase counseling session (available through CEI-Coastal Enterprises Incorporated)
3. Have at least \$1,000 in personal savings to contribute towards closing costs
4. Obtain a pre-approval letter from a private lending institution for CLT specific loan product.
5. Contact WCLT staff to view the property you are interested in
6. Complete a WCLT application
7. Attend informational/orientation session about how CLTs work (will be scheduled with you after your application is received)

Phase II – Selection for WCLT Programs and Properties

8. If there are more qualified applicants than there are properties available, WCLT's Selection Committee will utilize the Secondary Selection Criteria (described on pages 16-17) to determine which applicant will have the highest priority. If you are not given top priority for a property that you are interested in, your application will remain on file with WCLT to be considered for future properties as they become available.

Phase III – Final Steps to Becoming a WCLT Homeowner

9. Have an attorney conduct an independent legal review of the Ground Lease for you
10. Provide the WCLT Board of Directors a written letter of stipulation and acknowledgement setting forth your review and understanding of the WCLT Ground Lease and concurrence with its strategic provisions regarding restrictions on the use, occupancy, resale, and selling prices of the homes developed under this program. The required letter of stipulation and acknowledgement will be attached as an exhibit to the Ground Lease agreement between WCLT and homeowner.
11. Enter into a purchase agreement for home. Final mortgage application is processed with CLT partner local mortgage lender.
12. Loan and Ground Lease closing

Community Outreach and Homebuyer Selection Policy

1. OVERVIEW

This policy is intended to guide the development and implementation of both program and project-specific community outreach and homebuyer selection procedures administered by Waterville Community Land Trust (WCLT). This policy shall be reviewed on a regular basis by the WCLT Board of Directors for effectiveness in guiding the organization in the pursuit of its mission.

2. GOALS

- ! Provide as many opportunities as possible to low- and moderate-income households to secure decent, safe, and affordable home ownership; and
- ! Focus on the preservation of quality, affordable housing for future low- and moderate-income residents and underserved communities in the city of Waterville; and
- ! Preserve and encourage economic diversity in the city of Waterville; and
- ! Select the best match between households and housing units using price, household size and housing unit size as a guide.

3. COMMUNITY OUTREACH AND MARKETING

WCLT is an Equal Housing Opportunity provider and conducts business in accordance with the Federal Fair Housing Law and the State of Maine non-discrimination policies. When the WCLT has a home/housing unit available for sale/resale it may use the following process:

- ! Mail informational flyers to organizations and persons on the contact waiting list
- ! Put a FOR SALE sign on the property
- ! Outreach to affordable housing, neighborhood, and community organizations on available property.
- ! Advertise home for sale in local newspapers.
- ! List the home through the Multiple Listing Service, neighborhood newspapers, community service announcements, etc.

4. ELIGIBILITY CRITERIA

Eligibility Criteria – the following criteria reflect the WCLT’s stated homebuyer education goals listed above.

- A. **Age** must be **18** in Maine to qualify for a mortgage.
- B. **Citizen** of United States or registered alien.
- C. **Home ownership Education** – Must have completed a homeownership workshop/class through a hoMEworks provider)
- D. **CLT Orientation** – Must have either attended CLT Orientation and/or have received WCLT one-on-one CLT education/counseling.
- E. **Maximum Income** – Must be at or below 80% of the area median income as defined by the U.S. Department of HUD at the time of purchase, demonstrate sense of ownership of financial obligations and history of responsible effort to meet them.

- F. **Minimum Income** – A household must have sufficient income to support housing costs. The household must be pre-qualified for a mortgage as evidenced by a letter from a lending institution.
- G. **Affordability** – In general, this means the cost of housing does not exceed 30% (PITI) of the household's monthly income.
- H. **Assets** – A review of household assets should clearly indicate a limited ability to compete successfully in the conventional housing market. Liquid assets (savings, checking, money market, existing home equity, stocks, or cash).
- I. **Mortgage** – The WCLT prefers that homeowners qualify using 30-year fixed rate mortgages provided by WCLT partner lenders, or the USDA/Rural Development 502 Guaranteed Loan program. Adjustable Rate Mortgage approvals are accepted, provided they are fixed-rate for at least five years and are otherwise responsible loan products.
- J. **Background** – The prospective homebuyer has not been convicted of a felony or had their citizens' rights denied in the last 5 years

Secondary Selection Criteria

For the purpose of ordering the waiting list in instances where there are two or more households who meet all of the above threshold selection criteria and that qualify for the same home ownership opportunity subject to the Occupancy Guidelines below, priority will be given to the household with the higher score in accordance with the following secondary selection criteria:

1. Residency/Connection to Waterville. **[10 points]** To qualify under this secondary selection criteria, the head of the household or the spouse/domestic partner of the head of the household must be a resident of Waterville or have a significant connection to Waterville.
2. Local Workforce. **[20 points]** To qualify under this secondary selection criteria, the head of the household or the spouse/domestic partner of the head of the household must work in the Waterville area.

In general,

- a. *an individual will be considered a resident of Waterville if*, within five years of submitting their application, they lived in Waterville and/or were involuntarily displaced as a result of a natural or other disaster, or an action taken by a public or private landlord, whether legal or illegal, that the applicant could not control or prevent.
- b. *an individual will be considered a member of the Waterville area workforce* if currently employed by or in possession of a bona fide offer to work at least 20 hours per week for a private business or public agency doing business in the Waterville area, or be providing substantial and ongoing contract services to such private business or public agency in Waterville which, at the sole discretion of the Waterville Community Land Trust Board of Directors, can reasonably be determined to qualify the applicant as a member of the city of Waterville's "workforce".
- c. *an individual will be considered the head of the household if* the individual is: (i) the only adult member of the household; (ii) the only wage earner in the household.
- d. *an individual will be considered the domestic partner of the head of the household if* (i) neither the head of household nor such person is married; (ii) each of the head of household and such person is at least eighteen (18) years old and competent to consent and enter into legally binding contracts; (iii) the head of household and such person are not related to each other by blood closer than would bar marriage in the State of Maine; (iv) the head of household and such person is each other's sole domestic partner; (v) the head of household and such person are mutually responsible for each other's common welfare; and (vi) such person satisfies at least one of the following criteria: (a) such person is the primary beneficiary under the head of household's will; (b) the head of household and such person have joint ownership of a motor vehicle; (c) the head of household and such person

have a bona-fide joint credit account; (d) the head of household and such person have a bona-fide joint checking or savings account; (e) such person is designated as the primary beneficiary of the head of household's life insurance or retirement benefits; or (f) such person holds a power of attorney for healthcare decisions for the head of household.

3. **Community Involvement [10 points]:** The applicant or their spouse/domestic partner maintains organizational memberships and/or participates in and supports at least one of the following local groups: civic or faith-based; arts and culture; youth and entrepreneurship; mentoring in the areas of sports, career advancement and personal growth; agriculture and/or groups for environmental protection; neighborhood associations; or other nonprofits.
4. **Member of WCLT Prior to Applying for Homeownership [5 points]**
5. **Amount of time Application On File [10 points]:** The application that has been on file the longest will be given 10 points, with all others receiving a pro-rated amount of points based on the time they have been on file compared to the longest-standing application.
6. **Applicant Responds to all WCLT communications in a timely manner [10 points]**

Occupancy Guidelines

The maximum occupancy limit for WCLT homes, as with all homes in the City of Waterville, will be regulated by the city and state codes. The city outlines the minimum bedroom area (as well as the minimum living room, dining room, and kitchen space) required in relation to the number of persons in a household. State regulations permit 2 residents per bedroom plus one extra person (for example, a three-bedroom house would be allowed 2 people x 3 bedrooms = 6 +1 = 7 people).

WCLT Appeals Procedure

An applicant has the right to appeal a decision made by the WCLT. Appeals can be brought in person or in writing to the Board of Directors. The Board of Directors will provide its decision in writing within 30 days. The board's decision must be made by a super-majority.

Note that WCLT is not responsible for a mortgage lender's decision of credit worthiness. Appeals cannot be made to WCLT when a mortgage lender has denied credit.