

**Cape Cod Ready Renter List  
Yarmouth – Dennis – Orleans – Barnstable - Falmouth  
Affirmative Fair Housing Marketing,  
Lottery and Tenant Selection Plan**

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**March 2015 Revised May 2015, Feb 13, 2017, Nov 29, 2017  
Feb 22, 2018, April 17, 2018, April 25, 2018, Feb 15, 2019, July  
31, 2019**

**1. Introduction**

The Towns of Yarmouth, Dennis, Orleans, Barnstable, and Falmouth (the “Towns”) are committed to increasing affordable housing rental opportunities for low-to-moderate income households. The Towns have developed a variety of innovative methods to encourage the creation and retention of scattered site rental housing, including by-law provisions for accessory apartments, shop-top housing, and various other zoning and housing incentives. And while committed to ensuring fair and open access to these affordable housing opportunities, the Towns understand that marketing efforts can sometimes be difficult and costly for smaller rental projects. In an effort to further facilitate affordable housing efforts, to ease the financial burden on developers, to ensure that marketing is performed efficiently and effectively by an experienced and qualified entity, and to make the application process for the low-to-moderate income households more streamlined, the following Affirmative Fair Housing Marketing Plan (AFHMP) has been created. This Plan will result in a lotteried Ready Renter list serving affordable housing developments and affordable accessory apartments in the Towns, their residents, and the residents of Barnstable County and the Commonwealth. Other Cape Cod Towns are welcome to partner with the program and subscribe to this Plan upon approval of the state or the project’s subsidizing agency.

**1.1 Projects for which this Ready Renter list may be used**

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This Ready Renter list will be available for filling any tenant-turnover vacancies of rental units currently listed on the Subsidized Housing Inventory (SHI); filling any tenant-turnover vacancies of rental units that are deemed affordable by a Town, but not qualified for the SHI; for Accessory Apartments (whether newly created or filling tenant-turnover vacancies); for Shop-Top Apartments (whether newly created or filling tenant-turnover vacancies); and for initial

rent-out of a newly created rental development containing up to five (5) affordable units. All vacancies will use the marketing for the Ready Renter List upon approval by Massachusetts Department of Housing and Community Development (DHCD) or the project's subsidizing agency. Develops with more than five (5) affordable units will require approval, on a case-by-case basis, by DHCD or the project's subsidizing agency.

The tenant list generated by the Initial Lottery will be used for initial lease-up or to fill tenant-turnover vacancies at units included in the General Advertising and 60-Day Marketing Period of the Initial Lottery, provided the affordable units will be available for occupancy within 6 months of the Initial Lottery.

After the Initial Lottery, all units which come on-line after 6-month of the initial lottery (ie. newly available), and all newly created units, which come on-line, but were not advertised as part of the Initial Lottery, will have additional advertisement and be locally advertised for no less than 60 days per section 3.1 General Advertising. The Ready Renter list used to fill these newly available/newly created units, will be ordered separately from the Initial Lottery List with a separate lottery drawing, and consist of all qualified applications from the initial lottery plus any qualified applications received by the Program to date.

In special instances DHCD or the subsidizing agency may approve the use of the Ready Renters List to select tenants for affordable units where a separate lottery is not feasible. For example, in the case where an occupied building is being brought into zoning compliance through a Local Action or a Local Initiative, and upon DHCD approval, new affordable tenants may be selected through the Ready Renters Program as existing units become available.

### **1.2 Ready Renter Administrator Qualifications:**

The Town of Yarmouth Department of Community Development will be responsible for ensuring the program is administered in compliance with this Plan and the following guidelines put forth by the Massachusetts Department of Housing and Community Development (DHCD): Guidelines for G.L. C.40B Comprehensive Permit Projects (May 2013) and Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines (May 2013). Other subsidizing agencies may have additional requirements for specific projects. The Town of Yarmouth will use a competitive bidding process to select and

procure a qualified consultant to be the Ready Renter Administrator, the administrator for the program. Highest rating shall be given to the respondent that has substantial, successful prior experience in each component of Affirmative Fair Housing Marketing, a minimum of three (3) similar experience with Chapter 40B projects in Massachusetts, a minimum of three years' experience in the resident selection for affordable rental housing with a similar and has administered AFHMP for a minimum of five (5) projects in Massachusetts. The administrator must have the capacity to address matters relating to English language proficiency.

The Ready Renter Administrator will be responsible for all facets of Affirmative Fair Housing Marketing, marketing and outreach activities, administering the lottery and determining participant eligibility as well as ongoing Ready Renter List maintenance and activities. The Town of Yarmouth will notify DHCD or the subsidizing agency of the name and contact information of the Ready Renter Administrator.

Please note the Ready Renter Administrator is different than the Local Project Administrator (LPA). The Ready Renter Administrator oversees Affirmative Fair Housing Marketing, lotteries, maintains the Ready Renter List, and provides local projects with names of eligible tenants when requested.

On the project level, there will be a Local Project Administrator. This is a project-by-project role, often being the property manager and/or landlord. It is the Local Project Administrator's responsibility to check prospective tenant's background, references, ability to pay, and other program specific requirements, in accordance with fair housing practices. A Local Project Administrator would be identified on a project basis, at the time of that specific project's permitting and/or funding, and would be identified in program documentation ( for example, a Local Initiative Program application).

### **1.3 Program Oversight**

The Ready Renter List process and administration will be overseen by the Town of Yarmouth Department of Community Development.

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## **2. Proposed Timeline**

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Initial Lottery 60-Day Marketing .....Affirmative Marketing of not less than sixty days (commences on publication of first advertisement, ends on application due date) described further is Sec 3.1

Application Distribution .....During Marketing Period

Information Session .....During Initial Lottery 60-Day Marketing Period one session will be held on a weekday evening; additional sessions may occur.

Application Deadline .....Applications due not less than sixty days from start of Marketing Period

Initial Application Review .....Reviewed on receipt

Notification of Eligibility .....Not more than four weeks after application deadline

Eligibility Appeal Period .....between notification of eligibility and lottery

Initial and/or Subsequent Lottery ...Not more than six weeks after application deadline; no less than one week after notification of eligibility. Lottery will result in a ranked list of households.

Project Specific Lotteries .....After the Initial Lottery, projects of newly available or newly created units will have additional local advertising of 60 days minimum per section 3.1 General Advertising and a project specific lottery run by the Ready Renter

Administrator, timed to coincide with unit availability.

Ongoing, Post Lottery Marketing.....Local and regional outreach efforts and additional local advertising will continue throughout the year as opportunities arise, using methods and venues that have been determined most effective (may not be print ads). Outreach may include communications to towns and housing organizations, housing fairs, housing summits, local access television, e-mail outreach, etc.

“Rolling Basis” .....Between the 60-Day Affirmative Marketing Periods. If the wait list generated by the lottery is inadequate to fill current vacancies, or if newly created affordable rental units require additional local advertising, the program may accept applications on a rolling basis. Households with verified and complete applications submitted after the application deadline will be placed on the list in order of receipt, after the names previously ranked in the lottery. This list will be used to fill tenant turn-over vacancies only, as new units will be filled via project specific lottery. There shall be an advertised start and end date for the Rolling Basis Period. The start and end dates of the Rolling Basis Period shall be advertised per Section 3. Outreach and Marketing excluding the paid display ads required by Section 3.1 Newspaper Advertisements.


Subsequent 60-Day Marketing .....Subsequent 60-Day Affirmative Marketing Periods (as listed in Section 3.1) , with the same steps/processes as employed in the initial 60-Day Affirmative Marketing, will occur every 12 months after the start of the previous Affirmative Marketing, **unless** it can be shown that the existing wait list is diverse with respect to income levels and percent minority. In that case, the subsequent 60-Day Affirmative Marketing Period will occur 24 months after the start of the previous 60-Day Affirmative Marketing. At the end of the 60-Day Affirmative Marketing, all names on the existing list will be purged. All applicants being purged will have been adequately notified that they must re-apply in order to be on the new list. The new list with a new rank order will be created as a result of the new lottery held at the end of the 60-day Affirmative Marketing Period. [A wait list is considered diverse with respect to income if at least **10%** of all applicants earn less than 30% of the Area Median Income (AMI). A wait list is considered diverse with respect to percent minority if the percentage of minority households on the list is at or above the percentage of minorities in Yarmouth or the percentage of minorities in the Barnstable MSA, whichever is greater.]

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### 3. Outreach and Marketing

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Pursuant to fair housing laws, advertising and marketing materials will not indicate any preference or limitation, or otherwise discriminate based on race, color, disability, religion, sex, familial status, sexual orientation, national origin, genetic information, ancestry, children, marital status, or receipt of public assistance. Exceptions may apply if the preference or limitation is pursuant to a lawful eligibility requirement. All advertising with graphic depiction of people (photographs and/or illustrations) will depict members of classes of persons protected under fair housing laws, including majority and minority groups. In no event will advertising reference local preference.

The Fair Housing logo () and slogan ("Equal Housing Opportunity") will be included in all marketing materials.

#### **3.1 GENERAL ADVERTISING – TO BE USED IN PREPARATION OF INITIAL LOTTERY DURING THE 60-DAY MARKETING PERIOD, ANY SUBSEQUENT 60-DAY MARKETING PERIOD, and ANY SUBSEQUENT 60-DAY MARKETING PERIOD for NEWLY AVAILABLE/NEWLY CREATED UNITS**

**3.1.1 Paid Newspaper Advertisements:** Paid display ads of the lottery will be run in local and regional newspapers, and newspapers that serve minority groups. Ads will be approximately of 3.5" x 3.5" (will vary slightly depending on column size of publication). Ads will run two times during the marketing period (unless publication is a monthly publication, in which case ad will run once). Publications:

Initial Lottery – Local Newspapers:

Dennis/Yarmouth Register

Orleans Cape Codder

Barnstable Patriot

Falmouth Enterprise

Project Specific Lottery– Local Newspapers

(Newly Available/New Created Units)

Yarmouth or Dennis Units:	Dennis/Yarmouth Register
Orleans Units:	Orleans Cape Codder
Barnstable Units:	Barnstable Patriot
Falmouth Units:	Falmouth Enterprise

Region:	Cape Cod Times
Minority Outreach:	SamPan (Chinese/Boston) O Jornal (Portuguese/New Bedford)

For sample display ad, see attachment A.

**3.1.2 Additional Outreach for Accessible Units:** Accessible rental units will be listed with the Massachusetts Accessible Housing Registry (currently known as the “MassAccess” Housing Registry) when such a unit becomes available ( <http://www.massaccesshousingregistry.org> ).

**3.1.3 Internet Outreach/Websites and Additional Outreach:** Lottery opportunities and available affordable units will be posted with CHAPA’s MassAccess registry (<http://www.massaccesshousingregistry.org>) on the Administrator’s Website and Facebook Page (if available), the Town’s Community Housing website page , on Yarmouth local cable access television (Ch 18), at the Town libraries, at Town Hall information table and with all Town Department heads.

**3.1.4 Flyers/Mailings:** Flyers about the lottery will be sent to an outreach list that includes local fair housing commissions, area churches, local and regional housing agencies, local housing authorities, civic groups, lending institutions, elected officials, social service agencies and other non-profit organizations. Flyers will either be sent via US Mail or, when available, e-mail. See attachment B for current outreach list. Please note that this list is continually being updated and added to. See also attachment C for Sample flier

**3.1.5 Press Release:** Press Releases for the lottery will be sent to newspapers, radio stations and local cable television. See attachment D for sample Press Release. Press Releases will be provided to:

- Cape Cod Times



- Yarmouth-Dennis Register
- Falmouth Enterprise
- Mashpee Enterprise
- Sandwich Enterprise
- Orleans Cape Codder
- Qantum Radio Stations –  
95 WXTK News Radio, WCIB Cool 102,  
WCOD 106, Sports Radio 96.3 WEEI
- Cape Cod Broadcasting –  
WOCN-FM Ocean 104.7, WFCC Classical 107.5,  
WQRC 99.9 FM, Cape County WKPE 104
- Bay State Banner (African American/Boston)
- El Mundo (Spanish/Boston)
- El Planeta (Spanish/Boston)
- O Jornal (Portuguese/New Bedford)
- SamPan (Chinese/Boston)

Please note that this list is continually being updated and added to.

### 3.1.6 ADDITIONAL ADVERTISING AND OUTREACH:

City of Boston's MetroList (Metropolitan Housing Opportunity Clearing Center), at Boston City Hall, Fair Housing Commission, Suite 966, One City Hall Plaza, Boston, MA 02201 (617-635-3321).

Massachusetts Affordable Housing Alliance (MAHA) 1803 Dorchester Ave, Dorchester, MA 02124 : [info@mahahome.org](mailto:info@mahahome.org) 617-822-9100

The Fair Housing Center of Greater Boston 100 Terrace Street, Suite B, Boston, MA 02120

## **3.2 LOCAL ADVERTISING – TO BE USED FOR ROLLING BASIS MARKETING TO RUN FOR 30 DAYS**

### **3.2.1 Paid Newspaper Advertisements:**

None

**3.2.2 Additional Outreach for Accessible Units:** Accessible rental units will be listed for at least 30-days with the Massachusetts Accessible Housing Registry (currently known as the “MassAccess” Housing Registry) when such a unit becomes available ( <http://www.massaccesshousingregistry.org> ).

**3.2.3 Internet Outreach/Websites and Additional Outreach:** Lottery opportunities and available affordable units will be posted with CHAPA’s MassAccess registry (<http://www.massaccesshousingregistry.org>) on the Administrator’s Website and Facebook Page (if available), the Town’s Community Housing website page , on Yarmouth local cable access television (Ch 18), at the Town libraries, at Town Hall information table and with all Town Department heads for a minimum of 30 days.

**Units will also be listed with the following housing clearinghouses and information centers:**

**City of Boston's MetroList (Metropolitan Housing Opportunity Clearing Center), at Boston City Hall, Fair Housing Commission, Suite 966, One City Hall Plaza, Boston, MA 02201 (617-635-3321).**

Massachusetts Affordable Housing Alliance (MAHA) 1803 Dorchester Ave,  
Dorchester, MA 02124 : [info@mahahome.org](mailto:info@mahahome.org) 617-822-9100

The Fair Housing Center of Greater Boston 100 Terrace Street, Suite B, Boston, MA  
02120

**3.2.4 Flyers/Mailings:**

Flyers about the lottery will be sent to an outreach list that includes local fair housing commissions, area churches, local and regional housing agencies, local housing authorities, civic groups, lending institutions, elected officials, social service agencies and other non-profit organizations. Flyers will be sent via e-mail ONLY. See attachment B for current outreach list. Please note that this list is continually being updated and added to. See also attachment C for Sample flier

**3.2.5 Press Release:** Press Releases for the lottery will be sent to newspapers, radio stations and local cable television. See attachment D for sample Press Release. Press Releases will be provided to:

- Cape Cod Times
- Yarmouth-Dennis Register
- Falmouth Enterprise
- Mashpee Enterprise
- Sandwich Enterprise
- Orleans Cape Codder
- Qantum Radio Stations –  
95 WXTK News Radio, WCIB Cool 102,  
WCOD 106, Sports Radio 96.3 WEEI
- Cape Cod Broadcasting –  
WOCN-FM Ocean 104.7, WFCC Classical 107.5,  
WQRC 99.9 FM, Cape County WKPE 104
- Bay State Banner (African American/Boston)
- El Mundo (Spanish/Boston)
- El Planeta (Spanish/Boston)
- O Jornal (Portuguese/New Bedford)
- SamPan (Chinese/Boston)

Please note that this list is continually being updated and added to.

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#### **4. Availability of Applications**

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Advertising and outreach efforts will identify locations where applications can be obtained, will include a phone number where people can call to have applications mailed to them and will include an e-mail address people can use to request applications be sent electronically. Applications for the initial marketing and lottery will be available at all of the locations listed below. Applications for newly created units, such as the Brick Kiln Place Apartments Lottery, shall be available at the Plymouth Redevelopment Authority, Yarmouth Town Hall, and the local libraries, senior center, housing authority, and town hall of the newly created units. For example, the Brick Kiln Place Apartments Lottery is located in Falmouth and the applications shall be available at Plymouth Redevelopment Authority, Yarmouth Town Hall as well as the Falmouth Town Hall, Falmouth Housing Authority, Falmouth Senior Center, and all Falmouth libraries.

PLYMOUTH REDEVELOPMENT AUTHORITY, 26 Court St, Plymouth, Ma 02360  
(508) 747-1620 x. 10147 [redvelopmentDir@townhall.plymouth.ma.us](mailto:redvelopmentDir@townhall.plymouth.ma.us)  
(business hours: Mon, Wed, Thurs 9 A.M. – 4 P.M.; Tues 9 A.M. – 6:30 P.M.;  
Fri 9 A.M. – Noon)

#### YARMOUTH

- Yarmouth Town Hall (business hours: Monday – Friday 8:30 A.M. – 4:30 P.M.)
- Yarmouth Senior Center (business hours: Monday – Friday 8:30 A.M. – 4:30 P.M.)
- South Yarmouth Library (business hours: 10 A.M. -8 P.M. (\*) Monday and Wednesday; 10 A.M.-5 P.M. Tuesday, Thursday, Friday 10 A.M.-4 P.M. Saturday; 12 P.M.-4 P.M. Sunday (Sunday hours Labor Day to Memorial Day Only)
- West Yarmouth Library(business hours: 11A.M.-4 P.M. Monday, Wednesday and Friday; 3 P.M. – 8 P.M. (\*) Tuesday and Thursday); Saturday 11 A.M. – 4 P.M. (Saturday hours July 1 – Sept 30 only)
- Posted on Town of Yarmouth’s Community Housing website page

#### DENNIS

- Dennis Town Hall (business hours: Monday – Friday 8:30 A.M. – 4:30 P.M.)
- Dennis Senior Center (business hours: Monday – Friday 8:30 A.M. – 4:30 P.M.)
- Dennis Public Library (business hours: Tue, Wed, Thurs 10 A.M. - 8 pm; Fri & Sat 10 A.M. - 2 P.M.)
- Jacob Sears Library (business hours: Mon - Sat 9 A.M. - 1 P.M.)
- Dennis Memorial Library (business hours: Mon-Thurs 1 P.M. - 8 P.M. Fri & Sat 1 P.M. - 5 P.M.)
- West Dennis Library (business hours: Mon - Fri 10 A.M. - 2 P.M. Sunday 11 A.M. - 2 P.M.)
- South Dennis Free Library (business hours: Mon - Wed 10 A.M. - 4 P.M. Sat 10 A.M. – Noon)
- Posted on the Town of Dennis Planning Department website page

#### ORLEANS

- Orleans Snow Library (business hours: Mon, Thu, Fri 10 A.M. – 5 P.M. Tues. Wed 10 A.M. – 8 P.M. Sat 10 A.M. – 4 P.M.)

#### BARNSTABLE

- Barnstable Town Hall, Planning Department, 3<sup>rd</sup> Floor, 367 Main Street, Hyannis, MA (business hours MON –FRI 8:30 AM - 4:30 PM)
- Barnstable Senior Center 825 Falmouth Rd, Hyannis (business hours TUES – SAT 9:30 – 6 PM)
- Barnstable Public Libraries Barnstable (Sturgis) Library ~ 3090 Main St., Barnstable, MA 02630 (business hours: MON, WED 10-6; TUE 1-8; THU, FRI 10-5; SAT 10-4)
- Centerville Library ~ 585 Main St., Centerville, MA 02632 (business hours MON, WED, FRI 9:30-5; TUE, THU 9:30-7; SAT 9:30-2)
- Cotuit Library ~ 871 Main St., Cotuit, MA 02635 (business hours MON, WED 1:30-8; TUE, THU, FRI 9:30-5; SAT 9:30-4)
- Hyannis Public Library ~ 401 Main St., Hyannis, MA 02601, (business hours MON, THU, FRI, 10-5; TUE, WED 10-7; SAT 10-2)
- Marstons Mills Library 2160 Main Street, Marstons Mills, MA 02648 (business hours MON, THU, FRI 9-5; TUE 9-8; WED 9-6; SAT 10-2)
- West Barnstable (Whelden) Library ~ 2401 Meetinghouse Way, West Barnstable, MA 02668, (business hours MON & WED 2-8, TUE, THU, FRI & SAT 9-2)

#### FALMOUTH:

- Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA (business hours Mon - Fri 8:00 A.M. - 4:30 P.M.) (508) 548-7611
- Falmouth Senior Center, 300 Dillingham Ave, Falmouth, MA (business hours Mon - Fri 8:00 A.M. - 4:00 P.M.) 508-540-0196
- Falmouth Housing Authority, 115 Scranton Ave, Falmouth, MA (business hours Mon - Fri 9:00 A.M. - 4:30 P.M.) (508) 548-1977
- Main Library: 300 Main St, Falmouth (business hours Mon, Thurs, Fri 9:30 A.M.– 5:30 P.M.; Tues, Wed 1:00 P.M.– 8:30 P.M.; Sat 9:30 A.M. – 5:00 P.M.)
- East Falmouth Library: 310 Rt 28, E. Falmouth (business hours Mon, Tues 9 A.M. – 5 P.M.; Wed 9 A.M. – 1 P.M.)
- No. Falmouth Library: 6 Chester St, N. Falmouth (business hours Mon, Fri: 2 P.M. – 7 P.M.; Wed 9:30 A.M. – 3 P.M.)

- West Falmouth: 575 W Falmouth Hwy, West Falmouth (business hours Tues, Wed, Fri 10AM–5PM; Thursday 2–8PM; Saturday 10AM–1PM)
- Woods Hole Public Library: 581 Woods Hole Rd, Woods Hole (business hours Monday 12–5:30PM, 7–9PM; Tuesday 3–5:30PM; Wednesday 10AM–5:30PM, 7–9PM; Thursday and Friday 3–5:30PM)

NOTE: The applications will be available during evening hours at the public libraries as listed above. The applications will also be available 24-hours a day on the Town of Yarmouth website [www.yarmouth.ma.us](http://www.yarmouth.ma.us) during all application periods. Note: Upon request, the Yarmouth Department of Community Development will mail or email applications to interested individuals and households.

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## **5. Informational Meetings and Additional Support**

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The Informational Meeting will be held to describe the program and any affordable units available at that time. The meeting will be held during the Marketing period during the week in the evening. The purpose of the meeting will be to answer questions that are commonly asked by applicants and assist applicants in successfully completing applications. Attendance at the meeting will not be mandatory for participation in the lottery. The meeting will be held in public buildings in a meeting room that is accessible. All reasonable accommodations will be made upon request. Date, time and location of these meetings will be published in the ads and flyers that publicize the availability of the lottery.

The Yarmouth Department of Community Development has staff available Monday – Friday 8:30 A.M. – 4:30 P.M. to answer questions that are commonly asked by applicants and assist applicants in successfully completing applications. The Department is located at Yarmouth Town Hall, 1146 Route 28, South Yarmouth, MA 02664 and can be reached at 508-398-2231 Ext 1275 [mwaygan@yarmouth.ma.us](mailto:mwaygan@yarmouth.ma.us)

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## **6. Preferences**

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## **6.1 Local Preference, Definition**

Local Preference will NOT be used for filling tenant-turnover vacancies. All tenant-turnover vacancies will be classified as “open” and will not have a local preference.

For newly created affordable units, local preference will be addressed on a project basis. This would mean that a specific project would request local preference in the project’s Department of Housing and Community Development Local Initiative Program (LIP) application or application to the subsidizing agency, specifying the number of units requested (not to exceed 70%) and supplying a rationale for local preference acceptable to the Department of Housing and Community Development or the subsidizing agency (if project is through a program other than LIP, local preference would need that program’s approval). The Local Project Administrator will be responsible for providing local preference approval documentation to the Ready Renter Administrator.

In the case of a local preference unit or unit(s), when the Local Project Administrator requests names from the Ready Renter List, the Ready Renter Administrator will conduct a Project Specific Lottery which will result in a ranking. Ready Renter Administrator will provide names listed in the following order: names of all appropriate local households, ranked according to lottery ranking; THEN names of all appropriate non-local households, ranked according to lottery ranking.

Local Preference is typically defined as

1. Current residents of the Town: A household in which one or more members is living in the Town at the time of application.  
Documentation of residency will be required, such as rent receipts, utility bills, street listing or voter registration listing.
2. Town/Municipal Employees: Employees of the Town, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
3. Employees of Local Businesses: Employees of businesses located in the Town.
4. Households with children attending public schools in the Town

Note: because households could, for example, have adults working in different towns, have current residence in yet another town, and children attending schools in different towns, it could be possible for one household to have Local Preference for multiple Towns.

### **6.1.1 Minority Percentage Balancing with Local Preference:**

The initial and subsequent lotteries will order names regardless of local preference, as there will be no local preference for filling vacancies or smaller projects of one affordable unit.

For a project that had approval for local preference, that project would have a Project Specific Lottery, timed to coincide with availability of units. At time of lottery, for a specific project, if the percentage of minority households classified as Local Preference is less than the percentage of minorities in the Barnstable MSA, then adjustments to the Local Preference will be made in accordance with the DHCD Affirmative Fair Housing Marketing Plan Guidelines. These adjustments involve taking the minority applicants who do not have a Local Preference, entering these applicants into a preliminary drawing and assigning a rank based on the order of the draw. Minority applicants are then re-classified as "local", starting with the highest ranking from the draw, until the percentage of minority households classified as Local Preference for the Town in question meets/exceeds the above requirements.

### **6.2 Household Size/Larger Household Preference**

Household size will be appropriate for the number of bedrooms in the home. *Maximum* household size is set at two people per bedroom as a baseline occupancy policy. However, based on facts and circumstances (including occupancy standards of the State Sanitary Code at 105 CMR 410.400, area of living space, configuration of unit and age of children), this may be increased. It should also be noted that the assumption inherent in Title V



standards (septic systems) is 55 gallons of flow per pay per person. *Minimum* household size for a specific unit with more than two bedrooms will be a household requiring the number of bedrooms in that unit minus one (so applicants do not qualify for a unit size that would result having two or more spare bedrooms), unless a larger unit is needed by a household with a member with a disability as a reasonable accommodation.

For any specific unit, first preference shall be given to households requiring the total number of bedrooms in the unit based on the following criteria, with the exception that disabled households will not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation:

- a. There is at least one occupant per bedroom.
- b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- c. A person described in the first sentence of (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.

For any specific unit, second preference shall be given to households requiring the number of bedrooms in the unit minus one, based on the above criteria.

On a case-by-case basis, the Local Project Administrator may decide to waive the minimum household size for a specific unit ONLY if there would otherwise be NO applicants that would fit household size requirements.

A "household" shall mean two or more persons who will live regularly in the unit as their principal residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual.

Only upon special approval by DCHD or the subsidizing agency can a unit have limited occupancy.

### **6.3 Disability Preference**

A disability preference (preference for households containing at least one member with a physical disability requiring accessibility) will be provided for accessible units. A disability preference (preference for households containing at least one member with a physical disability requiring adaptability) will be provided for adaptable units.

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## **7. Income Eligibility**

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Income eligibility will depend on the specific project, but in all cases will adhere to the recorded Affordable Housing Restriction and/or Regulatory Agreement of the specific project, and in no instance will be greater than households earning 80% of Area Median Income (Barnstable MSA).

Applicant's income will receive preliminary verification at time of initial application (see attachment E). Preliminary verification includes the receipt and review of the household's two most recent pay stubs, most recent bank/other assets statement(s), and most recent tax return, but does not include third-party verifications. This process will produce a reasonably accurate determination of income eligibility and at the same time work to significantly streamline the process for both applicants and for the Ready Renter Administrator. Applicant's notice of eligibility will clearly state their income eligibility level; that eligibility is pending a final review, and that a full application and additional documentation (see attachment F) will be required at the time of selection by the Local Project Administrator for a rental opportunity. All applicants will also be reminded that they MUST report any changes in income to the Ready Renter Administrator at any time (before or after the lottery). The Income Eligibility categories used shall be the current Federal fiscal year Area Median Income (AMI) as published by US HUD annually and adjusted for family size. Unless a different income level is specified for a project, and approved by the project's subsidizing agency, the income eligibility level of the program shall be 80% AMI.

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## **8. Rental Rates**

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Rental rates are determined by the specific Regulatory Agreement and/or Affordable Housing Restriction. Utility Allowances may be based on the current utility allowances used by the local Housing Authority.

See attachment G for the current utility allowance worksheets.

Rents are affordable to households earning up to 80% of the AMI, but may be lower, and vary depending on development and unit size. Maximum allowable monthly rent for all units range as follows: Studio \$725-\$1,190; 1-Bedrm \$759-\$1,360; 2-Bedrm \$950 - \$1,552; 3-Bedrm \$1,200-\$1,700. Some rents include utilities.

**\*IMPORTANT:** Units rented by the Dennis Municipal Affordable Housing Trust (DMAHT) may have lower rents as the rents are calculated on the tenant's actual income (with the floor rent being calculated at 27% of 50% of the current AMI for the adjusted household size). In 2018, the flier read:

*Units rented by the Dennis Municipal Affordable Housing Trust (DMAHT) may have lower rent equal to 27% of the actual income of the qualified tenant household. DMAHT units have a floor rent of 27% of 50% of the AMI which are currently: Studio \$669; 1-Bedrm \$765; 2-Bedrm \$861; 3-Bedrm \$956.*

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## **9. Application Verification**

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Initial and full applications will be reviewed for qualifications based on income limits. Income and asset review will be done according to both the LIP guidelines for income verification and the HUD HOME Part 5 methodology, prior to an offer of a unit by the Local Project Administrator, the full application verification process will examine, at a minimum, the following

documents (additional documentation requirements may apply in specific situations, e.g. self-employment)

- Applicant's Household Information
- Copy of most recent Federal Tax Return and W-2. If Tax return must be signed even if submitted electronically.
- Past 5 weeks of Paystubs
- Last 3 Months' Bank/Asset Account Statements
- Documentation of Other Income
- Local Preference Documentation
- Affirmative Marketing Questionnaire
- General Authorization/Release of Information

See attached sample application (see attachment F).

Income and assets shall be considered per the process found in attachment H.

Please note: The most recent Local Initiative Program (LIP) guidelines on Income Determination and Certification promulgated by DHCD supersede HUD Part 5 during this income verification process.

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## **10. Appeal**

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If an applicant believes they have experienced discrimination, the applicant will be referred to the Massachusetts Commission Against Discrimination (MCAD) McCormack Building, 1 Ashburton Pl #601, Boston, MA 02108 (617) 994-6000 and the local HUD Fair Housing Agency, which is currently South Coastal Fair Housing, Inc. 257 Union Street, New Bedford, MA 02740 (774) 473-8333.

Applicants determined ineligible will be notified and given an opportunity to discuss the reasons for the determination and to permit consideration of pertinent information for a new determination. If an applicant is deemed ineligible, or has an appeal on any other basis, the appeal will be reviewed by the Town's Housing Partnership Committee. The applicant should send their request to appeal to the Town's Housing Partnership Committee in writing with a release for the Committee to view all application materials.

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## **11. Lottery**

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The lottery will be held not more than six weeks after application deadline but not less than one week after notification of eligibility (this gives time for Notification of Eligibility and possible Eligibility Appeal).

Notification of Eligibility will be in writing. The letter will include a lottery number, a re-statement of the household size based on the application materials, the qualifying income, and whether applicant receives a local preference or a preference based on disability. The letter will also explain that the lottery ranking will be good for a 24 month period; at which point re-verification of income will be required.

Lottery cards will be completed for each applicant household showing the household size, the qualifying income, and whether applicant receives a local preference or a preference based on disability. All lottery cards will be placed in one pool. If minority balancing is necessary for Local Preference (see Section 6.1.1), this will be performed prior to the project specific lottery, but not at the time of the original lottery.

All of the cards will be randomly drawn and placed in the order drawn on a ledger list indicating the application number, the household size, the qualifying income, as well as any preferences

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## **12. Project Specific Lottery**

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New projects (newly available or created affordable units) or unit(s) with approved local preference, would have a project specific lottery, run by the Ready Renter Administrator, and timed to coincide with unit availability. The same procedure as outlined above would be used, with the implementation of local preference pools (if applicable) and minority balancing as required (see Section 6.1.1). These projects would project specific marketing efforts of at least 60 days per Section 3.1 of this plan.

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### **13. Post Lottery / Waiting List**

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If the wait list generated by the lottery is inadequate to fill current vacancies, or if newly created affordable rental units require additional advertising, the program may accept applications after the Lottery Application Deadline on a Rolling Basis (also sometimes referred to as “first-come-first-served” basis) meaning that once an application is complete and verified, the applicant goes on the end of the Ready Renter List ranked in the order received. Start and end dates of the Rolling Basis Period shall be advertised per Section 3. Outreach and Marketing excluding the paid display ads required by Section 3.1 Newspaper Advertisements. See attachment I for a sample initial application for the rolling basis period.

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### **14. Post Lottery / Marketing**

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After the initial lottery additional marketing and outreach efforts will be made to ensure the Ready Renter List is maintained and updated as needed as determined by the Ready Renter Administrator. At a minimum, this additional marketing will happen at least every 6 months. This additional marketing does not trigger a new lottery. This additional marketing is not considered the 60-day Affirmative Marketing Period.

This marketing will consist of and flyers that will reference “Currently Accepting Applications” and will not reference a lottery. Ads, Flyers and/or Press Releases will be fundamentally the same as those sent out previously (lottery reference and dates changed). Outreach may also include communications to towns and housing organizations, housing fairs, housing summits, local access television, e-mail outreach, etc. The Town of Yarmouth Department of Community Development will review and approve these additional marketing efforts.

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## **15. Expiration of Eligibility**

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All households must be income eligible to remain on the wait list, must be income eligible at the time of executing the lease for an affordable rental unit, and must remain income eligible in order to rent the unit at the affordable rent.

Names remain on the wait list until such time as a new lottery is held, at which time the names are purged and all household must reapply. Households will be notified of the need to reapply.

After a lottery, a subsequent lottery is held either 12 months or 24 months afterwards, depending on the quality of the wait list with respect to income and minority diversity. If the wait list is not diverse, the list will be used for only 12 months; under this scenario a lottery will be held 12 months after the prior lottery and after a 60-day affirmative marketing period. If a wait list is adequately diverse, it shall be used for 24 months; under this scenario, a lottery is held 24 months after the previous lottery and after a 60-day affirmative marketing period. This is detailed further in Section 2: Section 2: Subsequent Affirmative Marketing and Section 14. Post Lottery / Marketing.

Applicants will be notified in writing at the start of the subsequent Affirmative Marketing period. The letter will explain that their application and place on the list will expire and that in order to be placed as an applicant on a new list, the applicant must fill out a new application form with updated documentation by the application deadline. The letter will also explain that the applicant's position on the new list will not be based on his/her position on the expiring list; the new list will be created based on a new lottery and ranking, and the order of selection from the list will continue to vary depending on requirements (e.g., eligibility) and preferences pertaining to the particular units that become available (e.g., preferences based on need for the particular unit size or unit accessibility/adaptability, etc.)

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## **16. Lottery after the Initial Lottery**

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Subsequent lotteries will be affirmatively marketed in accordance with this Affirmative Fair Housing Marketing Plan and lotteries will be run as the initial lottery was run. A new 60-Day Affirmative Marketing Period will begin either 12 months or 24 months after the beginning of the previous 60-day Affirmative Marketing Period, depending on the quality of the wait list generated from the previous lottery with respect to income and minority diversity. [After a lottery, a subsequent lottery is held either 12 months or 24 months afterwards, depending on the quality of the wait list with respect to income and minority diversity. If the wait list is not diverse, the list will be used for only 12 months; under this scenario a lottery will be held 12 months after the prior lottery and after a 60-day affirmative marketing period. If a wait list is adequately diverse, it shall be used for 24 months; under this scenario, a lottery is held 24 months after the previous lottery and after a 60-day affirmative marketing period. This is detailed further in Section 2: Section 2: Subsequent Affirmative Marketing and Section 14. Post Lottery / Marketing.] The new lottery can only be held after the completion of the 60-Day Affirmative Marketing Period. During any given Marketing Period applications will be accepted for the Lottery, and will NOT be accepted on a Rolling Basis. A subsequent lottery will rank all applicants. The list of previous applicants from the earlier Lottery or from the Rolling Basis period will be purged, and previous applicants will need to reapply and receive a new ranking in the lottery if they wish to be placed as an applicant on a new list.

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## **17. Responsibility on Unit Availability And Tenant Placement Process**

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The Town of Yarmouth Department of Community Development will be responsible for ensuring the program is administered in compliance with this Plan. The Towns may require a fee from the Local Project Administrator for tenant selection and certification services. The Towns may halt the tenant selection and placement process if a unit is not in compliance with local zoning, or health and safety code. In this case, the fee may be forfeited by the Local Project Administrator.



The Ready Renter Administrator's role is focused on the Affirmative and Fair Marketing of the List, income qualification of applicants, lottery and wait list administration, and tenant referrals. The Ready Renter Administrator provides appropriate name(s) to a Local Project Administrator upon request by the Towns.

The Local Project Administer is responsible to request tenants from the Towns, meet, screen and interview the applicant tenants, and show the unit to applicant tenants. The screening may included CORI and/or SORI background checks, credit checks, check of applicant's prior rental history and references. All Landlords and their designees must apply uniform screening on all tenants being considered at the subject property; for example, if a CORI check is required of tenants applying for an affordable unit, the same CORI check must apply to tenants applying to any and all other types of units located at the property, such as the market rate units. The Local Project Administrator is responsible to process applicant tenants fairly by their standard operating procedures, and may perform reference checks, background checks, and credit checks (confirming that the participant meets any minimum income requirements) on any applicant tenant provided these checks are performed fairly on all applicant tenants being considered for either affordable or market rate units.

The Local Project Administrator is responsible to provide a habitable, safe and decent units, which have a Final Certificate of Occupancy and is registered with the Town as a rental unit (provided the Town had a rental registration program). Some units will need to also meet Federal Housing Quality Standards. Other health and safety codes may apply.

**IMPORTANT:** The Local Project Administrator must agree to comply with all federal and state fair housing and anti-discrimination laws. The Federal Fair Housing Act prohibits discrimination on the basis of race, color, religion, national origin, sex, familial status, and disability. In addition to the classes of people covered by the federal law, Massachusetts' anti-discrimination statute prohibits discrimination on the basis of marital status, age, military or veteran status, sexual orientation, and the receipt of welfare, public assistance, and rental subsidy. To this end, all Landlords and their designees must apply uniform background checks on all tenants being considered at the Subject

property; for example, if a CORI check, credit check, or references are required of tenants applying for an affordable unit, the same background check and screening must apply to tenants applying to all other (ie. market-rate) units located at the property. The Landlord agrees to provide certification (see Attachment J) to the PRA that any referred household not selected for tenancy was not denied because of a non-discriminatory reason.

**IMPORTANT:** All Local Project Administrators and must comply with the state's *MODEL POLICY REGARDING APPLICANT SCREENING ON THE BASIS OF CRIMINAL RECORDS (April 2012)* (see Attachment K)

The Local Project Administrator is responsible to use an annual lease that meet the requirements of the project's subsidizing agency. For example, DHCD's Local Initiative Program , namely, that the lease is for 1 year and stipulates:

- The tenant may not be evicted for any reason other than substantial violation of a material provision of the lease.
- The tenant shall be given a minimum of 60 days written notice that the lease will not be renewed.
- The tenant is required to furnish annual information sufficient to determine and document continued compliance with the income eligibility requirements.
- The tenant shall furnish the names and the number of people in the household and their relationship to one another annually and whenever a change to the household occurs.
- The first month's rent will be due at lease signing. The last month's rent will be due at occupancy. The security deposit may be paid in over the first 5 months of the lease term.

#### SUMMARY OF TENANT SELECTION PROCESS

**IT IS STRONGLY ADVISED THAT THE LOCAL PROJECT ADMINISTER PLAN PROCEED IN A TIMELY MANNER DURING THE TENANT SELECTION PROCESS, AND PLAN AHEAD AS THE TENANT SELECTION PROCESS MAY TAKE BETWEEN 30 AND 60 CALENDAR DAYS.**

Step 1: The Local Project Administrator submits to the Town a written request for a tenant to fill a rental vacancy at a unit covered by this program. The request must be submitted with any required fees and contain the following

information: property address, unit number, total livable square footage, number of bedrooms, number of baths, asking affordable rent, list of utilities included in rent, list of amenities such as washer/dryer, washer/dryer hook up, storage etc., list of any restrictions such as on occupancy, pets or smoking, and date unit is available for occupancy. The Town reserves the right to request additional information.

Step 2: The Town will forward the request for a tenant to the Ready Renter Administrator within three (3) business days, provided the Local Project Administrator has submitted all required information and fees to the Town.

Step 3: Within three (3) business days, the Ready Renter Administrator will supply to the Local Project Administrator one name per unit. The name will be the highest ranked applicant that meets the unit criteria, based on ranking from the initial lottery and/or subsequent lottery, or placement on the list during a rolling basis period, and in consideration of any applicable preference set by Section 6 of this plan.

Step 4: Once the name is provided to the Local Project Administrator, the Local Project Administrator must contact the applicant tenant within five (5) calendar days to arrange to show the unit, and to inform the applicant tenant about the terms of the tenancy, such as security deposits, first and last month's rental payment, lease provision etc.

After being contacted by the Local Project Administrator, the applicant tenant has 10 calendar days to see the unit.

Step 5: If after seeing the unit, and being advised by the Local Project Administrator about the terms of the tenancy, the applicant tenant is interested in the unit, the Local Project Administrator has five (5) business days to determine whether to accept the applicant tenant based upon project criteria. It is the responsibility of the Local Project Administrator to perform any reference checks, background checks, and credit checks normally and fairly performed at their properties.

If the Local Project Administer accepts the tenant, then they will provide the applicant tenant the Final Ready Renters Application with instructions to complete and return to the Ready Renter Administrator within 10 business

days. Again, the applicant tenant has ten (10) business days to send the completed Final Ready Renters Application to the Ready Renter Administrator with all required documentation attached.

Once the complete Final Ready Renters Application is received, the Ready Renter Administrator has 10 business days to process the Final Ready Renters Application and to certify if this applicant tenant is eligible to lease the affordable rental unit. Once the Ready Renter Administrator completes the certification process, the Ready Renter Administrator shall notify both the Town and the Local Project Administrator as to whether the applicant tenant is eligible to rent the affordable unit.

Step 6: Only after said applicant tenant is certified eligible by the Ready Renters Administrator can the Local Project Administrator offer the qualified applicant a yearly lease. The applicant tenant will have 10 business days to review the lease and to make a decision whether they want the unit.

Step 7: If the applicant tenant does not want the offered unit, the Local Project Administrator communicates this to the Ready Renter Administrator, the applicant's name remains in its ranked order on the Ready Renter List, and the Local Project Administrator is given the next most highly ranked applicant name that meets the unit criteria by the Ready Renter Administrator.

Step 8: If the applicant tenant is refused the unit by the Local Project Administrator based on project criteria, or if the applicant tenant is rejected as they did not meet the required timelines, the Local Project Administrator must document this to the Ready Renter Administrator. The Local Project Administrator must detail the reason for rejection, and must show that appropriate appeal process was provided to the applicant (note: appeal on a project rejection would be through the specific local project). The applicant's name would remain in its ranked order on the Ready Renter List.

Special Process For Newly Created Larger Projects (three, four or five affordable units) and ANY Project Approved for a Local Preference:

The Ready Renter Administrator will conduct a new lottery based on all existing qualified households (a project specific lottery. Local Preference, if applicable, will be implemented according to procedures outline in Section 6.1. The RRA will then supply one name per unit. The name will be the

highest ranked applicant that meets the unit criteria, based on ranking from the project specific lottery.

Note that the project specific lottery results in a ranking used only once and only for that specific project. Names remain on the Ready Renter List, based on the lottery as described above.

Special Process for Accessory Apartments: Per Department of Housing and Community Development Local Initiative Program "LIP Guidelines" a distinct process is applicable for Accessory Apartments. On written notice of an accessory apartment availability, within 5 business days the Ready Renter Administrator will supply up to three (3) names per unit (the highest ranked applicants that meet the unit criteria). The Accessory Apartment Owner meets the referred applicant(s) to show the unit. Referred applicants must be given no fewer than 10 business days to view the unit. The Owner may select any of the referred applicants or may request a new referral of applicants. Non-selected applicants, or applicants that decline the offered unit, will return to their ranked order on the Ready Renter List. Upon request of the Ready Renter Administrator, the Owner shall specify in writing a substantial nondiscriminatory reason for having rejected an applicant. The Owner shall enter into a one-year lease with the selected applicant. Note, a family member of the owner of an accessory apartment cannot be selected. Family member is defined as: a parent, a son, a daughter, grandson, granddaughter, an uncle, an aunt, a niece, a nephew, a grandparent and/or a sibling.

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## **18. Ready Renter Administrator's Analysis of Wait List**

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The Ready Renter Administrator will annually re-evaluate the Regional Ready Renter waiting list/tenant selection procedure to ensure that the applicants selected are adequately representative of the characteristics and needs of the waiting list as a whole, particularly considering racial/ethnic characteristics. The Ready Renter Administrator will report this information to the Town of Yarmouth Department of Community Development and to the Department of Housing and Community Development (DHCD) upon request. Depending on the results of this analysis over time, the Advisory Committee and/or the

DHCD may require that an alternative waiting list and tenant selection procedure be used.

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## **19. Lease Provisions**

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All leases used for DHCD LIP Local Action Units in this program are subject to the following terms:

1. The term of the lease is for one calendar year.
2. The tenant may not be evicted for any reason other than substantial violation of a material provision of the lease.
3. The tenant shall be given a minimum of 60 days written notice that the lease will not be renewed.
4. The tenant is required to furnish annual information sufficient to determine and document continued compliance with the income eligibility requirements.
5. The tenant shall furnish the names and the number of people in the household and their relationship to one another annually and whenever a change to the household occurs.
6. The first month's rent will be due no sooner than the lease signing. The last month's rent will be due no sooner than at occupancy. The security deposit may be paid in over the first six months of the lease term.

Different or additional lease provisions may be required by other subsidizing agencies, such as Mass Housing Partnership.

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## **20. Special Conditions and Restrictions**

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Any restriction on unit occupancy, tenant smoking or pets must be approved by the state, the subsidizing agency and the local town prior to the tenant selection/referral by the Ready Renters Program

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## **21. Conclusion**

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The goal of this Ready Renter Affirmative Housing Marketing Plan is to facilitate affordable, community housing efforts, to ease the financial burden on developers, to ensure that marketing is performed efficiently and

effectively by an experienced and qualified entity, and to make the application process for the low-to-moderate income households as streamlined as possible. In an effort to achieve this, there may be amendments and enhancements to the process from time to time. Any substantive modification would be made with the focus on creating a better program with approval by the Department of Housing and Community Development or the subsidizing agency.

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## **22. Amendments for Units Created by the Dennis Municipal Affordable Housing Trust**

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The following documents found in Attachment L are amendments to the Ready Renter Affirmative Housing Marketing Plan to address the units in the Town of Dennis created by the Dennis Municipal Affordable Housing Trust:

- Marketing Flier for Dennis Units
- State Lease Template
- Lease Addendum
- Grievance Procedure

Also note the following changes to Sections 3.2.3 and 8 of this Plan:

**3.2.3 Internet Outreach/Websites and Additional Outreach** now calls for marketing of Units with City of Boston's MetroList, the Massachusetts Affordable Housing Alliance (MAHA) and the Fair Housing Center of Greater Boston

**Section 8 Rental Rates** now details how rents are set for units owned and/or operated by the Dennis Municipal Affordable Housing Trust

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## **23. Special Provisions for the LOFTS at 57 Ridgewood Avenue, Hyannis MA**

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SPECIAL PROVISIONS FOR THE LOFTS at 57 LOTTERY: The Housing Assistance Corporation on Cape Cod will redevelop the vacant lot and deteriorated foundation at 57 Ridgewood Ave, Hyannis MA into eight (8) new multi-family rental units. Two (2) of units shall be affordable and serve households earning no more than 80% of the Area Median Income (AMI). As these are new units,

a 60-day marketing period and project specific lottery shall be held to generate a LOFTS at 57 applicant list to be used for tenant selection. The LOFTS at 57 lottery will consist of all new qualified households which applied during the 60-day marketing period plus all qualified households already on the Ready Renters waitlist. After the LOFTS at 57 lottery, all qualified LOFTS at 57 households shall be placed at the end of the Ready Renters waitlist, in the order from the LOFTS at 57 lottery to be considered for Ready Renters units in Yarmouth, Dennis, Falmouth, Barnstable, and Orleans.

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**24. Special Provisions for the Cap'n Gladcliff at 817 Route 28, South Yarmouth, MA.**

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SPECIAL PROVISIONS FOR THE CAPTAIN GLADCLIFF LOTTERY: The Captain Gladcliff Vacation Condominiums converted to year-round housing using the Town of Yarmouth Zoning Bylaw, creating 24 year-round units, 7 of which are affordable . At the time of the initial Ready Renters lottery in 2018, no Capn Gladcliff units were available for Ready Renter tenants. Several, if not all, Captain Gladcliff units will be newly available in 2019 and 2020. A 30-day marketing period and project specific lottery shall be held to generate a Captain Gladcliff list. The Gladcliff lottery will consist of all new qualified households which applied during the 30-day marketing period plus all qualified households already on the Ready Renters waitlist. After the Gladcliff lottery, all qualified Gladcliff households shall be placed at the end of the Ready Renters waitlist, in the order from the Gladcliff lottery to be considered for Ready Renters units in Yarmouth, Dennis, Falmouth, Barnstable, and Orleans.

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**25. Special Provisions for the Brick Kiln Place Apartments, a Ch. 40B Development located at 123 Brick Kiln Road, East Falmouth, MA.**

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SPECIAL PROVISION FOR THE BRICK KILN PLACE APARTMENTS LOTTERY: Northstar Place LLC was granted a Comprehensive Permit from the Falmouth Zoning Board of Appeals No. 057-17 as Amended for Scriber's Error and recorded at the Barnstable Registry of Deeds Book 31594 Page 201, to construct 10 duplex building at 123 Brick Kiln Road, East Falmouth, MA. The Comprehensive permit will be further amended such that all twenty (20) units are affordable to households at 80% of the Area Median Income. Brick Kiln



Apartments does not allow smoking on the property and has a no-pets policy. Persons with disabilities may request a reasonable accommodation to keep any assistance animal, including a service animal or an emotional support animal, in his or her dwelling as an exception to the "no pets" policy.

The Cape Cod Ready Renter Affirmative Fair Housing Marketing Plan shall be used to conduct the marketing, lottery, and tenant selection for the Brick Kiln Place Apartments, upon approval of the subsidizing agency Mass Housing Partnership. For the purposes of this Plan, the Brick Kiln Place Apartments units are considered "newly created rental units" requiring a "Project Specific Lottery".

This is a project specific lottery with local advertising of a minimum of 60 Days.

Local Preference Applies to the Brick Kiln Lottery as set by Comprehensive Permit Condition #3, which states "To the extent permitted by law and by the subsidizing agency (MassHousing), preference for the rental of seventy percent (70%) of the Affordable Units in the initial lottery shall be given to 1) current Falmouth residents; 2) Town of Falmouth municipal employees; 3) employees of local businesses in Falmouth; and 4) households with children attending the Falmouth's schools"

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## **26. Special Provisions for Affirmative Fair Marketing for Lotteries During the Public Health Emergency Caused by the Spread of the New Coronavirus COVID-19**

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During the Public Health Emergency Caused by the Spread of the New Coronavirus COVID-19, or while a town's public facilities are closed to the public due to the COVID emergency, the following special provision shall apply:

- The public informational meeting and lottery shall be held by interactive internet webinar, accessible by computer and phone. Every effort shall be made to record these proceedings and to make the recordings available for the public to view. Every effort shall be made to have, in addition to the Lottery Administrator, at least one witness physically present during the lottery drawing.

- As the public may not have access to public bulletins boards, etc. every effort shall be made to provide additional advertising of the housing opportunity, such as the use of lawn signs, electronic community boards, town email alerts, and distribution of fliers through food nutrition pantry or care packages
- As the public may not have access to public building to acquire an application, applications will be available upon request by calling or emailing the lottery administrator Plymouth Redevelopment Authority. No other venue to request or pick up an application will be required on any advertising, as venues are subject to close at anytime due to COVID-19. Every effort shall be made to provide multiple copies of the lottery applications to housing agencies and human service providers of the town.

## MODEL POLICY REGARDING APPLICANT SCREENING ON THE BASIS OF CRIMINAL RECORDS

Consistent with CORI reform in Massachusetts, to the extent criminal offender record information will be accessed to screen applicants for housing, such access will be utilized for rental or lease of housing only and will generally be limited to: felony convictions for 10 years following the disposition thereof, including termination of any period of incarceration or custody; misdemeanor convictions for 5 years following the disposition thereof, including termination of any period of incarceration or custody; and pending criminal charges as provided under M.G.L. c. 6, § 172 as amended, and implementing regulations at 803 CMR 2.00 et seq. Such limitations will not apply to convictions for murder, voluntary manslaughter, involuntary manslaughter, and sex offenses as defined in M.G.L. c. 6 § 178C that are punishable by a term of incarceration in state prison. Entities that are required to obtain a CORI for the housing or portion of such housing by a statutory or regulatory provision may be eligible to obtain additional CORI information for the housing, or portion of such housing, pursuant to M.G.L. c. 6, § 172 as amended, and implementing regulations at 803 CMR 2.00 et seq.

Where criminal record checks are part of a general background screening of applicants for housing, the following practices and procedures will generally be followed.

- I. All applicants for housing will be notified that a criminal record check will be conducted. If requested, they will be provided with a copy of this applicant screening policy.
- II. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review records of criminal activity in the decision-making process must be thoroughly familiar with criminal records and this applicant screening policy.
- III. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on criminal record checks will be made consistent with this policy. Records of criminal activity not resulting in a conviction (i.e., records of arrests, arraignments, dismissals, etc.) are not reliable evidence of criminal activity and, without more, shall not form the basis of a denial of housing. Records of criminal activity gleaned from newspaper articles or internet searches are not inherently reliable and should not be the sole basis for a denial of housing. Records of convictions obtained from a state agency responsible for maintaining and disseminating criminal records are the most reliable, preferred source of information concerning records of criminal activity. In Massachusetts, those agencies are the Department of Criminal Justice Information Services (“DCJIS”) (formerly the Criminal History Systems Board) and the Sex Offender Registry Board.
- IV. If a record of criminal activity is revealed through a background check, the organization’s applicant selector will closely compare the record provided by the background check with the identifying information provided by the applicant, to ensure that the record relates to the applicant.
- V. If the (organization name) is inclined to make an adverse decision based on the results of the background check concerning criminal records, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the organization’s applicant screening policy, advised of the part(s) of the record that make the individual unsuitable for housing, and given an opportunity to dispute the accuracy and relevance of the criminal record. If the applicant denies that the record is accurate or that he is the person to whom it pertains, then the (organization name) shall allow the applicant a reasonable amount of time to seek to have the record corrected.
- VI. If the (organization name) reasonably believes the record belongs to the applicant

and that it is accurate, then the determination of suitability for housing will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- a) Relevance of the crime to the housing sought;
- b) The nature of the housing for which the applicant is applying;
- c) Time since the conviction;
- d) Age of the applicant at the time of the offense;
- e) Seriousness and specific circumstances of the offense;
- f) The number of offenses;
- g) Whether the applicant has pending charges;
- h) Whether the applicant is still on probation or parole;
- i) Any relevant evidence of rehabilitation or lack thereof;
- j) Any other relevant information, including information submitted by the applicant or requested by the organization.

VII. (Organization name) will notify the applicant of the decision and the basis of the decision in a timely manner.