

# Town of Sudbury

## Housing Trust

HousingTrust@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314

www.sudbury.ma.us/housingtrust

### **AGENDA**

**Thursday, February 11, 2021**

**8:00 AM**

**Virtual Meeting**

Here are the meeting details for residents to participate in this meeting.  
Please click the link below to join the virtual Housing Trust Meeting:

<https://us02web.zoom.us/j/85164326118>

For audio only, call the number below and enter the Meeting ID on your phone keypad:

Call In Number: 978-639-3366 or 470-250-9358

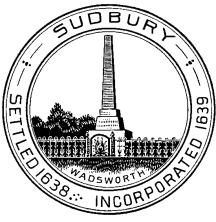
Meeting ID: 851 6432 6118

#### Welcome and Announcements

1. Minutes: Approve Meeting Minutes of January 14, 2021
2. Annual Report: DRAFT
3. 67-73 Nobscot Road – Possible Property Acquisition
  - Status Update and Discussion
4. Cold Brook Crossing – Local Preference
5. HOME Fair Housing update
6. Small Grant – Discuss program changes

Upcoming Meeting Schedule: 2<sup>nd</sup> Thursday of Each Month at 8:00 AM

*These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*



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### **DRAFT MINUTES**

**JANUARY 14, 2021 AT 8:00 AM**

### **VIRTUAL MEETING**

**Housing Trust Members Present:** Chair Cynthia Howe, Vice Chair John Riordan, Kelley Cronin, Janie Dretler, Carmine Gentile, and Robert Hummel

**Housing Trust Members Absent:** Susan Scotti

**Others Present:** Director of Planning and Community Development Adam Duchesneau, and Director of the Regional Housing Services Office (RHSO) Liz Rust

Ms. Howe called the meeting to order at 8:04 AM.

#### **1. Minutes: Approve Meeting Minutes of December 23, 2020**

Mr. Hummel made a motion to approve the minutes of December 23, 2020. Mr. Gentile seconded the motion. Roll Call Vote: Ms. Howe – Aye, Mr. Riordan – Aye, Ms. Cronin – Aye, Ms. Dretler – Absent, Mr. Gentile – Aye, and Mr. Hummel – Aye.

#### **2. 67-73 Nobscot Road – Possible Property Acquisition**

##### *a. Status Update and Discussion*

Hank Rauch from the Executive Board of the Mayflower Council was in attendance to discuss the topic with the Housing Trust.

Mr. Duchesneau provided a summary of the comments from the department head meeting on December 21, 2020. He indicated there were no significant red flags, but it would still be wise to proceed with caution regarding possibly acquiring the property. Mr. Duchesneau noted the existing easements needed to be researched and confirmed, witnessed soil testing needed to occur, and that the subject property should perhaps be looked at as two separate projects (upper and lower levels) due to the topography of the site.

Mr. Riordan pointed out some type of zoning relief would likely be needed for any type of housing project at the site. He indicated the property had been abandoned so it most likely had lost its nonconforming zoning status. Mr. Riordan stated a project which went through the MGL Chapter 40B permitting process might be the best way to go.

Ms. Howe stated there would absolutely need to be witness soil testing conducted and the culvert underneath the driveway, which provided access to the property, would need to be upgraded.

At this time Ms. Dretler joined the meeting.

Ms. Rust indicated a partnership with the Sudbury Housing Authority (SHA) would be needed in order to move a housing project forward on the property as the Housing Trust does not have enough money on its own to purchase the site.

Ms. Dretler asked why the earlier possible buyer had walked away and if Mr. Rauch had contacted the local Boy Scout groups regarding the possible sale of the property.

Mr. Rauch indicated the Mayflower Council had executed Purchase and Sale Agreements with two different developers in the past. He was not sure why the first developer had backed out of the deal. The second developer, well known to area, had explored the possibility of bringing forth a Dover Amendment zoning relief project (educationally oriented) for the property. However, Mr. Rauch indicated a conversation with the Conservation Coordinator at the time had discouraged them substantially from proceeding forward. Mr. Rauch also indicated the Mayflower Council had been discussing the property for the last four to five years and had kept the local Boy Scout troops in the loop. He noted a number of Mayflower Council members were from Sudbury and he believed they therefore had significant interaction with local community.

Mr. Dretler stated she had heard from people in the community and from within the local Boy Scout troops that they were not aware of the potential sale of the property.

Mr. Rauch stated the buildings on the property pre-dated 1940. Mr. Duchesneau noted if that was the case, the buildings would be subject to the Demolition Delay Bylaw and process. There was then discussion regarding the steps in the Demolition Delay process.

Ms. Dretler asked if any outreach had been conducted with property owner to the north. Mr. Rauch indicated there had not been any outreach conducted.

Amy Lepak from the Sudbury Housing Authority stated the subject property had come up at SHA meeting a few days earlier. She noted development of the property, time wise, would not work with other properties the SHA was considering at this time. However, Ms. Lepak did confirm the SHA was still interested in the property.

Ms. Howe noted the Housing Trust did not have enough money to purchase the property, as Ms. Rust had indicated, so a partnership with the SHA of some type would be needed to move forward.

Ms. Howe suggested the first steps might be to conduct soil testing, easement research, and have a smaller group discussion between the SHA and Housing Trust to further explore a project and any potential development possibilities.

Sheila Cusolito, Executive Director of the Sudbury Housing Authority, indicated the SHA was interested in exploring a development opportunity, but it would be good to have a more substantial discussion between the two entities.

Ms. Cronin and Mr. Riordan volunteered to have further conversations with the SHA about a potential partnership.

There was then discussion about how a Housing Trust subcommittee might function and interact with the SHA.

### **3. Emergency Rental Assistance Program (ERAP)**

#### *a. Status Update and Discussion on Renewals and Program Changes*

Ms. Rust summarized the memorandum she had prepared noting the terms and agreements of existing tenants were ending. She pointed out Community Preservation Act money would not come in until July 1, 2021 at the earliest. Ms. Rust stated that in February of 2021 the term of the ERAP was going to expire and the tenants wanted to know if a third term would be awarded. There was then discussion regarding the question of whether to assist people who had run into financial issues which were not directly related to COVID. Members inquired about allowing assistance to tenants who were already in subsidized housing units and if this practice would be permitted. Ms. Rust noted the Housing Trust could come up with any guidelines which it felt were reasonable. There was then discussion about possibly modifying the parameters of the ERAP in order to allow more people to receive assistance from the ERAP.

At this time Ms. Howe left the meeting.

Mr. Riordan asked how the ERAP applications were processed and payments were distributed. Ms. Rust described the process and noted the Chair of the Housing Trust signed the agreement with the person receiving the assistance.

Mr. Riordan raised questions about what the definition of “COVID impact” would be and how it was defined. Ms. Rust noted the ERAP application currently indicated “COVID-related impact” in order to receive assistance. Discussion ensued regarding the possibility of extending the program for a third term and the need to allocate additional funds in order to support this third round of assistance.

Mr. Riordan made a motion to extend the Emergency Rental Assistance Program (ERAP) for a third term of assistance and to keep COVID-related items as a requirement of the program, but to expand the program to allow those who were already receiving housing assistance or qualified for other forms of housing assistance, to be able to participate in the ERAP, so long as their household income was at or below 50% of the Area Median Income. Mr. Gentile second the motion. Discussion ensued.

Ms. Dretler asked what percentage of the rent the ERAP assistance was providing and Ms. Rust indicated it was approximately 30-33% of rent across all of the tenants participating in the program.

Roll Call Vote: Ms. Howe – Absent, Mr. Riordan – Aye, Ms. Cronin – Aye, Ms. Dretler – Aye, Mr. Gentile – Aye, and Mr. Hummel – Aye.

#### **4. Other Business**

##### *a. Housing Trust Community Preservation Act Request*

Mr. Riordan noted the Community Preservation Committee had voted unanimously to approve the Housing Trust's allocation funding request to bring it forth to the May 2021 Annual Town Meeting.

##### *b. Monitoring Agent: Old County Road Resale, Maynard Resale, Cold Brook Crossing*

Ms. Rust noted the Housing Trust, through the Regional Housing Service Office, had been named a Monitoring Agent through MassHousing. She indicated the Old County Road Resale and the Maynard Resale, were projects where the Housing Trust would be involved. Ms. Rust also asked if the Housing Trust was going to be interested in being the Monitoring Agent in the Monitoring Services Agreement, through the Regional Housing Service Office, for the Cold Brook Crossing residential development. She indicated there would be a small but yearly revenue stream from this project if the Housing Trust decided to take this on.

Mr. Riordan felt it would be good for the Housing Trust to engage in this work and indicated he would support taking on this work.

Mr. Gentile asked if there was a period of commitment for the work and what the cost of the project might be. He wondered why the Housing Trust would not want to be involved. Ms. Rust indicated this work would be in perpetuity but there were ways to transfer the role to another entity down the road. She noted there would be more work in the beginning of the process with the affordable dwelling units during the first five years, but then it would settle into a steadier role. Ms. Rust pointed out this would be a new responsibility for the Housing Trust.

Ms. Cronin made a motion to authorize Liz Rust of the Regional Housing Services Office to sign contacts on behalf of Housing Trust. Mr. Hummel seconded the motion. Roll Call Vote: Ms. Howe – Absent, Mr. Riordan – Aye, Ms. Cronin – Aye, Ms. Dretler – Abstain, Mr. Gentile – Aye, and Mr. Hummel – Aye.

##### *c. HOME Consortium – Annual Action Plan Update*

Ms. Rust provided an update and indicated how HOME Consortium funds might be able to be used in the future. She noted it was designed to be spent on low income rental projects.

At this time Ms. Howe returned to the meeting.

#### **5. State/Regional Updates**

##### *a. Economic Development Bill (H.5250)*

Ms. Rust stated the bill needed to be signed that day by the Governor in order to go into effect.

##### *b. Massachusetts Housing Partnership (MHP) Sessions for Trusts: (Useful for Nobscot Road)*

- i. 1/27 – Development Proforma Review
- ii. 2/3 – Community Support for Affordable Housing

Ms. Rust noted these events might be helpful for Housing Trust members to attend.

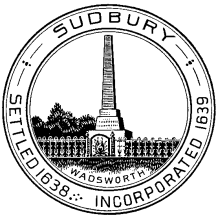
*c. CHAPA Sessions*

- i. 40B Conference sessions: January 14th, January 21st, and January 28<sup>th</sup>:  
<https://www.chapa.org/events/2021-virtual-40b-conference>
- ii. 1/22: Affordable Housing Landscape in a New Administration

Ms. Rust indicated these events might be helpful for Housing Trust members to attend.

Ms. Rust noted the next Housing Trust meeting was on February 11, 2021 at 8:00 AM

At 9:48 AM, Mr. Gentile made a motion to adjourn the meeting. Mr. Riordan seconded the motion. Roll Call Vote: Ms. Howe – Aye, Mr. Riordan – Aye, Ms. Cronin – Aye, Ms. Dretler – Aye, Mr. Gentile – Aye, and Mr. Hummel – Aye.



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### 2020 Annual Report

The Sudbury Housing Trust was formed by the April 2006 Town Meeting accepting MGL Chapter 44, Section 55C. The Housing Trust was formed specifically to focus on affordable homeownership opportunities and to show performance against the 10% minimum Community Preservation Act (CPA) spending requirement on affordable housing under the statute. While Sudbury had accumulated significant housing reserves in the early years of the CPA, no housing projects had come forward. The Housing Trust was formed to address that issue.

The Housing Trust charter was developed with the Town's interests in mind. The charter allows a range of powers though requires Select Board approval for certain transactions. The Town Treasurer is the custodian of the funds. The purpose of the Housing Trust is to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households. The Housing Trust feels it has taken a number of positive steps toward those goals and hopes to build on those successes.

In the years since the Housing Trust was chartered in 2007, the Housing Trust has directly created 14 units of housing (8 units through Home Preservation, 2 Habitat for Humanity, 3 Maynard Road Homes, 1 buy-down at Old County Road, and assisted in the creation of another 126 units (Coolidge Phase I and II, and Sudbury Housing Authority).

The Housing Trust continues to sponsor the Small Grants Program to help seniors and other moderate income homeowners fund health and safety repairs in their homes. These repairs include window replacements, accessibility modifications, and plumbing and heating replacements. The Program has two rolling grant periods annually. So far, the Program has awarded 64 grants for over \$214,000, and 64% of the grantees are senior households. The easy-to-submit application can be found on the Town's website.

The Sudbury Housing Trust performs lottery, resale, and monitoring agent services for Sudbury and other neighboring communities. This provides a revenue stream for the Housing Trust Small Grants Program, as well as providing local opportunities for eligible buyers with connections to Sudbury and others looking for affordable housing in the area.

In FY20, the Trust implemented an Emergency Rental Assistance Program in response to COVID-19 by providing income eligible tenants with decreased incomes a small amount of rental assistance.

The FY2020 fiscal year started with a carryover balance of \$222,566, and collected fee revenue and interest income of \$86,643, with no CPA funds in FY20. The expenses for the FY2020 fiscal year were \$153,033 including Home Preservation expenses, the Small Grants Program, lottery advertising expenses, salaries, and administration. The Housing Trust ended the Fiscal Year on June 30, 2020 with a balance of \$155,241.

The Housing Trust is currently organized with Cynthia Howe as Chair, John Riordan as Vice Chair, Janie Dretler as the Select Board representative, and at-large Trustees Kelley Cronin, Carmine Gentile, Robert Hummel, and Susan Scotti. The Housing Trust is supported by the Regional Housing Services Office (RHSO) and the Planning and Community Development Department.

Respectfully Submitted by the Sudbury Housing Trust:

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Cynthia Howe, Chair

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John Riordan, Vice Chair

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Kelley Cronin

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Janie Dretler

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Carmine Gentile

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Robert Hummel

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Susan Scotti





# Regional Housing Services Office

*Serving Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston*

Office Address: 37 Knox Trail, Acton, MA 01720  
Phone: (978) 287-1092

Website: [WWW.RHSOhousing.org](http://WWW.RHSOhousing.org)  
Email: [INFO@RHSOhousing.org](mailto:INFO@RHSOhousing.org)

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## Cold Brook Crossing

The Cold Brook Crossing development is planned to have a total of 274 units:

- 173 age restricted condominiums, all unrestricted
- 101 apartments, no age restriction, 26 affordable and 75 with no restrictions

If the 26 affordable, 70% (18 units) may be eligible for a local preference, if justified by the municipality.

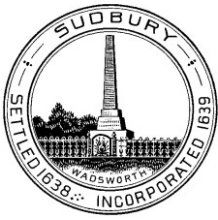
The request for Local Preference was not identified in the issued permit, and is coming up now for discussion as the developer is drafting the Affirmative Fair Housing Marketing Plan and associated lottery materials.

Local Preference categories are identified by DHCD guidelines to include the below. No additional categories can be included, and the municipality must include all categories. No durational requirements can be included.

- (1) Current residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
- (2) Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- (3) Employees of Local Businesses: Employees of businesses located in the municipality.
- (4) Households with children attending the locality's schools, such as METCO students.

Local Preference, if approved, is allowed on initial lease up only, and the local preference pool must not disproportionately delay or otherwise deny admission of non-local residents that are protected under state and federal civil rights laws.

The Planning Board is discussing this topic at an upcoming meeting, and input from the Trust is welcome on whether Sudbury would like to request Local Preference in Cold Brook Crossing to the fullest extent possible (70%).



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## SMALL GRANT PROGRAM APPLICATION

Dear Sudbury Resident,

Thank you for your interest in the Sudbury Small Grants Program. The purpose of this program is to provide financial assistance to preserve existing housing units occupied by income eligible households. It is sponsored by the Sudbury Housing Trust for the benefit of Sudbury residents.

The attached confidential application and grant process is designed to be simple and quick. There is minimal documentation required. A completed application, an estimate for work requested, and copies of recent tax returns are all that is needed.

Grant cycles are held twice a year: with application deadlines of March 30 and September 30, and grants awarded two months later by May 31 and November 30.

These grants are given on an unsecured basis; there is no repayment required of the funds awarded to you after the first year.

You must meet the following requirements to be eligible:

1. Property is in Sudbury and is the primary residence of the applicant, and applicant intends to remain a resident of Sudbury for the next 12 months,
2. Maximum income of 100% of the Area Median Income,
3. Property assessment is below the Town median,
4. Agreement to notify the Sudbury Housing Trust prior to listing your home for sale.

The grant limit for this program is \$5,000. Applications will be evaluated and prioritized based on health and safety considerations, and financial need of the applicant, including income and asset information.

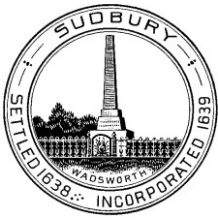
The Sudbury Housing Trust, in line with its mission, continually searches for properties which can be added to the pool of properties in Sudbury affordable to teachers, police, firefighters and other members of the community. In accepting grants from this program, you are required sign a Grant Agreement, and to notify the Sudbury Housing Trust at least 60 days prior to listing your home for sale.

If you have questions regarding this program or if you require assistance in filling out the application, please contact us at the information below. Applicants are encouraged to discuss their needs with program staff prior to submitting a full application.

**Submit application and attachments to:**

**Program Administrator  
Department of Planning & Community Development  
978-639-3387  
278 Old Sudbury Road  
Sudbury, MA 01776**

**Office Hours: Monday, Wednesday, Thursday 8:30 A.M.-4:00 P.M.  
Tuesday 8:30 A.M. – 7:00 P.M.  
Friday 8:30 A.M. – 12:30 P.M.**



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## SMALL GRANT PROGRAM APPLICATION

### Eligible Projects

The Small Grant Program provides financial assistance to correct conditions dangerous to health and safety; and to correct substandard conditions. Some examples of eligible projects are listed below.

Minor plumbing, carpentry, window repairs, gutters or downspouts, door repairs or replacements, step or porch repairs, lock repair or replacement, cement work or masonry repair, tiling, plaster patching and wallpapering, sheet-rock repair, smoke/CO2 detectors, weather stripping, electrical including connectivity, heating, floors, installation, masonry, siding, roofing, bathroom grab bars, raised toilets or toilet seats, hand-held shower heads, railings or other adaptive projects.

### Financial Assistance

The grants are offered as unsecured and unconditional funds, with no repayment clauses. The maximum grant available is \$5,000 per grant period and a cap of no more than **\$10,000** total from the Small Grants Program over the lifetime of the program for a household at a given property address. A one year wait period, from the date the last payment was issued, is required before an applicant can re-apply to the Small Grant Program. This wait period can be waived in an emergency situation upon approval by the Program Administrator in a situation that poses a danger to the health/safety of the occupant.

### Applicant Qualification

- Income – 100% of Area Median Income.** The combined income of all parties living in the home must be less than 100% of the Boston Area Median Income. Income limits as of April 2020 are:  
Household of 1: \$83,300, Household of 2: \$95,200, Household of 3: \$107,100, Household of 4: \$119,000  
Income includes all sources of regular income such as; earnings, Social Security, Pension, and interest income and is calculated from the most recent IRS 1040 form, adding all non-taxable amounts to the Adjusted Gross Income. Additionally 2% of the equity in the home (computed as the current tax assessment minus the outstanding amounts of any liens on the property, including mortgages and home equity line of credit) is counted towards income.
- Home Value – Up to \$681,300.** The current assessment of the home is not to be greater than the single family median home assessment in Sudbury, which for FY 2020 is \$681,300.
- Home-owner – Sudbury resident.** The Applicant must be the owner of the property, use the property as their primary residence for the entire year (12 month period) following the completion of the repair, and the property must be in Sudbury. The resident also agrees to notify the Sudbury Housing Trust prior to selling the house at any time in the future. Applicant agrees to pay back the funds if they sell their home within 12 months.

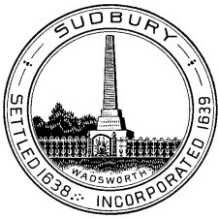
### Grant Applications

Grant cycles are held twice a year: with application deadlines of March 30 and September 30, and grants awarded two months later by May 31 and November 30.

The applicant completes the application with appropriate income and three estimates, including photos. Town employees, including special municipal employees, are not eligible contractors in accordance with MGL Chapter 268A, section 20.

If awarded, the repair must be completed within 12 months from the award date. The Trust will pay the amount approved to the repair provider upon receipt of the invoice with the W9 form of the provider, photo of the finished repair, and approval from the applicant. The Trust will not reimburse homeowners unless specifically approved.

The application with income information will be kept **confidential**.



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## SMALL GRANT PROGRAM APPLICATION

### 1. Household Information

Applicant Name \_\_\_\_\_ Phone Number \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Co-Applicant Name \_\_\_\_\_ Phone Number \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Number of people currently living in household, their names and their ages: \_\_\_\_\_

Any person in the household\* (optional):

Veteran: ☐ No ☐ Yes    Disabled: ☐ No ☐ Yes    Deed Restricted Property: ☐ No ☐ Yes

### 2. Property Information (optional)

Is there a mortgage on the property? ☐ No ☐ Yes, Balance: \_\_\_\_\_  
*Please attached tax bill showing assessed value, and statement showing mortgage/lien balance*

Is the property your primary residence? ☐ No ☐ Yes

Do you own additional real estate? ☐ No ☐ Yes, Address: \_\_\_\_\_  
*Please attached tax bill showing assessed value, and statement showing mortgage/lien balance*

### 3. House Repair Needed

Indicate the amount requested, and which estimate you are requesting: \$ \_\_\_\_\_

Please describe the work needed. Is completion of this work item related to preserving the structural integrity of the dwelling or health/safety/welfare of its occupants? Describe the urgency of need.

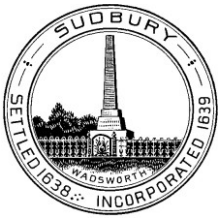
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## SMALL GRANT PROGRAM APPLICATION

### *CERTIFICATION*

I/We, the undersigned, have made application to the Sudbury Small Grants Program for monies from the Sudbury Housing Trust to cover the cost of repairs or adaptations to my home as stated, and the Program Administrator or their designated representative may verify the information in this application by personal inspection of appropriate documents, by hearing corroborating testimony or by other available means.

I/We agree to sign a Grant Agreement if the project is approved and funds awarded.

I/We agree to comply with all applicable building codes and to obtain all required permits.

I/We understand that if the project is over the grant amount, I will pay for the amount over the grant award, and that I will be required to fund my portion of the project in advance of the grant funds.

I/We certify that all the information in this application and any additional information provided by me in support of this application is, and will be, entirely accurate to the best of my knowledge; and that no information relevant to that application has been, or will be, deliberately withheld.

I/We understand that any Sudbury Small Grants Program monies committed, or used to pay, for my requested home repairs or adaptations will be subject to recapture at any time during the contracted work, during the first year following the contracted work or at any time after the first year should any information supplied by me prove to be deliberately false or misleading, including all application material, or if I rent or sell my home in the first year after Sudbury Small Grants Program work is completed. Failure to comply with the rules and guidelines of this program may result in homeowner repayment of the grant monies.

Therefore, I agree to notify the Sudbury Housing Trust at least 60 days prior to listing my home for sale.

By signing below, Applicant(s) requests the Program Administrator to review this application for the purpose of receiving funding assistance through the Sudbury Housing Trust. Applicant(s) declares that the information and statements provided herein are true and correct to the best of their knowledge.

#### THIS APPLICATION IS NOT COMPLETE IF NOT SUBMITTED WITH:

- \_\_\_\_\_ Completed application
- \_\_\_\_\_ Copies of most recent Federal tax return, and supporting schedules
- \_\_\_\_\_ Copies of current property tax bills for all properties
- \_\_\_\_\_ Copies of all current mortgage balances, including home equity lines of credit
- \_\_\_\_\_ Copies of three estimates for work by professional contractor
- \_\_\_\_\_ Picture of area to be worked on
- \_\_\_\_\_ Copy of Picture Identification (Driver's License or similar)

Applicant

Date

Co-Applicant

Date