

DO I QUALIFY FOR ULSTER COUNTY PLUS ONE ADU?

Answer the pre screening questions below to know if you're eligible.

“ **Do you owner occupy a home in one of the following** City of Kingston, Village of New Paltz, Village of Ellenville, Town of Woodstock, Town of Saugerties, Town of Rosendale, Town of Lloyd, or Town of Ulster? ”

Yes No → This program is limited to owner occupied applicants in the eight participating municipalities listed above

“ **Is your dwelling a mobile home?** ”

No Yes → Mobile homes are not eligible.

“ **Does your property have more than one building?** If yes, are other residential buildings or commercial businesses operating on the property? ”

No Yes → Properties with additional buildings used for residential or commercial are not eligible.

“ **The construction of the ADU will likely exceed the \$125k grant amount (\$112,500 direct assistance), are you willing to explore additional funding or financing options? (Construction loan)** ”

Yes No → Applicants are responsible for securing funding needed, if the construction of the ADU exceeds \$125,000. Projects will likely need \$5k - \$50k financing.

“ **If chosen, are you willing to have pictures taken of the completed ADU for promotional purposes?** ”

Yes No → As per requirement by NYS Homes and Community Renewal, applicants must agree to have picture taken of the ADU.

“ **Are you committed to keeping the ADU rents affordable for a period of 10 years.** ”

Yes No → As per requirement, ADU rents must be kept at 80% of Area Median Income or Fair Market Rent for 10 years.

“ **is your gross annual household income for all members at or below the following chart?** ”

1 - Person \$82,066	2 - Person \$93,734	3 - Person \$105,532	4 - Person \$117,200
5 - Person \$126,639	6 - Person \$135,947	7 - Person \$145,386	8 - Person \$154,694

Yes No → The Ulster County Plus One ADU can only serve households who fall within the income limits established by NYS Homes and Community Renewal.

“ **CONTINUE TO APPLICATION** ”

Unfortunately, you are not eligible for the Plus One ADU Program. Visit www.rupco.org or call (845) 331-2140 to learn about other assistance programs available.



ULSTER COUNTY PLUS ONE ADU APPLICATION INSTRUCTIONS

1. HOW CAN THE ULSTER COUNTY PLUS ONE ADU PROGRAM HELP ME?

The ADU program assists applicants by providing grants of up to \$125,000 (\$112,500 direct assistance) to construct accessory dwelling units, helping ULSTER County homeowners create long term rental housing. It supports those who cannot finance the project independently, ensuring compliance with local zoning laws.

2. HOW AM I ELIGIBLE FOR THE PROGRAM?

To be eligible for the program, a participant must meet the following criteria:

- **Primary Residence:** Demonstrate that the applicant owns and occupies a residential unit in ULSTER County, where the ADU will be located. Vacation or second homes cannot be considered.
- **Income Eligibility.** The household gross income (pre-tax) from all sources must not exceed the chart below. Household members include all current persons residing in the home and their incomes, regardless of familial relationship.

Maximum Annual Gross Household Income Limits							
1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$82,066	\$93,734	\$105,532	\$117,200	\$126,639	\$135,947	\$145,386	\$154,694

- **Need:** The applicant must demonstrate that they would only be able to finance the development of the proposed ADU with the grant (e.g., lack of personal savings).
- **Willingness to explore additional funding or financing options** if the ADU project cost is over the \$112,500 direct assistance provided by the program.
- Have homeowners insurance.
- If chosen, willingness to have pictures taken of the ADU, once completed, for promotional purposes.
- Owners must be US Citizens or have legal resident status.
- Commitment to keep the ADU rents affordable for a period of 10 years. (Learn more on page 7)

Eligible homes and property must be:

- Located in the participating localities in ULSTER County for this program – **City of Kingston, Towns of Lloyd, Rosendale, Saugerties, Ulster, Woodstock, and Villages of Ellenville and New Paltz.**
- Property must not have any zoning code violations.
- Property must be big enough to meet all building and setback requirements for ADUs/Accessory Apartments for the town/village where the property is located.
- Not be a mobile home.
- Property must not have other residential buildings or commercial businesses operating on the property.
- Not located in a flood zone or flood paths. Homes in Special Flood Hazard Areas will require flood insurance. Satisfactory flood elevations certifications may be required at the owners expense.

APPLICATION DEADLINES. The program has a priority application window

OCTOBER 14, 2024: Shovel ready projects. Applications submitted on or before Oct. 14th and are “shovel-ready” projects (i.e., the homeowner is prepared to submit or has submitted planning/building permits for the project, has turn-key builders estimates and plans) and will be prioritized for funding. (Learn more about shovel ready projects on page 5)

NOVEMBER 18, 2024: All other applications.

All applications must be prepared to be “shovel-ready” within 60-90 days of funding award.

APPLICATION SUBMISSIONS: Applications and documentation required must be either email, mailed, hand-delivered or faxed.

RUPCO Inc.

Attn: Sandra Altomare

301 Fair Street Kingston, NY 12401

Email: applications@rupco.org

Fax: (845) 331-9864

QUESTIONS: Please direct all question regarding this application to Sandra Altomare saltomare@rupco.org 845-331-9860 extension 303.

DOCUMENTS NEEDED

Use the checklist below to ensure your application is complete. Incomplete applications will be returned and not processed.

- 1. Completed and signed Program application (pages 3-5)
- 2. Authorization to release information signed by all owners (p. 6)
- 3. Agency Disclosure signed by all owners. (p. 7)
- 4. Proof of household income: last 8 weeks of paystubs, most recent federal tax return filed (if self-employed provide last 3 years with schedules), ss awards letters, pensions etc.
- 5. 3 Months of most recent bank statements (savings, checking, bonds, IRAs, etc.)
- 6. Federal tax returns including W-2's 2023 (for Self-employed submit 3 years of tax returns with business Schedules and YTD profit and loss for 2023)
- 7. Public assistance benefit statements (HEAP, SNAP, TANF other) – if applicable
- 8. Copy of photo ID of applicants
- 9. Copy of deed
- 10. Declaration pages of current homeowner's insurance policy.
- 11. Last mortgage statement ((if you do not have a mortgage, then let us know)
- 12. Copy of most recent tax bills and proof of payment (property, school, town, etc.)

Additional items for priority scoring (all other applicants will need to submit within 60 days

- 13. Plot plans for proposed new structures (drawings of your property showing where the unit will be placed on the property in relation to your home/street other structures)
- 14. Architect/engineer drawings for new unit and foundation plans if building on new foundation.
- 15. Any estimates you may have obtained to construct the unit including infrastructure.

Additional information may be requested if needed.



ULSTER COUNTY PLUS ONE ADU APPLICATION

SECTION I. Applicant Information

Owner/Applicant(s) _____

Property Address _____ City _____ Zip _____

Mailing Address (if different): _____

Section-Block-Lot Number _____ - _____ - _____ Town / Village: _____

Email _____ Phone: _____ Work Phone: _____

Names listed on the deed to the property. _____

of people in your household? _____ How many residential units are currently on the property? _____

Are you an employee of the County of ULSTER or RUPCO? Yes No

If so, you may need to submit a conflict-of-interest statement and have it approved by the County and/or RUPCO before proceeding.

SECTION II HOUSEHOLD COMPOSITION | Beginning with the Applicant, list the Legal Names, birthdates, and relationship to applicant of each person who resides in your home. If more space is needed, please complete on back of application. *Disclosing demographic information is optional and for statistical purposes. It has no bearing on your eligibility.*

Name	Date of Birth	Race-White, Black, Other, Hispanic or not Hispanic	Gender	Relationship to Applicant

Applicants' highest level of education completed: _____

I do not wish to disclose Race, Ethnicity, Gender or Education.

What is your Gross Annual Household Income (Before taxes and deductions) \$ _____

(Include all sources such as from: Earned Income, Self-Employment Income, Unemployment Insurance, Public Assistance, Social Security Benefits, Pension, Periodic Insurance Payment, Rental Income, Union Benefits, Interest /Investment Income, Veterans Benefits, Disability Compensation, Alimony, Child Support, Rental Income, Other)

Does anyone in the home require special accommodations (*provide examples*): _____

SECTION III. Property Information

1. When did you acquire the property? _____
2. Is there a mortgage on the property? Yes No
 - a. If yes, what are your monthly mortgage payments? \$ _____
 - b. Does that include escrow for taxes? Yes No
 - c. Does that include escrow for insurance? Yes No
 - d. Are you behind any mortgage payments? Yes No
If yes, how many? _____
If yes, are you in a repayment plan or modification plan with your lender? Yes No
3. Is your home covered by homeowner's insurance? Yes No
4. Are there any other liens against your property besides the main mortgage? Yes No
If yes, list type _____
5. Age of your home _____ Approximate Property Size _____ (acres)
6. Is your property on Municipal water and/or Sewer? _____
(Note: This question is not part of the Minimum Criteria but is part of the Supplemental Scoring process)
7. Does your proposed ADU meet the zoning and setback requirements? Yes No
If you are unsure contact your municipality and/or engineer/architect regarding where you can build on your property. [Click here](#) to learn about each municipality's ADU regulations and zoning code.
8. Does your property have any zoning code violations or open permits? Yes No
(Note: This question is not part of the Minimum Criteria but is part of our information gathering.)
9. Is your property listed in the NYS or National Registers of Historic Places?
 Yes No Unsure
(Note: This question is not part of the Minimum Criteria but is part of our information gathering.)
10. Is your property in an Agricultural District? Yes No Unsure
If you are unsure, please check the Ulster County Agricultural Districts Overview website here:
https://ulstercountyny.gov/planning/agricultural_districts_overview *(Note: This question is not part of the Minimum Criteria but is part of our information gathering.)*
11. If other people are listed on the deed to your property and they do not live in the home, are they willing and available to sign all formal commitment documents if you are selected to allow a grant lien against the property? Yes No
12. Is your property located in a flood zone? Yes No Unsure
If you are unsure, please check the FEMA website here: <https://msc.fema.gov/portal/search>

(Note: This question is not part of the Minimum Criteria but as part of our information gathering.)

13. Do you have flood insurance? Yes No
14. If a new ADU was added to the property, where would you like it to be placed?
- Attic turned into second unit
 - Basement turned into second unit
 - New construction second unit addition attached to existing home
 - New construction second unit not attached to existing home
 - Conversion of an existing on-site building to an ADU (e.g., garage)
 - Other livable space in the homes for conversion

Note* If you are planning on renovating an attic that is on the third floor, this may require additional review for fire safety by the building department.

SECTION IV. Supplemental Scoring Questionnaire

1. Project Narrative: Description of Specific Need + Envisioned Project, Feasibility, and Readiness

You will need to provide a narrative of your vision for the ADU and the specific need the grant and supplemental income from the ADU would fill. Narrative descriptions will be scored on description of **Specific Need** and **Envisioned Project, Feasibility, and Readiness**

a. Description of Specific Need (1-5 Points): Using the blank space below, provide a written narrative (500-word max) about the specific need the grant and supplemental income from the ADU would fill for them.

b. Description of Vision, Feasibility and Readiness (1-10 Points):

Using the blank space below, provide a brief narrative (up to 500 words) that outlines your vision for the ADU, the project feasibility and readiness. For example:

- **Vision:** This could include plans to offer affordable rental housing, provide student accommodations, or support individuals who are currently or formerly unhoused.
- **Feasibility:** Describe how your proposed ADU project is achievable, fits within the existing zoning code, and uses the grant funding in a cost-effective way (e.g., ensuring that the units can be built within or close to the grant limit).
- **Readiness:** List the steps you've already taken to make your project shovel-ready. This includes any progress with the permitting or approval process (e.g., hiring an architect, preparing or submitting building/planning permits) and securing contractors for various phases (e.g., site preparation, septic/sewer systems, utility connections, general contracting, plumbing, electrical work).

2. Sewer District (10 Points)

Is your property located within a sewer district? Yes No

3. Projects that are located near public transportation (5 Points)

Is your property within ¼ mile from a UCAT bus line? Yes No

If you are unsure, please check the UCAT website here for all route locations:

<https://ucat.ulstercountyny.gov/routes/>

4. Additional Affordability (20 Points)

For the program, the maximum allowable rent for the ADU affordability period (ten years) is 30% of monthly income for a household making up to 80% of Ulster County Area Median Income (AMI) or Fair Market Rent, whichever is lower and depending on the unit size. See table below for maximum rental levels. If you commit to targeting a lower income bracket (i.e., 30% of monthly income for a household making 60% of AMI households or Fair Market Rent, whichever is lower), you will be granted 20 points.

If awarded, do you commit to renting the ADU to tenants for the full affordability period (ten years) at the 80% AMI rent level or Fair Market Rent, whichever is lower? Yes No

(Note: This is a program requirement to receive the grant.)

If awarded, do you commit to renting the ADU to tenants for the full affordability period (ten years) at the 60% AMI rent level or Fair Market Rent, whichever is lower? (20 Points) Yes No

Affordable Rental Amounts by Unit Size and Income Level				
Unit Size	Person size	Affordable Rent Max at 80% AMI	Affordable Rent Max at 60% AMI	2024 Fair Market Rent
Studio	1	\$1,564	\$1,231	\$1,284
1- Bedroom	2	\$1,788	\$1,407	\$1,308
2- Bedroom	3	\$2,011	\$1,583	\$1,702
3-Bedroom	4	\$2,234	\$1,758	\$2,198
4-Bedroom	5	\$2,413	\$1,899	\$2,459

SECTION IV. Applicant Certification

I/We certify that I have reviewed the attached fact sheet and understand the information contained in this pre-application and the information and documentation provided is true and correct.

Signature of Applicant _____ Date _____

Signature of Co-Applicant _____ Date _____

APPLICATION SUBMISSIONS: Applications and documentation required must be either email, mailed, hand-delivered or faxed.

RUPCO Inc. Attn: Sandra Altomare
301 Fair Street Kingston, NY 12401
Email: applications@rupco.org
Fax: (845) 331-9864

AUTHORIZATION FOR RELEASE OF INFORMATION

CONSENT

I authorize and direct any Federal, state, or local agency, organization, business, or individual to release to and verify my application for housing/or other grant/loan program assistance through RUPCO, Inc. I understand and agree that this authorization or the information obtained with its use may be given to and used by RUPCO, Inc, HUD, Neighborworks America and funders and NYS Department of Homes And Community Renewal in administering and enforcing program rules and policies. I also consent for RUPCO to release information from my file about my rental history to credit bureaus, collection agencies, or future landlords. This includes records on my payment history, and any violations of my lease or housing policies. This may also include the distribution of my name, address, and phone number to potential contractors for project bidding and construction purposes.

INFORMATION COVERED

I understand that, depending on program policies and requirements, previous or current information regarding my household or me may be needed. Verifications and inquiries that may be requested include but are not limited to:

Identity and Marital Statue
Employment, Income and Assets
Medical or childcare Allowances

Credit and Criminal Activity
Residences and Rental Activity

GROUP OR INDIVIDUAL THAT MAY BE ASKED

The groups or individuals that may be asked to release the above information (depending on program requirements) includes but not limited to:

Previous Landlords (including Public Housing Agencies)
Past and Present Employers
Welfare Agencies
Courts and Post Offices
State Unemployment Agencies
Schools and Colleges
Social Security Administration
Law Enforcement agencies

Support and Alimony Providers
Medical and Childcare Providers
Veterans Administration
Retirement Systems
Banks and other Financial Institutions
Utility Companies
Credit providers and Credit Bureaus

CONDITIONS

I agree that a photocopy of this authorization may be used for the purposes stated above. The original of this authorization is on file with RUPCO and will stay in effect for a year and one month from the date signed,

I understand I have a right to review my file and correct any information that I can prove is incorrect.

SIGNATURES:

DATE APPLICANT SIGNATURE PRINT NAME D.O.B

DATE CO-APPLICANT PRINT NAME D.O.B

MAILING ADDRESS _____

CLIENT DISCLOSURE STATEMENT

RUPCO provides a full continuum of housing services primarily for Ulster County residents. Housing Counseling Services- The Homeownership Center offers HUD certified Pre-Purchase Counseling. Counseling can be provided to anyone in any area and is offered in-person and remotely by phone. Pre-Purchase Homebuyer Education- The Homeownership Center offers pre-purchase in-person workshops when available. If not, available we refer our clients to a third-party vendor, ehome America. Both are HUD approved curriculums. Homebuyer and other Grants and Loans- The Homeownership Center administers grant funding for eligible first-time homebuyers for down payment and closing cost assistance and post-closing repairs when available. We also administer home repair grants to existing homeowners and landlords when available and package the USDA 502D loan for eligible first-time homebuyers purchasing in rural areas. Other Services and Departments- RUPCO is a developer of affordable rental and for sale properties through the Real Estate Development department. RUPCO owns and/or manages market and subsidized rental housing units through the Property Management Department. Technical assistance for municipalities and communities through the Community Development Department. The Housing Choice Voucher program, Self Sufficiency and emergency rental assistance program are serviced through the Rental Assistance and Program Services Departments. Clients are not obligated to receive, purchase, or utilize any other services offered by the organization, or its partners to receive housing counseling services.

CLIENT FEE SCHEDULE

As per HUD housing counseling rules, our agency is obligated to disclose fees that RUPCO Charges for services regardless of the service being associated with your funding or service request. Any fees that may be associated with a loan or grant will be disclosed in a separate formal funding agreement upon commitment if it is administered by our agency. This fee schedule does not include any fees associated with a rental or other agreement.

Pre-purchase Counseling Fee- Free to the client	Credit Report Fee \$27.81 each
Homebuyer Education \$99.00 (In person or E-home America online)	Mortgage Subordination Fee \$150
SONYMA NRP Feasibility Study \$200, inspection fees \$125.00 plus mileage	Duplicate Original Fee \$25.00

* No credit report fee will be charged for households utilizing a Housing Choice Voucher. Clients with household incomes at or below the federal poverty limit will not be charged for in-person education services when available. According to HUD, agencies must not refuse to provide counseling services if a client cannot afford to pay fees. A budget must be provided to prove financial hardship.

PHOTOGRAPH RELEASE AND LICENSE AGREEMENT

1. GRANT OF LICENSE AND RIGHTS: The (Property Owner, Homeowner, Business Owner) hereby grants an exclusive license to and any and all rights and benefits, if any, to the photographs taken by RUPCO, or the County Ulster, NYS Affordable Housing Corp, NYS Housing Trust Fund Corp., NY S Dept. of Homes and Community Renewal (HCR) HOME Program ,RESTORE program, CDBG Program, City of Kingston , its agents/assigned at the jobsite for use in any advertising, promotion and marketing campaign that may be conducted in the future. Moreover, it is understood and acknowledged that this license and rights shall apply to any third parties or agents that RUPCO in its sole discretion deems necessary to properly and adequately market or promote It's building materials and services. We do not photograph persons without approval before taken a photograph or include personally identifiable information in the photograph or description of photo unless the client allows PII to be used and can do so by refusing to be photographed. Photographs are generally used to show before and after photos of any work that is done to a property and for households that wish to share their story or photos taken by RUPCO or themselves.
2. CONSIDERATION: It is understood and agreed that other than the consideration previously received the (Property Owner, Homeowner, Business Owner) will not be entitled to receive any further consideration relative to the use of the photographs described herein, including monetary consideration.
3. RESTRICTIONS: It is understood and agreed that there will be no restrictions on the license and/or rights granted hereby.
4. PROMOTION /MARKETING: It is understood and agreed that the (Property Owner, Homeowner, Business Owner) shall have no control or input as to how the photographs are used or utilized in any marketing campaign or promotion and/or advertising unless RUPCO Inc. or its municipal funders, its agents/assigns in its sole discretion deems that such input would be appropriate and useful. It is understood and agreed that RUPCO Inc. or its municipal funders shall have sole authority to determine the mode and method of advertising, merchandising. Promoting, selling, and distributing, that involves the use or utilization of the subject photographs. Moreover, it is understood and agreed that RUPCO Inc. will not require to obtain any further approval or consent form the (Property Owner, Homeowner, Business Owner) prior to use or utilization of any photographs for any promotion or marketing campaign and/or advertising.

Signed _____ Date _____

Signed _____ Date _____

Print _____

Print _____

rev.1/24/2024



ADDITIONAL INFORMATION ABOUT THE ULSTER COUNTY PLUS ONE PROGRAM

This fact sheet does not include all requirements or restrictions.

Applicant Minimum Criteria (applicants must meet all these criteria to be considered for the grant)

1. Participating Communities

- a. Your property must be located in one of the following Ulster County municipalities: the City of Kingston, Towns of Lloyd, Rosendale, Saugerties, Ulster, Woodstock, and Villages of Ellenville and New Paltz.

2. Zoning

- a. Accessory Dwelling Units (or variations of this terminology e.g., accessory apartments) must be permitted by right, through site plan review or through a special use permit in the zoning district where the applicant's property is located.
- b. The applicant's property cannot have any zoning code violations.

3. Building and Setbacks

- a. The applicant's property must be big enough to meet all building and setback requirements for ADUs/Accessory Apartments for the town/village in which the property is located including expansion of a non-municipal septic system if needed.

4. Household Eligibility and Demonstrated Need

- a. Income Eligible: The applicant must demonstrate that their total household income is at or below 100% of the ULSTER County Area Median Income (adjusted for household size).
- b. Demonstrated Need: The applicant must demonstrate that they would not be able to finance the development of the proposed ADU without the grant (e.g., lack of personal savings).
- c. Primary Residence: The applicant must demonstrate the property that the ADU will be built on is the applicant's primary residence and the applicant has ownership of the property.
- d. No Additional Rentals: The applicant must demonstrate there are no other rental units on the property.
- e. Affordable Rental for 10 Years: Applicants agree to rent the unit at an affordable rate (i.e., households earning up to 80% of Ulster County Area Median Income and rented at or below Fair Market Rent)
- f. No Short-Term Rental: The applicant must agree to not use the ADU as a short-term rental for the 10-year affordability period.

Applicant Supplemental Scoring

All applicants who meet the minimum criteria will be scored based on the following factors: the feasibility and cost of constructing an ADU on their property, along with their narrative detailing the intended use of the property. Applicants can receive up to 50 points in total. Once scored, applications will be ranked in order based on their scores. "Shovel-ready" projects submitted before the deadline will receive priority, although they will still be scored and placed on the list accordingly.

Project Narrative (2-15 Points)

The applicants will provide a narrative of their vision for the ADU and about the specific need the grant and supplemental income would fill. This will be the only subjective scoring criteria for the application where Selection Committee representatives will score based on:

- **Specific Need (1-5 Points)**
The homeowner should provide a written narrative (500-word max) about the specific need the grant and supplemental income from the ADU would fill for them.
- **Envisioned Project, Feasibility, and Readiness (1-10 Points)**
The applicant should provide a written narrative (500-word max) of their vision for the use of the ADU (e.g., providing an affordable rental property, providing needed student housing, helping current or formerly unhoused persons). The applicant should include a description of how their proposed ADU project is both feasible, compatible with the existing zoning code, and using grant funding cost-effectively (i.e., units that could be built under or close to the grant amount). For readiness, the applicant should list out all the steps they have already taken to create a shovel ready project (i.e., permitting/approval process (i.e., architect hired, planning/building permits prepared or submitted) as well as steps taken to secure contractors for all phases of the project (i.e., site prep, septic/sewer, utility connections, general contractors, plumber, electrician).

AWARDS- Amounts up to \$125,000 (net \$112,500 direct) will be provided based on need to eligible Ulster County homeowners to construct an additional new living unit within or on the existing owner's property to use as a rental unit (not to be occupied by the homeowner). Awards are valid for a specified period based on a formal conditional funding agreement. No funding will be provided for labor performed by the homeowner, ineligible uses, or reimbursements. All payments will be paid directly to the Builder and approved by the owners, RUPCO and/or the County of Ulster prior to disbursement. Not all applicants will be selected for funding. Direct funding can include costs associated with constructing the unit: construction costs, infrastructure needs, environmental testing and mitigation, accessibility modifications and filing fees. In some cases, engineering and architecture fees and permit fees may be included if the funding award is provided before contracting for these services. Program delivery/administrative fees paid to RUPCO are part of the total lien and cannot exceed 10% of the final direct assistance.

INCOME LIMITS - The income limit of the owner's household must be at or below 100% of HUD's Median Household income adjusted for household size effective 4/1/2024 or at time of application. Income includes income of dependents and other adults in the household over 18 and not full-time students, Social Security, child support, wage income, net self-employment averaged over 3 years, pensions, workers comp, unemployment or other applicant and non-applicant income, income derived from assets.

INCOME LIMITS FOR THE OWNER-OCCUPANT HOUSEHOLD

1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people
\$82,066	\$93,734	\$105,532	\$117,200	\$126,639	\$135,947	\$145,386	\$154,694

INCOME LIMITS FOR THE TENANT HOUSEHOLD FOR 80% and 60% AMI

Tenant income limits apply to all grant awardees and must agree to rent the unit to a low-income tenant throughout the regulatory term (10 years) and must restrict the rent amounts to at or below annual Fair Market Rent.

Household Size	1 person	2 people	3 people	4 people	5 people
80% AMI	\$62,600	\$71,500	\$80,500	\$89,400	\$96,600
60% AMI	\$49,240	\$56,240	\$63,319	\$70,320	\$75,983
Unit Size	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
2024 Fair Market Rent	\$1,284	\$1,308	\$1,702	\$2,198	\$2,459

ASSETS- There are no asset limits attached to this program **BUT, we must add the actual or estimated income that the asset may generate.** We must use the current HUD passbook rate which is currently 6.1% or the actual income that is derived from the asset, whichever is higher. For example, the owner has \$100,000 in savings, checking or investment accounts; we would be required to calculate HUD's passbook rate of 6.1% of the total liquid assets and add that to the total household income or take the actual income from the assets, whichever is higher. For example, a household of 4 may have a gross annual income of \$50,000 and \$100,000 in assets that produce only \$2,000 a year in interest income, but calculated at HUD's passbook rate would require us to add \$6,100 to the annual income making the total annual income \$56,100. HUD's passbook rate is applied regardless of the assets producing income or not. Non liquid assets are not included. If you are planning on using your assets to cover ADU costs above the grant, we can reduce that amount of assets from the calculation.

RESTRICTIVE COVENANT

- A DECLARATION OF RESTRICTED COVENANT will be filed upon completion of the project based on the actual amount of funding and administrative fees utilized from the grant. The Restrictive Covenant outlines the owner's responsibility to maintain the unit for ten years. If the owner committed the unit to a low-income tenant, the covenant would also state this restriction. If the unit will be income stabilized for the tenant throughout the term (10 years); each time you rent the unit to a new tenant, they will have to sign an attestation of income statement stating their

household size and gross income is at or below 80% of HUD's area median income based on household size for Ulster County. Each year of compliance you will receive credit for a 10% reduction on your grant balance until it is 100% reduced at the end of year 10. Partial or full payback may be required if leaving/selling the home before the end of the term or other noncompliance. The RESTRICTED COVENANT will be filed in the ULSTER County Clerk's office and the mortgagee will be listed as RUPCO Inc.' or NYS Housing Trust Fund Corporation. Information on lien releases and payoffs may be addressed to: RUPCO Inc. 301 Fair St. Kingston N.Y. 12401 845-331-9860 Homeownership Dept and will require approved by NYS HTFC.

- **ANNUAL VERIFICATION OF OWNER**-Each year you will be required to sign a statement that you are still the owner occupant of the home until the 10-year term is up. The owner does not have to income qualify each year after initial approval.
- **RENTAL MONITORING**- Applicants must agree to rent to a tenant at or below the 80% AMI and rented at or below Fair Market Rent for the term of your commitment. You will be required to submit tenant attestation of income each time you rent to a new tenant. Rental approval will be required prior to renting the unit to a potential new tenant. RUPCO will provide a disclosure to add to your lease informing the tenant that the unit was created with program funds with rent and income stabilization of the unit.
- **Dwelling Type, Owner Units' Condition:** The property must be residential property; the PRIMARY unit cannot be a manufactured home or commercial use property or building. No work can be performed on the owner's unit, only common space improvements or infrastructure improvements that are required to construct the new unit is eligible. If the Owners unit has health or safety issues, then the owner will be required to correct those issues at their own expense prior to the project starting.
- **Maintenance:** Property owners are required to maintain properties assisted with program funds in good condition and repair for a period of ten (10) years from the date of project completion and final inspection (the "Regulatory Period"). This requires that any assisted improvements be maintained in a manner that is consistent with the goals of the program for the Regulatory Period. Each property owner receiving program funds must execute a restrictive covenant which will be recorded in the county in which the assisted property is located. The restrictive covenant will declare that he/she has received assistance from the program and will maintain the property in good condition and repair and in a manner consistent with the program objectives for a minimum of ten years. In the event of non-compliance, the amount of grant funds will be subject to repayment in accordance with a simple annual declining balance, based on the ten-year Regulatory Period.
- **Year-Round Occupancy:** The accessory dwelling unit assisted with program funds must be occupied by a permanent tenant for a period of ten years following the date of project completion and final inspection. The use of the accessory dwelling unit assisted with program funds as a short-term rental, including as a seasonal or vacation rental, is not permitted and would constitute noncompliance and the amount of grant funds would be subject to repayment in accordance with a simple annual declining balance based on the ten-year regulatory period. If the accessory dwelling unit that was assisted with program funds becomes vacant during the Regulatory Period, the owner must make good faith efforts to market the accessory dwelling unit to potential permanent tenants. The Owner is not required to collect rent from the tenant. In the case where the unit is being used for a family member or other person that will not be charged rent, a written rental agreement must still be executed.
- **Sale of Property:** If the property that the accessory dwelling unit is located that was assisted with program funds is sold or otherwise conveyed to an individual(s) with an adjusted income that is greater than 100% of the area median income, the grant funds shall be subject to repayment in accordance with a simple annual declining balance based on the ten-year regulatory term. If the assisted property is sold or otherwise conveyed to an individual(s) with an adjusted gross income that is less than 100% of the area median income and in accordance with the restrictive covenant, the new owner of the assisted property must execute an affirmation assuming the balance of the regulatory requirements and responsibilities found herein and found in the Restrictive Covenant. Failure to execute such Affirmation may result in a recapture of Program funds in accordance with a simple declining balance based on the ten-year regulatory term.
- **Home Inspection and Testing**- RUPCO will perform a site inspection to determine the feasibility of the project and will conduct progress inspections as the infrastructure and units are being completed. Testing may be required to be performed for Asbestos, Lead or other hazardous materials if a remodel is being performed. The cost of these tests can be part of the grant lien if funding is available.

- **Fees and Out of Pocket Expenses** Administrative fees paid to RUPCO will be part of the total grant award up to 10% of direct assistance received. You are not required to provide match funding or any funding to the project unless you prefer to have additional items or enhanced quality items installed beyond the program where allowed or your project exceeds the net direct grant amount of \$112,500. You will be required to fund any relocation expenses you incur including pet housing, food, travel, moving expenses and other personal expenses if your unit has interrupted use during the construction of the other unit.
- **Flood zones-** Homes in Special Flood Hazard Areas will require flood insurance. No properties can be funded in flood zones or flood paths. Satisfactory flood elevations certifications may be required at the owners expense.
- **Conflict of interest-** Are you an employee of ULSTER COUNTY or RUPCO? If so, you may need to submit a conflict-of-interest statement and have it approved by County and/or RUPCO before proceeding.
- **Legal Status-** Owners Must be a US citizen or have legal residence status.
- **Insurance:** Property owners are required to maintain insurance on the property for all risks of property damage and loss by fire and other casualties, with extended coverage, and shall also procure coverage for all work in process under this contract. Insurance shall be for an amount sufficient to cover the full replacement costs associated with the accessory dwelling unit improved with program funds.
- **Infrastructure, Code and Permits** - The program may require upgrades to infrastructure to meet codes outlined by the local municipal building department, zoning or permitting. Homeowners with open permits for old work will be required to close out the permits before we can approve funding at their own expense. The builder hired will be responsible for obtaining all building permits needed for the project including any third-party inspection costs outside of environmental testing that will be covered by the grant and should add those costs to the overall estimate. The homeowner will be required to assist the builder in obtaining the permits if information or signatures are required by the homeowner.
- **Architectural and Engineering Costs** - Most building departments will require a site plan drawing and/or engineer/architect stamped plans for new construction additions and in many cases conversions of existing structures. This will likely be an out-of-pocket expense by the homeowner. If the results of the engineer/architect inspection show that the project cannot be completed based on structural deficiencies that cannot be corrected or other hindrance, then the project will be cancelled.
- **Construction Management & Contractor payments** – All construction management including financial payments to the contractor(s) will be conducted by RUPCO Inc. The property owner will be required to sign all construction contracts between themselves and the Builder/Contractors and agree to the program timelines. Any homeowner that cannot meet the project timelines will not be selected. All progress payments will be approved by the homeowner and RUPCO. If the homeowner refuses or cannot sign off on payment to the contractor, and it is determined by RUPCO and the building department that no flaw in the work or materials exist, or contract default; the Owner agrees that RUPCO has the right to pay the contractor without owner approval. RUPCO, the County of ULSTER, NYS Division of Housing and Community Renewal and HUD does not litigate and will be held harmless regarding contractor/owner disputes.
- **Canceling of Project** - Once a homeowner is approved and formal funding award documents are executed the Construction loan/grant is approved, and funding has been disbursed for testing, engineers/architects or construction, the owner is responsible for those costs in the event they decide to withdraw from the program before the project is complete. This funding is like a construction loan, once the loan is obtained and the owner uses the funds, they are responsible for payback regardless of project completion. Upon completion of project and after 10 years of remaining compliant with the program guidelines, this payback requirement is waived.
- **Contractors/Builders** -The owner must obtain a minimum of 2 estimates for the final project. RUPCO may bid the project to potential contractors that have expressed interest in providing estimates, but the homeowner may also obtain estimates based on the final project scope. All contractors used must meet insurance and other requirements to use them on the project.