

Please return to:  
Atty. Richard M. Bailey  
PO Box 594  
Plantsville, CT 06479

RIVERBEND CENTER  
A PLANNED COMMUNITY

1079 QUEEN STREET, SOUTHLINGTON,  
CONNECTICUT

AFFORDABILITY PLAN FOR WORKFORCE HOUSING  
UNITS

## **DEFINITIONS:**

**“Community”** – means the RIVERBEND CENTER, A Planned Unit Development that will consist of 6 RENTAL UNITS development, approved by the Southington Planning and Zoning Commission, as more fully described in Schedule A. The site plan is on file with that Commission.

**“Workforce Housing Unit” or “WHU”** - means a UNIT within the RIVERBEND CENTER development that is subject to long-term price or rental restrictions as set forth in this plan.

**“Model UNIT”** means a unit or a single-family home within the RIVERBEND CENTER development that will be constructed to the minimum specifications set forth in Schedule C of this plan, and will be sold at market value.

**“Developer”** means RIVERBEND CENTER 1079, LLC., or its successors or assigns.

## I. UNITS Designated for Affordable Housing.

TWENTY percent (20%), or TWO (2), of the UNITS of the Community will be designated as affordable housing units. The specific UNITS designated as affordable housing (to be called "WHU UNITS") are identified in Schedule B attached hereto.

## II. Forty (40) Year Period.

The WHU UNITS shall be designated as affordable for forty (40) years. The forty (40) year affordability period shall be calculated separately for each WHU Home, and the period shall begin on the date of RENTALS of such WHU UNITS from the Developer or its successors or assigns to an eligible LESSEE TENANT, as hereinafter defined.

## III. Construction Sequence.

The Community shall be constructed in one phase as follows:

SIX (6) UNITS will be constructed in one phase on the property. TWO of these UNITS, or 20 percent, will be price restricted.

## IV. Nature of construction of WHU UNITS and Market-Rate UNITS.

Within the Community, the Developer shall offer a Model UNIT, for sale at market value, which shall be built in compliance with the minimum specification which includes square footage, exterior finishes, interior materials, and amenities set forth in Schedule C of this Affordability Plan. LESSEES TENANTS of market -rate UNITS within the Community may upgrade or alter any aspect of the specifications for the Model UNIT. However, each WHU UNIT shall contain not less than seventy-five percent (75%) of the square footage of the Model UNIT, and shall be constructed in compliance with the minimum specifications set forth in Schedule C, the intent of this section being that each WHU UNIT shall be comparable in size, quality, and appearance to the Model UNIT.

## V. Entity Responsible for Administration and Compliance.

This Affordability Plan will be administered by RIVERBEND CENTER, LLC., or its designees, successors and assign. ("Administrator") The Administrator shall be responsible for the following:

- A. Ensuring that LESSEES TENANTS applying for affordable units qualify within applicable maximum income limits;
- B. Assuring the accuracy of sale and resale prices or rents, and providing documentation where necessary to lessors, lessees, and financing institutions;
- C. Ensuring that the designated WHU UNITS remain affordable for the 40-year affordability period.

The Administrator shall submit a status report to the Town Planner, HIS or her designee, in compliance with this Affordability Plan annually on or about January 31. Sellers, purchasers, lenders or title insurers may, upon written request to the Administrator, obtain written certification of compliance with applicable set aside, household income or RENT price limitations or requirements. The administrator shall provide the requested information in a timely manner.

Notwithstanding any of the above the developer will be responsible for all advertising and marketing requirements for initial sales under this Plan.

#### VI. Notice of Initial RENTAL of WHU UNITS.

Except as provided in Section X hereof, the Developer shall provide notice of the availability of each WHU UNIT for RENT (the "Notice of Initial RENT"). Such notices shall be provided in accordance with the Affirmative Fair Housing Marketing Plan as outline in Section VIII. The Administrator shall also provide such notice to the Commission. Such notice shall include a description of the available WHU UNITS, the eligibility criteria for potential LESSEES, the Maximum RENTAL Price (as hereinafter defined), and the availability of application forms and addition information. All such notices shall comply with the Federal Fair Housing act, 42 U.S.C. Section 3601, et seq. and the Connecticut Fair Housing Act, Conn. Gen. Stat. Sections 46a-64b, 64c (together, the "Fair Housing Acts").

#### VII. Purchase or Renter Eligibility.

TWENTY percent (20%) or TWO (2) UNITS in the Community of the UNITS for RENT shall be offered to families whose income is less than or equal to eighty percent (80%) of

the area or statewide median income. The area and statewide median income shall be as determined by the U. S. Department of Housing and Urban Development ("HUD"). A Unit may also be rented to qualified families per Southington Zoning Regulations.

#### VIII. Affirmative Fair Housing Marketing Plan.

The sale of both WHU UNITS and market-rate Units in RIVERBEND CENTER shall be publicized, using State regulation for affirmative fair housing marketing programs as guidelines. The purpose of such efforts shall be to apprise residents of municipalities of relatively high concentrations of minority populations of the availability of such units. The Developer shall have responsibility for compliance with this section. Notices of initial availability of units shall be provided, at a minimum, by advertising at least two times in a newspaper of general circulation in such Identified Municipalities, and notices of initial availability of units may be provided by advertising in a newspaper of general circulation in Southington. The Administrator shall also provide such notices to the Southing Planning and Zoning Commission and the local housing authority. Such notices shall include a description of the available WHU UNITS, the eligibility criteria for potential LESSEES, the Maximum RENTAL Price (as hereinafter defined), and the availability of application forms and additional information.

Using the above-referenced State regulation as guidelines, dissemination of information about available affordable and market rate unit shall include:

A. Analyzing census. Connecticut Department of Economic and Community Development town profiles, and other data to identify racial and ethnic groups least likely to apply based on representation in Southington's population, including Asian Pacific, Black, Hispanic, and Native American populations.

B. Announcements/advertisements in publications and other media that will reach minority populations, including newspapers and radio stations serving Southington's Metropolitan Statistical Area and Regional Planning Area, and advertisements or flyers likely to be viewed on public transportation or public highway areas.

C. Announcements to social service agencies and other community contacts serving low-income minority families (such as churches, civil rights organizations, the housing authority and other housing authorities in towns represented in the Central Connecticut Regional Planning Agency, legal services organizations, etc.

D. Assistance to minority applicants in processing applications.

E. Marketing efforts in geographical areas of high minority concentrations within the housing market area and metropolitan statistical area.

F. Beginning affirmative marketing efforts prior to general marketing of units and repeating again during initial marketing and at 50 percent completion, and thereafter at reasonable period intervals with respect to RENTALS.

G. Collection of basic racial and ethnic information on all Residents and persons on the wait list for the community.

All notices shall comply with the Federal Fair Housing Act, 42 USC Section 3601, et seq. and the Connecticut Fair Housing Act, Conn. Gen. Stat. Section 46a-64b, 64c (together, the "Fair Housing Acts"). Preference in the RENTAL of WHU UNITS may be given to Southington residents in accordance with the Fair Housing Acts.

#### IX. Application Process.

A family or household seeking to purchase one of the WHU Homes ("Applicant") must complete an application to determine eligibility. The application form and process shall comply with the Fair Housing Act.

##### A Application form.

The application form shall be provided by the Administrator and shall include an income pre certification eligibility form and an income certification form. In general, income for purposes of determining an applicant's qualifications shall include the Applicant family's total anticipated income from all sources for the twelve (12) month period following the date the application is submitted ("Application Date"). If the Applicant's financial disclosures indicate that the Applicant may experience a significant change in the Applicant's future income during the twelve (12) month period, the Administrator shall not consider this change unless there is a reasonable assurance that the change will in fact occur. The Applicant's income need not be re-verified after the time of initial RENTAL. In determining what is and is not to be included in the definition of family annual income, the Administrator shall use the criteria set forth by HUD and listed on Schedule D, attached.

## B. Applicant Interview.

The Administrator shall interview an Applicant upon submission of the completed application. Specifically, the Administrator shall, during the interview, undertake the following:

1. Review with the Applicant all the information provided on the application.
2. Explain to the Applicant the requirements for eligibility, verification procedures, and the penalties for supplying false information.
3. Verify that all sources of family income and family assets have been listed in the application. The term "family" shall be as defined by the Zoning Regulations of the Town of Southington.
4. Request the Applicant to sign the necessary release forms to be used in verifying income. Inform the Applicant of what verification and documentation must be provided before the application is deemed complete.
5. Inform the Applicant that a certified decision as to eligibility cannot be made until all items on the application have been verified.
6. Review with the Applicant the process and restrictions regarding THE RENTALS.

## C. Verification of Applicant Income.

Where it is evident from the income certification form provided by the Applicant that the Applicant is not eligible, additional verification procedures shall not be necessary. However, if the Applicant appears to be eligible, the Administrator shall issue a pre-certification letter. The letter shall indicate to the applicant and the developer that the Applicant is income eligible, subject to the verification of the information provided in the Application. The letter will notify the Applicant that he/she will have thirty (30) days to submit all required documentation.

If applicable, the Applicant shall provide the documentation listed on Schedule E. attached hereto, to the Administrator. This list is not exclusive, and the Administrator may require any other verification or documentation, as the Administrator deems necessary.

## X. Prioritization of Applicants for Initial RENTAL.

If, after publication of the Notice of Initial RENTAL as described in Section VI hereof, the number of qualified Applicants exceeds the number of WHU UNITS, then the Administrator shall establish a priority list of applicants based on a “first come, first served” basis, subject to the applicant’s income pre-certification eligibility and the preferences as established in this section X. The WHU UNITS will then be offered according to the applicant’s numerical listing. In the event the Community is built in phases, the same procedure shall be held for each phase.

Those who meet the criteria of “least likely to apply” as defined in Connecticut State Agency Regulations 8-37ee, and meet the income eligibility criteria as set forth in Section VII hereof shall be given first preference in the RENTAL of two (2) WHU UNITS offered for RENT in the Community (“Preferred Units”) This preference category is subject to revision as may be required by the federal office of Air Housing and Equal Opportunity. This preference shall apply to the initial RENTAL, but not to subsequent re-sales, of the WHU Homes.

#### XI. Maximum Initial RENTAL Price.

Calculation of the maximum initial RENTAL price (“Maximum Initial RENTAL Price”) for a WHU UNIT, so as to satisfy Conn. Gen Stat. Section 8-30g, shall utilize the lesser of the area median income data for the Town or the statewide median income as published by HUD as in effect on the day a RENTAL agreement is accepted by the owner of the WHU Home (“Owner”). The Maximum Initial Sale Price shall be calculated as follows:

EXAMPLE CALCULATION OF  
RENTAL AMOUNT OF A 1 BEDROOM  
UNIT FOR A HOUSEHOLD  
EARNING 80 PERCENT OF AREA  
MEDIAN INCOME:

SAMPLE  
COMPUTATIONS  
BASED ON FY 2024 DATA



SAMPLE CALCULATION ONLY

**Affordable Appeals**  
**Maximum Rental Price Calculation**  
 Fill In the Yellow Boxes

Sample - Southington  
2025

Step 1:	The lessor of State Median or Area Median Income	<div>124600</div>
	<b>\$124,600                      \$126,600</b>	
	Identify the Number of Bedrooms in the Unit	<div>0.5</div>
	Adjustment for Family Size based on 1.5 Persons per Bedroom	<div>1</div>
Step 2:	Adjust Income for Family Size	<div>87220</div>

	<u>80% Units</u>	<u>60% Units</u>	
Step 3:	Multiply Step 2 by Applicable Percentage	<div>69776</div>	<div>52332</div>
Step 4:	Multiply Step 3 by 30%	<div>20933</div>	<div>15700</div>
Step 5:	Divide Step 4 by 12 months	<div>1744</div>	<div>1308</div>
Step 6:	Determine the FMR by bedroom size according to the latest published figures	<div>1133</div>	
	2025 FMR's		
Step 7:	Multiply Step 6 times 120% for 80% AMI unit	<div>1360</div>	<div>1133</div>
Step 8:	Identify the Lesser of Step 5 or Step 7	<div>1360</div>	<div>1133</div>

Step 9:	Determine Monthly Expenses and Sum:		
	Common Charges (Condo Fees)	<div></div>	
	Real Estate Taxes	<div></div>	
	Property Insurance	<div></div>	
	Heat/Hot Water/Electricity	<div>125</div>	

If you have actual utility cos enter them here; otherwise, a utility allowance calculatic

Step 10:	Subtract Step 9 from Step 8:	<div>1235</div>	<div>1008</div>
----------	------------------------------	-----------------	-----------------

Subtract reasonable monthly expenses (Item 9) from maximum house expense (Item 8) to determine maximum amount available for rent.

SAMPLE CALCULATION ONLY

**Affordable Appeals**  
**Maximum Rental Price Calculation**  
 Fill In the Yellow Boxes

Riverbend - Southington  
 2025

Step 1:	The lessor of State Median or Area Median Income	<div>124600</div>
	<b>\$124,600                      \$126,600</b>	
	Identify the Number of Bedrooms in the Unit	<div>1</div>
	Adjustment for Family Size based on 1.5 Persons per Bedroom	<div>1.5</div>
Step 2:	Adjust Income for Family Size	<div>93450</div>

**80% Units**

Step 3:	Multiply Step 2 by Applicable Percentage	<div>74760</div>
Step 4:	Multiply Step 3 by 30%	<div>22428</div>
Step 5:	Divide Step 4 by 12 months	<div>1869</div>
Step 6:	Determine the FMR by bedroom size according to the latest published figures 2025 FMR's	<div>1306</div>
Step 7:	Multiply Step 6 times 120% for 80% AMI unit	<div>1568</div>
Step 8:	Identify the Lesser of Step 5 or Step 7	<div>1568</div>
Step 9:	Determine Monthly Expenses and Sum:	
	Common Charges (Condo Fees)	<div></div>
	Real Estate Taxes	<div></div>
	Property Insurance	<div></div>
	Heat/Hot Water/Electricity	<div>125</div>
Step 10:	Subtract Step 9 from Step 8:	<div>1443</div>

If you have actual utility cos  
 enter them here; otherwise,  
 a utility allowance calculatic

Subtract reasonable monthly expenses (Item 9) from maximum house  
 expense (Item 8) to determine maximum amount available for rent.

## XII. Principal Residence.

WHU UNITS shall be occupied only as LESSEES principal residence.

## XIII. Requirement to Maintain Condition.

All LESSEES are required to maintain their UNITS. The LESSEES shall not destroy, damage or impair the UNIT, allow the UNIT to deteriorate or commit waste on the home. When a WHU UNIT is offered for re-RENTAL, the Administrator may cause the UNIT to be inspected.

## XIV. RE-RENTAL of a WHU UNIT.

## XVI. Deed Restrictions

The Deed Restrictions contained in Schedule F shall be included in each RENTAL AGREEMENT of a WHU UNIT during the forty (40) year period in which the affordability program is in place to provide notice of the affordability restrictions and to bind future LESSEES.

## XVII. Binding Effect.

This Affordability Plan shall be binding on the successors and assigns of the Developer.

## XVIII. Recordation of Covenant.

A Restrictive Covenant in substantially the same form as Schedule F shall be recorded upon approval of this Affordability Plan and shall remain in place until the deed Restrictions identified in Section XVI and Schedule F are implemented.

SCHEDULE B  
IDENTIFICATION OF “WHU UNITS”:

UNITS 2 & 5

WHU HOUSING UNITS SHALL ONLY BE  
RENTED TO QUALIFIED APPLICANTS

SCHEDULE D  
DEFINITIONS AND ELEMENTS OF ANNUAL FAMILY INCOME

1. Annual income shall be calculated with reference to 24 CFR, Section 5,609, and includes, but is not limited to, the following:

a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees tips, bonuses and other compensation for personal services;

b. The net income from operations of a business or profession, before any capital expenditures but including any allowance for depreciation expense;

c. Interest, dividends, and other net income of any kind from real or personal property;

d. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, or other similar types of periodic payments;

e. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay;

f. Welfare assistance. If the welfare assistance payments include an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance to be included as income consists of the following:

(i) The amount of the allowance exclusive of the amounts designated for shelter or utilities, plus

(ii) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities;

g. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing with the Applicant (e.g. periodic gifts from family members, churches, or other sponsored group, even if he gifts are designated as rental or other assistance);

h. All regular pay, special pay and allowances of a member of the armed forces;

i. Any assets not earning a verifiable income shall have an imputed interest income using a current average annual savings interest rate.

2. Excluded from the definition of family annual income are the following:

a. Income from employment of children under the age of 18;

b. Payments received for the care of foster children;

c. Lump-sum additions to family assets, such as inheritances, insurance payments, capital gains and settlement for personal or property losses;

d. Amounts received that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

e. Amounts of educational scholarships paid directly to the student or to the educational institution, and amounts paid by the government to veterans in connection with education costs;

f. Amounts received under training programs funded by HUD;

g. Income of a live-in aide, as defined in 24 CFR, Section 5403;

h. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

i. Food stamps; and

j. Temporary, nonrecurring or sporadic income (including gifts that are not regular or periodic).

3. Net family assets for purposes of imputing annual income include the following:

a. Cash held in savings and checking accounts, safety deposit boxes, etc.;

b. The current market value of a trust for which any household member has an interest;

c. The current market value, less any outstanding loan balances of any rental property or other capital investment;

d. The current market value of all stocks, bonds, treasury bills, certificates of deposit and money market funds;

e. The current value of any individual retirement, 401K or Keogh account;

f. The cash value of a retirement or pension fund which the family member can withdraw without terminating employment or retiring;

g. Any lump sum receipts not otherwise included in income (i.e. inheritances, capital gains, one-time lottery winnings, and settlement on insurance claims);

h. The current market value of any personal property held for investment (i.e., gems, jewelry, coin collections); and

i. Assets disposed of within two (2) years before the Application date, but only to the extent consideration received was less than the fair market value of the asset at the time it was sold.

4. Net family assets do not include the following:

a. Necessary personal property (clothing, furniture, cars, etc.);

b. Vehicles equipped for handicapped individuals

c. Life insurance policies;

d. Assets which are part of an active business, not including rental properties and

e. Assets that are not accessible to the Applicant and provide no income to the Applicant.

## SCHEDULE E DOCUMENTATION OF INCOME

The following documents shall be provided, where applicable, to the Administrator to determine income eligibility:

### 1. Employment Income.

Verification forms must request the employer to specify the frequency of pay, the effective date of the last pay increase, and the probability and effective date of any increase during the next twelve (12) months. Acceptable forms of verification (of which at least one must be included in the Applicant file) include:

- a. An employment verification form completed by the employer.
- b. Check Stubs or earnings statement showing Applicant's gross pay per pay period and frequency of pay.
- c. W-2 forms if the Applicant has had the same job for at least two years and pay increases can be accurately projected.
- d. Notarized statements, affidavits or income tax returns signed by the Applicant describing self-employment and amount of income, or income from tips and other gratuities.

### 2. Social Security, Pensions, Supplementary Security Income, Disability Income.

- a. Benefit verification form completed by agency providing the benefits.
- b. Award or benefit notification letters prepared and signed by the authorizing agency. (Since checks or bank deposit slips show only net amounts remaining after deducting SSO or Medicare, they may be used only when award letter cannot be obtained.
- c. If a local Social Security Administration (SSA) office refuses to provide written verification, the administrator should meet with the SSA office supervisor. If the supervisor refuses to complete the verification forms in a timely manner, the Administrator may accept a check or automatic deposit slip as interim verification of social security for SSI benefits as long as any Medicare or state health insurance withholdings are included in the annual income.



### 3. Unemployment Compensation.

- a. Verification form completed by the unemployment compensation agency.
- b. Records from unemployment office stating payment dates and amounts.

### 4. Government Assistance.

- a. All Government Assistance Programs. Agency's written statements as to type and amount of the assistance Applicant is now receiving, and any changes in assistance expected during the next twelve (12) months.
- b. Additional Information for "As-paid" programs: Agency's written schedule or statement that describes how the "as -paid" system works, the maximum amount the applicant may receive for shelter and utilities and, if applicable, any actors used to ratably reduce the applicant's grant.

### 5. Alimony or Child Support Payments

- a. Copy of the separation or settlement Agreement or a divorce decree stating amount and type of support and payment schedules.
- b. A letter from the person paying he support.
- c. Copy of the latest check. The date, amount, and number of the check must be documented
- d. Applicant's notarized statement or affidavit of amount received or that support payments are not being received and the likelihood of support payments being received in the future.

### 6. Net Income from a Business.

The following documents show income from the prior years. The Administrator must consult with Applicant and use this da to estimate income for the next twelve (12) months.

- a. IRS Tax Return, Form 1040, including any:

(1) Schedule C (Small business).

(2) Schedule E (Rental property Income).

b. An accountant's calculation of depreciation expense, computed using straight-line depreciation rules (Required when accelerated depreciation was used on the tax return or financial statement.)

c. Audited or unaudited financial statement(s) of the business.

d. A copy of a recent loan application listing income derived from the business during the previous twelve (12) months.

e. Applicant's notarized statement or affidavit as to net income realized from the business during previous years.

7. Recurring Gifts.

a. Notarized statement or affidavit signed by the person providing the assistance. Must give the purpose, dates and value of gifts.

b. Applicant's notarized statement or affidavit that provides the information above.

8. Scholarships, Grants, and Veterans Administration Benefits for Education.

a. Benefactor's written confirmation of amount of assistance, and educational institution's written confirmation of expected cost of the student's tuition, fees, books and equipment for the next twelve (12) months. To the extent the amount of assistance received is less than or equal to actual educational costs, the assistance payments will be excluded from the Applicant's gross income. Any excess will be included in income.

b. Copies of latest benefit checks, if benefits are paid directly to student. Copies of canceled checks or receipts for tuition, fees, books, and equipment, if such income and expenses are not expected to change for the next twelve (12) months.

c. Lease and receipts or bills for rent and utility costs paid by students living away from home.

9. Family Assets Currently Held.

For non-liquid assets, collect enough information to determine the current cash value (i.e., the net amount the Applicant would receive if the asset were converted to cash).

- a. Verification forms, letters, or documents from a financial institution broker, etc.
- b. Passbooks, checking account statements, certificates of deposit bonds, or financial statements completed by a financial institution or broker.
- c. Quotes from a stockbroker or realty agent as to net amount Applicant would receive if Applicant liquidated securities or real estate.
- d. Real estate-tax statements if tax authority uses approximate market value.
- e. Copies of closing documents showing the selling price, the distribution of the sales proceeds and the net amount to the borrower.
- f. Appraisals of personal property held as an investment.
- g. Applicants notarized statements or signed affidavits describing assets or verifying the amount of cash held at the applicant's home or in safe deposit boxes.

10. Assets Disposed of for Less Than Fair Market Value ("FMV") During Two years Preceding Application Date.

- a. Applicant's certification as to whether it has disposed of assets for less than FMV during the two (2) years preceding the Application Date.
- b. If the Applicant states that it did dispose of assets for less than FMV, then a written statement by the Applicant must include the following:
  - (1) A list of all assets disposed of for less than FMV;
  - (2) The date Applicant disposed of the assets;
  - (3) The amount the Applicant received; and
  - (4) The market value of the asset(s) at the time of disposition.

11. Savings Account Interest Income and Dividends.

- a. Account statements, passbooks, certificates of deposit, etc., if they show enough information and are signed by the financial institution.
- b. Broker's quarterly statements showing value of stocks or bonds and the earnings credited the Applicant.
- c. If an IRS Form 1099 is accepted from the financial institution for prior year earnings, the administrator must adjust the information to project earnings expected for the next twelve (12) months.

#### 12. Rental Income from Property Owned By Applicant.

The following, adjusted for changes expected during the next twelve (12) months, may be used:

- a. IRS Form 1040, with Schedule E (Rental Income).
- b. Copies of latest rent checks, leases, or utility bills.
- c. Documentation of Applicant's income and expenses in renting the property (tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or amortization schedules showing monthly interest expense.
- d. Lessee's written statement identifying monthly payments due he Applicant and Applicant's affidavit as to net income realized.

#### 13. Full-Time Student Status.

- a. Written verification from the Registrar's office or appropriate school official.
- b. School Records indicating enrollment for sufficient number of credits to be considered a full-time student by the school.

## SCHEDULE F INCENTIVE HOUSING DEED RESTRICTIONS

The language below shall be inserted in each deed for a WHU Home for the duration of the forty (40) year sale price restriction period.

The property conveyed hereby is an “affordable housing” home as defined in Conn. Gen. Stat. Section 8-30g. Said property is subject to the following restrictions (the “Restrictions”):

1. The owners of said Unit shall sell or transfer said unit (a “moderate -income home”) only to a family or household whose income is less than or equal to eighty percent (80%) of the lesser of the area median income for the Town of Southington (“Town”) determined by the Connecticut Department of Housing and the US Department of Housing and Urban Development (“HUD”). The designation as a moderate-income home shall remain in place for the duration of the price restriction period. Determination of a potential purchaser’s eligibility shall be made by the Administrator as defined in that certain Affordability Plan (the “Affordability Plan”) for the Community of which said property is a part, a copy of which site plan is on file in the Town’s Planning and Zoning Office.

2. In the event said owner desires to make said property available for sale, said owner shall notify the Administrator in writing. The owner shall pay the Administrator a fee to cover the cost of administering the sale. The Administrator shall then provide notice of the availability of said property for purchase. Such notice shall be provided at a minimum, by advertising at least two times in newspapers of general circulation in the Town. The Owner shall bear the cost of such advertisement. The Administrator shall also provide such notice to the Southington Planning and Zoning Commission and the Town of Southington. Such notice shall include a description of said property the eligibility criteria for potential purchasers, the Maximum Sale Price and the availability of application forms and additional information. All such notices shall comply with the Federal Fair Housing act, 42 USC 3601, et seq. and the Connecticut Fair Housing Act, Conn Gen. Stat. 46-a-64b, 64c. Said owner may hire a real estate agent or otherwise individually solicit offers, independent of the Administrators’ action from potential purchasers. Said owner shall inform any potential purchaser of the affordability restrictions before any purchase and sale agreement is executed by furnishing the potential purchase with a copy of the Affordability Plan. The purchase and sale agreement shall contain a provision to the effect that the sale is contingent upon a determination by the Administrator that the potential purchaser meets the eligibility criteria set forth in the Affordability Plan. Once the purchase and sale agreement is

executed by said owner and the potential purchaser, the potential purchase shall immediately notify the Administrator in writing. The Administrator shall have thirty (30) days from such notice to determine the eligibility of the potential purchaser in accordance with the application process set forth in the Affordability Plan. The Administrator shall notify said owner and the potential purchaser of its determination of eligibility in writing within said thirty (30) day period. If the Administrator determines that the potential purchase is not eligible, the purchase and sale agreement shall be void, and said owner may solicit other potential purchasers. If the Administrator determines that the potential purchase is eligible, the Administrator shall provide the potential purchaser and said owner with a signed certification, executed in recordable form, to the effect that the sale of the particular WHU Home has complied with the provisions of the Affordability Plan. The Owner shall bear the cost of recording said certification.

3. Said owner shall occupy said property as said owner's principal residence and shall not lease said property except to a person or persons qualified under this Plan.

4. Said owner shall maintain said property. Said owner shall not destroy, damage or impair said property, allow said property to deteriorate or commit waste on said property. When said property is offered for re-sale, the Administrator may cause said property to be inspected.

5. A site plan for this community was approved by agencies of the Town based in part on the condition that defined percentage of the homes in the community would be preserved as affordable homes. The Restrictions are required by law to be strictly enforced.

6. A violation of the Restrictions shall not result in a forfeiture of title, but the Southington Planning and Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including Section 8-12, which powers include, but are not limited to, the authority, at any reasonable time, to inspect said property and to examining the books and records of the Administrator to determine compliance of aid property with the affordable housing regulations. This provision is not intended to confer and does not confer any authority on the Planning and Zoning Commission that it does not have under the General Statutes or the Zoning Regulations.

Dated:

RIVERBEND CENTER, LLC.

\_\_\_\_\_

By: XXX

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me by XXX, President of RIVERBEND CENTER, LLC.,  
personally known to me, this \_\_\_\_ day of \_\_\_\_, 2025.

\_\_\_\_\_  
Richard M. Bailey  
Notary Public