

**Otay Ranch Planning Area 12**

**Freeway Commercial North**

**Affordable Housing Program**



## TABLE OF CONTENTS

I· INTRODUCTION .....	4
A· Purpose and Content .....	4
B· Needs Assessment .....	4
II· FC-2 AFFORDABLE HOUSING OBLIGATION, LOCATION, PHASING, DESIGN AND UNIT MIX .....	6
A· Obligation .....	6
B· Types of Affordable Housing .....	6
C· Location .....	6
D· Phasing .....	7
E· Design 7	
F· Unit Mix by Bedroom Count .....	7
III· AFFORDABLE HOUSING RESTRICTIONS .....	8
A· Income Eligibility .....	8
B· Affordable Monthly Rents .....	8
C· Affordable Housing Costs for Owner Occupied Housing .....	9
D· Underwriting Requirements .....	10
E· Resale Provisions of Owner Occupied Housing .....	10
F· Term of Affordability Restrictions .....	11
IV· SUBSIDIES, INCENTIVES AND FINANCING MECHANISMS .....	12
A· Density Bonus .....	12
V· COMPLIANCE REPORTING .....	13
A· Rental Units' Compliance Packet and Audit .....	13
B· Home Ownership Units' Compliance Packet .....	15

*VI*· AFFIRMATIVE MARKETING PLAN .....16

*VII*· IMPLEMENTING AGREEMENTS AND CONDITIONS .....17

*VIII*· DEFINITIONS .....18

## EXHIBIT LIST

EXHIBIT 1A SUPPLEMENTAL RENTAL APPLICATION.....	19
EXHIBIT 1B APPLICANT’S STATEMENT .....	20
EXHIBIT 2A SEMI-ANNUAL REPORT.....	21
EXHIBIT 2B SEMI-ANNUAL AFFORDABLE HOUSING MONITORING REPORT .....	22
EXHIBIT 2B SEMI-ANNUAL AFFORDABLE HOUSING MONITORING REPORT .....	23
EXHIBIT 3 HOMEBUYER’S QUALIFYING FORM .....	24
EXHIBIT 4 CITY REQUIREMENTS FOR AFFIRMATIVE MARKETING PLAN.....	25

## I. INTRODUCTION

### A. PURPOSE AND CONTENT

The City of Chula Vista requires that a specific Affordable Housing Program (AHP) and agreement, consistent with the Housing Element of the General Plan, be prepared and approved concurrent with the SPA Plan. This Affordable Housing Program is intended to identify the type and location of affordable housing units to be provided, potential subsidies or incentive programs, income restrictions and methods to verify compliance. The program may be implemented through various mechanisms including development agreements, tentative map conditions, and specific housing project agreements that may include additional terms and conditions, consistent with this program.

### B. NEEDS ASSESSMENT

According to SANDAG's 2050 Regional Growth Forecast, Chula Vista is expected to gain 42,828 new residents by 2020 and 57,305 more by 2050<sup>1</sup>. That translates to an increase of 10,679 new households by 2020 and 18,408 more households by 2050. Chula Vista has second highest growth rate in the County of San Diego. The characteristics of the City's population, housing, and employment that affect its housing goals, policies and programs include:

- The population has more diversity in race/ethnicity than the region, in that 60% of residents identified themselves as Hispanic or Latino.<sup>2</sup> Asian population comprises 14%, and white, non-Hispanic population represents 20% as of 2010.
- The City's average household size is increasing. In 2010, Chula Vista's average household size was 3.21 compared to 2.75 average household size in San Diego County.
- The City's diverse employment base will grow by more than 78% between 2010 and 2050. In 2010, nearly 30% of the labor force were in the retail or service industry, where lower pay scales predominate.
- In 2010, about 43% of the households fell into the low-income category. Of these households, 25% rare very low.
- The estimated average age in Chula Vista is 34.3 years. According to the 2010 Census, a majority of the City's population were between the ages of 21 to 64. By 2030, the forecasted average age is over 40, with an increase of age groups above 55.

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<sup>1</sup> Series 13: 2050 Regional Growth Forecast. An estimate of regional growth through 2050. Adopted in 2013.

<sup>2</sup> Housing Element of the General Plan. April 23, 2013

- The U.S. Census reported a total of 79,416 housing units in the City of Chula Vista in 2010. In Eastern Chula Vista, the housing market is predominated by single-family housing (83 %).

The City has two sets of numerical housing goals established by SANDAG, which are also addressed in the City's General Plan Housing Element: the City's share of the region's future housing needs (regional share goals) and the Quantified Objectives for Affordable Housing Production. The total regional share goal is 11,315 new housing units by 2020, with 50% or 5,648 units needed for very low- and low-income households.

## **//. FC-2 AFFORDABLE HOUSING OBLIGATION, LOCATION, PHASING, DESIGN AND UNIT MIX**

### **A. OBLIGATION**

The City of Chula Vista Housing Element and the Otay Ranch GDP provide that ten percent of the total units will be affordable to low and moderate income households. Of the ten percent, five percent must be affordable to low income households and five percent must be affordable to moderate income households. The estimated Freeway Commercial-2 (FC-2) affordable housing unit obligation is based on the FC-2 SPA entitlement authorization of 600 units within the Village. The affordable units required for FC-2 are 30 low income and 30 moderate-income affordable units.

### **B. TYPES OF AFFORDABLE HOUSING**

The housing policies established in the City of Chula Vista Housing Element advocate a broad variety and diversity of housing types. The affordable housing obligations of FC-2 will be met through a combination of housing types including rental and “for-sale” housing. In general, low-income housing needs will be satisfied through the provision of rental units. Housing opportunities to meet the needs of moderate income households will be provided through a combination of market-rate rental units as well as “for-sale” housing in medium-high to higher density developments.

### **C. LOCATION**

The location of affordable housing developments shall take into consideration proximity to and availability of the following:

- Existing or proposed public transit facilities or transportation routes;
- Existing or proposed community facilities and services, such as shopping, medical, child care, recreation areas and schools; and
- Existing or future employment opportunities.

Affordable housing units required for FC-2 may be located either within or outside the plan area. Affordable housing to accommodate low-income households may be provided within rental housing developments. “For-sale” units affordable to moderate income households may be available as well. Consideration of location will be made on a case-by-case basis. Evaluation of alternate locations should include an analysis of the specific benefit to be gained from development of such replacement site, including such factors as an increase in the number of affordable units, deeper affordability levels, or the earlier satisfaction of the affordable housing requirement.



Identification of potential target sites in this Affordable Housing Program describes one way in which the FC-2 affordable housing obligation might be met, and is not meant to require that affordable units be constructed on any specific sites nor to preclude other alternatives. Such alternatives might include, by way of example, the aggregation of rental housing affordable to low-income households within the mixed-use site, or as a separate component of another development site. A final determination as to the location and type of the affordable housing sites will occur with subsequent entitlements, approvals and agreements.

#### D. PHASING

Development of FC-2 will be completed in multiple phases to ensure construction of necessary infrastructure and amenities for each phase as the project progresses. The Phasing Plan is non-sequential. This recognizes that sequential phasing is frequently inaccurate due to unforeseen market changes or regulatory constraints. Therefore, the FC SPA Plan and Public Facilities Finance Plan (PFFP) permit non-sequential phasing by imposing specific facilities requirements for each phase to ensure that FC-2 is adequately served and City threshold standards are met.

Detailed schedules and building permit stipulations for the construction of affordable units in relation to other market rate units will be established through the initial Affordable Housing Agreement. The Affordable Housing Agreement must be in place prior to the approval of the first Final Subdivision Map.

The Developer shall diligently pursue completion of the construction of the low and moderate income housing units as per the implementation schedule established by the initial Affordable Housing Agreement.

#### E. DESIGN

Affordable housing shall be compatible with the design and use of the market rate units, in terms of appearance, materials, and finish quality. The developer shall have the option of reducing the interior amenities, levels and square footage of the affordable units.

#### F. UNIT MIX BY BEDROOM COUNT

The affordable units shall have an overall unit mix by bedroom count which reflects the appropriate community need and shall be comparable to the unit mix by bedroom count of the market rate units in the residential development.

### III. AFFORDABLE HOUSING RESTRICTIONS

#### A. INCOME ELIGIBILITY

To determine the eligibility of a household for the low and/or moderate income housing unit, the household purchasing or renting the affordable unit must qualify as a lower income/moderate income household, as established by and amended from time to time pursuant to Section 3 of the United States Housing Act of 1937, as published by the U.S. Department of Housing and Urban Development (HUD), and as also provided in California Health and Safety Code Sections 50079.5 and 50105.

#### B. AFFORDABLE MONTHLY RENTS

For rental housing, compliance with the affordable housing requirements is determined by verifying that the total rent cost paid by the tenant is considered affordable as defined below. To determine affordable rent costs, monthly "Affordable Rent" includes all actual or projected monthly payments for the following:<sup>3</sup>

- Use and occupancy of a housing unit and the associated land and facilities;
- Any separately charged fees and service charges assessed by the lessor which are required by all tenants but is not to include security deposits;
- A reasonable allowance for utilities (including garbage collection, sewer, water, electricity, gas and other heating, cooking, and refrigeration fuels but not to include telephone service, cable TV, or high speed modem) as defined by the Federal Regulations for the Tenant Based Rental Assistance Program; and,
- Possessory interest taxes or other fees and charges assessed for use of the associated land and facilities by a public or private entity other than the lessor.

Affordable monthly rent is not to exceed following calculations:

- **Very Low Income:**  
50 percent (50%) of the Area Median Income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by 30 percent (30%) and divided by 12.

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<sup>3</sup> 25 California Code of Regulations Section 6918

- **Low Income:**  
80 percent (80%) of the Area Median Income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by 30 percent (30%) and divided by 12.
- **Moderate Income:**  
120 percent (120%) of the area median income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by not more than 35 percent (35%) and divided by 12.

Should subsidized financing and other incentives from a public agency be proposed and obtained, the monthly affordable rent shall be dictated by such program or granting Agency. If no affordable rent is specified, affordable monthly rents shall be established in accordance with Section 50053 of the California Health and Safety Code.

#### C. AFFORDABLE HOUSING COSTS FOR OWNER OCCUPIED HOUSING

For ownership housing (for sale units), compliance with the affordable housing requirements is determined by verifying that the sales price paid by the buyer equates to a total housing costs that is considered affordable as defined below.

To determine affordable housing costs, monthly "Housing Payments" includes all actual or projected monthly payments for the following:

- Principal and interest on a mortgage loan, including rehabilitation loans, at the time of initial purchase by the homebuyer;
- Allowances for property and mortgage loan insurance fees;
- Property taxes and assessments;
- A reasonable allowance for utilities (including garbage collection, sewer, water, electricity, gas and other fuels but not to include telephone service, cable TV or high speed modem) as defined by the Federal Regulations for the Tenant Based Rental Assistance Program;
- Homeowners association fees; and
- Space rent, if the housing unit is on rented land.

Affordable monthly housing payments are not to exceed the following calculations:

- **Very Low Income:**  
50 percent (50%) of the Area Median Income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by 30 percent (30%) and divided by 12.
- **Low Income:**  
80 percent (80%) of the Area Median Income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by 30 percent (30%) and divided by 12.
- **Moderate Income:**  
120 percent (120%) of the Area Median Income (AMI) for San Diego County, adjusted for household size appropriate for the unit, multiplied by not more than 35 percent (35%) and divided by 12.

Should subsidized financing and other incentives from a public agency be proposed and obtained, the affordable monthly housing payment shall be dictated by such program or granting Agency. If no affordable monthly housing payment is specified, the affordable monthly housing payment shall be established in accordance with Section 50052.5 of the California Health and Safety Code.

#### D. UNDERWRITING REQUIREMENTS

To ensure the preservation of affordability of proposed low and moderate-income housing and financial viability of program participants, the City shall encourage the following policies:

- Fixed rate mortgages only. No adjustable rate mortgages;
- Affordable monthly housing payments no more than 33 percent of household income ("Front End Ratio"). Total debt payments no more than 45 percent of household income ("Back End Ratio").
- No "teaser" rates; and,
- No non-occupant co-borrowers.

#### E. RESALE PROVISIONS OF OWNER OCCUPIED HOUSING

In order to ensure the continued affordability of the units, resale of the units must be restricted for the required term of thirty (30) years. After initial sale of the affordable units to a low-income household, all subsequent buyers of such units must also be income eligible and the unit must be sold at an affordable price. A developer may opt to have no income or sales price restriction for subsequent buyers, provided however that restrictions to the satisfaction of the City are in place that would result in the recapture by the City or its designee of a financial

interest in the units equal to the amount of subsidy necessary to make the unit affordable to a low income household and a proportionate share of any equity. Funds recaptured by the City shall be used to provide assistance to other identified affordable housing production or contributions to a special needs housing project or program. To the extent possible, projects using for-sale units to satisfy the obligations of developers under the City's Affordable Housing Program shall be designed to be compatible with conventional mortgage financing programs including secondary market requirements.

#### F. TERM OF AFFORDABILITY RESTRICTIONS

Should subsidized financing or other incentives from a public agency be proposed and obtained, the length of time income and rent restrictions are to be maintained for an affordable rental project shall be determined by such program or granting Agency. If more than one funding source is utilized, the term of the affordability restrictions shall be the longest required by any of the funding sources. If no term of the affordability restrictions is specified, it shall be fifty-five (55) years from issuance of the Certificate of Occupancy for the first structure providing income and rent restricted units. In the event that no subsidized financing or other incentives from a public agency is obtained, affordability restrictions shall remain in effect for twenty (20) years from the date of issuance of the Certificate of Occupancy for the first structure in the project. The term of affordability and resale restrictions for affordable for-sale units are more appropriately described above in "Resale Provisions of Owner Occupied Housing."

#### IV. SUBSIDIES, INCENTIVES AND FINANCING MECHANISMS

Appendix "A" attached to this Affordable Housing Plan identifies some of the potential subsidies, incentives, and financing mechanisms that may be used to satisfy the FC-2 affordable housing obligation. The list contained in Appendix "A" is not intended to limit the use of other subsidies, incentives and financing mechanisms which are available now or may become available in the future. The obligation to provide affordable housing shall not be dependent upon the availability of such subsidies, incentives or financing mechanisms.

The City agrees to use its reasonable best efforts to assist the Developer in pursuing the benefit of certain financing mechanisms, subsidies and other incentives to facilitate provision of affordable housing for Montecito, including those which require approvals from, or allocations by other agencies, to the extent that such resources and programs for this purpose are available. These mechanisms include, but are not limited to, local, state and federal subsidies and City density bonuses, planning, and design and development techniques and standards, and City fee waivers or deferrals which reduce the cost of providing affordable housing (collectively, the "Cost Reducing Mechanisms"). The parties acknowledge that the City is not hereby committing and cannot guarantee the availability of any Cost Reducing Mechanisms to the Developer for FC-2. The City reserves the right to approve, approve with conditions or disapprove, in its sole discretion, any Developer request for subsidized financing sponsored by the City.

##### A. DENSITY BONUS

Projects that meet the applicable requirements of State law (Government Code Section 65915) as a result of affordable housing units, are entitled to a density bonus or other incentives in accordance with the provisions of such law.

## V. COMPLIANCE REPORTING

The Compliance reports described below shall be submitted to the City of Chula Vista Community Development Department. The requirements imposed by providers of subsidized financing or other Cost Reducing mechanisms may replace the terms described below at the sole discretion of the City.

### A. RENTAL UNITS' COMPLIANCE PACKET AND AUDIT

Should a Developer seek approval by the City to credit a tenant toward its low and/or moderate income housing obligation, the Developer must give the City, at a minimum, a report verifying compliance with the terms of this document and/or the subsidizing financing program consisting of the following:

- Supplemental Rental Application - Exhibit 1
- Semi-Annual Report - Exhibit 2A and 2B
- Authorization to Release Information
- Acknowledgement that the information is for the City's Reporting and Administration use only.

The Developer shall not be required to perform any extraordinary investigation or verification regarding such information other than the Developer's usual and customary means of income verification. The methods of income verification may vary based upon the nature of the income reported by the tenant, and may include employment verification, copies of recent paycheck stubs, evidence of social security or other government payments, or copies of tax returns. The Developer shall retain the Supplemental Rental Application and any supporting documents for a period of at least three (3) years after the applicant ceases to occupy a low and/or moderate income housing unit.

A household occupying a designated low and/or moderate income unit whose annual income increases subsequent to occupying said unit (referred to as "over income household") and thus exceeds the 80% of area median income for low income households or 120% of area median income for moderate income households, need not vacate the apartment. However, at the Developer's discretion, this over income household's monthly rent (including utilities) may be increased to the market rate. Regardless of a rent increase, the Developer can no longer credit this over income household towards its 5% low income requirement and is obligated to replace this unit by renting the next comparable unit to a low income household as per the paragraph below. Thus, the Developer shall provide income information biannually and acknowledge that should its income increase, the household may be subject to a higher rent. Adjusted monthly incomes can be calculated

using rules according to the HUD Handbook 4350/3 Occupancy Requirements for HUD Subsidized Multifamily Housing.

The location of the designated units may change over time (to be referred to as “floating units”) as long as the total number of affordable units remains constant and that substituted units are comparable in terms of size, features, and the number of bedrooms, as determined by the Director of the Community Development Department. If the over income household does not vacate the unit, the Developer must assure that when the next comparable apartment becomes vacant, the newly available unit must be rented to a low income household, as a floating unit, to replace the previously designated unit no longer housing a low and/or moderate income household. If the over income household chooses to leave, the vacated unit retains its low income unit designation. If a residential apartment complex is designated as 100% low and/or moderate income, the over income household will not be required to vacate, if it pays the increased rent, and the unit will not be replaced with a “floating unit.” When the over income household vacates the unit, the unit retains its low income unit designation.

If the City determines that an outside audit is necessary to verify the accuracy of the submitted rent roll, then on a basis no more frequently than once a year, it may require such an audit at the expense of the Developer. In such an event, within ten (10) days after delivery of the City’s written request for such outside audit, the Developer shall deliver to the City the name of three (3) certified public accountants doing business in the Metropolitan San Diego area. The City will promptly deliver to the Developer notice of approval by the City of one or more of said names.

The audit shall be completed by an approved certified public accountant, at the Developer’s sole cost and expense, within sixty (60) days after the delivery to the Developer of the City’s approval. The certified public accountant shall promptly deliver a copy of the written audit to the City. Such audit shall be an audit of the Developer’s records, including the information supplied to the Developer by the low income tenants. The auditor shall not be required to verify the accuracy of the information provided by the low-income tenants.



#### B. HOME OWNERSHIP UNITS' COMPLIANCE PACKET

Should the Developer seek approval by the City to credit a home purchase toward its low and/or moderate income housing obligation, the Developer must give the City, at a minimum, a compliance packet including the following:

- Copy of Settlement Sheet
- Final 1003
- Final Uniform Underwriting Transmittal Summary
- Good Faith Estimate
- Authorization to Release Information by Purchaser
- Annual Certification of Homebuyer to include a copy of tax information and copy of phone or other utility bill
- Acknowledgement that the information is for the City's Reporting and Administration use only

Verification of low and/or moderate-income buyer is to be completed by the Developer on behalf of the City. The Developer shall not be required to perform any extraordinary investigation or verification regarding such information other than the Developer's usual and customary means of income identification. The methods used to verify income will vary depending upon the nature of sources of income reported by the buyer, but may include employment verification, review of recent paycheck stubs, government or social security payments, or a review of recent tax returns.

The Developer may contact the City's Community Development Housing Division's Housing Coordinator to confirm the City's acceptance of the applicant as credit toward the Developer's low and/or moderate income housing unit obligation. The Developer may contact the City prior to the sale of the unit for consultation purposes if desired; however, approval will be given in writing only after the required documents are reviewed and accepted by the City.

## VI. AFFIRMATIVE MARKETING PLAN

The Developer shall provide a marketing plan acceptable to the City, in the City's reasonable discretion, for proactively marketing the low and moderate income housing units to low and moderate income tenants and purchasers. Developer shall use good faith and reasonable best efforts to market the low and moderate income housing units to low and moderate income tenants and purchasers according to the affirmative marketing plan. (See Exhibit 4, "City Requirements for Affirmative Action Plan.")

The City will use good faith and reasonable best efforts to assist the Developer in marketing low and moderate income housing units to low and moderate income tenants and purchasers obtaining the services of a third-party organization in connection with such marketing efforts, processing the applications of prospective tenants and purchasers of low and moderate income housing units, and complying with the reporting requirements as required herein.

## VII. IMPLEMENTING AGREEMENTS AND CONDITIONS

This AHP may be implemented through various mechanisms including development agreements, tentative map conditions, and specific housing project agreements that may impose additional terms and conditions consistent herewith.

## VIII. DEFINITIONS

### *Affirmative Marketing Plan:*

An outline that details actions the Developer will take to provide information and otherwise attract eligible persons in the housing market area to the available housing without regard to race, sex, sexual orientation, marital status, familiar status, color, religion, national origin, ancestry, handicap, age, or any other category which may be defined by the law now or in the future.

### *Low Income Household:*

A household of persons who claim primary residency at the same unit with combined incomes that are greater than 50%, but not more than 80% of the Area Median Income for the San Diego area based on household size as determined annually by the U.S. Department of Housing and Urban Development (HUD). Household size is calculated by the number of persons residing at the same unit as their primary residency.

### *Moderate Income Household:*

A household of persons who claim primary residency at the same unit with combined incomes between 80% to 120% of the Area Median Income for the San Diego area based on household size as determined annually by the U.S. Department of Housing and Urban Development (HUD). Household size is calculated by the number of persons residing at the same unit as their primary residency.

### *San Diego Area Median Income:*

The San Diego County area median income level as determined from time to time by HUD, based on household size.

### *Subsidized Financing:*

Any financing provided by any public agency specifically for the development and construction of low or moderate income housing units, including but not limited to the following:

- Low Income Housing Tax Credits (LIHTC) - statewide competition;
- Housing Bonds - State;
- Housing Bonds - City of Chula Vista;
- Redevelopment Low and Moderate-income Housing Fund - Redevelopment Agency;
- HOME - City of Chula Vista and County of San Diego;
- Community Development Block Grants - City of Chula Vista; and,
- Other Public Financing - State and Federal.

**EXHIBIT 1A  
Supplemental Rental Application**

The rental unit for which you are applying has received governmental assistance under programs to encourage more affordable housing. As a result, the unit carries a rent level restriction and is restricted to occupancy by low and moderate income households.

The information required on this form is necessary to determine your income eligibility to occupy the unit. You must report all household income. Information provided will be confidential and not subject to public disclosure pursuant to State Government Code Section 6254(n).

Rental Unit Address \_\_\_\_\_

Applicant  
Name \_\_\_\_\_

Other Household  
Members \_\_\_\_\_

Total Current Annual Household Income from all Sources Including  
Asset:

TOTAL \$ \_\_\_\_\_

Detail:

Household  
Member \_\_\_\_\_ Income \_\_\_\_\_ Source \_\_\_\_\_

Total Gross Annual Household Income shown on most recent Federal Tax Return from Previous Calendar Year (Attach copies of most recent Federal Tax returns from previous calendar year for all household members receiving income. Include other verification of income not appearing on tax forms).

\$ \_\_\_\_\_

Monthly Rental Rate \$ \_\_\_\_\_

Number of Bedrooms \_\_\_\_\_

**EXHIBIT 1B  
Applicant's Statement**

I certify under penalty of perjury that the following information is true and correct to the best of my knowledge. I understand that any misrepresentation of the information contained herein may be cause for eviction.

Signature\_\_\_\_\_

Date\_\_\_\_\_

**Owner's Statement**

Based on the foregoing information, I certify under penalty of perjury that the applicant is eligible to occupy this restricted low and moderate income housing unit. Eligibility is based on finding that the applicant's household's current annual income is \$\_\_\_\_\_ and does not exceed current maximum household income of \$\_\_\_\_\_ allowed under the terms of a Development Agreement with the City of Chula Vista regarding this residential rental development.

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Signature:\_\_\_\_\_

Date:\_\_\_\_\_

**EXHIBIT 2A  
Semi-annual Report**

**Owner's Certification**

I am the owner or owner's representative for an affordable housing development in the City of Chula Vista which is bound by a Housing Agreement with the City.

I certify under penalty of perjury that the attached rent roll for affordable units at my project is true and correct to the best of my knowledge and complies with the terms and conditions stipulated in the Affordable Housing Agreement, or any agreements that implements the same, with the City of Chula Vista.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBIT 2B**  
**Semi-Annual Affordable Housing Monitoring Report**



Project Name: \_\_\_\_\_  
 Project Address: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
 As of (Date):  June 30, \_\_\_\_\_  December 31, \_\_\_\_\_  
 Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Bdrm Size	Restricted - Affordable		Non-Restricted		TOTAL
	No. of Units	No. of Units	No. of Units	Avg Monthly Rent	
Studio					
1 Bedroom					
2 Bedrooms					
3+Bedrooms					
<b>TOTAL</b>					

Unit No.	Bdrm Size	Monthly Rent \$	Name of Household	No. of Occupants	Total Monthly Household Income \$	Percent Median Income	Seniors - One Occupant 60 Yrs+ (Y/N)	Date of Last Income Re-Examination	FOR CITY USE ONLY Unit in Compliance (Y/N)
Example	2	\$695	Doe, John	2	\$2,800	%	N/A	1/99	
1.		\$			\$	%			
2.		\$			\$	%			
3.		\$			\$	%			



**EXHIBIT 2B**  
**Semi-Annual Affordable Housing Monitoring Report**



**SEMI-ANNUAL AFFORDABLE HOUSING MONITORING REPORT**

Project Name: \_\_\_\_\_

As of (Date):  June 30, \_\_\_\_\_

December 31, \_\_\_\_\_

Unit No.	Bdrm Size	Monthly Rent \$	Name of Household	No. of Occupants	Total Monthly Household Income \$	Percent Median Income	Seniors - One Occupant 60 Yrs+ (Y/N)	Date of Last Income Re-Examination	FOR CITY USE ONLY Unit in Compliance (Y/N)
4.		\$			\$	%			
5.		\$			\$	%			
6.		\$			\$	%			
7.		\$			\$	%			
8.		\$			\$	%			
9.		\$			\$	%			
10.		\$			\$	%			
11.		\$			\$	%			
12.		\$			\$	%			
13.		\$			\$	%			
14.		\$			\$	%			
15.		\$			\$	%			
16.		\$			\$	%			
17.		\$			\$	%			
18.		\$			\$	%			
19.		\$			\$	%			
20.		\$			\$	%			

Deadline for Submittal: January 15<sup>th</sup> and July 15<sup>th</sup> of each year.

Word: Monitor Rpt - Aff Hsg

Revised: January 2001

**EXHIBIT 3**  
**Homebuyer's Qualifying Form**

Buyer's Name: \_\_\_\_\_

Current Address: \_\_\_\_\_

Household Size: \_\_\_\_\_

Household Income: \_\_\_\_\_

Master Plan Community: \_\_\_\_\_

Tract: \_\_\_\_\_

Lot # \_\_\_\_\_

Lot Address: \_\_\_\_\_

# Bedrooms: \_\_\_\_\_

Purchase Price<sup>4</sup>: \_\_\_\_\_

Monthly PITI Payment: \_\_\_\_\_

% of Income: \_\_\_\_\_

Year of Purchase: \_\_\_\_\_

Signature Authorizing Release to City: \_\_\_\_\_

Sales Representative: \_\_\_\_\_

Submitted to City on: \_\_\_\_\_

Note: This information is for the City's Reporting and Administrative Use Only.

\_\_\_\_\_

<sup>4</sup> The sales price of any unit being sold in partial satisfaction of Developer's obligation to provide moderate income housing shall not exceed the affordable housing costs for owner occupied housing as defined within the Affordable Housing Program for the master plan community.

## EXHIBIT 4 City Requirements for Affirmative Marketing Plan

Every Developer complying with the City of Chula Vista's Housing Element's "Affordable Housing Plan" shall submit to the City and Affirmative Marketing Plan for City Review and Approval which details actions the Developer will take to provide information and otherwise attract eligible persons in the housing market area to the available housing without regard to race, sex, sexual orientation, marital status, familiar status, color, religion, national origin, ancestry, handicap, age, or any other category which may be defined by the law now or in the future.

- I. The City of Chula Vista Affirmative Marketing Requirements are as follows. Please note, however, the Plan is not limited to the Requirements.
  - (i) Detail methods for informing the public, buyers and potential tenants about Federal fair housing laws and the City of Chula Vista's affirmative marketing policy;
  - (ii) Publicize to minority persons the availability of housing opportunities through the type of media customarily utilized by the applicant, including minority outlets which are available in the housing market area;
  - (iii) Identify by language and by number any significant number of persons in a community within the housing market area who have limited fluency in the English language;
  - (iv) Where there is a significant number of persons in a community within the housing market area who have limited fluency in the English language, the Plan shall:
    - (a) *Identify the media most likely to reach such persons.*
    - (b) *Advertise for the housing development in the native language of such persons, in addition to the English language, and*
    - (c) *Describe the provisions which the housing sponsor will make for handling inquiries by and negotiations with such persons for the rental or sale of units in the development.*
    - (d) *Detail procedures to be used by the Developer and/or property manager to inform and solicit applications from persons in the housing market area who are not likely to apply for the housing without special outreach (e.g., use of community organizations, places of worship, employment centers, fair housing groups, or housing counseling agencies).*
- II. Records must be kept describing actions taken by the Developer and/or property managers to affirmatively market units and records to assess the results of these actions:

- (i) The records shall include a copy or transcript of the advertisement copy, the identity of the media in which it was disseminated, and the date(s) of each appearance. The housing sponsor shall also keep a record of the dates and places of any meetings or communications between the housing sponsor and any individual or group referred to the housing sponsor by the agency or organizations representing any of the groups within the community acting on behalf of any classification of minority persons described above. Such records shall be retained for a period of five years;
  - (ii) A description of how the Developer and/or property managers will annually assess the success of affirmative marketing actions and what corrective actions will be taken where affirmative marketing requirements are not met; and
  - (iii) The Developer/property manager shall furnish all information and reports required hereunder and will permit access to its books, records and accounts by the City of Chula Vista, HUD or its agent, or other authorized Federal and State officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.
- III. The City of Chula Vista may from time to time review the Plan and the Developer's and property manager's activities pursuant to the Plan and may require amendments to the Plan if it does not fully comply with the requirements of this section.
- IV. An affirmative marketing program shall be in effect for the duration of the Qualified Term defined in the Affordable Housing Agreement
- V. If a source of funding uses in a low/moderate income housing development, such as federal or state funds, has affirmative marketing requirements more restrictive than the City of Chula Vista's affirmative marketing requirements, then the more restrictive applies.