

Iowa City Riverfront Crossings Affordable Housing Requirement Administrative Rules

Adopted August 22, 2017

The Iowa City City Council adopted Ordinance 16-4668 on July 5, 2016 to establish an Affordable Housing Requirement in certain areas of the City. Those requirements are codified in Iowa City Code of Ordinances 14-2G8. Pursuant to 14-2G-8(l), the City Manager does hereby establish rules deemed necessary and not inconsistent with 14-2G-8 to assure that the purposes of the Affordable Housing Requirements are accomplished. These Administrative Rules shall be placed on file with the City Clerk and made available on the City of Iowa City website.

I. General Requirements

Rezoning

Upon rezoning property to a Riverfront Crossings zoning designation, the owner will be required to enter into an agreement with the City to indicate which method or methods it will use to achieve the affordable housing requirement. Typically this agreement will take the form of a conditional zoning agreement, which must be executed prior to the close of the public hearing on the rezoning.

Subdivision

Upon subdividing property in the Riverfront Crossings District, if there is no zoning agreement indicating the method or methods the owner will use to achieve the affordable housing requirements, such indication shall be made in the Developer's Agreement executed contemporaneously with the final plat approval.

Building Permit

Contemporaneously with an application for a building permit, an owner or developer shall complete the "Application Regarding Riverfront Crossings Affordable Housing Requirement", attached hereto as Exhibit A. This application shall be filed with Neighborhood Development Services (NDS) with the application for the building permit.

NDS will process this application along with the building permit application, so that the building permit and an affordable housing agreement can be entered into contemporaneously. No building permit may be issued unless and until such an agreement has been executed. The agreement shall take a form substantially similar to that attached hereto as Exhibit B. The City Manager has the authority to execute this agreement, which shall be recorded in the Johnson County Recorder's Office pursuant to 14-2G-8(c).

II. On-Site Owner-Occupied Affordable Housing

Determining Income

The seller shall be responsible for determining the income of the prospective buyer's household to determine eligibility for the affordable owner-occupied units **before** closing on the sale. If the sale does not close within six months after the income-eligibility determination has been made, the seller must re-examine the homebuyer's income. The City's consent to the sale is required and will be granted upon the City's confirmation that the buyer's household is income eligible and the purchase price complies with the ordinance and these rules. At least 30 days prior to closing, after the seller determines that the buyer is income-eligible, the seller must submit the requisite income documentation to the Director of Neighborhood Development Services. The Director or designee will, within 5 business days of the submittal, review the documentation, request any necessary additional documentation, and confirm or deny the income-qualification determination. This confirmation or denial will be in writing sent to the seller either via email or through the United States Postal Service at the seller's discretion.

The seller and the City shall use the annual income definition set forth in the HUD Part 5, Section 8 regulations found at 24 CFR 5.609, as amended, to determine if the household is income-eligible. The Part 5 definition of income is the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period. In performing its review of the income qualification, the seller shall submit a completed "Calculating Part 5 Annual Income" (Exhibit C) detailing the proposed buyer's income and shall provide the supporting documentation attached thereto. Income-eligibility must be documented with source documents such as wage statements (or three months of pay stubs), bank statements, letters from public assistance agencies that identify assistance amounts (Social Security, welfare assistance, etc.), and documentation of income received in periodic amounts such as from retirement funds or pensions.

Exhibit D provides a comprehensive list of income that is included and excluded from the calculations of annual income under Part 5. There is no asset limitation for the household; however actual income from assets is recognized under the Part 5 definition, even if the household elects not to receive the income. For example, if a household elects to reinvest the interest or dividends from an asset, it is still counted as income.

Median income is based on HUD's HOME income limits for the Iowa City, IA HUD Metro area, adjusted annually per household size (current limits identified in Exhibit F). Median income is based on household size. If a household consists of a parent and child, it is a two person household. If two unrelated adults share a household, incomes from both must be included as they would be considered a two person household.

If the homebuyer is a full-time student, the student is eligible if neither parent claims the student as a dependent on their state or federal taxes. Documentation from both parents must be submitted to verify, unless extenuating circumstances make such production impossible.

Dwelling Unit Size and Quality

The affordable dwelling units must be comparable to the market rate units of the same type. The affordable dwelling units shall be at least 80% of the floor area of the market rate units. The affordable housing dwelling units should have the same number of bedrooms and types of amenities as the market rate units, unless otherwise approved by the City Manager.

Location

The affordable housing units shall be distributed throughout the development to avoid concentration of units, unless a different distribution will result in the provision of additional affordable housing units. This may be approved on a case by case basis by the City Manager. Should the City Manager agree to allow the affordable units to be located together, a finding that such a concentration will result in the provision of additional affordable housing units should be set forth in the Affordable Housing Agreement. The additional affordable housing units created to allow this concentration will be subject to the same use restrictions as any other required affordable housing unit under 14-2G-8.

Sales Restrictions

For newly-constructed owner-occupied affordable housing units, the 2017 maximum sale price is \$214,000, regardless of the number of bedrooms, which is based upon the current HUD Homeownership Sales Price Limit for Johnson County. The maximum sale price for subsequent sales of an owner-occupied affordable housing unit during the term of affordability (established in 14-2G-8) shall not exceed the original purchase amount paid by the original homeowner or the HUD Homeownership Sales Price Limits for Johnson County, IA, adjusted annually, whichever is greater, except for those allowable expenses set forth in 14-2G-8D(2)(d).

In all cases where an owner-occupied affordable housing unit is to be sold, the City must approve the purchase price and the determination that the buyer is income-eligible. The seller must submit any and all documentation supporting the sales price to the Director of NDS in a timely manner at least 30 days prior to closing in order for the City to analyze the information and properly consider the request prior to closing. In determining whether to approve a sale price, the City will consider the following::

- 1) "Customary closing costs and costs of sale to be those identified in the Iowa closing disclosure statement, such as title services, appraisal, recording and loan origination fees.
- 2) Permanent Capital Improvements. In cases where the homeowner has installed capital improvements, the value of these improvements, as documented by receipts and the building permit documents, may increase the sales price by the amount of the eligible improvement. A capital improvement increases your home's value, while a non-eligible repair returns something to its original condition. Replacing a countertop or bathroom feature would not be considered an eligible capital improvement. An example of a capital improvement would be the addition of a bathroom.

At least 30 days prior to closing, the seller must submit the requisite documentation to support the sale price to the Director of NDS. The Director or designee will, within 5 business days of the submittal, review the documentation, request any necessary additional documentation, and confirm or deny the sale price. This confirmation or denial will be in writing sent to the seller either via email or through the United States Postal Service at the seller's discretion.

Owners are cautioned about significant capital improvements as the home must be sold to an income eligible homebuyer under 110% of median income. If the price exceeds the maximum HUD Homeownership Sales Price Limit, the potential number of income eligible buyers may be reduced.

III. On-site Affordable Rental Housing

The initial income qualification process for on-site affordable rental housing shall be the same process as set forth above for on-site owner-occupied affordable housing, except that an owner must review the income qualifications for tenants occupying designated affordable housing dwelling units annually to determine continued compliance. The reexamination shall be completed annually and before execution of a lease renewal. For lease renewals, the City will accept a copy of the most recent federal tax form (Form 1040) submitted by all adult members of the household, as income verification.

If the tenant is no longer income eligible, notwithstanding the location requirement set forth in the Code and as approved by the Director of NDS, the next available unit with the same bedroom size or larger in the project property must be rented to an income eligible tenant.

The property owner shall submit an Annual Tenant Housing Report (Exhibit E) for the designated affordable housing rental units. The report shall be submitted each January 30 for the preceding calendar year throughout the compliance period. At a minimum, the report shall include the name of the household, unit number/address, lease dates (most recent lease or renewal date), rent amount, number of bedrooms, size and income of the household. Neighborhood Services staff shall verify compliance within 30 days and may request income documentation for all or a portion of the qualifying tenants.

The property owner shall retain tenant income and rent for the most recent three years, until three years after the compliance period.

Rental Rate

The monthly rate for the affordable housing units shall not exceed the HOME Fair Market Rent, per applicable bedroom size, as published by HUD for the Iowa City, IA HUD metro area, as adjusted annually. These rents may be found online at www.icgov.org/actionplan under HOME Table of Income Guidelines and Fair Market Rent (2017 rents identified in Exhibit F).

IV. Off-Site Affordable Dwelling Units or Dedication of Land

If the owner desires to satisfy this obligation through off-site affordable housing or through the dedication of land, the owner must establish that it would be infeasible to provide the affordable units on-site or to provide a fee in lieu of the on-site units, as reasonably determined by the City. If the owner is able to establish this, the City's determination must be reflected in the findings of the conditional zoning agreement.

If the property is not subject to a conditional zoning agreement already establishing the method of achieving affordability and the owner desires to satisfy this obligation through off-site affordable housing or through the dedication of land, the owner must establish that it would be infeasible to provide the affordable units on-site or to provide a fee in lieu of the on-site units, as reasonably determined by the City. If the owner is able to establish this, the City's determination must be reflected in the findings of the affordable housing agreement.

In reasonably determining whether an owner has established that providing the units on-site or paying the fee in lieu thereof is not feasible, the City will consider such factors as whether the cost of constructing the unit exceeds the current maximum sale price for affordable units, as set

forth in the Code of Ordinances, and whether the common maintenance expenses each owner would be required to pay would be cost prohibitive for income-qualified households.

The off-site affordable housing units may be satisfied by designating existing or newly constructed dwelling units in the Riverfront Crossings District, as defined in Iowa City Code 14-2G-2, as may be amended from time to time, as affordable dwelling units, subject to the use limitations set forth in 14-2G-8 and herein.

V. Fee-in-Lieu Contribution

As of July 17, 2018, the City Council adopted a resolution setting the fee at \$94,652 per unit. The fee-in-lieu contribution shall be made prior to issuance of any building permit for the development for which affordable housing is required pursuant to City Code 14-2G-8.

Exhibit

- A. Application Regarding Riverfront Crossing Affordable Housing Requirement
- B. Affordable Housing Agreement
- C. Calculating Part 5 Annual Income
- D. Income Inclusions and Exclusions
- E. Annual Tenant Housing Report Form
- F. Table of Income and Rent Limits

EXHIBIT A

Application Regarding

Riverfront Crossings Affordable Housing Requirement

If you desire a building permit to construct a building containing ten or more residential units on property zoned a Riverfront Crossings Zoning designation, you are required to provide affordable housing in accordance with Iowa City Code of Ordinances Section 14-2G. Before you can get a building permit for your project, you must enter into an Affordable Housing Agreement with the City detailing how you will satisfy the affordable housing requirements adopted by the City Council in 2016 (Ord. 16-4668). Please carefully review 14-2G-8 and the Administrative Rules adopted to govern the details of how this program is to be administered, as they contain critical information for your development project.

In order to aid in the drafting of the Affordable Housing Agreement, please complete this application and return to the Director of NDS with your building permit application:

1. Owner name, address and telephone number: _____

2. Legal description of the property to be developed, include street address: (can be attached)

3. Total number of residential dwelling units in the project and the type of units you intend to provide:

	Efficiencies	One Bedroom	Two Bedroom	Three Bedroom
Number of Units				

4. Has a horizontal property regime been established for the property? _____ If yes, in which book and page is the Declaration filed in the Johnson County, Iowa Recorder's Office?
_____.

5. The Affordable Housing Requirement will be met through: *Check all that apply.*

- On-site owner-occupied affordable housing
- On- site affordable rental housing
- a fee in-lieu contribution to an affordable housing fund
- off-site affordable housing
- contribution of land

Please note: If you desire to satisfy your affordable housing obligation through off-site affordable housing or contribution of land, the owner must establish that it cannot feasibly provide the

affordable units on-site or pay the fee in lieu thereof. See 14-2G-8 and the Administrative Rules for details.

Project Description

A. On-site owner-occupied affordable housing:

1. Development Requirements:

Of the total number of units, 10% shall be affordable owner-occupied affordable housing units. Please complete for the total on-site owner-occupied affordable housing units. Because these particular units will be subject to specific sales restrictions, the specific unit number/address is required. Please note that the City desires to have the designated affordable housing units spread throughout the development.

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom
Number of Units				
Unit Number/Address				

2. Programming Requirements:

See Iowa City Code Section 14-2G-8 and the Administrative Rules for Income Restriction and Sale Restriction requirements. It shall be your responsibility, as the current owner of these owner-occupied affordable housing units, to determine whether a potential buyer is income-eligible to purchase these units, subject to City review and approval prior to closing. HOME income limits may be found online at www.icgov.org/actionplan under the HOME Table of Income Guidelines and Fair Market Rent.

The current maximum sales price for a newly-constructed owner-occupied affordable housing unit is \$214,000, regardless of the number of bedrooms. Please list your proposed sale prices:

Efficiency	One Bedroom	Two Bedroom	Three Bedroom
\$	\$	\$	\$

Name and contact information for person administering the programming requirements on your behalf: _____

B. On-site affordable rental housing:

1. Development Requirements:

Of the total number of units in the project, 10% shall be affordable rental units. The total Affordable Rental Housing Units will be:

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom
Number of Units				

2. Programming Requirements

a. Rental Rate:

The monthly rental rate for the affordable rental units shall be no more than the HOME Fair Market rent, for the applicable bedroom size, as published by HUD for the Iowa City, IA HUD Metro FMR Area, *as adjusted annually*.

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom
HOME Fair Market Rent <i>(effective 6/15/17)</i>	\$649	\$771	\$1,012	\$1,473
Your proposed rental rates:				

b. Occupancy/Income Restriction: You must rent any designated affordable rental units to households earning equal to or less than \$36,480 for a 1-person household; \$41,700 for a 2-person household; \$46,920 for a three-person household; \$52,080 for a 4-person household. See Iowa City Code Section 14-2G-8 and the Administrative Rules for further details on how this is determined.

c. Income Verification: Name and contact information for the person who will be performing your income verification requirements, including the filing of the Annual Tenant Housing Report on or before January 30 of each year: _____

C. Payment of a fee in lieu of providing affordable Housing:

Pursuant to Resolution 18-213, adopted by the City Council on July 17, 2018, if you desire to satisfy your affordable housing requirement through the payment of a fee, the amount of that fee is calculated by determining the number of affordable units required and multiplying by \$94,652.

Total fee: \$_____.

D. Off-site affordable housing:

1. Description of why it is infeasible to provide the required affordable housing units on-site or pay the fee in lieu thereof: _____

2. Location of the proposed off-site affordable housing: _____

3. Legal Description of proposed off-site affordable housing units:

4. Nature of the units (owner-occupied or rental):

E. Contribution of land:

1. Description of why it is infeasible to provide the required affordable housing units on-site or pay the fee in lieu thereof: _____

2. Location of the proposed land contribution: _____

3. Legal Description of proposed land contribution:

Exhibit B

Prepared by: _____, Neighborhood Services, 410 E. Washington, Iowa City, IA 52240 (319) 356-5230

AFFORDABLE HOUSING AGREEMENT FOR *[INSERT ADDRESS OF PROPERTY AND NAME OF DEVELOPMENT]*

THIS AGREEMENT is made between the City of Iowa City, Iowa, a municipal corporation (hereinafter "City"), _____ (hereinafter "Owner").

WHEREAS, Owner is the legal title holder of *[INSERT LEGAL AND STREET ADDRESS]*, within the Riverfront Crossings District; and

WHEREAS, pursuant to Ordinance 16-4668, approved by the City Council on July 5, 2016, the Riverfront Crossings District has an affordable housing requirement in order to further the goals of increasing opportunities for people of all income levels to work and live near key employment centers, to promote the construction of housing that is affordable to the community's workforce, to promote a balanced community that provides housing for people with diverse income levels, and other goals as enumerated in City Code Article 14-2G; and

WHEREAS, said property is currently zoned *[INSERT NAME OF RIVERFRONT CROSSINGS ZONING DESIGNATION]* (____), pursuant to Ordinance _____ and subject to a conditional zoning agreement, recorded in Book _____, Page _____, requiring that Owner satisfy the affordable housing requirement by the _____ method; and

WHEREAS, the Riverfront Crossings District is well-situated to support a mix of housing due to its close proximity to downtown Iowa City and the University of Iowa campus, its existing and planned mix of uses, convenient access to public transit and municipal parking facilities, and it is ripe for higher density development under the Form Based Code; and

WHEREAS, City Code Section 14-2G-8, the Riverfront Crossings Affordable Housing Requirement, requires that the property owner enter into this Affordable Housing Agreement with the City detailing how it will satisfy the affordable housing requirements; and

WHEREAS, the Owner desires to obtain a building permit for development of said property with ten or more dwelling units, and therefore wishes to satisfy its obligations set forth in Iowa City Code of Ordinances Article 14-2G and the above-referenced conditional zoning agreement, in accordance with this Agreement.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. Owner is the legal title holder of the property legally described as **(insert legal description)**.
2. Pursuant to Iowa City Code of Ordinances, Article 14-2G, Owner is required to provide _____ **(insert number)** affordable housing dwelling units, as that term is defined in said Article.

3. Pursuant to Article 14-2G and the above-described Conditional Zoning Agreement, Owner hereby agrees satisfy this obligation through the following programming and development details:
 - a. *(See 14-2G-8 for each method's development and programming requirements)*
4. The parties acknowledge that this Agreement shall be deemed to be a covenant running with the land and with title to the land, and shall remain in full force and effect as a covenant with title to the land, unless or until released of record by the City of Iowa City.
5. The parties further acknowledge that this agreement shall inure to the benefit of and bind all successors, representatives, and assigns of the parties. The Owner agrees that in the event the subject property is transferred, sold, redeveloped, or subdivided, all redevelopment will conform with the terms of this Agreement.
6. The Owner acknowledge(s) that nothing in this Agreement shall be construed to relieve the Owner from complying with all other applicable local, state, and federal regulations.
7. This agreement shall be recorded in the Johnson County Recorder's Office at Owner's expense.

Dated this _____ day of _____, 20__.

CITY OF IOWA CITY

By: _____
 _____, City Manager

INSERT OWNER

By: _____
 _____, _____

Approved by:

 City Attorney's Office

CITY OF IOWA CITY ACKNOWLEDGEMENT:

STATE OF IOWA)
) ss:
 JOHNSON COUNTY)

This instrument was acknowledged before me on _____, 20__ by _____ as City Manager of the City of Iowa City.

Notary Public in and for the State of Iowa

(Stamp or Seal)

Title (and Rank)

CORPORATE ACKNOWLEDGEMENT:

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on _____, 20__ by _____ as _____ of _____.

Notary Public in and for said County and State

(Stamp or Seal)

Title (and Rank)



CITY OF IOWA CITY

EXHIBIT C

Calculating Part 5 Annual Income

1. Name:		2. Household Size:		3. Project Address:	
Assets					
Family Member	Asset Description	Current Cash Value of Assets	Actual Income from Assets		
4. Net Cash Value of Assets		4.			
5. Total Actual Income Assets			5.		
6. If line 4 is greater than \$5,000, multiply line by .02 (Passbook Rate) and enter results here; otherwise, leave blank			6.		
Anticipated Annual Income					
Family Members	a. Wages/Salaries	b. Benefits/Pensions	c. Public Assistance	d. Other Income	e. Asset Income
					Enter the greater of lines 5 or 6 from above in e.
7. Totals	a.	b.	c.	d.	e.
8. Enter total of items from 7a. through 7e. This is the <i>Annual Income</i>					8.

X _____
Signature of Agency Representative

Date

Name of Agency Determining Income for Household

_____ Household Income

_____ % of Median Income

Maximum Income Limit of Household
(See Affordable Housing Agreement): Circle: 60% 80% 110% MFI

INCOME ELIGIBLE: Circle: Yes No
(Attach supporting income documentation to this form. Retain for three years)

Exhibit D : Income Inclusions and Exclusions**24 CFR 5.609(b) and (c)**

Examples included in parentheses have been added to the regulatory language for clarification.

INCOME INCLUSIONS

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (2) above. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a **periodic amount (e.g., Black Lung Sick benefits, Veterans Disability, Dependent Indemnity Compensation, payments to the widow of a serviceman killed in action). See paragraph (13) under Income Exclusions for an exception to this paragraph;**
- (5) Payments in lieu of earnings, such as unemployment, disability compensation, worker's compensation, and severance pay, except as provided in paragraph (3) under Income Exclusions;
- (6) Welfare Assistance.
 - (a) Welfare assistance received by the family.
 - (b) If the welfare assistance payment includes 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 income to be included as

income shall consist of:

- (c) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- (d) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling; and
- (8) All regular pay, special pay, and allowances of a member of the Armed Forces, except as provided in paragraph (7) under Income Exclusions.
- (9) For Section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph "financial assistance" does not include loan proceeds for the purpose of determining income.
(Note: This paragraph also does not apply to a student who is living with his/her parents who are applying for or receiving Section 8 assistance.)

INCOME EXCLUSIONS:

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually persons with disabilities unrelated to the tenant family, who are unable to live alone);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, except as provided in paragraph (5) under Income Inclusions;
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in 24 CFR 5.403;
- (6) The full amount of student financial assistance paid directly to the student or to the educational institution (see Income Inclusions (9), above, for students receiving Section 8 assistance);
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire (e.g., in the past, special pay included Operation Desert Storm);
- (8) (a) Amounts received under training programs funded by HUD (e.g., training received under Section 3);

- (b) Amounts received by a person with a disability that are disregarded for a limited time for purposes of supplemental security income eligibility and benefits because they are set-aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (c) Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (d) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the owner, on a part-time basis, that enhances the quality of life in the project. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident-initiative coordination. No resident may receive more than one such stipend during the same period of time; or
 - (e) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as a resident management staff person. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.
- (9) Temporary, nonrecurring, or sporadic income (including gifts);
 - (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (Examples include payments by the German and Japanese governments for atrocities committed during the Nazi era);
 - (11) Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);
 - (12) Adoption assistance payments in excess of \$480 per adopted child;
 - (13) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
 - (14) Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;
 - (15) Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
 - (16) Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the *Federal Register* and distributed to housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

The following is a list of income sources that qualify for that exclusion:

- (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 [b]);
- (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058) (employment through AmeriCorps, Volunteers in Service to America [VISTA], Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
- (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626[c]);
- (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
- (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624[f]);
- (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552[b]); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 [29 U.S.C. 2931], e.g., employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans employment programs, state job training programs, career intern programs, Americorps);
- (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04);
- (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court and the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);
- (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056[f]), e.g., Green Thumb, Senior Aides, Older American Community Service Employment Program;
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991, including advanced earned income credit payments (26 U.S.C. 32[j]);
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);
- (p) Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637[d]);

- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

Annual Tenant Housing Report Form — Due January 30th for preceding calendar year

EXHIBIT E

Name, Phone Number & Email of Person Completing Form:	
Property Address:	Period Covered: January 1, 2016 to December 31, 2016
Property Owner:	Required Number of Units per Ordinance:



Unit #	# of Bdrms	Last Name or Client ID#	Total Monthly Rent	% Median Income	Size of Household (all members)	Start/Renewal of Lease	Lease Expiration Date

I certify that the information above is, to the best of my knowledge and belief, true, correct and complete. I am aware that the information being provided is subject to verification by the City of Iowa City.

Name (print)

Signature

Date

Complete and return to:

neighborhoods@iowa-city.org

City of Iowa City, Neighborhood Services

410 E. Washington Street

Iowa City, IA 52240

If you have questions, please call 319.356.5230



Exhibit F

**Table of Income and Rent Limits
HOME Investment Partnerships Program (HOME)**

Income Limits Effective, June 1, 2018

Household Size	60% Median Income	80% Median Income	Median Income	110% Median Income
1	\$36,540	\$48,750	\$60,900	\$66,990
2	\$41,760	\$55,700	\$69,600	\$76,560
3	\$46,980	\$62,650	\$78,300	\$86,130
4	\$52,200	\$69,600	\$87,000	\$95,700
5	\$56,400	\$75,200	\$94,000	\$103,400
6	\$60,600	\$80,750	\$101,000	\$111,100
7	\$64,740	\$86,350	\$107,900	\$118,690
8	\$68,940	\$91,900	\$114,900	\$126,390

HOME Fair Market Rent Limits

Effective	SRO	Efficiency	1 BDR	2BDR	3 BDR	4 BDR	5 BDR	6 BDR
6/1/2018	\$468	\$625	\$723	\$956	\$1,391	\$1,684	\$1,937	\$2,189