**~~Report Agreement of Rented Affordable Homes~~**

**~~Monitored by Island Housing Trust \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_~~**

Affordable Home Rental Report to West Tisbury Affordable Housing Committee

By Monitor of Homes

This Report Agreement made this \_\_\_\_day of \_\_\_\_, \_\_\_\_\_ between the Monitor Agent~~Island Housing Trust (IHT), P.O. Box 779, West Tisbury, MA 02575,~~ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, acting by and through its members and the West Tisbury Affordable Housing Committee (WTAHC), P.O. Box 278, West Tisbury, MA 02575, acting by and through the Town of West Tisbury Board of Selectmen.

~~Whereas~~, Through the activities of the Town and/or the Martha’s Vineyard Commission (MVC) building lots/homes become available for lease or sale or are being monitored through a covenant by the ~~IHT~~ Monitoring Agent\_\_\_\_\_\_ to persons or families of low or moderate income levels and

~~Whereas, the Town has established the Affordable Housing Committee to assist in the distribution of lots/homes to persons or families of low or moderate income levels, by~~ WTAHC has developed ~~ing criteria~~ guidelines for eligibility, resales, repurchases, rentals or other restraints on alienation and duration of such restraints;

~~Whereas, WTAHC has established eligibility criteria for the distribution of lots/homes within the Town to persons or families of low and moderate income levels.~~

~~Whereas,~~ The Monitoring Agent ~~IHT~~ recognizes that the Town zoning bylaw states under Zoning Bylaw Article 4.4-~~7 D~~ -3 B that the WTAHC ”…subject to the terms and limitations of a covenant imposed by the Affordable Housing Committee …pursuant to the provisions of St. 2004, c 445, at the sole discretion of the WTAHC…” To this matter the WTAHC set Guidelines ~~as~~ to the following:~~Guidelines shall be enforceable by the Town of West Tisbury or its designee and shall limit, in part, the following:~~

1. The use of the property to one dwelling, which shall be the owner's primary

residence;

2. The maximum allowable rental time per year;

3. The rental guidelines and exceptions, if any

**If** the Monitoring Agent ~~IHT~~ wishes to allow rental of these affordable homes they ~~must comply with~~ ~~Article 4.4-7D~~ ~~number 4 and 5. s~~hall report any rental of affordable homes under ~~an IHT~~ a covenant they monitor to WTAHC.

**~~Now, Therefore, IHT and WTAHC agree as follows:~~**

~~1. IHT and WTAHC agree that any rental of affordable homes in the Town under IHT control through deed riders, ground leases or other forms shall at start of rental report to WTAHC the rental of said home.~~

The following information shall be provided to WTAHC through a Rental Form (See Appendix A):

Rental Criteria (Explanation why rental allowed and length)

Rental History (when last rented and length)

Terms of rental agreement (~~possibly~~ through an application form, etc.)

Rental Amount

Income level of rental (Income levels are based on Department of Housing and Community Development (DHCD). Income tables provided by DHCD yearly)

Homeowner name Phone

Physical Address of said home Mailing Address

Homeowner income qualification level Size of home (number of bedrooms)

Name of Eligible Renter

Mailing Address of Renter

Renter income level

~~Rental amount~~

~~Terms of rental agreement~~

~~Explanation why rental is being allowed and length of rental~~

**All these items may be covered in the homeowner’s application for rental permission. (See Appendix A)**

~~AHC must have final say as to time of lease, permission to sublet (identification of principal resident. Any excess rental above that permitted by bylaw must be returned to Town.~~

3.The Monitoring Agent ~~IHT~~ and WTAHC agree any home being rented has been rented according to all rental eligibility ~~criteria~~ guidelines established by WTAHC

~~4. WTAHC has the right to review and revoke rentals that do not meet rental guidelines as well as set a time limit on the rental.~~

5. Dukes County Regional Housing Authority (DCRHA) has supplied and reviewed a Renter eligibility application **and** DCRHA has determined the renter’s eligibility income level.

~~These Income levels are based on~~ **~~Department of Housing and Community Development~~** ~~(DHCD) income tables provided by DCHD yearly~~.

~~7. The size and income level of the rental family must meet the appropriate size and income level for the home. This level shall be the established level at beginning of homeownership (when lot/home was first distributed to homeowner through IHT covenant,~~ **~~ground lease~~** ~~or other form of conveyance).~~

The Monitoring Agent ~~IHT~~ and WTAHC agree that all rentals including those previously rented before this agreement shall be reviewed once a year. The status of such shall be reported to WTAHC by June 30th of each year. Those presently being rented at the signing of this agreement shall be reported immediately and shall be ~~or~~ placed in compliance with the WTAHC rental guidelines. ~~to the WTAHC.~~

9. Rentals of the affordable homes shall not exceed one year. Exception to exceed one year shall be reviewed and determined by the WTAHC.

~~10. IHT shall comply with all the requirements set forth in Article 4 of the Town’s zoning bylaws and expressly recognizes that the Town through WTAHC shall have the power to enforce the terms of this letter of agreement.~~

IN WITNESS WHEREOF, the parties have executed this ~~Letter of Agreement~~ Affordable Home Rental Report Agreement as of the day and year first above written.

~~Island Housing Trust~~ West Tisbury Affordable Housing Committee

Monitoring Agent

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By its Chairperson/Duly authorized signatory

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By its Executive Director

As duly authorized by the members

Revised 10-5-2020