



**City of Boulder
Housing and Human Services**

Real Estate Agent Guide



Homeownership Program

Contents

Welcome!.....	3
Permanently Affordable Program - Overview	4
City of Boulder Affordable Covenant Summary.....	6
Selling an Affordable Home: A Step-by-Step Guide.....	9
Setting the Maximum Resale Value of Permanently Affordable Homes.....	15
Frequently Asked Questions	16
Appendix - For Sale by owner Check List	17



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Welcome!

Dear Real Estate Professional,

We are pleased you are working with a buyer or owner in City of Boulder's Affordable Homeownership program! This is a great community in which to live, and Boulder has taken steps to ensure an inventory of permanently affordable homes and opportunities for ownership in our community.

The City of Boulder makes homes affordable through regulations and subsidies. As such, there are some responsibilities to which program buyers and owners must commit. This manual was developed to provide a program overview to real estate professionals, while giving specifics about the city's requirements and timeframes for approving and drafting documents for closing.

During the sale a city staff member will be assigned to the transaction. This staff member is charged with protecting the interests of the community, the buyers, and the sellers. It is their objective to be fair and neutral throughout. You should not hesitate to notify them with questions, or if you need assistance.

Sincerely,

The Homeownership Program Team

City of Boulder

Housing and Human Services

City of Boulder Homeownership Programs

Mailing Address: P.O. Box 791, Boulder, CO 80306

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homeownership@bouldercolorado.gov

www.boulderaffordablehomes.com



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Updated: 8/14/2023

Permanently Affordable Program - Overview

Below is an overview chart for the Permanently Affordable Homes Program.

Permanently Affordable Program: Eligibility Requirements			
INCOME & ASSETS (Each home has its own income and asset limit. Many are lower than these limits. Check the homes listed on our website for examples.)	Family Size	Income Limit	Asset Limit
	1	\$105,360	\$140,000
	2	\$120,480	\$155,000
	3	\$135,480	\$170,000
	4	\$150,480	\$185,000
	5	\$162,600	\$200,000
	6	\$174,600	\$215,000
	7	\$186,600	\$230,000
	8	\$198,720	\$245,000
	See below for special asset scenarios. Income is based on gross income for standard employees and net income for self-employed individuals. Some homes also have asset limits based on the household's status (retired, recently divorced, disabled).		
FEE	\$25.00 application fee		
DEBT-TO-INCOME RATIO	Debt-to-Income ratio may not exceed 42% in most cases.		
BUYER'S MINIMUM CASH CONTRIBUTION	Buyers are required to contribute at least \$2,000 of their own money. Lenders may have requirements beyond this minimum.		
HOMEBUYER EDUCATION	To participate in the program each household must attend a city Orientation, and a homebuyer education class approved by the Colorado Housing Finance Authority (CHFA). These classes are also available online. <ul style="list-style-type: none"> • The city Orientation is required prior to submitting an application. • The CHFA-approved Homebuyer class is required prior to going under contract on a home. 		



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LENDER/MORTGAGE LOAN	<p>Applicants must submit as part of their city application packet:</p> <ul style="list-style-type: none"> • Copy of the mortgage loan application (as prepared by their lender, not handwritten) -or- a recent credit report (either issued within the last 30 days) • Mortgage Preapproval Letter that lists maximum purchase price, loan amount, minimum down payment, estimated PITI, interest rate, and loan type issued within the last 30 days
FIRST-TIME HOMEBUYER REQUIREMENT	<ul style="list-style-type: none"> • No requirement • Buyers may have owned a home in the past, or still own a home at time of application • Buyers must sell their home before closing on a Permanently Affordable home
RESALE RESTRICTIONS	<ul style="list-style-type: none"> • Homes must be re-sold to an eligible buyer after a fair marketing period • Resale price will be based on the original purchase price, plus annual appreciation (up to 3.5% per year) and approved capital improvements
OTHER REQUIREMENTS	<ul style="list-style-type: none"> • At least one person in the household must work 30 or more hours per week (unless retired* or permanently disabled) • At least one person in the household must have a work history of 1 year within the most recent 12 months (unless retired* or permanently disabled). • Property must be owner-occupied • Number of bedrooms may exceed number in household by one in most cases • Buyer must adhere to all covenant restrictions (a copy of the covenant is available upon request)

* The programs definition of a “retired” household is aligned with Social Security policy and practice regarding retired individuals and the benefits for which they qualify. A household is classified as retired if:

- At least one member of the household is age 65 or older (Social Security definition of “normal” retirement age);
- Greater than 50% of the household’s income is comprised of retirement funds (social security, pension, regular 401(k)/IRA withdraws, etc.); and
- The retired person(s) are not earning more than the annual social security permitted income cap from employment or contract income (“Earnings Test Annual Exempt Amount for Under Full Retirement Age”).



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City of Boulder Affordable Covenant Summary

All Permanently Affordable homes come with affordable covenants that ensure the homes Remain perpetually affordable into the future. The buyer must accept all terms of the covenant to be eligible to purchase the home.

Covenant Key Points

- The maximum income of a new buyer will be established in advance of sale or re-sale, and the home may not be sold to a buyer that exceeds the maximum income limit.
- The home has a Maximum Resale Price Limit that includes limiting appreciation.
- Buyers are required to maintain their affordable home in a manner that protects the health, safety and livability for future homeowners.
- Eligible capital improvements for which a homeowner can receive credit are limited in amount and type and must be pre-approved by the city to receive credit.
- The ability to refinance is limited to 90-93% of the Maximum Resale Price Limit. The city must be contacted prior to arranging refinancing with a lender to ensure this limit is not exceeded.
- The home must be occupied by the owner unless the city has approved a rental arrangement.
- The home cannot be rented in its entirety during the first five years of ownership.
- After five years of ownership, the home may be rented for one year out of every seven. The city needs to be contacted prior to renting for approval.
- A long-term rental of only one room in the home may be permitted after the first year of ownership. Please contact us for details. Licensing regulations must be followed.

A full version of the Covenant is available by request. For a copy please email us at homeownership@bouldercolorado.gov.



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Working with Program Buyers

Buyers in the program will need to follow this process as they work to purchase a home:

Step One: Attend Orientation

Orientation is the first step in the process so buyers can decide if this program is the right fit for them. This class will help potential buyers understand the eligibility requirements, application process, and their rights and responsibilities as an owner in the program.

A one-hour class is offered in person once per month either online or in a classroom, or an on-demand version is available online. Details can be found on our website.

Step Two: Contact a Lender

The city requires a pre-approval letter and a copy of a loan application (or a recent credit report) as part of the program application. One may use any lender they would like. If one chooses to work with a lender not familiar with the program, please direct them to the "For Lenders" section of our website.

Step Three: Apply

Complete the Boulder County Homeownership Programs Common Application. Applicants will need to attach all required supporting documentation requested in the application. If information is missing from an application submitted, they must be provided within 30 days of original submission.

For the purpose of the selection process application deadlines, we will not consider an application complete until all documents listed in the application have been received. Staff requires up to approximately 10 business days to process application documents to check for completeness.

The Boulder County Homeownership Programs Common Application enables applicants to apply the following homeownership programs: City of Boulder, Thistle Communities, Boulder County Down Payment Assistance Program, City of Longmont, Elevation Community Land Trust, and Flatirons Habitat for Humanity. We will share an application with other programs as indicated by applicant.

Step Four: Attend the Homebuyer Education Class

The Homebuyer Education class must be completed by buyers prior to going under contract on a home. The best time to take this class is while one is looking at homes. The class will provide information about the home purchase and closing process.

Applicants who are or have been a homeowner still must take this class. The class certificate must be dated within one year of applying to the program.

Links to in-person and online versions of the classes can be found on our website.



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Step Five: Shopping for a Home

Households that qualify for the Permanently Affordable Homes Program should look at our website for a list of currently available homes. A real estate agent can help set up showings, and open houses will be listed on our website.

Households qualifying to use the Shared Appreciation Loan (H2O) can work with their real estate agent to look at market rate homes in Boulder city limits.

One may use any real estate agent they would like. If one is working with an agent not familiar with the program, they should be directed to the "For Realtors" section of our website.

Step Six: Recertifying and Going Under Contract

The preliminary program certification is valid for one year. At the end of one year, applicants may recertify for free. Recertification materials are due two weeks before their current certification expires.

It's recommended to plan ahead. Staff requires up to approximately 10 business days to process recertification documents to check for completeness. Applicants may recertify after six months if there have been changes income, assets and other household demographics.

Once an applicant has a signed contract to buy a home, the city will review the contract, inspection, loan, and other buyer documents. If these items meet program requirements, we will issue a "final certification" letter.

Once an applicant has received final certification, they are eligible to purchase/close on the home. At closing, buyers will sign documents prepared by the City of Boulder, including the Covenant. To prepare for closing buyers will meet with a City of Boulder Homeownership staff member approximately one week before closing to review these documents.

Step Seven: Closing

At this meeting the buyer will sign paperwork and receive the house keys!



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Selling an Affordable Home: A Step-by-Step Guide

These procedures were put in place to ensure continued benefits for future homeowners. Below are the steps to selling a Permanently Affordable home, as well as what to keep in mind regarding the covenant recorded with these homes. Once we have received the owners "Intent to Sell" form (found on our website) a Homeownership Team member will be assigned to the sale. This person will be designated to work with the owner and their agent until the home has changed ownership.

STEP ONE: DECIDE TO SELL WITH OR WITHOUT AN AGENT. Seller can choose to work with a professional real estate broker, or they can sell the home themselves. In either case, the maximum resale price will be increased by a set amount to help cover some marketing and closing costs.

Option One: Work with a Professional Real Estate Agent: Sellers may work with any real estate agent they like. If a seller chooses this option, a 2.5 percent commission will be added, to be split between seller's and buyer's agent, and \$650 for closing costs to the resale price. Sellers are free to work with any real estate agent they choose. If the commission exceeds 2.5 percent, or the seller's closings costs exceed \$650, these costs will not be added to the resale price. These additional costs will come out of the seller's proceeds from the sale.

Option Two: Seller Sells the Home by Themselves (For Sale by Owner): In this scenario, the seller markets the home, schedules showings for the property, and handles the contract responsibilities. The city does not represent the buyer or seller or offer assistance with the real estate aspects of the sale. Sellers will likely hire a real estate attorney to help with the contract and other legal documents.

If a seller chooses this option, then we will add \$550 for marketing and sales expenses, 1.25 percent commission for the buyer's agent, and \$650 for closing costs to the maximum resale price. If the marketing and sales expenses exceed \$550, or the closings costs exceed \$650, any additional costs will not be added to the resale price. These additional costs will come out of the seller's proceeds from the sale. There is a checklist in the appendix to help those that wish to sell the home without the assistance of a real estate professional.

STEP TWO: INSPECTION. The covenant attached to the Permanently Affordable homes requires owners maintain the home in good, safe and habitable condition. To ensure adequate maintenance has been carried out the home will be inspected. The owner will be given the option to repair items that do not meet the city's standards or reduce the resale price. There are two inspection choices:

Option One: City Inspection Before Listing and Buyer's Inspection After Going Under Contract

If a seller chooses to have the property inspected before listing, then a city-contracted inspector will check for damages and maintenance issues. The inspection will happen before we calculate the maximum resale price and will be scheduled within approximately two weeks of receiving the sellers Intent to Sell form. After reviewing a copy of the inspection report, we offer sellers the opportunity to fix items needed to restore the home to program required standards. If a



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seller chooses to not make the repairs, then the maximum resale price of the home will be reduced to cover the cost of repairs for the buyer.

The buyer will also be required to have an inspection after going under contract to purchase the home, so sellers will have two inspections performed if they choose this option. If the buyer's inspection reveals items that need correction (even if they did not show up in the city inspection) then the city will require seller correct those items as well.

Pros of this option: Sellers can contract the sale knowing that their home is adequately repaired. There is no expense to the seller, as the city will pay for the first inspection.

Cons of this option: Extra time is required before listing a home to accommodate the inspection and any repairs.

Option Two: Buyer's Inspection After Going Under Contract

Sellers can choose to forgo the city inspection and only have a buyer's inspection. If a seller chooses to wait for the buyer's inspection, they agree that the maximum resale price of the home may decrease based on the buyer's inspection. We will review a copy of the buyer's inspection and the city will determine what items must be repaired to restore the home to a program standard. The seller will be asked to make any repairs, or reduce the sales price, based on the findings of the inspection.

Pros of this option: This alternative allows for a faster calculation of the maximum resale price and listing the home.

Cons of this option: Waiting for the buyer's inspection postpones correcting issues until after a buyer has been found and could delay a closing.

STEP THREE: SUBMITTING THE "INTENT TO SELL" FORM. The "Intent to Sell" form is on our website and should be submitted at least 60 days prior to when the seller would like to close on the sale. Once it is received, we will send the seller a letter containing the maximum resale price or schedule an inspection, if needed.

STEP FOUR: MARKET AND SHOW THE HOME. The covenant on most Permanently Affordable homes requires sellers abide by fair marketing procedures. To ensure fair public access to limited affordable homeownership opportunities, the city has developed standard marketing procedures.

Sellers must market their home for a minimum of 30 days to all potential buyers. This open marketing period generally begins within five days after receiving written notice of the seller's intent to sell, along with the city Website Marketing Information form and photos.

The seller's property will be listed on our website. To create this online listing, we will use information from the city Website Marketing Information Form submitted by the seller along with photos. The information included in this form must be accurate and complete and photos received before we can list the home.



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During the Open Marketing Period, sellers must have their home listed on a Multiple Listing Service (MLS) or if they are unable to access the MLS then seller must explain how they are going to market their home (such as other websites, flyers, distribution lists, etc.). Homeownership Program staff will also post the home on our website and may notify specific groups of income-certified buyers by email. The marketing period can begin after we understand the marketing plan and have posted the home on our website.

The seller or seller's agent must arrange to show the home by appointment to all interested buyers or schedule open houses. If the seller chooses not to show by appointment, they must select at least two dates for open houses. One must be held during the first week of the open marketing period so new applications can be turned in by the deadline. One open house needs to be held on a weekend day during daytime hours and one open house must be held on a weeknight during evening hours. Sellers should keep a list of all buyers who see the home.

Sellers may not commit to sell to any buyer during the Open Marketing Period.

Homes must be sold to a program-qualified buyer and cannot be sold for more than the maximum price allowed. Interest in buying affordable homes varies, just as with market-rate homes. A seller's home will be competing with other affordable homes, both new and resale.

STEP FIVE: FAIR SELECTION PROCESS, AVAILABLE HOMES, AND GOING UNDER CONTRACT

Fair Selection Process: Newly listed homes (both new developments and resale properties) have a required 30-day marketing period. At the end of the marketing period a selection process is conducted on a published date. This date will be 30 days after the listing becomes public on our website.

During the 30-day marketing period, prospective buyers will view the home. Interested households will submit a Selection Process Entry Form. This form is only accepted from households that have been certified to purchase in the program. If a prospective buyer has not been certified by the program, they will have time at the beginning of the 30-day open marketing period to turn in their application.

If no forms are received, the home is immediately available for contracts from city certified buyers any time after the 30-day open marketing period.

The following items are **required** before an applicant is eligible to submit a Selection Process Entry Form or put a contract on an available home:

- The household needs to be certified for the program. Applicants who are not yet certified must submit their **complete** application a minimum of three weeks prior to the end of the 30-day open marketing period (deadline will be listed on each home's web listing). This allows staff time to process their application and determines program eligibility before the selection process. If an application is incomplete or more information is required after the application deadline, the applicant will be ineligible to participate in the selection process related to the home.
- The household needs to visit the home or the sales office (in the case of a new development).



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- A Selection Process Entry Form needs to be submitted (available on the website). The form should be submitted per the instructions on the form by the deadline listed in each home's web listing.

If more than one household has submitted a form, a fair selection process is conducted, and households are grouped into the following tiers:

1. Worked in Boulder city limits for a year or more and been certified continuously in the program for a year or more.
2. Worked in Boulder city limits for a year or more.
3. Worked in Boulder city limits for less than a year and been certified continuously in the program for a year or more.
4. Worked in Boulder city limits for less than a year.
5. Certified continuously in the program for a year or more.
6. All other certified applicants.

People classified as retired or permanently disabled are granted the work in Boulder for a year or more preference.

The household in the highest tier will have the first opportunity to make an offer on the home. If they pass, the opportunity falls to the person in the next highest tier, and so on.

If there is more than one household in a particular tier, a random drawing will take place among those in the tier. At the end of the selection everyone who entered will be ordered based on their tier and any random drawing within a tier.

Some homes may have unique preferences based on home features, such as being more suitable for higher occupancy (more space and/or a yard for households with at least one dependent) or accessible (preference given to those with physical disabilities for a home that has specific design features). These preferences are applied ahead of the standard tiers. This means that the highest tier preference will be given to households which comprise of a disabled member if accommodation is requested.

The fair selection process is administered by Homeownership Program staff. Anyone is welcome to witness the process. The results of the selection process and instructions will be shared with the seller's agent or the seller if they are not working with an agent. They will use this information to begin the contracting process.

If a home does not go under contract at the end of the 30-day open marketing period and fair selection process, then the home becomes "Immediately Available." At this point, a program certified buyer could immediately offer a contract, regardless of their preference ranking. Homes with this status will be identified on the website as "Immediately Available".



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Variables Effecting Time to Buy a Home

There are a few variables that effect how long it takes to buy a home. The availability of homes is one factor. Some years more homes come up for sale and some years less. Another factor that can affect the timeline is a household's needs in a home. The more specific the needs a household has, the longer it can take for a home to come up that meets those needs. Finally, the Fair Selection Process described above creates an element of chance.

Historically, most of the Fair Selection Processes had entrants who were in tiers 1 and 2 above. As a result, those in the lower tiers have not regularly gone under contract and purchased homes in the program.

Shortly after each selection, the home listings on our website are updated with a breakdown of the selection. This is a good way to see who is currently prevailing in selections. The "Recently Sold" section has all the homes sold in the last 12 months including the selection results.

Going Under Contract

The seller must allow the highest ranked person in the selection process at least 24 hours to submit a purchase contract. The seller may elect to wait longer than 24 hours for a contract but is not obligated to do so. Alternatively, after 24 hours without an offer the seller may move to the next highest ranked household in the selection process.

The seller can only reject an offer and move onto the next buyer if:

- it is lower than the city's calculated maximum resale price,
- the buyer currently owns a home, even if it is for sale or under contract (buyers in the program cannot own another home at the time of closing).

The city recommends the seller counters an offer that is lower than the maximum resale price at least once before requesting to move onto the next buyer down on the selection list. If the seller receives a full-priced offer with no contingency of a home to sell but does not agree with other terms of the contract, the city expects the seller to counter at least once before requesting to move onto the next buyer. Conversely, the seller's counter terms should be reasonable and in the realm of generally acceptable terms for transactions in the program, as determined by the city, before the seller can move onto the next buyer down on the selection list. Please contact us if there are questions about a specific situation.

If a seller refuses a contract, then the next highest ranked household in the selection process will have 24 hours from when they are notified of their opportunity to present a purchase contract to the seller. The seller may elect to wait longer than 24 hours for a contract. Alternatively, after 24 hours without an offer the seller may move onto the next person down in the selection process.

Typically, 30-45 days elapse between contract and closing. We require 30 days be provided from contract to closing unless seller and buyer mutually agree to a shorter or longer timeline.

Please include the following additional provision in the contract under "Additional Provisions"



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Buyer understands this property is covenant restricted. The City of Boulder Homeownership Program will provide the Buyer with a copy of the Affordable Housing Covenant by the Title Deadline. Buyer has until the Title Objection Deadline to object to the Covenant terms. If Buyer has no objection, it is assumed Buyer agrees to all conditions of such covenant including limitations on resale and occupancy requirements.

A copy of the final contract should be sent to our office within 48 hours of its signing. The city will review the terms of the contract to insure it conforms to the program requirements (price, closing timeline, etc.).

STEP SIX: CONTRACT PERIOD AND CLOSING Once a buyer has put a contract on a home, they are not eligible to enter other home selections. The seller and buyer, along with their real estate agents, lender, inspector, appraiser, city program staff, and the title company will work together to complete the transaction.

Once the buyer has had their inspection a copy must be sent to the city. We will determine whether any mandatory corrections will need to be made based on the seller's covenant agreement to maintain the home in good, safe, and habitable condition. If corrections are identified the seller must either repair the items within the timeframe already specified in the contract or agree to a credit to the buyer if the buyer agrees to make the repairs after closing. The city's inspection requests do not limit the buyer's ability to request the same items and/or additional work under the terms of the sales contract. **Our inspection procedures are separate from the buyers.**

In preparation for closing, the city will prepare documents that, at closing, will release the seller from their obligations regarding the affordable home. These obligations will be transferred to the new owner when they sign the covenant and other city documents at closing.

Other Important Notes:

In accordance with the provisions of the Fair Housing Act and the City of Boulder's Human Rights Ordinance, sellers cannot discriminate against a potential buyer based on their age, sex, race, creed, color, marital status, religion, national origin, ancestry, handicap, sexual orientation or familial status.

Although unlikely to occur, the covenant gives the City of Boulder the right to purchase a Permanently Affordable home once the owner informs us of their intent to sell. If the seller decides to list with a Professional Real Estate Agent, the listing contract needs to exempt the Real Estate Agent's commission in the event that the city purchases the home, as it will not be added to the maximum resale price.



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Setting the Maximum Resale Value of Permanently Affordable Homes

The resale formula that sets the maximum price strikes a balance between keeping the home affordable and allowing owners to receive a return on their investment in the property. This formula is not tied to the performance of the real estate market. Below is how the city calculates maximum resale values for a majority of the homes in the program. Owners should consult their individual covenant for the specific formula.

A. Start with the original purchase price

B. Subtract the amount of any Solution Grant monies received. This is now considered the purchase price.

C. Each year multiply the purchase price by the percentage change in the most recent Consumer Price Index or Area Median Income (whichever is less) to determine the annual appreciation credit. In the Permanently Affordable Program the maximum increase for any given year is 3.5 percent, while the minimum increase is 1.0 percent. For homes purchased with the Middle Income Downpayment Assistance program the maximum increase for any given year is 5.5 percent, while the minimum increase is 3.0 percent.

D. Each year add the appreciation credit to the purchase price.

E. Add the cost of approved Capital Improvements up to the time of listing the home for sale. Improvements to the home may be made at any time by the owner, but only pre-approved and eligible capital improvements will result in a higher selling price (see the Homeowner Manual at www.boulderadffordablehomes.com for the most updated eligible capital improvement list).

F. Deduct the amount of any excessive damages discovered during inspection that the owner is unwilling to repair.

G. Add the amount of the sale commission paid by the Owner, not to exceed the maximum allowable sales commission published by the City Manager on an annual basis.

The owner will not be required to sell below the maximum resale price unless the unit appraises for a lesser value. Market conditions may result in a seller deciding to sell for less than the maximum price.



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Frequently Asked Questions

Can an owner rent their home?

Generally, an owner must live in their home for at least five years before they are eligible to rent the home in full. An owner may generally rent for a period or periods of time totaling 12 months out of every seven years of ownership. If an owner intends to rent, they should contact us for requirements.

In order to rent a home, an owner may need a Rental License Exemption from the City of Boulder. Please be aware that some loans may restrict an owner's ability to rent their home. Owners must also abide by any HOA rental requirements.

Can an owner have a housemate?

A long-term rental of only one room in the home may be permitted if the owner continues to occupy the home. This is allowed only after one year of ownership. Please contact us for details. Licensing regulations must be followed.

How much should a Permanently Affordable home be valued at for purposes of property taxes?

The Boulder County Assessor's office recognizes the affordable price as the value of a permanently affordable home for tax purposes. The City of Boulder Homeownership Program sends updated values to the Assessor's office annually, and they update values every two years. If the Notice of Valuation from the Assessor is significantly different from the maximum resale price, please contact us.

How much should a Permanently Affordable home be appraised at for purposes of the mortgage loan?

As the city's resale restrictions terminate upon foreclosure, the security value of the home is its unrestricted market value. Appraisers should use standard market comparable properties. Fannie Mae has issued appraisal guidelines to this effect. These guidelines are on the city's website.

What happens in the event of foreclosure?

The city's resale restrictions terminate upon foreclosure. The security value of the home is its unrestricted market value.

Why does the City of Boulder hold a \$10 note and deed?

Most of the properties sold through the program have been deemed permanently affordable. In order to be notified of any lending or foreclosure transactions related to the property and to continue to secure the community's interest in the property, the city records a \$10 note and deed.



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Appendix - For Sale by owner Check List

Marketing:

- ☐ Consult the open marketing procedures described earlier in this guide
- ☐ Submit an Intent to Sell form and city Website Marketing Information form with photos.
- ☐ Receive Maximum Resale Price from the Homeownership team member assigned to the sale. Review the calculation and report any inaccuracies.
- ☐ Once the listing has been made public at www.boulderaffordablehomes.com:
 - ☐ Confirm selection preferences for the home if any
 - ☐ Confirm maximum resale price
 - ☐ Confirm listing information, contact information, and descriptions are all correct
- ☐ Hold open houses or schedule showings as needed.

Contract:

- ☐ Receive selection process results from the Homeownership team member assigned to the sale. Initiate contact with the highest ranked household to initiate the process.
- ☐ If after 24 hours a contract has not been received, the offer is not a full-priced offer, or the highest ranked household has a home to sell then the seller may move to the next person on the list. NOTE: These are the ONLY reasons that a seller may move to another buyer.
- ☐ Use the Colorado Real Estate Commission-approved form when writing a contract.
- ☐ We require 30 days be allowed from contract to closing unless seller and buyer mutually agree to a different timeline.
- ☐ Inclusions must include any capital improvements for which credit was given.
- ☐ No more than \$2,000 earnest money can be requested.
- ☐ Arrange for Title Insurance to cover standard exceptions; ensure that the Homeownership team contact is on the title circulation list.
- ☐ Common Interest Community (HOA documents) review period required.
- ☐ Title company closing cost split 50/50
- ☐ Prorate property taxes on most recent mill levy.
- ☐ Liquidated damages provision to be used if Buyer is in default.
- ☐ Include in the contract the city's additional provisions:
Buyer understands this property is covenant restricted. The City of Boulder Homeownership Program will provide the Buyer with a copy of the Affordable Housing Covenant by the Title Deadline. Buyer has until the Title Objection Deadline to object to the Covenant terms. If Buyer has no objection, then it is assumed Buyer agrees to all conditions of such covenant including limitations on resale and occupancy requirements.
- ☐ Send a copy of your contract to the Homeownership team member assigned to the sale.
- ☐ Send the Homeownership team member a copy of any amendments or extensions to the contract including inspection items.

Closing:

- ☐ Buyer and Seller agree on a convenient time for closing and schedule with the title company.
- ☐ Homeownership team member MUST be given five working days' notice of any change in the closing date.
- ☐ Remember to take photo ID with you to the closing.



In accordance with the provisions of the Equal Opportunity Act and the Boulder County Homeownership Programs' policies, there will be no discrimination against an applicant for these benefits on the basis of age, source of income, sex, race, marital status, sexual orientation, national origin, religion or handicap.