

## **CHAPTER 13 HOUSING**

§ 13-1. Chapter Title

§ 13-2. General References

Article I – Affordable Housing Fund

§ 13-3. Establishment

§ 13-4. Source of Revenue

§ 13-5. Administration

§ 13-6. Administration Expenses

§ 13-7. Use of the Easton Affordable Housing Fund

§ 13-8. Designation of Administrator; Terms

§ 13-9. Other duties of the Administrator

§ 13-10. Affordable Housing Fund – Administrative History

Article II – Notice and Property Affidavit

§ 13-11. Notice

§ 13-12. Property Affidavit

§ 13-13. Failure to Comply

Article III – Registration of Non-Owner Occupied Residential Property

§ 13-14. Registration

### **§ 13-1. Chapter Title.**

That this chapter shall be known and may be cited as “Housing” of the Town of Easton, Maryland. (Ordinance 526 effective 3/24/2008)

### **§ 13-2. General References.**

Reserved for the future references to the Code of the Town of Easton and the Code of Maryland Regulations. (Ordinance 526 effective 3/24/2008)

### **Article I: Affordable Housing Fund**

#### **§ 13-3. Establishment.**

The Easton Affordable Housing Fund is hereby established as a separate segregated account under the name of the Easton Affordable Housing Fund, held by the Town to address the purposes set forth in this Ordinance. (Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-4 Source of Revenue.**

The Easton Affordable Housing Fund shall be funded through revenues derived from the collection of payments in lieu of construction of affordable housing units including incremental units as provided for elsewhere in this chapter, from repayment of funds loaned from this fund, from commercial linkage fees provided for elsewhere in this chapter, from gifts, donations or grants, from interest earned by this fund, and from appropriations from the General Fund or other funds, as the Council may from time to time establish or approve. (Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-5. Administration.**

- a. The Easton Affordable Housing Fund shall be administered by an Administrator (the “Administrator”).
- b. The Administrator shall hold and account for the Easton Affordable Housing Fund. The Town Council may utilize a separate, independent entity to invest the proceeds of the Affordable Housing Fund. The investment of

the Easton Affordable Housing Fund shall be in accordance with the Town's investment policies. It is the intention of the Town Council that the Affordable Housing Fund be a dedicated fund for the purposes set out herein. Therefore, any assets remaining in the Affordable Housing Fund at the end of any fiscal year shall be carried into the next fiscal year, including all interest and income earned, as well as any repayments or forfeitures of loans and/or grants.

(Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-6. Administration Expenses.**

Administrative costs of the Easton Affordable Housing Fund may be paid from the annual housing fund assets or from other revenue sources as designated by the Town Council as part of the annual budget process. (Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-7. Use of the Easton Affordable Housing Fund.**

The Easton Affordable Housing Fund shall be used to increase affordable housing opportunities for residents of the Town. These activities may include, but are not limited to, the following purposes: to acquire or construct rental or owner-occupied dwelling units for persons of low to moderate income; to repair or rehabilitate existing rental or owner-occupied housing; to preserve housing opportunities for persons of low and moderate incomes, including home repair grants or loans and grants or loans to make homes accessible to individuals with disabilities; to sponsor programs to prevent homelessness; to provide funds to match other local, State or federal housing assistance programs; to provide settlement costs, down payment and loan write down assistance for qualified homeowners within the Town; to provide counseling and education as to affordable housing options for Town residents; and to pay the actual staffing and operational costs associated with the activities of the Affordable Housing Fund.

(Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-8. Designation of Administrator; Appointment; Terms.**

**a.** The Administrator shall be a Board designated as the "Easton Affordable Housing Board." The board shall consist of seven persons appointed by the Mayor, subject to the advice and consent of the Council. The membership of the board shall reflect the economic and ethnic composition of the Town and shall include persons with specific expertise with regard to housing issues. At least three of the members of the board shall be residents of the Town. Members of the board shall serve terms of three years. The initial terms shall be staggered so as to provide for continuity of membership. Members are eligible for reappointment. On an annual basis, the board shall select one of its members to serve as chair.

**b.** The Town Clerk shall serve as temporary Administrator of the Fund until the members of the Board are appointed. If at any time in the future, due to the death or resignation of a majority of its members, the Board is unable to discharge its duties; the Town Clerk shall serve as temporary Administrator until the Board is able to resume its functions.

(Ordinance 526 effective 3/24/2008, historical reference 483)

#### **§ 13-9. Other Duties of the Administrator.**

The Administrator shall:

**a.** Develop an annual or biennial plan for using the assets of the Affordable Housing Fund to increase housing opportunities within the Town which plan shall be submitted to the Mayor and Town Council for its approval by resolution;

**b.** Once the plan has been approved, to disburse funds from the Affordable Housing Fund in accordance with the plan;

**c.** Periodically to revise the plan on at least a biennial basis;

**d.** Recommend to the Mayor and Council qualified, independent entities to receive and process applications for funding on behalf of the Administrator; to assist in the formulation of the plan or to otherwise assist in the administration of the Affordable Housing Fund and

**e.** Perform such other duties as the Mayor and Council may direct by resolution.

(Ordinance 526 effective 3/24/2008, historical reference 483)

### **§ 13-10. Affordable Housing Fund - Administrative History.**

Ordinance Number 483 passed by the Town of Easton Council on 4/18/2005, Established an Affordable Housing Fund. (Ordinance 526 effective 3/24/2008, historical reference 483)

### **Article II: Notice and Property Affidavit**

**§ 13-11 Notice.** A notice in substantially the form set forth in Exhibit A shall be included with all real estate contracts involving property located in the Town of Easton. (Ordinance 629 effective October 7<sup>th</sup> 2013)

**§ 13-12 Property Affidavit.** Upon any transfer of real property by any means, the grantee shall sign a Property Affidavit that shall be substantially the form set forth in Exhibit B. Within 15 days of property transfer, such form shall be delivered to the Town of Easton office. (Ordinance 629 effective October 7<sup>th</sup> 2013)

**§ 13-13 Failure to Comply.** Failure to comply with § 13-11 or 13-12 above regarding the Notice and Property Affidavit Form shall not prevent the recording of any documents, nor shall it have any effect on the title to real estate property or any deed, mortgage or deed of trust concerning said property. (Ordinance 629 effective October 7<sup>th</sup> 2013)

### **Article III: Registration of Non-Owner Occupied Residential Property**

**§ 13-14 Registration.** The owners of all non-owner occupied residential property within the Town of Easton shall be required to fill out a Property Affidavit similar to the one provided for in §13-12 on an annual basis as a mechanism to register the actual use of the property. No fee shall be required as part of the registration. (Ordinance 680 effective September 27<sup>th</sup> 2016)