



Town of Amherst Planning Department

Erie County, New York



Brian J. Kulpa,
Supervisor

Daniel C. Howard, AICP
Planning Director

Daniel J. Ulatowski, AICP
Assistant Planning Director

Dear Resident:

The Town's Community Development Program is offering Housing Rehabilitation loans up to \$30,000.00 covering the cost of necessary home repairs to homeowners with qualifying incomes.

This is a long term, interest-free, deferred payment loan. You need not make any payments towards this loan until your home is sold, transferred in title, refinanced (home equity, mortgage, etc.), or no longer occupied as your primary residence. Under any of those circumstances, the loan will have to be repaid in full. Eligible veterans, active military personnel, and surviving spouses can receive a grant as a portion of this funding forgiven over the course of five years.

In a two-family, owner-occupied property, the property owner needs to be income qualified to be eligible for loan funds. If there is a tenant, the tenant's income is not used to determine the household income. However, the property owner will need to sign an agreement stating that they will **not** charge the tenant more than fair market rent for one year after the rehabilitation work is done. (Fair market rents are enclosed).

If, after reviewing the following information, you think you may be interested in participating in the program, or have any questions about how the program works, please call the Community Development staff at 631-7082 between 8:00 a.m. and 4:00 p.m., Monday through Friday.

Very truly yours,

Rachel Boerschig

Community Development Staff

Laurie Stillwell
Jeffrey Klein
Susan Fitzpatrick
Rachel Boerschig

Revised 05/2024

X:\Community Development\Housing_Rehabilitation_Program\Rehabilitation_Program_Info\2024\Rehab Two Family Info Handout '24.docx

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7082 • Fax (716) 631-7153

**TOWN OF AMHERST
HOUSING REHABILITATION PROGRAM
FACT SHEET**

PURPOSE

- To provide financial assistance to income-eligible homeowners for completing necessary home repairs.
- This is a long term, deferred payment, interest-free loan. You need not make any payments towards this loan until your home is sold, transferred, refinanced, or no longer occupied as the primary residence. Under any of those circumstances, the loan will have to be repaid. The loan amount will include the total spent on repairs and filing fees.

ELIGIBILITY

1. The property must be an owner-occupied, one or a two-family dwelling located in the Town of Amherst or in the Village of Williamsville.
2. Homeowner must be owner of record with the Erie County Clerk's office a minimum of 2 years prior to rehabilitation application being accepted.
3. Property taxes and mortgage payments must be current.
(Unable to assist homeowners with reverse mortgages.)
4. Verification of household income must be supplied.
To qualify, you must meet the income guidelines below:

Annual Household Income for a Loan to Cover the Cost of Repairs*

Household Size	Income	Household Size	Income
1	\$ 54,250	5	\$ 83,700
2	\$ 62,000	6	\$ 89,900
3	\$ 69,750	7	\$ 96,100
4	\$ 77,500	8+	\$ 102,300

PROGRAM GUIDELINES

1. The loan limit for a household is up to \$30,000.00 *(as long as equity available is equal to amount loaned)* for necessary repairs.
2. All rehabilitation work must be done in accordance with a work and specifications write-up prepared by the program's Building Inspector.
3. A standard contract and lien agreement will be required for all work performed under this program. The contract and loan will be provided by the Town of Amherst Community Development Program.

**TOWN OF AMHERST
HOUSING REHABILITATION PROGRAM
RENTAL UNIT GUIDELINES**

The owner must agree to charge a rent not in excess of published Fair Market Rents for one year after final payment is made to the contractor. Fair Market Rents that include all utilities should not exceed:

FMR's include all utilities:

0 Bedroom = \$ 951
1 Bedroom = \$ 992
2 Bedroom = \$ 1,163
3 Bedroom = \$ 1,424
4 Bedroom = \$ 1,604

(These figures are based on a gas-operated furnace, range and water heater for a 2/3 family house.)

Published figures must be used to calculate rent adjustments where tenants provide range, refrigerator, & pay electric, gas, water or garbage. Rents that do not include utilities should not exceed approximately:

FMR without utilities:

0 Bedroom = \$ 851
1 Bedroom = \$ 866
2 Bedroom = \$ 1,014
3 Bedroom = \$ 1,242
4 Bedroom = \$ 1,397

Alternatively, affordable rents shall be considered to mean no more than the existing rent plus an annual increase of no more than 5% (based on rent without utilities), provided that the resulting rent does not exceed the Affordability Standard for low and moderate income households.

In addition, the owner must agree not to discriminate against potential tenants on the basis of race, color, religion, sex, gender, sexual orientation, familial status, national origin, and source of income including the receipt of rental assistance.

The owner must sign an agreement at the time of applying that they will adhere to these fair market rent and nondiscrimination in housing regulations.

**TOWN OF AMHERST
HOUSING REHABILITATION PROGRAM
RENTAL UNIT AGREEMENT**

As the owner of the property at _____ and the recipient of Community Development funds for the improvement of that property, I agree not to discriminate against prospective tenants of assisted dwelling units on the basis that they have a minor child who will be residing with them, nor on the basis of their eligibility for or receipt of housing assistance under any Federal, State or local housing assistance.

During the initial twelve months following the final payment for rehabilitation I agree to accept a rent not to exceed approximately the following rents not including utilities:

- 0 Bedroom = \$ 851
- 1 Bedroom = \$ 866
- 2 Bedroom = \$ 1,014
- 3 Bedroom = \$ 1,242
- 4 Bedroom = \$ 1,397

I understand that violating these terms can result in the lien(s) on my property to become due and payable. I consent and will adhere to these terms.

Owner

Date

(Co-Owner)

(Date)

**TOWN OF AMHERST
HOUSING REHABILITATION PROGRAM
PROGRAM GUIDELINES**

TYPICAL ELIGIBLE REPAIRS

Roof Replacement
Foundation Repairs
Heating System/Hot Water Tanks
Exterior Siding/Painting
Connection of Downspouts to Storm Sewers
Replacement Windows and Doors
Driveways/Aprons
Electrical Repairs
Plumbing Repairs
Attic & Wall Insulation
Gutters Replacement

Please inquire about the eligibility of other repairs

- Luxury Items such as air conditioning (unless replacement or medical necessity), high-end or bay windows, automated or inserted blinds, granite countertops, kitchen cabinets, etc. are only permitted if the additional cost is paid for up front by the homeowner.

APPLICATION

Town of Amherst Planning Department Attn: Community Development Staff
5583 Main Street Williamsville, NY 14221 Telephone: 631-7082
8:00 a.m.-4:00 p.m. Mon.-Fri.

e-mail: rboerschig@amherst.ny.us or visit our website: www.amherst.ny.us & click on Community Development (keyword: community)

VETERAN GRANT

Income-qualified military veterans, active military personnel, or eligible surviving spouses who submit a DD-214 form can receive a grant. Of the \$30,000 financing available, the first \$5,000 is given as a grant that is forgiven at 20% per year. The remainder is given as a no interest loan described above. Funds for the grant are limited and available on a first-come first-served basis.

OTHER ASSISTANCE AVAILABLE TO HOMEOWNERS IN ERIE COUNTY:

HEAP (Home Energy Assistance Program) 858-7644 (under 60 yrs.) or 858-7870 (ages 60 & over)

SUPPORTIVE SERVICES (Free insulation) 685-6252

SENIOR OUTREACH SERVICE (Age 60 and over) 636-3070

BELMONT HOUSING RESOURCES (Housing Counseling Services) 884-7791

BUFFALO URBAN LEAGUE (Foreclosure Prevention) 854-7625

TOWN OF AMHERST HOUSING REHABILITATION PROGRAM EMERGENCY CRITERIA

1. Any condition endangering the occupant's health and safety.
2. Heating Systems and Hot Water Tanks
 - a) A report from the utility company is needed stating that the heating system or the hot water tank is inoperable in its present condition, and should be replaced.
3. Plumbing
 - a) An essential plumbing system is inoperable.
 - b) Breakdown in the septic or sewer system.
 - c) Breakdown in or damage caused by an insufficient storm water system.
4. Roof Areas
 - a) House shows evidence of water leakage or roof material is so worn that leakage may be imminent.
5. Electrical
 - a) Exposed electrical wires inside or outside of the house.
 - b) No electricity in essential living quarters.
 - c) Report from the Building Department stating that the electrical system is in a hazardous condition.
6. Excessive damage to living quarters caused by fire, water, wind, snow, etc.
7. Foundation
 - a) Severely collapsing foundation walls or columns.

If you have any questions, please call the Community Development Staff at 631-7082, Monday through Friday, 8:00 a.m. - 4:00 p.m.

Emergency repairs must be prioritized by the homeowner and completed in a timely manner. Failure to do so or attempts to prioritize nonemergency work is not permitted.

TOWN OF AMHERST HOUSING REHABILITATION PROGRAM PROCEDURES OUTLINE

1. When the homeowner's name reaches the top of the waiting list, the homeowner is mailed an application, which needs to be completed and returned to the Community Development office in a timely manner or else their name will be removed from the list.
2. Verification of income and property ownership is made. Verification that taxes and mortgage payments are up-to date is made. Additional verification may be required.
3. Inspection of property by Building Inspector for necessary and eligible repairs and visual inspection for any paint failure. Interior and exterior photos may be taken to supplement historic review if necessary.
4. If the repairs involve touching painted surfaces or if there is peeling paint, lead-based testing will have to be done to your home. The Community Development Program pays for the cost of testing. ***If lead paint hazards are found, they must be addressed first.***
5. Preparation of "Work Write-Up and Specifications" by the Building Inspector and agreed upon by Homeowner. ***No add-ons will be accepted once the "Work Write-Up" is finalized (except for unforeseen emergencies and change orders necessary to complete the original work scope). Emergency and lead hazard repairs must be completed first; refusal to comply will terminate participation.***
6. At least two estimates per requested repair are secured by Homeowner using the "Work Write-Up" provided by the Community Development Staff.
7. Homeowner states Contractor preferred. The selected contractor must have submitted a bid within 10% of the lowest bid obtained by the homeowner. Community Development staff verifies Contractor's insurance coverage.
8. Homeowner executes contract with Contractor of his/her choice after it is approved by staff. **DO NOT SIGN A CONTRACT UNTIL YOU RECEIVE WRITTEN NOTICE TO DO SO.** Contract forms will be provided by the Community Development Staff.
9. Homeowner and any others listed on the deed sign a note & mortgage.
10. After proper paperwork is signed, a "Notice and Order to Proceed" will be issued to the Contractor. **PAYMENT WILL NOT BE MADE FOR ANY WORK BEGUN PRIOR TO THE ISSUANCE OF A "PROCEED ORDER".**
11. Contractor obtains necessary permits and begins work.
12. Building Inspector makes inspections during the time the Contractor is working. Partial payments can be made for completed work.
13. Work is completed. Building Inspector makes inspection to verify completed work and makes sure that the homeowner is reasonably satisfied.
14. Homeowner is given any guarantees or warranties by the Contractor.
15. The final check to the contractor is issued by the Town and the loan is filed.

WHAT TO EXPECT AND WHAT NOT TO EXPECT FROM THE HOUSING REHABILITATION PROGRAM

Items that the Homeowner Completes In the Housing Rehabilitation Program

The program will help homeowners during the home improvement process, but homeowners are responsible for making the choices and completing the items listed below.

1. Homeowners help inspect their house and point out problems.
2. Homeowners sign a Homeowner/Contract Agreement with the contractor.
3. Homeowners inspect and approve work performed by their contractors.
4. Homeowners request and approve payments made to their contractors.
5. Homeowners work with contractors to settle disagreements during the job.
6. Homeowners call/write their contractors to ask them to correct problems covered by contractor warranties during the first year after the job has been completed.

What Homeowners Should Understand Before Participating in the Housing Rehabilitation Program

1. Not all the work that homeowners want done can always be done.
2. Repairs will correct one or two problems, but might not solve all problems.
3. Don't expect your house to be completely new when work is done.
4. Don't expect all floors, walls, ceilings, doors, windows, etc. in older houses to be completely plumb, level and square when work is done.
5. Frequently homeowners will hire small construction companies because they are able to do more work for the money than larger, more expensive, construction firms.
6. Sometimes it can be stressful living in a house while a contractor is performing work.
7. Very few times in life is anyone completely satisfied with things they buy or have repaired. Buying a house or having a house repaired is no different.
8. Houses built over 50 years ago and/or houses identified individually or within a state or national register eligible district in the 2017 Intensive level Survey of Historic Resources are subject to a State Historic Preservation Office (SHPO) review. Interior and exterior photos of the property may be required. Restrictions may be placed on repairs if they are found to have an impact on SHPO designated historic features.
9. Finally, the program is *NOT* a contractor, does *NOT* recommend contractors and *CANNOT* guarantee that homeowners will be satisfied with the work done by their contractors.