

**RESOLUTION
BOROUGH OF PALISADES PARK
BERGEN COUNTY, NJ**

COUNCIL	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
DONOHUE			x			
KWAK			x			
LEE	x		x			
MIN						x
SHIN		x	x			
WON-YOON						x

NO. 2026-146

DATE: APRIL 28, 2026

APPROVED ON CONSENT AGENDA:

CARRIED:

DEFEATED:

TABLED:

THE BOROUGH COUNCIL ADOPTING A REHABILITATION PROGRAM MANUAL

WHEREAS, the Council of the Borough of Palisades Park desires to implement the Borough's Housing Plan Element and Fair Share Plan consistent with the Mount Laurel Doctrine, the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the "**Act**"), the declaratory judgment action in the Superior Court of Bergen County, bearing Docket No. BER-L-825-25 (the "**Declaratory Judgment Action**"), the pending consolidated builder's remedy actions already pending with respect to the Third Round, and pending under *Fan Associates, LLC v. Palisades Park, et al.*, Docket No. BER-L-566-23 ("**Third Round Action**") and together with the Fourth Round Declaratory Judgment Action, the "**Consolidated Action**") and the orders entered therein, and the anticipated settlement of various outstanding issues with Fair Share Housing Center, Inc., including without limit those applicable to affordable housing rehabilitation; and

WHEREAS, in accordance with the regulations found at N.J.A.C. 5:93-5.2 *et seq.* and the above referenced, the Borough of Palisades Park is required to adopt a manual rehabilitation program to meet its rehabilitation obligation for the Fourth Round.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Palisades Park, in the County of Bergen, hereby adopts the Rehabilitation Program Manual on file with the Clerk's Office in connection with the Borough's rehabilitation obligations in connection with affordable housing.

ATTEST:

Laura Borchers Interim RMC

Sophia H. Jang, Borough Clerk

Chong Paul Kim

Chong Paul Kim, Mayor

It is hereby certified that this is a true copy of the resolution adopted by the Governing Body of the Borough of Palisades Park, County of Bergen on the 28th day of April, 2026.



Laura Borchers

Borough Clerk

Borough of Palisades Park

HOUSING REHABILITATION PROGRAM MANUAL



(201) 585-4100

Diane Isabella, Rehabilitation Coordinator
disabella@palisadesparknj.gov

Soo Chung Schung@palisadesparknj.gov

Office of the Mayor

Borough of Palisades Park
Bergen County, New Jersey
275 Broad Ave Palisades Park, NJ 07650



Mayor Chong Paul Kim

Borough Council

Council President	Sang H. Lee
Councilman	Suk John Min
Councilwoman	Youbong Won-Yoon
Councilman	Charlie Shin
Councilman	Frank Donohue
Councilman	Christopher Kwak

Home Improvement Program

Table of Contents

I. INTRODUCTION

- A. Fair Housing and Equal Housing Opportunities

II. ELIGIBLE PARTICIPANTS

- A. Program Area
- B. Categories of Participants
- C. Income Limits
- D. Application Selection

III. ELIGIBLE ACTIVITIES

- A. Eligible Improvements
- B. Ineligible Improvements
- C. Rehabilitation Standards
- D. Certifications of Substandard/Standard

IV. FUNDING TERMS FOR OWNER OCCUPIED AND INVESTOR-OWNED UNITS

- A. Terms and Conditions for Owner Occupied Units
- B. Terms and Conditions for Owner-Occupied Multi-Family Rental Units
- C. Terms and Conditions for Investor-Owned Multi-Family Rental Units
- D. Special Needs Waivers for Higher Cost Rehabilitation Projects
- E. Use of Recaptured Program Funds

V. IMPLEMENTATION PROCESS

- A. Application/Interview
- B. Eligibility Certification
- C. What is Considered Income
- D. What is Not Considered Income
- E. How to Verify Income
- F. Additional Income Verification Procedures
- G. Other Eligibility Requirements
- H. Requirements of Property Taxes and Municipal Utilities Accounts Paid Current
- I. Sufficient Equity and Carrying Cost
- J. House Conditions:
- K. Eligibility Scenarios of Multi-Family Structures
- L. Eligibility Certification
- M. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate
- N. Contractor Selection
- O. Pre-Construction Conference/Contract Signing

- P. Initiate Borough Voucher
- Q. Progress Inspections
- R. Change Orders
- S. Final Inspection
- T. Payment Structure and Process
- U. Standard Certification
- V. Record Mortgage Documentation
- W. File Closing Document procedures
- X. Request for Sub ordination or loan pay off

VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT

- A. Marketing
- B. Contractor Qualifications

VII. LEAD BASED PAINT (LBP):

VIII. Rental Procedures:

- A. Determining Initial Affordable Rents
- B. Pricing by Household Size
- C. Determining Rent Increases

IX. MAINTENANCE OF RECORDS AND CLIENT FILES

X. PROGRAMMATIC RECORDING

- A. Files on project
- B. Participant Record Keeping
- C. State Reporting
- D. Financial Record keeping

XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS

XII. CONCLUSION

APPENDIX A

LIST OF PROGRAM FORMS

APPENDIX B

Approved Calculation of Annual Increases to Income Limits, Resale Prices and Rents charged

Home Improvement Program

I. INTRODUCTION

The purpose of this document is to establish policies, guidelines and procedures which will govern the Home Improvement Program (HIP). The HIP was created by the Borough to assist properties occupied by very low, low and moderate-income households to correct all existing interior and exterior health, safety and code violations in conformity with the standards of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6.

Additionally, the HIP was designed to fulfill Palisades Park's rental and owner rehabilitation obligation, as described in the Borough's Code Chapter 65 Affordable Housing 65-3 Programs. The HIP is guided by N.J.A.C. 5:93-5.2 and is subject to all laws, regulations, ordinances, and codes of the New Jersey Department of Community Affairs (DCA) and the Borough of Palisades Park.

The Borough of Palisades Park has contracted with Elite Realty Associates LLC, a private consulting firm specializing in the implementation of publicly funded housing rehabilitation programs, to manage and administer the HIP. The Program's funding source will be municipal affordable housing trust funds. If the funding source changes, the manual will be updated to reflect the change as well as changes to regulation requirements, if any.

A. Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making application to participate in the housing rehabilitation/home improvement programs or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affection or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.

For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or <http://www.state.nj.us/lps/dcr/index.html>. Fair Housing and Equal Housing Opportunities apply to both owner and tenant applications.

The HIP is guided by N.J.A.C. 5:93 except for the length of affordability controls for both owner- and renter-occupied is 10 years, not six 6 years and except for the required average hard cost expenditure \$10,000.00.

II. ELIGIBLE PARTICIPANTS

A. Program Area

The HIP is a Borough wide program currently aimed at scattered site housing rehabilitation of housing occupied by very low, low and moderate-income households throughout the Borough of Palisades Park.

B. Categories of Participants

Both owner-occupied and renter-occupied housing units are eligible to receive funding for rehabilitation provided that the occupants of the units are determined to be income eligible, the units are determined to be substandard and for primary residency only. Owners of rental properties do not have to be income-eligible households. If a structure contains two or more units and an owner, who is not income eligible, occupies one unit, funding may be provided for the rehabilitation of the rest of the units if income-eligible households occupy those units. Rents must be affordable for low- or moderate-income households.

For housing units which received past affordable housing state credit, the following rules for repeat assistance shall apply. An owner of a previously rehabbed unit may apply for current rehab assistance if the unit was rehabbed prior to 2010 and the affordability period has expired.

An owner of an existing affordable deed restricted ownership unit with an active deed restriction that is currently meeting a Round 1 , Round 2 or Round 3 credit may apply for current rehab assistance for the municipality to obtain a Round 4 present need credit, unless the affordable housing deed restriction received a new affordable housing credit during Round 3 due to extended controls.

Housing units in which the municipality received an affordable housing credit in Round 4 in any category are not eligible for additional assistance from the Borough's housing rehabilitation program during Round 4. Basically, a municipality cannot double dip credits on a unit within the same affordable housing Round.

C. Income Limits

Household income is defined as the combined annual income of all family members over 18 years of age including wages, Social Security, disability insurance, unemployment insurance, pensions, dividend/interest income, alimony, etc. Each unit's total household income must fall within or below the State's moderate-income limits based on family size.

Since the 2015 NJ Supreme decision declaring COAH non-functioning, it is now left to the local Department of Community Affairs & the court vicarages to approve income, sales and rental increases using similar methodologies. The income limits and applicable methodology are in Appendix B, and the plan for properly amending median income and rental increase every year going forward until or unless Department of Community Affairs planning dept included in Appendix B at the end of this manual. The Program Administrator will ensure that the annual chart in Appendix B is updated annually or

whenever updates become available. If at any time, an administrative agency duly empowered by an amendment to the Fair Housing Act begins to issue updated annual income limits and rules for increasing sales prices and rent levels each year, said updated income limits and rules for increasing sales prices and rent levels each year may be used instead of the methodology set forth herein and the appendix will be updated .

D. Application Selection

At program start-up, and if and when the homeowner intake demand exceeds the number of openings, applications will be prioritized based on the reported income of the household as a percentage of the maximum allowable income for households of that size. This will give priority to the lowest income applicants and assist the municipality in reaching its goal of aiding with a minimum of 50% of the properties comprising low-income households. Otherwise, the Program will process new applicants added to the waiting list/applicant pool on a first-come, first served basis, to qualified applicants. When there is a waiting list, priority will be given to homeowners with less than \$300,000 in liquid assets. Assets in federally recognized retirement accounts do not apply to the liquid asset limit. The HIP will establish the waiting list from the marketing efforts identified in Section IX of this manual.

Emergency Processing Order

Properties with safety and/or health hazards, confirmed/certified as an emergency by the municipal Construction Official or Health Department, can bypass the first-come, first served process however they must meet all the other program requirements including income eligibility and bringing the unit up to code.

The Program Administrator shall determine that an emergency situation exists based on the Following:

- 1) The repair problem is an immediate and serious threat to the health and safety of the building's residents; The problem has been inspected and the threat verified by the appropriate local building inspector and/or health official

Depending on the type and extent of the emergency and with the homeowner's permission, the Program may bypass the standard bid process outlined in ~~Section V~~ **IMPLEMENTAL PROCESS** sub-section N to expedite the bid/contractor selection process. Instead, the Program may have a proven qualified contractor familiar with the Program present at the initial property inspection with the homeowner to count as the contractor's site visit. This will allow for a quick turn-around on emergency scope of work to be contracted on a single-quality basis. To be awarded the emergency work, the contractor 's quote must be determined to be a reasonable cost based on the Program Inspector's cost estimate and the contractor must commit to a tight timeline to resolve the emergency.

- 2) This emergency process may apply to heavily leaking roofs, inoperable heating systems during the winter months, immediately hazardous electrical systems & or blocked sewer lines unsolvable to unclog via a simple service call for under \$1,000.

Please note that the loan agreement will state that if the homeowner takes the emergency funds to abate the safety/health hazards and then subsequently decides to voluntarily remove themselves from participation in the Borough's Home Improvement Program to complete the non-emergency substandard code violation components of their project, essentially negating any opportunity for the municipality to gain credit for a fully rehabilitated home for this unit, those public funds used for the emergency shall be immediately due and payable back to the Borough.

To address this potential, any homeowner receiving emergency funds will also be required to execute a statement indicating that the Borough will place a lien on the property assisted for the Borough to recapture the emergency funds, to be repaid with interest, based on the monthly average mortgage loan commitment rates at the time of closing in the event of noncompliance.

III. ELIGIBLE ACTIVITIES and ELIGIBLE IMPROVEMENTS

A. Eligible Improvements

The purpose of the program is to bring substandard housing up to code. In order to qualify for participation in the program, the condition of each home must be certifiable as being "substandard" as defined in N.J.A.C. 5:93-1.3. In other words, at least **one of the following major systems must be in need of replacement or substantial repair:**

- **Roof**
- **Plumbing (including wells)**
- **Heating**
- **Electrical**
- **Sanitary plumbing (including septic systems)**
- **Load bearing structural systems**
- **Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors. The related work may include, but not be limited to the following:**
 - **Lead paint remediation**
 - **Interior trim work**
 - **Interior and/or exterior doors**
 - **Interior and/or exterior hardware**

- **Interior stair repair**
- **Exterior step repair or replacement**
- **Porch repair**
- **Wall surface repair**
- **Painting**
- **Exterior rain carrying system repair or replacement**

B. Ineligible Improvements

Work not eligible for program funding but is not limited to luxury improvements

improvements which are upgrades/higher than mid-grade and/or strictly cosmetic), carpets, additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools, landscaping, solar panels and generators. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by property owners shall not be funded under this program.

C. Rehabilitation Standards

Funds are to be used for work and repairs required to make the unit standard and abate all interior and exterior violations of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6, and Chapter 247 of the Borough's local property maintenance code (of which the more restrictive requirements will apply), conserve energy and remove health and/or safety hazards; and any other work or repairs, including finishing and painting, which are directly related to the above-listed objectives. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

Municipal rehabilitation investment for hard costs shall average at least \$10,000 per unit, and include the rehabilitation of at least one major system, as previously defined under eligible improvements.

D. Certifications of Substandard/Standard

The Program Building Inspector will inspect the property to determine which systems, if any, are substandard in accordance with sub-section A above and issue a Certification of Substandard.

Upon program construction completion, all code deficiencies noted in the inspection report must be corrected and rehabilitated units must be in compliance with the standards proscribed in sub-section C above upon issuance of a municipal certificate of completion/approval.

IV. FUNDING TERMS FOR OWNER OCCUPIED AND INVESTOR

OWNED

A. Terms and Conditions on Owner-Occupied Units

The municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity shall average at least \$10,000 per unit with a Maximum Loan Amount of \$24,000.00

Interest Rate 0% with No required monthly payments

Payment Terms: 100% forgivable if the homeowner maintains occupancy and title during the 10-year period. Original Principal is due if the house is sold and/or title/occupancy changes year 1 through 10 except for Exceptions to Loan Repayment Terms section below.

Mechanism for Securing Loan

Mortgage and Mortgage Note recorded against property. If the owner decides to sell the property, transfer title, or if the owner should die before the terms of the lien expire, the owner, heirs, executors or legal representatives must repay 100% of the original loan per the schedule above upon a title change. Rental of houses is allowable under certain conditions subject to approval by the Administrative Agent.

Exceptions to Loan Repayment Terms above during the lien period

- 1) If the loan transfers due to inheritance by a Class A beneficiary who will take occupancy upon death of Program mortgagee/Borrower and assume the lien & the income eligibility not a requirement; or if by inheritance by a qualified income eligible non-Class A beneficiary, or
- 2) If the house is sold at an affordable price pursuant to Uniformed Housing Control Act (UHCA) to someone who will owner occupy & can be qualified as income eligible, takes occupancy and agrees to assume the program lien, or
- 3) If the house is sold at an affordable price pursuant to UHAC to an investor who assumes the lien and signs a deed restriction for the remaining duration of the affordability period to rent the dwelling at the affordability controls restricted rental rate and according to the affirmative marketing requirements for re-rentals. When this occurs, the Borough's Administrative Agent will be responsible for monitoring compliance over that unit.

B. Terms and Conditions on Owner-Occupied Multi-Family Rental Units

Owner-Occupied Multi-Family Including Tenant Unit(s), Terms and Conditions of Loan. The Minimum Loan Amount the municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity shall average at

least \$10,000 per unit. The Maximum Loan Amount is \$15,000 per unit with an Interest Rate of 0% & No monthly payments required.

Payment Terms

100% forgivable if the homeowner maintains occupancy and title during the 10-year period. Original Principal is due if not in compliance with affordability controls.

Rental Restrictions

Mechanism for Securing Loan is as follows:

Mortgage, Mortgage Note and Deed Restriction recorded on property. The assisted housing unit(s) must be occupied by and pay an affordable rent. The household must be certified as an income eligible household as either the latest Income Limits by Region, or in compliance with the municipality's Settlement Agreement and Court Order, whichever is applicable.

The owner will execute a Mortgage, Mortgage Note, and Deed Restriction, the latter which guarantees the continued availability of the rental unit to low or moderate-income households for the term of the (10) ten-year deed restricted affordability period. The affordability terms for the rental units do not expire even if the owner sells the property, transfers title to the property or dies within the ten-year program deed restricted affordability period. In the event the tenant moves out, an Affordable Certified household must replace the household that lived in the unit that was restricted by this program. The new household must be certified by this program.

Moreover, if Program funds were expended on the owner-occupied unit, and the homeowner sells, transfers title, dies or is not in compliance during the ten-year deed restricted affordability period, unless ownership is transferred to another low or moderate-income homeowner, any HIP Program funds expended on work done on the owner's individual unit along with a require a pro-rata portion of the shared improvements must be fully repaid to the Borough and used to rehabilitate another housing unit.

Additionally, for rental units in a multi-family owner-occupied home:

For tenant units, the maximum permitted rent is pursuant to UHAC and subject to annual rent increase adjustment. If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate- income household at an affordable rental price and will be affirmatively marketed by the Borough designated Administrative Agent, in accordance with the Borough of Palisades Park Affordable Housing Affirmative Marketing Plan. Landlords are responsible to pay income certification fees and affirmative marketing costs for re-

rentals. For information regarding future rental increases: Please refer to the appendix in this manual.

C. Terms and Conditions on Investor-Owned Multi-Family Rental Units and Investor-Owned Terms & Conditions

The Terms and Conditions of Loan will be a Minimum Loan Amount as Per N.J.A.C. 5:93-5.2, the municipality may rehabilitate substandard units that require less than \$8,000 of work, provided the municipal rehabilitation activity shall have an average at least \$10,000 per unit & a Maximum Loan Amount of \$15,000 per rental unit. There will be an Interest Rate of 0% with No monthly payments due during the term of the loan.

Payment Terms

The owner pays 25% of rehab cost at construction agreement signing. 75% balance forgiven if in compliance with rental restrictions. The 25% rehab cost is waived for all non-profit corporation rentals, if any. Rental restrictions transfer with the property. The Mechanism for Securing Loan will be by a Mortgage, Mortgage Note and Deed Restriction recorded at the County against property. The (10)_ten-year affordability controls against the property will be recorded in a Deed Restriction. The property owner agrees to abide by the rental affordability controls for the life of the Deed Restriction. Additionally, the following conditions apply: The assisted housing unit(s) must be occupied by and affordable to a household that is certified as an income eligible household as per either the latest Income Limits by Region, or in compliance with the municipality's Settlement Agreement and Court Order, whichever is applicable and as designated by unit in the Deed Restriction. The maximum permitted rent is determined by the Borough's Administrative Agent and is pursuant to UHAC and subject to annual rental increase adjustment. A copy of the income figures for 2026, and the methodology for going forward, until the Department of Community Affairs (DCA) or another state entity performing this function is included in Appendix B.

Throughout the ten year affordability controls, if a rental unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate-income household(as designated by unit in the Deed Restriction) at an affordable rental price and will be affirmatively marketed in accordance with the Borough of Palisades Park Affordable Housing Affirmative Marketing Plan by the Borough's current Administrative Agent at the rates and terms defined within that Agreement. Landlords are responsible to pay income certification fees and affirmative marketing costs for re-rentals.

The owner will execute a Mortgage, Mortgage Note and Deed Restriction, the latter which will guarantee the continued availability of the unit to income eligible households for the terms of the (10) ten-year lien affordability period.

Throughout the (10) ten-year deed restrictive period, the affordability terms do not expire even if the owner sells the property, transfers title to the property, dies, or rents to other than low or moderate-income renters, before the terms of the lien expire.

D. Special Needs Waivers for Higher Cost Rehabilitation Projects

In cases of housing rehabilitation costs exceeding the program maximum loan amounts listed in applicable above:

The Program will get confirmation of whether the homeowner can contribute personal funding. If needed, the Program will attempt to partner with other possible funding sources such as the Low-Income Home Energy Assistance Program (LIHEAP) or the Essex County's Housing Rehabilitation Program.

The HIP Program reserves the right to make an exception and allow the expenditure of up to an additional \$5,000 per unit to address code violations at the township's discretion. Individual files will be reviewed on a case-by-case basis. The Borough will consider other situations for special needs waivers. Upon Program and Borough approval, a Special Needs Funding Limit Waiver may be issued. If there are no viable options, the case will have to be terminated.

E. Use of Recaptured Program Funds

All recaptured funds will be deposited into a Borough of Palisades Park affordable housing trust fund in accordance with N.J.A.C. 5:93-8.15

V. IMPLEMENTATION PROCESS

A. Application/Interview

For each prospective applicant, this process starts with a homeowner either submitting a preliminary application or the Case Manager pre-qualifies the interested homeowner by phone, whichever is the homeowner's preference. The information is entered in the program applicant pool/waiting list. If the homeowner passes the preliminary criteria review, program information, guidelines, and application package will be mailed or emailed to the applicant when their name is reached in the program's waiting list.

Each prospective applicant completes the application and returns it to the Case Manager, along with the required verification documents. Upon receipt of the completed application package, a case file will be opened, and a case file number will be assigned to the unit. The Case Manager will be available via a direct phone line to assist applicants during this and all other phases of the process. Additionally, as needed, a Case Manager will be available for face-to-face prescheduled appointments. Once a case is assigned a number, the cases are processed in the order of receipt of completed applications.

B. Eligibility Certification

To be eligible for assistance, households in each unit to be assisted must be determined to be income eligible. All adult members, 18 years of age and older, of both the household owner and tenant household (if any) must be fully certified as income-eligible before any assistance is provided by the Program. The HIP will qualify applicant, and when applicable tenants, households in accordance with N.J.A.C. 5:93-9 and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq., except for the asset test.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

C. What is Considered Income

The following sources are considered income and will be included in the income eligibility determination:

- 1) Wages, salaries, tips, commissions
- 2) Alimony
- 3) Regularly scheduled overtime
- 4) Pensions
- 5) Social security
- 6) Unemployment compensation (verify remaining eligible number of weeks)
- 7) TANF (Temporary Assistance for Needy Families)
- 8) Verified regular child support
- 9) Disability
- 10) Net income from business or real estate
- 11) Interest in income from assets such as savings, certificates of deposit, money market
- 12) Accounts, mutual funds, stocks, bonds, Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate.
Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance. Rent from real estate is considered income
- 13) Any other forms of regular income reported to the Internal Revenue Service

D. What is Not Considered Income

The following sources **are NOT considered income and will not be included** in the income eligibility determination:

- 1) Rebates or credits received under low-income energy assistance programs
- 2) Food stamps
- 3) Payments received for foster care
- 4) Relocation assistance benefits
- 5) Income of live-in attendants
- 6) Scholarships
- 7) Student loans

- 8) Personal property such as automobiles
- 9) Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
- 10) Part-time income of dependents enrolled as full-time students
- 11) Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

E. How to Verify Income

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Income verification documentation should include, but is not limited to the following for each member of a household who is 18 years of age or older:

- 1) Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- 2) A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s)- A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- 3) If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
 - Social Security or SSI – Current award letter or computer printout letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF current award letter
 - Disability - Worker’s compensation letter or
 - Pension income (monthly or annually) – a pension letter
- 4) A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court (including separation agreement or divorce papers) or education scholarship/stipends – current award letter.
- 5) Reports from the last **two consecutive months** that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates), whole life insurance. Examples include copies of all interest and dividend statements for savings accounts, interest and non-interest-bearing checking accounts, and investments.

- 6) Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
- 7) Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- 8) Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance.
- 9) For any rental unit, provide all copies of current leases.

F. Additional Income Verification Procedures

Student Income:

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

Income from Real Estate:

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage payments, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income. If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Program Case Manager should determine the imputed interest of 2% from the value of the property. The Program Case Manager should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current money market rates, interest will be input on the determined value of the real estate.

G. Other Eligibility Requirements

Applicant to submit the following in the application package:

- 1) Copy of current Homeowner's insurance declarations page (not the policy or receipt)
- 2) Proof of flood insurance, if property is in a flood zone.
- 3) Copy of recorded deed to the property to be assisted.
- 4) If deed co-holder resides at another location, provide proof of same (driver's license, etc)
- 5) If widow or widower, copy of spouse's Death Certificate.
- 6) Receipt for paid property taxes.
- 7) Proof that all mortgage payments
- 8) Homeowner Association (HOA) A copy that Fees are paid current.
- 9) Copy of all other liens recorded against the property.
- 10) Personal identification. Provide a copy of any of the following:
 - Driver's License

- Passport
- Birth Certificate
- Social Security Card

11) Original signed Eligibility Release form.

Properties for sale are ineligible for program assistance as well as any property the homeowner or if the property owner plans to sell within the next two years.

H. Property Taxes and Municipal Utilities Accounts Paid Current

All applicants' property tax and municipal utilities accounts must be paid current. The Program reserves the right to make an exception to the requirement of paid current municipal accounts. Individual files will be reviewed, and the Borough will confirm on a case-by-case basis. Upon approval by the appropriate municipal officials and the Program, a Special Needs Eligibility Requirements Waiver may be issued.

I. Sufficient Equity and Carrying Cost

Additionally, to be determined eligible, there must be sufficient equity in the home to cover the program lien. In other words, the market value of the house must be greater than the total of the existing liens and anticipated program lien combined. For the sake of this rule, the market value of the home will be calculated using the municipality's assessed value divided by the equalization ratio. All existing property liens (mortgage, home equity loan, etc.) are then deducted from the calculated house value to determine the current property equity. The Borough may consider a Special Needs Waiver approved by the municipality on a case-by-case basis for limited equity, but not for negative equity. Additionally, the applicant's income shall be sufficient to meet the carrying costs of the unit or the homeowner is to demonstrate how the unit's carrying costs are funded. This will be reviewed on a case-by-case basis.

J. House Conditions

All areas of the house must be readily accessible, uncluttered, and clean. This is in anticipation of the Program Inspector and contractor's needs of proper and sanitary access for inspections and construction work progress. If there are any repairs or renovations currently being undertaken on the home by others or the homeowner or done within the last few years that required municipal permits, the work must be completed and the permits closed out prior to the homeowner applying to the Program.

K. Eligibility Scenarios of Multi-Family Structures

Scenario 1

The Program Administrator determines that the owner is income eligible and the renters in each unit are income eligible. In this case, all of the units are eligible for rehabilitation.

Scenario 2

The Program Administrator determines that the owner is income eligible, but the renters are not. In this case, only the landlord's unit is eligible for rehabilitation. If a home improvement is undertaken, which affects all the units in the house (e.g., replacement of a roof), the HIP will only cover a prorated percentage of the cost. For example, in a two-family home with units of approximately equal size, only 50% of the cost of roof replacement will be covered. Where units differ by more than 10% in size, the proportion should be based on the percentage of square footage within each unit compared to the total interior square footage of all other units in the structure. Shared common areas should not be counted in the denominator for the pro rata calculation.

Scenario 3

The Program Administrator determines that the owner is not income eligible, but the renters are. In this case, the rental units are eligible for rehab, but the owner's is not. If a rehab activity is undertaken, which affects all of the units in the house (e.g., replacement of roof), the HIP will only cover a prorated percentage of the cost. For example, in a four-family home, **only 75% of the cost** of roof replacement would be covered. Where units differ in size, the proportion is based on the percentage of square footage. If any of the conditions above apply to a particular applicant's case, Elite Realty Associates sends a letter that explicitly identifies which of the units is eligible for rehabilitation, as well as specifies any applicable percentage of the hard costs of rehabilitation between the Program and the homeowner. The homeowner's monetary contribution is to be paid prior to the start of construction at the pre-construction conference in the form of a money order or certified check made payable to the contractor. The payment is held by the Program until the work is satisfactorily completed, at which time the Program will release the payment to the contractor.

L. Eligibility Certification

After the Program Administrator has determined that the household income is eligible and meets all other eligible requirements, the Program Manager will complete and sign the Eligibility Certification. This certification is valid for 180 days starting from the date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program the Administrator must reevaluate the household's eligibility.

After the household is certified as income eligible, the Homeowner/Program Agreement will be executed between the owner and the program. If an applicant is determined ineligible, for any reason, the Program will issue a Notice of Ineligibility explaining the reason for the ineligibility determination and case termination.

M. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate

The Program Inspector will perform a comprehensive inspection to determine what work items are necessary to bring the home up to code, as identified in section III C. Photos will be taken at the comprehensive inspection to document existing conditions. As a result of the comprehensive inspection, the Program Inspector will prepare a work write-up and cost

estimate. All repairs needed to bring the home up to code will be identified. To the extent that the budget may permit, home weatherization will also be included. This work write-up will include a breakdown of each work item by category and location in the house. The work write-up will contain information as to the scope of work and specifics on materials such as type, quantity and cost. A total cost estimate will be calculated for each housing unit. Improvements approved under the Program should be based on the cost of mid-grade fixtures and materials. No upgrades from this standard shall be allowed. Only eligible rehab work will be funded by the Program. If not, all items can be accomplished due to program funding caps, the Program Inspector will establish a priority repair system which addresses the code violations before the non-code violations. The HIP's policy is to create Work Write-Ups and Cost Estimates that fall within the HIP funding caps. In unusual hardship cases and when the cost to correct all code violations exceeds the program funding limit, the HIP will seek the homeowner's monetary contribution. If the homeowner is unable to contribute funds or obtain funds from another funding source, HIP will request additional funds from Palisades Park. For houses built prior to 1978, refer to Section VII Lead Base Paint (LBP).

N. Contractor Selection

The homeowner, with the approval of the Program Inspector, will select the contractor. The Case Manager will provide the homeowner with a copy of the work write-up and the Program Contractor List. The homeowner will complete the Work Write-Up Review Form indicating review and approval of the work write-up and advising any contractors currently on the Program Contractor List that the homeowner does not wish to have notified of the availability of the bid package. If the homeowner wishes to solicit a bid from a contractor not currently on the Program Contractor List, the homeowner will provide the contractor's name, address and telephone number on the Work Write-Up Review Form. Any contractors that have not been previously qualified are eligible to participate but must submit their qualifications as well as their bid in the bid package.

The Case Manager will notify at least three (3) currently active contractors that a bid package for the property is available. Each contractor must contact the Case Manager to obtain a full bid package, and the contractor must submit a bid to the Case Manager by the submission deadline (usually within three (3) weeks of the date of the bid notification letter). All submitted bids will be opened and recorded by the Program Administrator at a meeting open to all interested parties.

The submitted bids will be reviewed by the homeowner and the Program Inspector. Generally, the lowest responsible bid from a qualified contractor will be chosen. If the homeowner selects a higher bid, he/she must pay the difference between the chosen and the lowest responsible bid.

The Case Manager will email the following documentation to the Borough:

Bid Tabulation sheet of all bids received

Awarded contractor's bid including completed Contractor Award Checklist

For each contractor's first award in a calendar year, it will also include awarded contractor

Business Registration Certificate (BRC) and W-9.

Contractor award is passed via a Resolution by Borough Council. The Borough will provide the Case Manager with a copy of the Resolution for placement in the case file.

O. Pre-Construction Conference/Contract Signing

The Program Inspector will conduct a pre-construction conference with the homeowner and contractor. Prior to the pre-construction conference the homeowner will be provided with copies of the loan documents and the Construction Agreement, and the contractor will be provided with a copy of the Construction Agreement for review. At the time of the pre-construction conference, the scope of work will once again be reviewed. The homeowner and contractor responsibilities will also be reviewed, as well as the Program's construction procedures and program limitations.

The homeowner and contractor will each sign the Construction Agreement and receive copies. The homeowner will sign and receive copies of the Mortgage and Mortgage Note in the amount of the HIP subsidy. For rental properties, the property owner will also sign the Deed Restriction

If the homeowner is providing any funds for the rehabilitation of his/her home, those funds must be provided at the time of the pre-construction conference in the form of a certified check or money order made payable to the contractor. The check will be held by the Program and will be applied towards the contractor's first progress payment.

The contractor will be provided with information regarding the Lead-Based Paint Poisoning Prevention Act (4a.USC 483 1 (b)). The homeowner will be advised of the hazards of lead base paint in houses built prior to 1978 and provided with the EPA booklet Renovate Right. Both contractor and homeowner will each sign the respective Certifications. Additionally, for houses built prior to 1978, Lead Base Paint (LBP) applies.

Following the pre-construction conference, the Case Manager will provide the Borough with a copy of the Construction Agreement which includes an itemized price list of the work. It is the contractor's responsibility to ensure all required permits are applied for prior to the start of construction and, if applicable, at the time of any change orders. The construction permitting process is handled by the municipality's Construction office.

P. Initiate Borough Voucher

Upon contractor award decision, the Borough will provide the Case Manager with a blanket purchase order to create two purchase orders for each case for the contractor to sign at the pre-construction conference at time of contract signing. The contractor's signed purchase orders will be held by the Case Manager until construction progress is sufficient to submit to the municipality.

The Borough voucher will be separated into two potential payments. The Program staff will match the payment request with the Borough voucher issued at the pre-construction conference and adjust the payment amount as per the inspection results. Ultimately upon

construction completion, the payments will equal the full voucher amount plus or minus any change orders.

For each contractor's first award in a calendar year, the Case Manager will provide the municipal applicable staff with the awarded contractor Business Registration Certificate (BRC) and W-9 form.

Q. Progress Inspections

The Program Inspector will make the necessary inspections of the progress of property improvements. Inspections are necessary to ensure that the ongoing improvements coincide with the scope of work outlined in the work write-up. It is the contractor's responsibility to notify the Program Inspector when a minimum of 40% of the total contract work is completed. The Program Inspector will schedule the inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the work is ready for inspection. If work passes the satisfactory progress inspection, the Case Manager will follow the procedures spelled out in Section V subsection T Payment Structure and Process to process a contractor's progress payment request.

The Program Inspector will notify the contractor and the homeowner in writing of any work deficiencies discovered during the progress inspection. Work deficiencies must be corrected prior to the contractor's request for the next inspection.

For houses built prior to 1978, a work item marked LSWP (Lead Safe Work Practices) cannot be paid for until the work item passes lead clearance. Refer to Section VII Lead Base Paint (LBP).

R. Change Orders

If it is determined during rehabilitation that a change from the original work write-up is required, a Program Change Order Authorization form must be completed and approved by the homeowner, the contractor and the Program. The Case Manager will forward the executed change order to the Borough. For change orders at >\$5,000, the Case Manager will forward the executed change order to the Borough for approval via Resolution by Borough Council. If the change order work discovery is urgent, such as during roof tear off and cannot wait until the next Council meeting, it will be submitted for Borough's preliminary special needs approval prior to Resolution at the upcoming Council meeting.

The contractor will be notified by the Case Manager of the results, and no change order work should be undertaken by the contractor until he has received a copy of the fully executed Change Order Authorization or the contractor risks non-payment for the change order work.

S. Final Inspection

Prior to requesting a final inspection, it is the contractor's responsibility to: Properly close out all the permits and to provide proof of closed out permits to the Case Manager via the municipal Certificate of Approval. Deliver to the homeowner a complete release of all liens

arising out of the Construction Agreement, a receipt in full covering all labor, materials and equipment for which a lien could be filed or a bond satisfactory to the owner indemnifying the owner against any lien and. Provide the homeowner with all applicable warranties for items installed and work completed during the course of the rehabilitation. Once the contractor has provided the Case Manager with all required job closeout forms, the contractor will be responsible for requesting the Program's final inspection. The Program Inspector will schedule the final inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the rehabilitation work has been completed and is ready for inspection. The Program Inspector will then conduct a final inspection to certify that the required property improvements are complete. The homeowner will be present during the final inspection, and the contractor will be present if there are issues to resolve. Construction progress on work line items will be inspected and considered for payment. If the work passes satisfactory final inspection, the Case Manager will follow the procedures spelled out in Section V subsection T. Payment Structure and Process to process the contractor's final payment request. For houses built prior to 1978, a work item marked LSWP (Lead Safe Work Practices) cannot be paid for until the work item passes lead clearance. Refer to Section VII Lead Base Paint (LBP).

If the Program Inspector identifies any work deficiencies during the final inspection, the Program Inspector will notify the contractor and the homeowner of the deficiencies in writing and the value of said deficiencies will be deducted from the final payment request. Work deficiencies discovered during the final inspection will require the Program Inspector to conduct a subsequent inspection upon contractor's correction of deficiencies. The Rehabilitation Program reserves the right to hold the contractor responsible to pay the cost of any additional inspections beyond the final inspection at a rate of \$350 per inspection for prematurely requesting the final inspection with the work not 100% completely done in a workman-like manner. Additional inspections are those more than the one progress inspection and the final inspection which are needed to inspect corrected deficiencies. The contractor must issue the failed final inspection penalty payment directly to Elite Realty Associates via a check prior to the Program Inspector scheduling and repeating the final inspection process. Elite Realty Associates will notify the municipality each time a penalty is levied. The Program lien period will commence upon satisfactory completion of the final inspection. Photographs will be taken of the rehabilitated housing unit by the Program Inspector at the time of the satisfactory final inspection.

T. Payment Structure and Process

The Borough will issue all payments, which will be made according to the following schedule: One progress payment (representing a minimum of 40% of total contract work completed) will be paid. Upon completion of one hundred percent (100%) of the rehabilitation work, the contractor is eligible for final payment of the contract price upon a satisfactory program inspection with the confirmation from the Case Manager that all contractor's documents have been submitted according to program procedures, the Case Manager will submit to the Borough a Program's Request for Payment form with Owner's

and Program's written approval . The Borough voucher signed by the contractor and adjusted to match the current payment amount, copy of change order, if one occurred

The Borough retains the right to make payments to the contractor without homeowner approval should the homeowner become unavailable to sign the Program contractor payment form due to illness or absence. In such instances, the Program shall make reasonable attempts to contact the homeowner. If such efforts are not successful within a two-week period from the final inspection date, the Program shall advise the Borough, provide documentation of efforts to obtain homeowner approval, and may authorize contractor payment without homeowner sign-off, to not hold up payment rightfully due to the contractor. The Case Manager is to submit the contractor payment request to the Director of Planning and Community Development for processing, if acceptable, the payment request will be placed on the upcoming Bill List agenda. The Borough will forward to the Case Manager a copy of the executed payment to the contractor for case file records. Upon job completion, the combined Borough payments will total the Construction Agreement, including all applicable change order(s) if any, and minus owner contribution, if any. The combined Borough payments will also match the final Borough Voucher amount. Progress and final payments will be made payable to the contractor.

U. Standard Certification

A Certificate of Approval issued by the municipal construction official at the time the contractor closes out the rehabilitation construction permits, will confirm the scope of rehabilitation work has been completed and that the housing unit is now up to code standard. The contractor is to provide the Certificate of Approval to the Case Manager when requesting the final inspection. The Case Manager will ensure that a copy of the Certificate of Approval is placed in the case file.

V. Record Mortgage Documentation

As construction is completed, the Case Manager will forward the executed mortgage to the Borough's Attorney for recording, copying the Director of Planning and Community Development. The Borough will immediately file the mortgage with the County Clerk. For rental properties, the Deed Restriction will also be recorded.

W. File Closing

The Case Manager will close the homeowner's file after the final payment is made and the mortgage, and when applicable, Deed Restriction is/are returned from the County with recorded date, book and page. The Case Manager will send the homeowner a case closeout letter explaining the warranty period, importance of program documents for personal record keeping, explaining the homeowner's responsibility to continue to maintain the home, providing the homeowner with a home maintenance checklist as guidance, thanking the owner for program participation, and encouraging him/her to recommend the program to other households in the community and, when applicable, reminding owner of the affordable housing rental requirements listed in the program lien documents and deed restriction.

X. Requests for Subordination or Program Loan Payoff

Palisades Park may agree to subordination of its lien if the mortgage company supplies an appraisal showing that the new loan plus the balance(s) on all unpaid loans including the value of the rehabilitation assistance does not exceed ninety-five (95%) of the appraised value of the unit. If the homeowner is simply refinancing their primary mortgage to a lower interest rate and not “cashing out” any equity, Palisades Park will subordinate up to 100% of the appraised value. The fee to process program loan subordination requests will be paid by the homeowner directly to the Program Administrator in accordance with the fee set forth in the yearly program administration contract.

VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT

A. Marketing

The Program will coordinate with the Borough to advertise the availability of construction work on the Borough’s website and display a contractor outreach poster and handouts in the municipal building, including the local construction office. Additionally, Elite Realty Associates will reach out to home improvement contractors registered with Consumer Affairs who are geographically near or in Palisades Park. If determined if needed, additional outreach will be conducted in the local newspapers and through the posting of community notices. As necessary, the Program will advertise the availability of construction work by posting information at local building supply dealers. All interested contractors will have the opportunity to apply for inclusion on the Program Contractor List, which will be made available for the homeowner’s use in selecting rehabilitation contractors. The contractor outreach material will also be posted on Borough’s website.

B. Contractor Qualifications

To qualify, contractors must meet the following minimum requirements:

Contractors must carry at least \$1,000,000 in general liability insurance. The Contractor shall carry full workmen’s compensation coverage including

Employer’s Liability limits of at least \$500,000 and statutory state coverage for all his/her employees and those of his/her subcontractors engaged in program rehab work. The Contractor must provide the Case Manager with a certificate of insurance naming the Program as Certificate Holder and naming the Municipality and Elite Realty Associates as additional insureds at time of Program job award and at least three favorable references on the successful completion of similar work.

Applicable lead certifications for contractors working on houses built prior to 1978. As identified in the scope of work, the contractor must comply with HUD 24 CFR Part 35 and the EPA Renovation, Repair and Painting (RRP) Rule regarding certification; and If claiming prior experience with local, state or federally funding housing rehabilitation programs, a record of satisfactory performance in a neighborhood rehabilitation program or other federal/state programs; and Contractors must also complete a Contractor Qualification

Form. The contractor's qualifications will be reviewed and the references cited will be checked by the Program Inspector before the contractor is awarded a job.

All appropriate licenses required:

- Plumbing
- Electrical
- Contractor's State Business Registration Certificate
- Current Consumer Affairs Home Improvement Contractor license

VII. LEAD BASED PAINT (LBP)

[Municipal Ordinance] CHAPTER 169 LEAD-BASED PAINT

[HISTORY: Adopted by the Mayor and Council of the Borough of Palisades Park as indicated in article histories. Amendments noted where applicable.]

Article I Inspection and Testing

[Adopted 12-30-2024 by Ord. No. 2024-18]

§ 169-1 Required initial inspection.

The owner, landlord and/or agent of every single-family, two-family, and/or multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two years of the effective date of the law, July 22, 2022, or upon tenant turnover, whichever is earlier.

§ 169-2 Required recurring inspection.

After the initial inspection required by § 169-1, the owner, landlord and/or agent of such dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification.

§ 169-3 Standards.

Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq. and N.J.S.A. 55:13A-1 et seq.

§ 169-4 Exceptions.

A dwelling unit in a single-family, two-family or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards or for the fees for such inspection or evaluation, if the unit:

- A.** Has been certified to be free of lead-based paint;
- B.** Was constructed during or after 1978;
- C.** Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1 et seq.;
- D.** Is a single-family or two-family seasonal rental dwelling which is rented for less than six months' duration each year by tenants that do not have consecutive lease renewals; or
- E.** Has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16d(2).

§ 169-5 Fees.

Notwithstanding any other fees due pursuant to this article, the following fees shall be paid:

- A.** Administrative fee. A dwelling owner or landlord shall directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs, in which case a \$120 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this section.

§ 169-6 Violations and penalties.

- A.** Fine. Any dwelling owner found to be in violation of any provision of this article shall be subject to a fine in the amount of \$1,000 for each and every week until the violation is abated.

VIII. RENTAL PROCEDURES

Rental units are subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C.5-80:26.1 et. seq. once the rental units are rehabilitated. In addition to the mortgage and mortgage note, the controls on affordability shall be in the form of a deed restriction.

If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit be rented to an income eligible household at an affordable rent and

affirmatively marketed pursuant to UHAC. In the event a unit is renter-occupied, upon completion of the rehabilitation, the maximum rent shall be the lesser of the current rent or the maximum permitted rent pursuant to UHAC. Rental Increases: See section VIII C, below. The municipality's Administrative Agent will administer the rental affordability controls during the (10) ten-year affordability period for each rental property assisted. Landlords are responsible to pay income certification fees for re-rentals.

A. Determining Initial Affordable Rents

The initial maximum affordable rent for a rehabilitated unit is determined by the program staff based on several NJ rules and regulations. The Administrative Agent will make every attempt to price initial rents to average fifty-two percent (52%) of the median income for the household size appropriate to the sized unit within each individual project (N.J.A.C. 5:80-26.3 (d)). Thirty percent (30%) (N.J.A.C. 5:80-26-12 (a)) of that figure is considered the "maximum base rent." Subtracted from the maximum base rent is the cost of all tenant-paid utilities as defined and calculated by the HUD Utilities Allowance figures (updated annually). The remainder becomes the maximum initial rent for that unit. The Home Improvement Program staff can provide potential applicants/landlords with a reasonable estimate of what the maximum base rent will be on their rental unit if they elect to participate in the program.

B. Pricing by Household Size

Initial rents are based on the number of legal bedrooms in each unit. Initial rents must adhere to the following rules. Initial Rental Pricing by Housing Size

- 1) A studio shall be affordable to a (1) one or (2) two-person household
- 2) A one-bedroom unit shall be affordable to a up to (3) three-person household
- 3) A two-bedroom unit shall be affordable for a (4) four-person household
- 4) A three-bedroom unit shall be affordable to a (4) four-to (6) six-person household
- 5) A four-bedroom unit shall be affordable for a six-person household.

The above rules are only to be used for setting initial rents. By the Size of Unit, Household Size and income to be to Determined Maximum Rent rate charged.

C. Determining Rent Increases

Rents for rehabilitated units may increase annually based on the standards in Appendix B, entitled "Approved Calculation of Annual Increases to Income Limits, Resale Prices and Rents" and only upon written notification from the Administrative Agent. In addition, the Borough's Administrative Agent must be used by the Landlord to ensure that all appropriate affirmative marketing and all other affordable housing compliance procedures are followed and will continually oversee compliance for these affordable rental units throughout their restrictive term. These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. Rents may not be increased more than once a year, may not be increased by more than one approved calculated increment at a time, and may

not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

IX. MARKETING STRATEGY

In coordination with the Borough, the Program Administrator will employ a variety of proven strategies to advertise the program within Palisades Park to establish the Program's applicant pool/waiting list. The marketing strategy/plan possibilities include but are not limited to:

- 1) Creation and distribution of Program homeowner outreach posters, flyers and handouts
- 2) Place Program outreach material on the Borough's website
- 3) Place Program outreach material on the Borough's website
- 4) Municipal E-newsletter and web site
- 5) Appending announcements and/or flyers to other municipal mailings as they become available (tax, etc.) or direct mailing, if approved by the municipality
- 6) Municipal email blasts and social media (if available)
- 7) Program marketing will be distributed to local community organizations and major employers including religious organizations, civic groups, senior groups, ethnic organizations, etc. Free local cable TV advertising (when available)
- 8) Periodic Press releases
- 9) Programming group presentations for the community organizations and local contractors, and shared at the Borough's Municipal Noticeboard
- 10) Paid newspaper advertisements (last resort) when deemed necessary and appropriate

The order of method used will be analyzed to implement the most effective combination of strategies. Extensive marketing efforts are essential for all successful housing rehabilitation programs to meet their productivity objectives. Available rental units assisted via HIP will be affirmatively marketed in accordance with the Borough of Palisades Park Affordable Housing Affirmative Marketing Plan.

X. MAINTENANCE OF RECORDS AND CLIENT FILES

A. Programmatic Recording

The Program files will include:

- 1) The policies and procedures manual, which will also be updated when applicable.
- 2) An applicant pool will be maintained by the Program staff to track intake of the people interested in the program and the corresponding outgoing application invites.
- 3) A rehabilitation log will be maintained by the Program staff that depicts the status of all applications in progress.

B. Participant Record Keeping

The Program will be responsible for ensuring that individual files for each unit are established, maintained and then submitted to the municipality upon completion. Each completed file will contain a minimum of the following:

- 1) Checklist
- 2) Application form
- 3) Tenant Application form (Rental Units Only) including rental lease
- 4) Proof of ownership
- 5) Income verification (for all households)
- 6) Proof of currency of property tax and water/sewer accounts
- 7) Proof of homeowner extended coverage/hazard insurance (Declaration Page)
- 8) Proof that the municipal lien plus the total of other liens does not exceed the market value of the unit.
- 9) Certification of Eligible Household
- 10) Notice of Ineligible Household
- 11) Homeowner/Program Agreement
- 12) Certificate of Substandard
- 13) Work Specifications/Cost Estimate aka Work Write-Up
- 14) Letter: forward Lead Hazard Evaluation Notice to homeowner (if applicable)
- 15) Homeowner Confirmation of Receipt of Lead Hazard Evaluation Notice (if applicable)
- 16) Bid Notice
- 17) Contractor bids
- 18) Bid Tabulation
- 19) Construction Agreement
- 20) Mortgage and Mortgage Note, and for rental properties, Deed Restriction
- 21) Notice of Right of Rescission
- 22) Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- 23) Contractor Confirmation of Receipt of Lead Paint Notice
- 24) Copies of all required permits
- 25) Change orders, if any
- 26) Work progress and final inspection reports
- 27) Copies of contractor payment documentation
- 28) Letter: forward Lead Hazard Reduction Notice-Lead Clearance Report to homeowner (if applicable)
- 29) Homeowner Confirmation of Receipt of Lead Hazard Reduction Notice (if applicable)
- 30) Photographs (Before and After)
- 31) Close-out documents
- 32) Certification of Approval
- 33) All leases on rental properties

C. State Reporting

For each unit the following information must be retained to be reported annually:

- 1) Property Street Address
- 2) Block/Lot/Unit Number
- 3) Owner/Renter
- 4) Income of household & or tenant: Low or Moderate income (AMI)
- 5) Final Inspection Date
- 6) Funds expended on Hard Costs
- 7) Funds Recaptured
- 8) Major Systems Repaired
- 9) Unit Below Code & Raised to Code
- 10) Effective date of affordability controls
- 11) Length of Affordability Controls (yrs.)
- 12) Date Affordability Controls removed
- 13) Reason for removal of Affordability Controls

D. Financial Recordkeeping

Financial recordkeeping is the responsibility of the Municipal Housing Liaison, with assistance from the Administrative Agent, as may be requested from time to time. The Program Administrator will provide each completed unit's data for annual monitoring.

XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS

The Program staff is skilled in effectively achieving resolution of homeowner/contractor disputes, in a fair and documented manner. If a homeowner refuses to pay the contractor and work has been done to work specification and to the satisfaction of the Program, it may authorize payment to the contractor directly. However, the Program will make a reasonable attempt to resolve the differences before taking this step. However, on the rare occasion if a homeowner or contractor decides to dispute a Program staff decision, the Program will refer the matter to the Borough for further resolution. It is recommended the Borough forms a Housing Advisory Committee to mediate and resolve the differences. Homeowners or contractors involved in a dispute will be instructed to submit their concerns in writing. The homeowner or contractor may request a hearing conducted by the Housing Advisory Committee. All Housing Advisory Committee decisions are final. The Housing Advisory Committee formation may occur when the first need arises.

XII. CONCLUSION

The procedures described in this manual are followed, the Borough of Palisades Park's Home Improvement Program should operate smoothly and effectively. Where it is found

that a new procedure will eliminate a recurring problem, that procedure may be incorporated into the program operation. In addition, this manual may be periodically revised to reflect changes in local, state and federal policies and regulations relative to the Home Improvement Program.

APPENDIX A - LIST OF PROGRAM FORMS

1. Application Transmittal Letter
2. Program Information Handout
3. Application for Assistance- Homeowner
4. Application for Assistance- Landlord (Investor)
5. Application for Assistance- Tenant
6. Eligibility Release Form
7. Checklist
8. Special Needs Waiver (Eligibility Requirements)
9. Special Needs Waiver (Exceed Program Limit)
10. Certification of Eligible Household
11. Eligibility Determination Form
12. Notification of Eligibility
13. Notification of Ineligibility
14. Homeowner/Program Agreement
15. Certificate of Substandard
16. Certificate of Substandard – Emergency Situation
17. Letter: forward work write-up and contractor list to homeowner
18. Work Write-Up Review form
19. Request for Rehabilitation Bid
20. Affidavit of Contractor
21. Subcontractor Bid Sheet
22. Bid Tabulation/Contractor Selection
23. Construction Agreement
24. Mortgage
25. Mortgage Note – single family, multi family, investor versions
26. Notice of Right of Rescission
27. Deed Restriction
28. Leases of owner-occupied units & Investor rental units
29. Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
30. Contractor Confirmation of Receipt of Lead Paint Notice
31. Notice to Proceed
32. Contractor's Request for Final Inspection
33. Change Order Authorization
34. Certificate and Release & Closeout Statement

APPENDIX B

Approved Calculation of Annual Increases to Rents

Methodology for Calculating Regional Income Limits and Rental Increase for Income limits for all units that are part of the municipality's Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the municipality annually within 30 days of the publication of determinations of median income by HUD as follows:

Regional income limits shall be established for the region that the municipality is located within, based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the municipality's housing region.

This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

The income limits attached are the result of applying the percentages set forth in paragraph above to HUD's determination of median income for the most recent year and shall be utilized until the municipality updates the income limits after HUD has published revised determinations of median income for the next fiscal year. The Administrative agency duly empowered by an amendment to the Fair Housing Act begins to issue updated annual income limits and rules for increasing sales prices and rent levels each year, said updated income limits and rules for increasing sales prices and rent levels each year may be used instead of the methodology set forth herein.

In establishing sale prices and rents of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the annual issued regional income limits established pursuant to the process defined above. The rent levels of very low-, low- and moderate-income units may be increased annually based on the percentage increase in the DCA UHCA, upon its publication for the prior calendar year. This increase shall not exceed 5% percent in any one year. Rents for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing.

2025 UHAC Affordable Housing Regional Income Limits

Last updated May 5, 2025, by NJHMFA. Effective May 16, 2025 throughout 2026

Last updated May 5, 2025, by New Jersey Housing and Mortgage Finance Agency (NJHMFA). Effective May 16, 2025.

UHAC 2025 Affordable Housing Regional Income Limits by Household Size

Regional Income Limits	Household Size										
	1 Person	1.5 Persons	2 Persons	2.5 Persons	3 Persons	4 Persons	4.5 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Region 1											
Bergen, Hudson,	\$89,100	\$95,450	\$101,800	\$108,150	\$114,500	\$120,850	\$127,200	\$133,550	\$140,000	\$146,450	\$152,900
Passaic, Sussex	\$71,280	\$76,360	\$81,440	\$86,520	\$91,600	\$96,680	\$101,760	\$106,840	\$111,920	\$117,000	\$122,080
Median	\$44,550	\$47,725	\$50,900	\$54,075	\$57,250	\$60,425	\$63,600	\$66,775	\$70,000	\$73,225	\$76,450
Moderate (80%)	\$26,730	\$28,635	\$30,540	\$32,445	\$34,350	\$36,255	\$38,160	\$39,990	\$41,820	\$43,650	\$45,480
Low (50%)											
Very Low (30%)											
Region 2											
Essex, Morris,	\$94,800	\$101,550	\$108,300	\$115,050	\$121,800	\$128,550	\$135,300	\$142,050	\$148,800	\$155,550	\$162,300
Union, Warren	\$75,840	\$81,240	\$86,640	\$92,040	\$97,440	\$102,840	\$108,240	\$113,640	\$119,040	\$124,440	\$129,840
Median	\$47,400	\$50,775	\$54,150	\$57,525	\$60,900	\$64,275	\$67,650	\$71,025	\$74,400	\$77,775	\$81,150
Moderate (80%)	\$28,440	\$30,465	\$32,490	\$34,515	\$36,540	\$38,565	\$40,590	\$42,615	\$44,640	\$46,665	\$48,690
Low (50%)											
Very Low (30%)											
Region 3											
Hunterdon, Middlesex,	\$107,400	\$115,100	\$122,800	\$130,450	\$138,100	\$145,750	\$153,400	\$161,050	\$168,700	\$176,350	\$184,000
Somerset	\$85,920	\$92,080	\$98,240	\$104,400	\$110,560	\$116,720	\$122,880	\$129,040	\$135,200	\$141,360	\$147,520
Median	\$53,700	\$57,550	\$61,400	\$65,225	\$69,050	\$72,875	\$76,700	\$80,525	\$84,350	\$88,175	\$92,000
Moderate (80%)	\$32,220	\$34,530	\$36,840	\$39,135	\$41,430	\$43,725	\$46,020	\$48,315	\$50,610	\$52,905	\$55,200
Low (50%)											
Very Low (30%)											
Region 4											
Mercer, Monmouth,	\$94,300	\$101,000	\$107,700	\$114,450	\$121,200	\$127,950	\$134,700	\$141,450	\$148,200	\$154,950	\$161,700
Ocean	\$75,440	\$80,800	\$86,160	\$91,520	\$96,880	\$102,240	\$107,600	\$112,960	\$118,320	\$123,680	\$129,040
Median	\$47,150	\$50,500	\$53,850	\$57,225	\$60,600	\$63,975	\$67,350	\$70,725	\$74,100	\$77,475	\$80,850
Moderate (80%)	\$28,290	\$30,300	\$32,310	\$34,335	\$36,360	\$38,385	\$40,410	\$42,435	\$44,460	\$46,485	\$48,510
Low (50%)											
Very Low (30%)											
Region 5											
Burlington, Camden,	\$63,600	\$69,600	\$75,600	\$81,600	\$87,600	\$93,600	\$99,600	\$105,600	\$111,600	\$117,600	\$123,600
Gloucester	\$66,880	\$71,680	\$76,480	\$81,280	\$86,080	\$90,880	\$95,680	\$100,480	\$105,280	\$110,080	\$114,880
Median	\$41,800	\$44,800	\$47,800	\$50,775	\$53,750	\$56,725	\$59,700	\$62,675	\$65,650	\$68,625	\$71,600
Moderate (80%)	\$25,080	\$26,880	\$28,680	\$30,485	\$32,290	\$34,095	\$35,900	\$37,705	\$39,510	\$41,315	\$43,120
Low (50%)											
Very Low (30%)											
Region 6											
Atlantic, Cape May,	\$71,900	\$77,050	\$82,200	\$87,350	\$92,500	\$97,650	\$102,800	\$107,950	\$113,100	\$118,250	\$123,400
Cumberland, Salem	\$57,520	\$61,640	\$65,760	\$69,880	\$74,000	\$78,120	\$82,240	\$86,360	\$90,480	\$94,600	\$98,720
Median	\$35,950	\$38,525	\$41,100	\$43,675	\$46,250	\$48,825	\$51,400	\$53,975	\$56,550	\$59,125	\$61,700
Moderate (80%)	\$21,570	\$23,115	\$24,660	\$26,205	\$27,750	\$29,295	\$30,840	\$32,385	\$33,930	\$35,475	\$37,020
Low (50%)											
Very Low (30%)											

Bedroom Count	Household Size (Senior)**	Maximum Sale Price Increase***		Maximum Rent Increase****		Net Asset Limit*****		
		Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Statewide
0BR	1 Person	5.64%						\$300,000
1BR	1.5 Persons	4.55%						
2BR	2 Persons	4.92%						
3BR	3 Persons	3.50%						
4BR	4.5 Persons	4.10%						
	5 Persons	4.41%						
	6 Persons							
	N/A							

* N.J.A.C. 5:80-26.4(i).
 ** N.J.A.C. 5:80-26.4(j).
 *** N.J.A.C. 5:80-26.7(c).
 **** N.J.A.C. 5:80-26.13(b).
 ***** N.J.A.C. 5:80-26.17(b)(3).