



**City of Plano
Community Services
First-Time Homebuyers Financial
Assistance Program**

Application Packet

The purpose of the City of Plano's Financial Assistance Program is to help low-to-moderate income families realize the dream of homeownership. The program provides financial assistance in the form of deferred payment loans that can be used for down payment and closing costs. The funds are made possible through HUD's Community Development Block program and HOME program.

To apply for the funds please complete the attached application, collect the listed documents, and call Terrie Monroe at 972-941-7665 to schedule a face-to-face interview. During this interview, your documents will be reviewed and your eligibility for the program will be determined. Your counselor will be reviewing the policy with you at that time. **DO NOT FAX OR EMAIL YOUR APPLICATION.**

City of Plano
Community Services
Terrie Monroe
1520 Avenue K, Suite 250
Plano, TX 75074
Phone 972-941-7665

EQUAL HOUSING OPPORTUNITY

**It is a criminal offense to make false statements or misrepresentations to any department or agency of the U.S. as to any matter within its jurisdiction.
(Section 1001 of Title 18, U.S. Code)**





REQUIRED DOCUMENTS

Please collect the following documents for all household members and bring them to your face-to-face interview.

1. Last six (6) pay check stubs (covering last 3 months) for all persons in the household that are working.
2. Last two (2) years tax for each person in the household that files a return.
3. Last two (2) years W2's.
4. Social Security or disability (SSI) awards letters.
5. Proof of receipt of child support. (The best documentation is a report from the attorney general's office that lists all payments you have received.)
6. Documentation of any other income in the household.
7. Last three (3) months bank statements on all accounts, including checking account, savings accounts, stocks, bonds, CD's, money market accounts, 401 K's, and retirement accounts.
8. Social security cards for everyone in the household.
9. Driver's license for all adult household members.
10. Resident Alien Cards or Naturalization Papers.
11. Birth certificate or passport for every residence in the home.

NOTE: THIS INFORMATION WILL REMAIN CONFIDENTIAL, AND WILL BE USED SOLELY FOR THE PURPOSE OF ESTABLISHING ELIGIBILITY.

Please complete the application COMPLETELY and ACCURATELY. Failure to provide complete and accurate information may result in denial of assistance.

FIRST TIME HOMEBUYER APPLICATION

DATE

I. Borrower Information

Borrower's Name (include Jr. or Sr. if applicable)			Co-Borrower's Name (include Jr. or Sr. if applicable)		
Social Security #	Home Phone (include area code)	DOB	Social Security #	Home Phone (include area code)	DOB
Cell Phone Number: Email:			Cell Phone Number: Email:		
Marital Status: <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed		# of Dependents:	Marital Status: <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed		# of Dependents:
Present Address: (street, city, state, zip)			Present Address: (street, city, state, zip)		
# of years:			# of years:		
Landlord Name & Phone #:			Landlord Name & Phone #:		
Previous Address:			Previous Address:		
Landlord Name & Phone #:			Landlord Name & Phone #:		
# of years:			# of years:		

II. Household Composition

List everyone living in the house.

Legal Name	Sex (M/F)	Date of Birth	Age	Social Security #	Relation to Borrowers

III. Employment Information

List all money earned by everyone 18 years of age or older living in the household. If an adult family member lives with applicant, all income of that individual will be considered as part of the borrower's income. Account for a 2 year history of employment.

Borrower		Co-Borrower	
Name and Address of Current Employer:		Name and Address of Current Employer:	
Your Work Phone #:	Fax #:	Your Work Phone #:	Fax #:
Manager Phone #:		Manager Phone #:	
Hire Date:		Hire Date:	
Position/Title/Type of Business:		Position/Title/Type of Business:	
Gross Monthly Income:		Gross Monthly Income:	
Second Current Job: Name: Address: Phone #: Hire Date:		Second Current Job: Name: Address: Phone #: Hire Date:	
Position:		Position:	
Gross Monthly Income:		Gross Monthly Income:	
Previous Job: Name & Address: Phone #: Hire Date: Date Left:		Previous Job: Name & Address: Phone #: Hire Date: Date Left:	

Employment of Other Household Members	
Name:	Name:
Employer:	Employer:
Address:	Address:
Phone #:	Phone #:
Hire Date:	Hire Date:
Gross Monthly Income:	Gross Monthly Income
Manager:	Manager:

Employment of Other Household Members	
Name:	Name:
Employer:	Employer:
Address:	Address:
Phone #:	Phone #:
Hire Date:	Hire Date:
Gross Monthly Income:	Gross Monthly Income
Manager:	Manager:

Employment of Other Household Members	
Name:	Name:
Employer:	Employer:
Address:	Address:
Phone #:	Phone #:
Hire Date:	Hire Date:
Gross Monthly Income:	Gross Monthly Income
Manager:	Manager:

IV. Combined Monthly Income

List all income received from household members. This includes money from employment, child support, Social Security, disability payments (SSI), Worker's Compensations, retirement benefits, AFDC, cash welfare benefits, Veteran's benefits, rental property income, stock dividends, income from bank accounts, alimony and any other source.

Gross Monthly Income	Borrower	Co-Borrower	Other Household Members	Total	Combined Monthly Expenses	
Base Employment Income	\$	\$	\$	\$	Rent	
Overtime					Utilites	
Bonus					Credit Cards	
Commission					Student Loans	
Child Support/Alimony					Auto Loans	
Social Security Benefits					Other	
Veteran's/Retirement Benefits						
Stock/Dividends/Interest						
Other						
Total 1	\$	\$	\$	\$		\$

All Bank Accounts	Borrower		Co-Borrower		Other Household Members	
(Includes: CD's, 401K, checking, savings, etc.)	Account #	Account Balance	Account #	Account Balance	Account #	Account Balance
Total 2		\$		\$		\$

V. Declarations

If you answer "Yes" to any questions a through i, please use space at the bottom of the page.

	Borrower		Co-Borrower	
	Yes	No	Yes	No
a. Are there any outstanding judgments against you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have you been declared bankrupt within the past 7 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have you had property foreclosed upon or given title or deed-in-lieu-of in the last 7 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Are you a party to a lawsuit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Have you directly or indirectly been obligated on any loan which resulted in foreclosure, transfer of title in lieu of foreclosure, or judgment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Are you presently delinquent or in default on any Federal Debt or any other loans, mortgage, financial obligation, Bond, or loan guarantee? If "Yes", give details as described in the preceding question.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Are you obligated to pay alimony, child support, or Separate maintenance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Is any part of the down payment borrowed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Are you a co-maker or endorser on a note?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Are you a U. S. citizen?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Are you a permanent resident alien?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Do you intend to occupy the property as your primary residence? If "Yes", complete question m below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Have you had an ownership interest in a property in the last 3 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(1) What type of property did you own – principal residence (PR) second home (SH), or investment property (IP)?	_____		_____	
(2) How did you hold title to the home – solely by yourself (S), jointly with your spouse (SP), or jointly with another person (O)?	_____		_____	

Comments and explanations:

VII. Certifications

Application Certification:

The applicant certifies that all information given and furnished in this application is given for the purpose of obtaining a loan. The applicant also certifies that all information is true and complete to the best of the applicant's knowledge and beliefs.

Penalty for false or fraudulent statement:

The applicant understands that the U.S.C. Title 18, Part I, Chapter 47, Sec. 1001, provides that: "...whoever, in any matter within the jurisdiction of any department or agency of the Government of the United States, knowingly and willfully falsifies...or makes any fictitious or fraudulent statements of representation, or makes or uses a false writing or documents knowing that same to contain false, fictitious, or fraudulent statement or entry, shall be fined under this title, imprisoned not more than 5 years..."

Borrower's Signature

Date

Co-Borrower's Signature

Date

VIII Credit Report Authorization and Privacy Disclosure Form

I hereby authorize and instruct the City of Plano to obtain and review my credit report. My credit report will be obtained from a credit reporting agency chosen by City of Plano. I understand and agree that the City of Plano intends to use the credit report for the purpose of evaluating my financial readiness to purchase a home.

My signature below also authorizes the release to credit reporting agencies of financial or other information that I have supplied to the City of Plano in connection with any such evaluation. Authorization is further granted to the credit reporting agency to use a copy of this form to obtain any information the credit agency deems necessary to complete my credit report.

_____ authorize

_____ do not authorize

In addition, in connection with determining my ability to obtain a mortgage or any other affordable housing loan, I

_____authorize
_____do **not** authorize

the City of Plano to share with potential mortgage lenders and/or counseling agencies my report and any information that I have shared, including any computations and assessments that I have been produced based upon such information. These lenders may contact me to discuss loans for which I may be eligible, and these counseling agencies may contact me to discuss counseling services.

I understand that I may revoke my consent to these disclosures by notifying the City of Plano in writing.

I understand that the City of Plano may request additional information outside of the information listed in this application. Said additional information may be necessary to clarify or support the original application information provided. The City of Plano shall notify me in writing in the event the information contained herein is insufficient whereby I may be required to provide a release to obtain said additional information.

_____I do agree to provide additional information
_____I do **not** agree to provide additional information

I further understand that my failure to provide authorization to the City of Plano to gather any financial, credit and other information necessary for homebuyer assistance eligibility listed in this application may impact the approval of said assistance.

Client's Name (print)

Client's Name (print)

Client's Signature

Client's Signature

Date

Date

Application taken by:

Community Services Coordinator

Date

City of Plano First Time Homebuyer Program Policy Statement

Qualifying Criteria:

1. The homebuyer must be a first-time homebuyer (defined as not having owned a home within the last three (3) years), or a displaced homemaker who previously owned a home with a spouse or lived in a home owned by the spouse, and is receiving no equity or homeownership rights.
2. The Homebuyer must have a total household income less than 80% of Dallas area median income (based on total household **gross** income) and provide written verification of income. **Income from every resident will be used for determining eligibility, even non-mortgagors (those not on the mortgage).**

If the Homebuyers total household income is between 70 to 80% of the Dallas area Median income, CDBG (Community Development Block Grant) will be used for the assistance. If the total household is less than 70% of the Dallas Median income the HOME funds will be used.

3. **Income will be calculated using the A24 Part 5 Annual Income Method. The income will be calculated from pay stubs, and in which case recurring overtime, bonus, social security, disability, child support, interest income will be included. Annual interest will be calculated at 2% of total cash assets.**

INCOME LIMITS ARE AS FOLLOWS

Number in Family	Maximum Income	Number in Family	Maximum Income
1	\$38,300	5	\$59,050
2	\$43,750	6	\$63,400
3	\$49,200	7	\$67,800
4	\$54,650	8	\$72,150

4. All residents of the home receiving financial benefits must be a U.S. Citizen or a Temporary/Permanent Resident Alien as defined by Federal Regulations. The Residency Verification form must be completed and all necessary documents provided. The Patriot Act form must be completed and a Watch List Report pulled.
5. The home to be purchased must be located in Plano, Texas. There is a maximum sales price of \$145,000. The home may be either new or pre-owned, attached (no more than four (4) units attached) or detached, fee simple ownership, condominium, or cooperative ownership. It may not be purchased on a contract for deed or rent-to-own.

6. All homebuyers must attend the City of Plano's Homebuyer Education Class and obtain certification. All mortgagors must attend the class. All spouses must attend the class regardless if they are on the mortgage or not.
7. No homebuyer may have cash assets or cash available in excess of \$10,000. This includes gifts, liquidation of 401K's, and funds from sale of personal property. Retirement funds are not included.
8. The Homebuyers ratios calculated by the lender should not exceed 35 on front end (new house payment can't exceed 35% of gross monthly income) and 45 on the back end (new house payment plus debts reported on the credit report can't exceed 45% of gross monthly income).
9. An inspection by the Community Services Department inspectors is required in addition to the State Certified fee-paid inspection.
10. Homebuyers must complete an application and provide all necessary documentation. The application must be completed and reviewed at a face-to-face meeting with the program coordinator.
11. Homebuyers must provide a pre-approval letter from a mortgage lending institution.
12. If the home to be purchased was built before 1978, it is subject to a visual lead paid inspection and must not have cracked or peeling paint that exceeds HUD guidelines.

Approval criteria may change subject to changes in program parameters.

I have read both pages of the Policy Statement.

Applicant

Date

Applicant

Date

General Policies

1. The amount of the Community Development Block Grant loan will be a maximum of \$7,500. This amount can be used for no more than **one-half of the down payment** and all or part of closing costs, pre-pays, and discount points for interest rate reductions. The homebuyer will be responsible for paying one-half of the down payment. Program activity will be limited to the availability of funds. These funds will be used for those homebuyers with income which is more than 70% of median income but less than 80%, based on availability of funds.

The amount of HOME grant will be a maximum of \$10,000 or 6% of the sales price, whichever is greater. It can be used to pay all or part of closing costs, pre-pays, and discount points for interest rate reductions. Program activity will be limited to the availability of funds. These funds will be used for those homebuyers with income less than 70% of median income, based on availability of funds. Earnest money and option money will be considered the homeowners contribution to the down payment.

2. Closing costs are considered to include pre-pays and mortgage insurance paid in cash but not mortgage insurance financed.
3. VA, FHA, Conventional, and Assumptions are all eligible.
4. For the buyer's protection the following restrictions are placed on loan programs:
 - i. Adjustable rate mortgages are not allowed.
 - ii. No no-income no-asset loans and negative amortization loans are allowed.
 - iii. "Interest only loans" are not allowed.
 - iv. Multiple loans (example 80/20) are not allowed.
 - v. No "stated income" loans are allowed.
 - vi. Interest rate is restricted to no more than 1.0% above "A paper" market rate for the same loan program.
 - vii. Closing costs are not to exceed 4% of the sales price unless an exception is approved. The 4% includes loan fees paid at closing, pre-pays, escrows, and title company charges, but DOES NOT include discount points or financed mortgage insurance.
 - viii. The City underwriter has the right to deny funding if in their professional opinion the buyer's current financial position represents too much of a credit risk, or that the first lien program is not in the best interest of the buyer.
5. The assistance is provided as a deferred payment loan. The homebuyer is expected to reside in the home for five (5) years. The home can't be vacated or rented out in the five (5) year period. Twenty percent of the amount will be forgiven for each full year the buyer resides in the home. If the home is sold prior to five (5) years, the remaining amount will be repaid to the City at closing.
6. At closing, a second lien promissory note and deed of trust must be signed by the applicant. This lien will be subordinate to the lenders lien on the property.

However, the City will not further subordinate the loan unless the first mortgage is being refinanced. The City will not subordinate for debt consolidation/home equity loans, unless the debts being consolidated are for housing expenses, without taking cash out, and the total amount of the lien is less than the appraised value of the house. **The City will not accept less than a second lien position.**

7. Upon presentation of an application, completion of class attendance, lender/broker selection, and a pre-approval letter, funds in the maximum amount will be reserved for a period of **three (3) months** from the date of approval of the application. If at the end of three (3) months, no home has been purchased, or no purchase contract is pending, the funds will be reserved for another applicant.
8. When a contract is written, the Realtor needs to state that the **purchase is contingent** upon "Approval for the City of Plano First Time Homebuyer Grant."
9. If the home being purchased was built before 1978, then the City is required to conduct a visual assessment of the house for deteriorated paint. **This must be done within the 7 to 10 day option period** used for normal inspections. The Realtor must make sure that if any paint is found to be deteriorated, either inside or outside, the paint must be repaired, and then the entire house must be inspected for the presence of lead-based paint dust. **If lead dust is present, the City will not be able to provide any financial assistance**, unless the owner/or purchaser is willing to do what is necessary to eliminate the lead hazards in the house. Since this is usually very expensive, it is doubtful that the owner will be willing to do this. Therefore, **the City should be informed as soon as possible** after acceptance of the purchase contract by the seller so that the inspections will not delay the closing. **After the purchase contract has been accepted the real estate salesperson must contact the City to schedule a Visual Assessment Inspection on all homes built prior to 1978.** The purchase contract should be submitted subject to passing the City's Visual Assessment Inspection.

I have read and accept the terms of the general policy.

Name

Name

PRIMARY RESIDENCY

I am using the City of Plano Down Payment Assistance Program to purchase property in the City of Plano. This property will be used as my primary residence for a period of five (5) years. If I sell or vacate the property during that five (5) year period, I understand that the existing balance is due and payable immediately.

Name

Name

HOMEBUYER AUTHORIZATION AGREEMENT

In order to solve specific housing and other related problems, the applicant recognizes the need for counseling and pledges full cooperation with the counselor. The applicant authorizes the housing counselor to act on his/her behalf in order to improve his/her housing situation and obtain necessary services.

The applicant understands that any information that is required to obtain the help needed must be supplied by the applicant. The applicant further authorizes the housing counselor to obtain other information from outside sources when necessary. **This includes a credit report from a credit reporting agency.** The need to exchange information or pass on information is also recognized by the client.

The counselor pledges to preserve strict confidentiality concerning the applicant, and will neither give nor seek information except where others have a right to it. The housing counselor will make no decisions and take no actions without the knowledge and consent of the applicant. At all times, the housing counselor will act to protect and promote the best interest of the applicant.

In consideration for receiving assistance through the Homeownership Financial Assistance Program, I/We hold the City of Plano to be free and harmless from any claims, damages, liabilities, or injuries from these housing counseling services.

Signature of Applicant (s) _____

Community Services
PO Box 860358
Plano, TX 75086-0358
972-941-7665
Fax: 972-941-7396

CITY OF PLANO FIRST-TIME HOMEBUYER PROGRAM

SEQUENCES OF EVENTS

1. The applicant must complete and sign an application, a policy statement, a general policy form, and a housing counseling agreement. The application can be mailed to the home purchaser who will complete the application and gather all the required documentation.
2. The applicant will call for a face-to-face appointment with the Program Coordinator. The Coordinator will review the application and the policy with the applicant.
3. The Program Coordinator will determine eligibility and inform the applicant.
4. The approved applicant will register for the First-Time Homebuyer class with the Program Coordinator.
5. After attending the class, the applicant will decide if they are ready to buy now or if they need time to prepare.
6. Once the applicant is ready to purchase, they will obtain a pre-approval letter from a mortgage lending institution. This letter is to be provided to the Program Coordinator.
7. Once the Program coordinator has the approval letter, the applicant will be added to the pending closing list, and funds will be reserved in their name for three (3) months beginning from date of approval.
8. Once the applicant contracts on a particular property, a copy of the contract should be provided to the Program Coordinator.
9. The Program Coordinator will provide a letter of eligibility to the Mortgage Lending Institution and request a copy of loan documents.
10. The Program Coordinator will perform the lead paint visual inspection if the home was built before 1978. If peeling or cracked paint is found, an inspector will test the home for lead. If there is lead found, the seller and purchaser will have to negotiate the removal of the lead.
11. The Mortgage Company and Title Company should alert the Program Coordinator when the closing will occur.
12. The title company will fax to the Program Coordinator the note and deed of trust from the first lien holder, the wiring instructions, the schedule A of the title commitment, and the settlement statement (HUD1).
13. At this point, the Program Coordinator will determine the amount of the grant, will send closing papers to the title company, and will wire funds to the title company.

FIRST-TIME HOMEBUYER CLASSES

1. **Classes are mandatory for all down payment assistance applicants.** However, anyone is welcome to attend, if room is available. To attend you must register by calling the Program Coordinator (972-941-7665). If special language needs are required, please let the coordinator know. All mortgagors must attend and all spouses must attend, even if they are not considered a mortgagor on the note. **Please do not bring children.**
2. Classes are held on the 3rd Saturday of each month. Call to make sure of the date. Class begins at 8:30 A.M. and concludes at 4:30 P.M. please be on time. You should arrive by 8:15 A.M. in order to be ready for class at 8:30 A.M. **You will not receive a certificate if you come in after the instruction begins.**
3. Sponsors are sought to pay for all materials. If a sponsor is not found for the class, there could be a charge for the instruction booklet at a cost of \$5.00.
4. Coffee and refreshments are provided in the mornings by a sponsor, if secured.
5. Lunch will be a “working” lunch and the meal will be provided by a sponsor, if secured. **If not, you should be prepared to bring your lunch or be prepared to order out.**
6. A certificate of completion will be given out after the class or mailed the following week.
7. Spanish translators and translation equipment will be available. Translation in other languages will require special arrangements.
8. Professional mortgage loan officers and realtors will be in attendance, but any business relationship will be at your discretion.

APPLICANT

Date

APPLICANT

Date

FIRST TIME HOMEBUYER PROGRAM NON-USE OF LEAD-BASED PAINT

I, the undersigned proposed home purchaser, hereby certify that I have received a copy of "*PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME*", EPA Article EPA747-K-94-001, May 1995.

Purchaser

Date

Purchaser

Date

LEAD-SAFE HOUSING RULE CHECKLIST FOR GENERAL COMPLIANCE DOCUMENTATION

(Program participants can use this checklist as a guide for determining whether or not they are proceeding in a manner required by the LSHR, and that they are maintaining documentation for each CPD-assisted project. Field Office staff can use the checklist as a means for familiarizing themselves with the kinds of documentation that should be maintained in order to demonstrate LSHR compliance. Compliance with the program-specific requirements may not be substantiated solely by the documents included on this general checklist. Additional guidance is provided as a referenced checklist.)

As appropriate, the following documents should be maintained in CPD-assisted project files for properties constructed before January 1, 1978, in order to demonstrate general knowledge and compliance with basic LSHR requirements. Standard forms are available in the Federal Register (FR), as indicated by the sources noted below. Citations from 24 CFR part 35 are also provided as additional references.

___ **Applicability Form** [§35.115] - A copy of a statement indicating that the property is covered by or exempt from Lead Safe Housing Rule.¹

(Note: (A) If the property is exempt, the file should include the reason for the exemption and no further documentation is required; (B) if the property is covered by the Rule, the file should include the appropriate documentation to indicate basic compliance, as listed below.)

___ **Summary Paint Testing Report or Presumption Notice** [§35.930(a)] - A copy of any report to indicate the presence of lead-based paint (LBP) for projects receiving up to \$5,000 per unit in rehabilitation assistance. If no testing was performed, then LBP is presumed to be on all disturbed surfaces.²

___ **Risk Assessment Report** [§35.930(c) (2)] - A copy of a report (in addition to the requirements of §35.930(a)) to indicate any presence of lead-based paint hazards for projects receiving more than \$5,000 per unit in rehabilitation assistance.³

(Note: If the property receives more than \$25,000 in assistance, more stringent requirements apply, including compliance with applicable state requirements, as appropriate. [See§35.930(d)].)

___ **Notice of Evaluation** [§35.125(a)] - A copy of a notice demonstrating that an evaluation summary was provided to residents following a lead-based-paint inspection, risk assessment or paint testing.^{3,4}

___ **Clearance Report** [§35.930(b) (3)] - A report indicating a “clearance examination” was performed of the work-site upon completion.

___ **Notice of Hazard Reduction Completion** [§35.125(b)] - Upon completion, a copy of a notice to show that a LBP remediation summary was provided to residents.⁵

Source: Federal Register (FR), 64 FR 50139-50231, published September 15, 1999 – Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance. The appendices are on pages 50230-50231.

¹ LSHR Regulation Applicability Form (See Attachment B on this memorandum.)

² Appendix C – Sample Summary Presumption Notice Format

³ Appendix A – Sample Summary Inspection Notice Format

⁴ Appendix B – Sample Summary Risk Assessment Notice Format

⁵ Appendix D – Sample Hazard Reduction Completion Notice Format

First Time Homebuyers Assistance Application

Applicant's Last Name _____

LEAD-SAFE HOUSING RULE -- APPLICABILITY FORM

Address/location of subject property:

Regulation Eligibility Statements (check all that apply):

Property is receiving Federal funds.

Unit was built prior to 1978

Note: If both Eligibility Statements above have been checked, continue with the Exemption Statements below. Otherwise, the regulation does not apply, sign and date the form.

Regulation Exemptions Statements [24 CFR 35.115] (check all that apply)

Emergency repairs to the property are being performed to safeguard against imminent danger to human life, health or safety, or to protect the property from further structural damage due to natural disaster, fire or structural collapse. The exemption applies only to repairs necessary to respond to the emergency.

The property will not be used for human residential habitation. This does not apply to common areas such as hallways and stairways of residential and mixed-use properties.

Housing "exclusively" for the elderly or person with disabilities, with the provision that children less than six (6) years of age will not reside in the dwelling unit.

An inspection performed according to HUD standards found the property contained no lead-based paint.

According to documented methodologies, lead-based paint has been identified and removed; and the property has achieved clearance.

The rehabilitation will not disturb any painted surface.

The property has no bedrooms.

The property is currently vacant and will remain vacant until demolition.

If any of the above Exemption Statements have been checked, the Regulation does not apply. In all cases, sign and date the form.

I, _____, certify that the information listed above is true and accurate to the best of my knowledge.
(Printed Name)

Signature

Date

Organization

Section 1. Applicant Information and Verification. To be completed and signed by applicant.

Print Name: Last	First	Middle Initial	Maiden Name:
Address: (Street Name and Number)		Apt. #:	Date of Birth: (month/day/year)
City	State	Zip Code	Social Security #:
I attest, under penalty of perjury, that I am (check one of the following):		Regulations governing this program do not allow non-resident or undocumented aliens to receive housing assistance, pursuant to 42 USCA §1436a	
1. <input type="checkbox"/> A citizen of National of the United States		If I have checked the box at the left as a Temporary or Permanent Resident or his/her spouse or child, I attest, under penalty of perjury, that I have abandoned, or am abandoning, my residency in any foreign country, that I do not intend to join my spouse or parent in any foreign country, and that I am not a student.	
2. <input type="checkbox"/> A lawful Temporary or Permanent Resident or his/her spouse or child (Alien or Admission # _____)			
3. <input type="checkbox"/> A nonresident or undocumented alien			
Applicant's Signature:			Date: (month, day, year)

Section 2. Review and Verification. To be completed and signed by City. Complete the following section identifying forms of documentation examined as proof of residency.

<p>1. Citizen of National of the United States:</p> <p><input type="checkbox"/> Social Security Card #: _____</p> <p><input type="checkbox"/> Birth Certificate County: _____ State: _____</p> <p><input type="checkbox"/> U.S. Passport # _____</p> <p><input type="checkbox"/> Certificate of Naturalization #: _____</p> <p><input type="checkbox"/> Other: _____</p>	<p>2. Temporary or Permanent Resident, his/her spouse or child:</p> <p><input type="checkbox"/> Social Security Card #: _____</p> <p><input type="checkbox"/> U.S. Passport #: _____</p> <p><input type="checkbox"/> Resident Alien Card #: _____</p> <p><input type="checkbox"/> Alien Registration Card #: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Alien File #: _____</p>
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CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named applicant that the above-listed document appears to be genuine and to relate to the applicant name, and that to the best of my knowledge, the applicant is eligible to receive housing assistance through the program applied under.

Signature of City Representative:	Print Name:	Title:
Business or Organization Name: CITY OF PLANO, TEXAS	Date:	

Section 3. Verification with Immigration and Naturalization Service. To be completed by City representative or employee.

Date Residency Verified:	Verification Method: <input type="checkbox"/> SAVE <input type="checkbox"/> Other: _____	Verified by: Name: _____ Title: _____
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**City of Plano, Texas
Community Services**

Residency Verification

INSTRUCTIONS

Section 1 - Applicant. Complete entire section, and attest to citizenship/residency. Provide original documents supporting residency status.

Sections 2 and 3 - City Employee/Representative. Complete Section 2 by examining evidence of identity and completing documentation. Verify residency following the guidelines set out below. City employee/representative must sign and date the certification. Applicants must present original documents.

A. Section 1, Box 1. If **Box 1 of Section 1 is checked** declaring that the individual is a citizen or national of the United States, the City employee/representative may request verification of the declaration by requiring presentation of documentation that is considered appropriate, including a United States passport, resident alien card, alien registration card, social security card, or other documentation.

applicant is not qualified for Federal housing assistance.

D. Verification: When the required documentation is presented pursuant to paragraph B above, the City employee/representative shall utilize the alien admission number to verify with the INS the individual's immigration status through an automated or other system.

B. Section 1, Box 2. If **Box 2 of Section 1 is checked** declaring that the individual is not a citizen or national of the United States and the declarant is younger than 62 years of age, the declaration shall be verified by the Immigration and Naturalization Service (INS). The declarant must present alien registration documentation or other proof of immigration registration from the INS that contains the individual's alien admission number or alien file number (or numbers if the individual has more than one number), or such other documents as the City employee/representative determines constitutes reasonable evidence indicating a satisfactory immigration status.

E. Delay: If applicant has completed the declaration, but is unable to present the required document(s) under section B above, or if the applicant's documentation cannot be verified by the INS, the applicant will be allowed 30 days to submit the applicable evidence indicating a satisfactory immigration status of to appeal to the INS the verification determination of the INS. An application for assistance may not be denied on the basis of immigration status until the expiration of that 30-day period.

In the event an appeal is made to the INS with respect to the verification determination of the INS, the City employee/representative shall transmit to the INS photostatic or other similar copies of such documents or additional information for official verification. Pending

such verification or appeal, the City employee/representative may not deny the application for assistance on the basis of immigration status of applicant.

F. Denial: If the City employee/representative determines, after complying with the requirements of paragraphs D and E above, that the individual is not in a satisfactory immigration status, the City employee/representative shall:

- 1) Deny the application of that individual for financial assistance or terminate the

eligibility of that individual for financial assistance, as applicable;

- 2) Provide that the individual may request a fair hearing during the 30-day period beginning upon receipt of the under subparagraph (3) below; and
- 3) Provide to the individual written notice of the determination under this paragraph, the right to a fair hearing process, and the time limitation for requesting a hearing.

Section 1. Applicant Information and Verification. To be completed and signed by applicant.

Print Name: Last	First	Middle Initial	Maiden Name:
Address: (Street Name and Number)		Apt. #:	Date of Birth: (month/day/year)
City	State	Zip Code	Social Security #:
I attest, under penalty of perjury, that I am (check one of the following):		Regulations governing this program do not allow non-resident or undocumented aliens to receive housing assistance, pursuant to 42 USCA §1436a	
1. <input type="checkbox"/> A citizen of National of the United States		If I have checked the box at the left as a Temporary or Permanent Resident or his/her spouse or child, I attest, under penalty of perjury, that I have abandoned, or am abandoning, my residency in any foreign country, that I do not intend to join my spouse or parent in any foreign country, and that I am not a student.	
2. <input type="checkbox"/> A lawful Temporary or Permanent Resident or his/her spouse or child (Alien or Admission # _____)			
3. <input type="checkbox"/> A nonresident or undocumented alien			
Applicant's Signature:			Date: (month, day, year)

Section 2. Review and Verification. To be completed and signed by City. Complete the following section identifying forms of documentation examined as proof of residency.

<p>1. Citizen of National of the United States:</p> <p><input type="checkbox"/> Social Security Card #: _____</p> <p><input type="checkbox"/> Birth Certificate County: _____ State: _____</p> <p><input type="checkbox"/> U.S. Passport # _____</p> <p><input type="checkbox"/> Certificate of Naturalization #: _____</p> <p><input type="checkbox"/> Other: _____</p>	<p>2. Temporary or Permanent Resident, his/her spouse or child:</p> <p><input type="checkbox"/> Social Security Card #: _____</p> <p><input type="checkbox"/> U.S. Passport #: _____</p> <p><input type="checkbox"/> Resident Alien Card #: _____</p> <p><input type="checkbox"/> Alien Registration Card #: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Alien File #: _____</p>
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CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named applicant that the above-listed document appear to be genuine and to relate to the applicant name, and that to the best of my knowledge, the applicant is eligible to receive housing assistance through the program applied under.

Signature of City Representative:	Print Name:	Title:
Business or Organization Name: CITY OF PLANO, TEXAS		Date:

Section 3. Verification with Immigration and Naturalization Service. To be completed by City representative or employee.

Date Residency Verified:	Verification Method: <input type="checkbox"/> SAVE <input type="checkbox"/> Other: _____	Verified by: Name: _____ Title: _____
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**City of Plano, Texas
Community Services**

Residency Verification

INSTRUCTIONS

Section 1 - Applicant. Complete entire section, and attest to citizenship/residency. Provide original documents supporting residency status.

Sections 2 and 3 - City Employee/Representative. Complete Section 2 by examining evidence of identity and completing documentation. Verify residency following the guidelines set out below. City employee/representative must sign and date the certification. Applicants must present original documents.

A. Section 1, Box 1. If **Box 1 of Section 1 is checked** declaring that the individual is a citizen or national of the United States, the City employee/representative may request verification of the declaration by requiring presentation of documentation that is considered appropriate, including a United States passport, resident alien card, alien registration card, social security card, or other documentation.

applicant is not qualified for Federal housing assistance.

D. Verification: When the required documentation is presented pursuant to paragraph B above, the City employee/representative shall utilize the alien admission number to verify with the INS the individual's immigration status through an automated or other system.

B. Section 1, Box 2. If **Box 2 of Section 1 is checked** declaring that the individual is not a citizen or national of the United States and the declarant is younger than 62 years of age, the declaration shall be verified by the Immigration and Naturalization Service (INS). The declarant must present alien registration documentation or other proof of immigration registration from the INS that contains the individual's alien admission number or alien file number (or numbers if the individual has more than one number), or such other documents as the City employee/representative determines constitutes reasonable evidence indicating a satisfactory immigration status.

E. Delay: If applicant has completed the declaration, but is unable to present the required document(s) under section B above, or if the applicant's documentation cannot be verified by the INS, the applicant will be allowed 30 days to submit the applicable evidence indicating a satisfactory immigration status of to appeal to the INS the verification determination of the INS. An application for assistance may not be denied on the basis of immigration status until the expiration of that 30-day period.

In the event an appeal is made to the INS with respect to the verification determination similar copies of such documents or additional information for official verification. Pending such verification or appeal, the City employee/representative may not deny the

application for assistance on the basis of immigration status of applicant.

F. Denial: If the City employee/representative determines, after complying with the requirements of paragraphs D and E above, that the individual is not in a satisfactory immigration status, the City employee/representative shall:

- 1) Deny the application of that individual for financial assistance or terminate the

eligibility of that individual for financial assistance, as applicable;

- 2) Provide that the individual may request a fair hearing during the 30-day period beginning upon receipt of the under subparagraph (3) below; and
- 3) Provide to the individual written notice of the determination under this paragraph, the right to a fair hearing process, and the time limitation for requesting a hearing.

LENDER AGREEMENT

Any Mortgage Lender can participate in Plano's First Time Homebuyer Down Payment Assistance Program, but must agree to the following terms:

1. Lender will uphold its "Fiduciary Duties and Responsibilities to Client" regardless of company representation.
2. Lender will keep confidential any discussions, facts or information about the Client that should not be revealed to others.
3. Lender will be accountable for monies received from the client.
4. Lender will adhere to codes of ethics and agree not to solicit Seminar participants.
5. Lender will refer potential participants in the program to the City's Homebuyer Education Program.
6. Lender will uphold the spirit of the program, which is to help low to moderate income persons purchase homes, by providing loan programs and interest rates that compliment the program and benefit the client. Lender will become familiar with the list of unacceptable loan programs.
7. Lender will pre-approve the client as a pre-requisite to issuance of funds from the First Time Homebuyer Down Payment Assistance Program.
8. Lender will charge normal and customary loan fees and closing costs or less. The loan charges, less discount points, should not exceed 4% of sales price.
9. Lender will understand that the City will not accept less than a 2nd lien position. This eliminates the possibility of doing 80/20 loans.
10. Lender will provide the city with a copy of an approval letter, a copy of a Good Faith Estimate, a copy of the 1003, and a copy of the appraisal of the property.
11. Lender understands that participation in the program can be disallowed if any of the above terms are not followed or if any action taken by the Lender is not in the best interest of the client.

Lender Representative

REALTOR AGREEMENT

All licensed brokers/agents are welcome to participate in Plano's First-Time Homebuyer program, but must agree to the following criteria:

1. To negotiate the purchase price at or below the fair market value.
2. Will not require the client to pay any fees at closing or outside of closing other than normal and standard fees, such as Earnest Money, Option Money and Inspection fees.
3. Include in the written contract specific verbiage which will inform the seller and seller's agent that the buyer is participating in the program. An example is: "This contract is contingent upon the buyer being determined eligible for Plano's First Time Homebuyer Down Payment Assistance Program.
4. Assist the Visual Lead Inspector in obtaining access to the home for lead paint inspection when the home was built prior to 1978. This also includes signing and getting the sellers and seller's agent to sign all lead paint disclosures, and scheduling the inspection during the option period.
5. Communicate with the lender and the city regarding the amount of funds needed and the amount of grant funds available, in order to maximize the benefits of the program to the buyer.
6. Provide to the City of Plano:
 - a. A copy of the executed contract
 - b. A copy of the property condition addendum
 - c. A copy of the inspection report
7. Agree to uphold "Fiduciary Duties and Responsibilities to the Buyer".
8. Agree to make a full, fair, and timely disclosure to the client of all known facts relevant or material to the transaction.
9. Encourage the buyer to obtain a home inspection and provide a list of at least three (3) inspectors from which they can choose.
10. Agree to keep confidential any discussions, facts or information about the client that should not be revealed to others.
11. Attend the closing with the buyer if possible, and notify the city if not possible.

Realtor