

## 2024 Housing Department Rules and Regulations Changes

Policy Question	Change being made to Rules and Regs.	Page in Redlined Document
<b>1. Should the threshold to qualify as a Local Business Change?</b>	Self-employed individuals will be allowed to use hours worked for local clients to qualify. These hours can be combined with other hours working for a local business to meet the minimum requirement of 1,560 hours per year.	<b>Page 33</b>
<b>2. Should there be an asset limit for Affordable Rental Units?</b>	Yes. The same as the asset limit for Affordable ownership units.	<b>Page 42</b>
<b>3. Should a new income range be added to the Affordable Housing Program?</b>	Yes. 120% - 160% income range will be added.	<b>Page 37</b>
<b>4. Should Retirees be eligible to apply for deed restricted housing?</b>	Yes, for rental housing only, and they must have met the Housing Department employment requirement for a minimum of five years consecutively immediately prior to retiring.	<b>Page 33</b>
<b>5. Should households with certain types of U.S. Visas be eligible to purchase a deed restricted home?</b>	Legal and Housing staff were directed to research the risks, possibility and legality of allowing non-residents to purchase deed restricted homes. This will be brought back at the next Rules and Regulations update.	<b>N/A</b>
<b>6. Should Central Wyoming College (CWC) or other students attending college qualify to rent a deed restricted home?</b>	<p>CWC Jackson students can be eligible. Staff were directed to speak with CWC to better understand what the criteria for eligibility would entail. The changes were made to the redlined document at CWC's request as follows:</p> <ul style="list-style-type: none"> <li>• Students must be enrolled a minimum of <math>\frac{3}{4}</math> time or 9 credit hours.</li> <li>• Hours enrolled along with hours for study will be included for meeting the employment criteria.</li> <li>• Specific areas for study are not identified. Eligibility is determined based on hours of enrollment.</li> </ul>	<b>Page 33 and 125</b>

<b>7. Should ownership of vacant residential land be allowed?</b>	Yes. Up to 1 acre maximum.	<b>Page 124</b>
<b>8. Should children be allowed to be counted as part of a household when the parent does not have physical custody rights?</b>	No. The parent must have physical custody rights.	<b>Page 45</b>
<b>9. Should the radius in which residential property ownership is prohibited be changed?</b>	Yes. The radius will be changed from 150 miles radius from Teton County to 75 miles driving distance to the Town of Jackson.	<b>Page 94 and throughout.</b>
<b>10. Should the Housing Department require an application fee?</b>	Yes. A one-time application fee will be charged to complete the Intake Form.	<b>Page 45</b>
<b>11. Should graduates of Teton County schools receive a preference in drawings?</b>	Housing and Legal staff was directed to research this to see if it is legal to allow a preference for graduates of Teton County Schools. This will be brought back at the next Rules and Regulations update.	<b>N/A</b>
<b>12. What should the penalty be for falsifying an application?</b>	Five-year ban from eligibility to apply.	<b>Page 94</b>
<b>13. What should the penalty be for eviction from a rental?</b>	Permanent ban from eligibility to apply.	<b>Page 95</b>
<b>14. What should the penalty be for being forced to sell?</b>	Permanent ban from eligibility to apply.	<b>Page 95</b>
<b>15. Should developers have access to Housing Preservation Program funds for units that are yet to be constructed?</b>	The Council and Board confirmed that the Preservation Program is only for existing units. Staff was directed to bring back a proposal in the Housing Department workplan for a new program for developers building new units.	<b>N/A</b>
<b>16. Should the language in the Rules and Regulations and the restriction template be changed so that a court</b>	Yes. Change the language to allow restricted properties to be transferred through a Transfer on Death Deed, which eliminates the home from going through probate. Transfers to minor children will require they have a legal guardian who will reside in	<b>Page 61</b>

<p>is not required to be involved in the transfer of a restricted housing unit upon death of an owner?</p>	<p>the home with them until they reach the age of 18 for them to keep the home.</p>	
<p><b>17. Should there be a Policy for changing restrictions on Workforce Units?</b></p>	<p>Yes. Staff are recommending enacting a policy for changing restrictions on Workforce units because several Workforce units exist where the restrictions can be changed from rental to ownership or vice versa. Staff is requesting this item to require the following:</p> <ul style="list-style-type: none"> <li>a. Prior to the initial sale of a unit, the owner can decide if they want to restrict the unit as Ownership or Rental (unless another type of development agreement is already in place).</li> <li>b. If the unit has already been sold and restricted as a rental unit, it can be changed to an ownership unit because rental restrictions do not have an appreciation cap so conversion to ownership would be the same as the initial sale of the unit.</li> <li>c. If the unit has already been sold and restricted as an Ownership unit it will be subject to a CPI/3% appreciation cap, so it cannot be converted to a Rental restriction because it would lose that intentional long term affordability component.</li> <li>d. In summary, a unit cannot go from a more restrictive (Ownership) to a less restrictive (Rental) restriction type once use of the unit has already commenced via initial sale.</li> <li>e. An administrative fee will be incorporated into the Housing Department Fee Schedule to account for staff time processing these requests.</li> </ul>	<p><b>Page 19</b></p>
<p><b>18. Should there be a rental rate policy for owners who have paid off their home?</b></p>	<p>Yes. Current policy states that owners cannot charge more than their mortgage payment and HOA expenses. There are no criteria around a home that has a paid off mortgage.</p>	<p><b>Page 82</b></p>

<b>19. Should a requirement be added for owners of rental units to designate a “responsible party” to remain on file with the Housing Department?</b>	Yes. This is aimed at corporations who own restricted rental units. The Housing Department needs to have a person to contact for reporting and compliance.	<b>Page 88-89</b>
<b>20. Should a policy be added for master leasing of restricted rental units?</b>	Yes. Staff recommend that a policy be created to require 1) Prior to execution, master leases must be approved by the Housing Department and include the responsible party for compliance and a termination for non-compliance clause. 2) Master Lessee must attend a Compliance Conference with the Housing Department to ensure they understand the restriction on the unit and the Compliance process.	<b>Page 88-89</b>
<b>21. What type of entity should be allowed to purchase a deed restricted rental unit?</b>	Shell companies can be created that provide loopholes to some of the rules. For example, owners are not allowed to occupy these units, but someone could purchase through an LLC, and the ‘owner’ is difficult to identify.	<b>Page 83-84</b>
<b>22. Should the policy concerning HOA fees in developments with a mix of unit types be made retroactive?</b>	Yes. In 2022, rules were added with requirements prohibiting developments for charging owners of restricted units for luxury items. The rules also include limits on HOA dues. The question is whether to make this rule retroactive to developments built prior to 2022.	<b>Page 28</b>
<b>23. Should we Update the summary descriptions of Housing Department Programs?</b>	Yes. These rules were formerly contained in the Special Restrictions. The restriction template has since been changed to point to the Rules and Regulations for Regulations concerning these units, so the rules need to be added.	<b>Page 6-8</b>
<b>24. Should rules be added to the Rules and Regulations for Rental</b>	Yes. These rules were formerly contained in the Special Restrictions. The restriction template has since been changed to point to the Rules and	<b>Page 83-90</b>

<b>Units owned by a Private Entity?</b>	Regulations for Regulations concerning these units, so the rules need to be added.	
<b>25. Should the Hearing Process for the Housing Authority Board and Multiple Defaults rule be clarified?</b>	Yes.	<b>Page 100-102 and Page 96</b>
<b>26. Definition of Rent</b>	Added	<b>Page 124</b>
<b>27. Definition of Owner</b>	Added	<b>Page 123</b>
<b>28. Definition of Fee Schedule</b>	Added	<b>Page 119</b>
<b>29. Definition of Volunteer Hours.</b>	Added	<b>Page 126</b>
<b>30. Definition of Qualified Household</b>	Added	<b>Page 124</b>
<b>31. Definition of Physical Custody Rights.</b>	Added	<b>Page 123</b>