



BARNSTABLE COUNTY HOME CONSORTIUM

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BARNSTABLE COUNTY HOME CONSORTIUM EMPLOYEE PARTICIPATION FOR HOMEBUYER ASSISTANCE

PROGRAM POLICY GUIDELINES

JULY 1, 2014

Participation: With the exceptions noted below, Barnstable County (County) and Housing Assistance Corporation (HAC) employees, HAC Board members, and immediate family members of County or HAC employees or HAC Board members may participate in the Consortium's homebuyer assistance program. However, persons who are or may reasonably be perceived to be in a decision-influencing role, or who have job responsibilities associated with this program, along with their immediate family members and those with whom they have business ties, are prohibited from participating. This prohibition extends for one year after such persons leave their decision-influencing role or job with the program.

Definition: "Immediate Family": Whether by blood, marriage, or adoption a spouse, parent (including a step-parent), child (including a step-child), brother, sister (including a step-brother or step-sister) grandparent, grandchild, and in-laws.

Definition: "Employee Household": current or former (within the past year) County or HAC employees and HAC Board members, the immediate family of a current or former County or HAC employee or HAC Board member, and any other individuals occupying or expected to occupy the housing unit that will be purchased with the assistance of HOME funds.

Income Eligibility: Employee household members will have to meet the same income eligibility requirements and provide the same documentation of household income as required for all other program participants.

Benefits: Benefits provided to employee household members will be the same as those available to or provided to any other program participant.

Limitations: In order to ensure that County and HAC employee and HAC Board member household participation does not have a major impact on the number of



non-employees we are able to serve, participation by employee households will be limited to either 5% of the total estimated number of cases or 5% of the annual budgeted amount for the homebuyer assistance program. However, the Consortium may waive the 5% cap in any one year should the program's cumulative total of employee household participation be 3% or less of either total number of loans or total amount of loans from October 1, 2010.

However, this does not constitute a set-aside for County or HAC employees and HAC Board members; participation in this program will continue to be on a first-come, first-served basis. Also, no more than one member of any County, HAC employee, or HAC Board member household can participate in the program during any single fiscal year.

Employee Notice of Intent to Participate and Disclosure Statement: An employee or HAC Board member or employee household member who intends to participate in the program will be required to complete and submit to the Cape Cod Commission's Affordable Housing Specialist a Notice of Intent to Participate and Disclosure Statement as well as a Preliminary Determination of Income Form prior to enrolling in or applying for assistance under the program.

Public Disclosure: If the information in the Notice of Intent to Participate and Disclosure Statement is determined to be sufficient by the Consortium's legal counsel to request an exception from HUD, public disclosure of the request for an exception will be made through a legal notice in the Cape Cod Times. The notice will generally describe the relationship that triggered the conflict of interest notice (e.g. "an immediate family member of an employee of HAC") and the program in which he or she wishes to participate but the public notice will not include the name of the employee or HAC Board member or employee household member.

Request for a Conflict of Interest Exemption: Once the public disclosure has been made, the Cape Cod Commission's Affordable Housing Specialist will submit a request to HUD for a conflict of interest exception for each income-eligible household to enable that employee household member to participate in the program. The request will include the required statement, prepared by the Consortium's legal counsel, that the proposed participation in the activities will not violate any local or state laws, ordinances, or regulations.

HUD Review: The HUD Regional Office in Boston will review the request and make a determination of whether the exception to the HOME conflict of interest regulation can be granted.

Application: Once HUD has granted the conflict of interest exception, the employee or family or HAC Board member may apply to the program. The HUD conflict of interest exemption finding must be included as part of the application materials.