

Petition for Special Review Jeanne Bell, Evergreen 17
BCHA Board Meeting May 10, 2023

Agenda Item #13

Interim Executive Director Staff Report:

Under Section 8, BCHA Guidelines, a Community Homeowner is allowed to petition the Board to address challenges that they have in owning or renting a community unit. Jeanne Bell's Petition on Evergreen Unit 17, a Category 3, and guidelines are outlined below. The Guidelines allow the Board to consider the hardship, to research the information and to make a determination on the petition.

Recommendation and Motion:

I move to approve Ms. Bell's petition:

- 1) To waive the 10% limit of capital improvements for her unit and to include all her personal qualified capital improvements and the Special Assessments in her calculated resale value.
- 2) To request that the BCHA or other public agency be allowed to purchase her Evergreen Unit 17 and to give her a life tenancy in the unit with rental payable based upon her current and future income. Any purchaser would be required to maintain the BCHA Category 3 Income Deed Covenant that is assigned to the property.

Fiscal Impact: Waiving the 10% cap on capital improvements would increase the sale price of the unit by approximately \$13, 500, which would make the Maximum Sale Price for Evergreen Unit #17 approximately \$119,000.

Petition

Jeanne Bell owns Evergreen Unit 17 which she bought in 2007 for approximately \$70,000 as a Category 3. The BCHA Deed Covenant on the Evergreen Property did not contain a Community Homeowner discount on the building's HOA dues.

In 2021, the HOA had a special assessment of \$5,000 for Unit 17. In 2023, the HOA levied another special assessment for the building and Unit 17 is assessed for \$8500 which is payable in quarterly installments over 2 years.

In addition to these special assessments, the monthly HOA operating and capital reserve have increased from \$187.00 a month to her 2023 rate of \$658.00.

As a result, the combined cost of HOA dues, capital reserve, and special assessments for 2023 for Unit #17 is \$10,665 or 888.75 a month. This is almost twice the mortgage payment for the unit.

Other community homeowner units with a BCHA deed covenant have discounts for HOA dues and special assessments. The discount is the way that the units stay permanently affordable for the community homeowners. For example, the Olympic Terrace HOA issued a Special

Assessment of \$300,000 in December 2022 for the Building. The BCHA Community Homeowners were assessed \$2, 820 or .0094% of the total amount.

For the Evergreen, the Community units have no discount and #17 is levied at 4.25% of the HOA fees because the unit occupies 4.25% of the building.

Section 8. Procedures for Special Review and Grievances

The Blaine County Housing Authority is committed to creating and maintaining a user-friendly process that provides a long-term supply of desirable and affordable Community Home choices in all areas of Blaine County for those who work and subsequently retire here. However, situations may arise where either a Grievance needs to be addressed or a Special Review is appropriate to provide resolution to a situation. BCHA will respond to Applicants, Tenants, Sellers or Owners of Community Homes who are experiencing difficulty through one of the two processes described below:

A. Petition for a Special Review

1. Any Applicant/Tenant/Owner petitioning for a Special Review may file a petition in writing with BCHA stating 1) the ground(s) for the Special Review request, 2) the action requested, and 3) the name, address, and telephone number of the petitioner, and similar information about his/her representative, if any.
2. Upon receipt of the petition BCHA Board of Commissioners may delegate the Special Review to staff or BCHA will convene a Special Review Committee to review the petition and additional evidence, if any, presented by the petitioner at the next regularly scheduled meeting of BCHA. The Special Review Committee, shall be appointed and report back to BCHA Board pursuant to Article IV, Section 11 of BCHA by-laws.
3. BCHA will provide petitioner with a written decision and include therein the reasons for its determination. BCHA will make every attempt to render a decision within thirty (30) days after the filing of the petition; however, the matter may be continued at the discretion of BCHA.
4. BCHA will make its determination on the basis of these Community Housing Guidelines, BCHA Policies, and relevant BCHA-drafted Deed Covenants attached to the land.

Agenda Item # 13

Interim Executive Director Staff Report:

Under Section 8, BCHA Guidelines, a Community Homeowner is allowed to petition the Board to address challenges that they have in owning or renting a community unit. The petition and guidelines are outlined below. Tyler and Kodi Crofts' Petition on 120 Flower Dr, Unit A, a Category 4, and BCHA Section 8 guidelines are outlined below. The Guidelines allow the Board to consider the hardship, research the information and make a determination on the petition.

Recommendation and Motion: I move to approve the petition from Tyler and Kodi Crofts to waive BCHA's Administrative fees of \$2,323.00 relating to the sale of 120 A Flower Dr Unit A due to the two months of ownership of the previous owner and expenses the heirs face while waiting to sell the unit.

Fiscal impact: BCHA Administrative Fee is 3% or \$6, 969. 00 for 120 A Flower Dri, Unit A; 2/3 of the fee is payable to BCHA's representative, Anna Mathieu, who manages the sale of the property.

From: tyler crofts <tyler@rockintrucking.com>

Sent: Monday, May 1, 2023 6:01 PM

To: perrys@sunvalleynet.com; Kylie Anderson <KAnderson@bcoha.org>; Sarah Michael <bchachair@bcoha.org>

Subject: 120 Flower Dr A Fields Unit Special Request for review of BCHA's 3% fee
Dear Blaine County Housing Authority Board,

Under the Blaine County Housing Authority Guidelines, Section 8, Procedures for Special Review, I am petitioning the BCHA Board to waive the 3% administration fee for managing the Fields unit in which my mother, Mary A Crofts, lived for only 2 months before she died. As we understand, all fees associated with the sale were just paid upon her purchase of this unit in December. We know that there may be fixed costs relating to the sale of the unit a second time, but any reduction of this fee would be greatly appreciated. As of right now, we, the family, are paying out of pocket for all of her expenses regarding this condo, as well as medical bills and debt.

We appreciate your time and hope you can consider this request at your May 2023 Board meeting. The Fields unit is empty, clean and listed and we hope to sell it to a qualified buyer as soon as possible.

Thank you for your consideration of this request.

Sincerely,

Tyler and Kodi Crofts
10410 Turner Dr
Middleton Id
83644

Tyler-(208)230-4663
Kodi-(208)861-3365

Section 8. Procedures for Special Review and Grievances

The Blaine County Housing Authority is committed to creating and maintaining a user-friendly process that provides a long-term supply of desirable and affordable Community Home choices in all areas of Blaine County for those who work and subsequently retire here. However, situations may arise where either a Grievance needs to be addressed or a Special Review is appropriate to provide resolution to a situation. BCHA will respond to Applicants, Tenants, Sellers or Owners of Community Homes who are experiencing difficulty through one of the two processes described below:

A. Petition for a Special Review

1. Any Applicant/Tenant/Owner petitioning for a Special Review may file a petition in writing with BCHA stating 1) the ground(s) for the Special Review request, 2) the action requested, and 3) the name, address, and telephone number of the petitioner, and similar information about his/her representative, if any.
2. Upon receipt of the petition BCHA Board of Commissioners may delegate the Special Review to staff or BCHA will convene a Special Review Committee to review the petition and additional evidence, if any, presented by the petitioner at the next regularly scheduled meeting of BCHA. The Special Review Committee, shall be appointed and report back to BCHA Board pursuant to Article IV, Section 11 of BCHA by-laws.
3. BCHA will provide petitioner with a written decision and include therein the reasons for its determination. BCHA will make every attempt to render a decision within thirty (30) days after the filing of the petition; however, the matter may be continued at the discretion of BCHA.
4. BCHA will make its determination on the basis of these Community Housing Guidelines, BCHA Policies, and relevant BCHA-drafted Deed Covenants attached to the land.