



CITY OF BUFFALO URBAN RENEWAL AGENCY  
LOAN COMMITTEE MEETING MINUTES  
August 23, 2012 Meeting

2

1.0 Members Present

Commissioner Janet Penksa  
Brendan Mehaffy, Vice Chairman  
Timothy Ball, Corporation Counsel  
Council President Richard Fontana

Staff Present

Scott C. Billman  
Yvonne McCray  
Greta Mobley  
Risë Geller

- 2.0 Mr. Mehaffy called the meeting to order at 10:15 am. Commissioner Penksa made the motion to waive the reading of the minutes from the May 22, 2012 meeting, and that they are accepted; seconded by Corporation Counsel Ball and carried unanimously.

3.0 New Business

**St. John Fruitbelt CDC – Townhomes Project.** Housing Director Yvonne McCray explained to the committee the proposed Loan terms from the HOME Agreement are as follows:

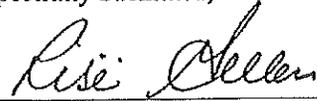
- a. Amount. BURA shall provide the Redevelopers with an amount not to exceed the sum of two million, seven hundred and fifty thousand dollars (\$2,750,000.00);
- b. Note Term. The Term of the Note shall be twenty (20) years;
- c. Interest Rate. The interest rate of the HOME Note Amount will be one percent (1%) per annum for so long as the Redevelopers(s) remain in compliance with the terms of this Agreement;
- d. Payment. Interest only payments of \$27,500.00 (1%) of the Note Amount shall be made annually payable from Net Cash Flow each year for twenty (20) years beginning on October 1, 2015. Unpaid interest shall accrue and will not be due before the end of the term so long as the HOME-assisted units are occupied by eligible low or very low income households. If the Redevelopers sells or otherwise transfers title within the twenty year affordability period, all obligations and requirements under the HOME Program regulations must be met;
- e. Penalty. In the event that the Redevelopers(s) are in default under the terms of this Agreement, and remain so for thirty (30) days after Notice as set forth in the terms of this Agreement then during such time said interest will accrue at the rate of 9% per annum and shall be payable annually on October 1st of each year;
- f. Repayment. The principal amount of the Note and all accrued interest will be due and payable on October 1, 2034. Further, the Note Amount shall be due and payable, in full, at the option of BURA, upon the occurrence of any of the following events: (i) If the Redevelopers in any manner sells or otherwise transfers their interest, in whole or in part, in the subject properties without prior written authorization from BURA; or (ii) Upon any default or breach, of this Agreement. If all obligations are met as agreed, then on October 1, 2034 the mortgage will be discharged and no additional payments will be required;
- g. In response to questions from the committee; Ms. McCray informed them that this project is not related to McCarley Gardens.

Council President Fontana made a motion to approve the request to allocate HOME funds, seconded by Commissioner Penksa and carried unanimously.

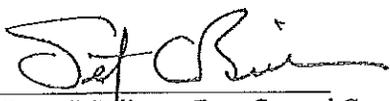
Adjournment

Corporation Counsel Ball made a motion to adjourn the meeting at 10:30 am, seconded by Commissioner Penksa and carried unanimously.

Respectfully Submitted,

By:   
Risë Geller

Approved,

By:   
Scott C. Billman, Esq., General Counsel

## Request for additional information

### 179 Whitney

In 2001 homeowner received funding for the repair of hazardous structural conditions. Funds were provided for replacement of a rear addition that was sinking and replacement of the front porch from the soffit on down. The replacement addition included installation of a bathroom and new furnace. Homeowners son reports that there have been problems with the construction from the beginning, but his most current concern is that the new porch is collapsing. The Division of Housing Loan Review Committee recommends approval of this request.

**Corporation Counsel Ball made a motion to approve request for emergency assistance contingent upon further inspection of property, seconded by Commissioner Penksa and carried unanimously.**

### 68 Hazelwood

Homeowner is the sole heir of her mother's estate and was appointed executor and has lived in the property since before her mother's death. She is seeking permission to apply to the emergency roof repair program (Lovejoy District). The Division of Housing Loan Review Committee recommends approval conditioned upon verification that she has occupied the property since 2008.

**Commissioner Penksa made a motion to approve request for waiver of one year ownership with the condition that she takes title to the property, seconded by Corporation Counsel Ball and carried unanimously.**

## Tabled Items

### Tabled - April 17, 2012 BURA Loan Committee

2270 South Park Request for Early Discharge: Homeowner would like to consolidate the three mortgages filed before the BURA mortgage in order to decrease her overall interest rate. The new mortgage will total approximately \$47,000 including closing costs and will settle a balance of \$29,900 due on the original mortgage as well as a HELOC with a balance of approximately \$10,000, Homeowner would also like to pay the remaining balance on the BURA principal part of the loan in exchange for an early discharge. Her new lender will not permit subordination of the BURA loan to a new loan. Division of Housing Loan Review Committee recommends approval of this request as conditioned, accept payment of the principal balance and discharge the original loan to facilitate the refinance, and to restructure the deferred balance as a new Very Low Deferred Loan with a separate mortgage filing. **Corporation Counsel Timothy Ball made a motion to table this item to get more information, seconded by Commissioner Janet Penksa and carried unanimously.**

### Tabled - April 17, 2012 BURA Loan Committee

43 Elmer - Request for forgiveness and loan restructuring: Owner of 43 Elmer is no longer able to live alone and will be moving into assisted living during the week but will come home on the weekends and her daughter will take care of her. Homeowner will bring the loan current and is seeking to restructure the balance owing to settle the account. Since the property will no longer meet the "primary residence" standard for the owner her daughter has requested that her mother be granted credit for the five years of compliance with the occupancy requirement and that the deferred balance due be reduced. The daughter will then pay the balance owing at terms established by the committee and does not meet the low income criteria for the program. Division of Housing Loan Review Committee recommends to accept the proposal by home owners daughter to repay the full \$2,688 Principal Balance due and grant her mother credit for five years occupancy and reduce the Deferred balance due by 50%. The revised deferred balance due of \$4,031.00 may be paid immediately or when the property is sold. **Corporation Counsel Timothy Ball made a motion to table this item, seconded by Commissioner Janet Penksa and carried unanimously.**

**Loan Review Committee Meeting Minutes – September 5, 2012**

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**Attendance** - Mary Lesniak, Margreta Mobley, Don Tolbert, Maria Scinta. Absent - Yvonne McCray. A quorum of four members was present and the meeting was called to order at 9:45 a.m

**Note** – Angela White, Supervisor of Building Construction, has returned to the Department of Inspections. Her replacement will be appointed within the next sixty days. Larry Tyler, Associate Executive Finance Officer for BURA has retired. The individual appointed to the position will replace Mr. Tyler as an ex-officio member of the committee.

Approval of the May 1, 2012 meeting minutes. Motion made by Don Tolbert to approve the minutes of the May 1, 2012 meeting. Greta Mobley, second. Approved.

**Note** - All votes are unanimous unless otherwise noted - only opposition votes/abstentions recorded by name.

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**Recap of BURA LRC decisions – May 22, 2012 BLRC meeting**

1. **83 Bryant** – request for forgiveness of loan balance (\$5,000) – BLRC Denied – owner to sign promissory note.
2. **398 Monroe** - request for waiver of one year ownership – BLRC Approved
3. **68 Hazelwood** – request for waiver of one year ownership – BLRC Approved
4. **63 Woltz** – request for waiver of arrearages policy – BLRC Approved
5. **127 Grider** – **request for forgiveness and emergency assistance – No decision – held over for next mtg.**
6. **47 Interpark** – AHC Funds Withdrawn - request for additional funds – BLRC Approved

**Ad Hoc Reviews**

1. **179 Whitney** - request for corrective action grant – BLRC Approved (owner withdrew request)
  2. **82 Wright** - request for reduced payoff or forgiveness – BLRC Approved
  3. **1918 Clinton** - request for early discharge – BLRC Approved
  4. **439 West Delavan** - request for subordination – Move to Buffalo Program (debt consolidation and cash out) – BLRC Approved
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**Request for reconsideration of HLRC denial of assistance in May, 2012**

Problem	Request for Forgiveness of Loan Balance and Emergency Assistance
<b>Property Address -</b>	<b>127 Grider</b>
Owner Name -	Emma Breggins
Owner Address -	same
Loan Type -	BURA HOME Principal/Deferred loan closed 6/14/99
Loan/Subsidy Amount -	\$24,931.00 (\$8,726.00 Principal + \$16,205.00 Deferred)
Balance Outstanding -	\$20,858.68 ( <b>\$4,508.24 Principal</b> + \$16,205.00 Deferred)
Payment per Month -	\$72.72
Payments Current -	No – 62 Payments in Arrears
Taxes Current -	N/A
Assessed Value -	\$15,000.00
Date Acquired -	4/21/98
Total payments received -	\$4,217.76

**History: October 4, 2007**

**Problem Summary** – Seeking corrective action grant to cover costs of repairs for failed work by completed by her original contractor, Rosa's Home Improvement. The contractor's license expired in 2002 and he is no longer working in the City of Buffalo, although his office phone is still connected. Repairs include repair of siding, roof repair, and sidewalk step. Pictures available.

**Disposition** – **Tabled** until payment arrangements are made on the current loan. Homeowner to be contacted by collections department.

**Property Address - 127 Grider (continued)**

**History - August 21, 2008 –**

**Problem Summary** – Homeowner is unable to bring her loan fully current and is only able to make original monthly payment. She resumed making payments in February 2008 and is consistent through July. She was able to get in touch with the original contractor, Rosa's Home Improvement, who refused to correct the work on her house claiming it as an act of nature. She cites the roof is losing shingles every year, siding has come off in numerous areas, and that the front of the house leaks possibly causing a bedroom ceiling to collapse. Seeking corrective action grant to complete repairs to home.

**Disposition** – Motion made by Larry Tyler to deny Corrective Action Grant. Terry Sexton, second. Approved. Committee recommends the homeowner contact a local legal services bureau for assistance in bringing a small claims court action or seeking corrective work from contractor.

**History – May 1, 2012**

**Problem Summary** – Ms. Breggins did not take any legal action against the contractor as originally recommended and in 2010 she applied for emergency assistance coupled with AHC to be provided through FLARE. The AHC award was for \$10-15K. Although her BURA account was in arrears, she had responded positively to a collection letter sent in June 2008. At that time she was unable to come up with the payment for the full arrears or a lump sum down-payment on the arrearage amount, however, she was able to resume monthly payments. In July 2010, the Loan Review Committee approved funding for only those emergency conditions that effect health and safety issues. After the LRC approval, job specifications were returned with both emergency and non-emergency (AHC) items at a total cost far exceeding the limits of both the City and AHC programs.

In October, 2010, Ms. Breggins ceased to make further payments on her loan as agreed. and maintains that, since she retired in 2009, she no longer has the resources to continue to pay the original BURA loan. Her income is now below 30% of the median. Because of her low income and the condition of her house, she would like to be considered for funding for the emergency conditions identified in the specifications (roof, gutters, furnaces, hot water tanks, electric meter, gable end siding repair) which total approximately \$14,500

**Disposition** – Motion made by Yvonne McCray to deny the petition for funding based on the owner's payment history. Greta Mobley, second. Denial Approved.

**August 2012 Update** – Ms Breggins is again requesting reconsideration. When she retired in 2009 she lost her income from the Buffalo Public Schools and was not eligible for a pension. This resulted in an income drop from \$13,741 in 1998 (below 50% of the median requiring repayment of 35% of the loan amount) to an income of less than 25% of the median which, under current guidelines, has no monthly payment requirements. If additional funds are provided for the emergency conditions (approx \$15,000), Ms. Breggins would be able to remain in her house. HLRC could restructure the outstanding principal balance on the existing loan to provide for payment of the remaining balance of \$4,508.24 over the loan term of the new loan (approximately \$38.00/month for 10 years).

**Disposition** – The committee discussed the condition of the house, the total cost of repairs needed to bring the property into compliance (approx. 33,000 for repairs + \$31,000 for lead remediation) and the value of the property. Motion by Greta Mobley to deny further assistance; Maria Scinta, second. Denial approved.

- **The Division of Housing Loan Review Committee recommends a denial of additional assistance.**

Loan Review Committee Meeting Minutes – September 5, 2012

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Disposition - Problem - Request for funding over the cap  
Owner Name - Betty Ann Hathcock  
**Property Address - 219 Laurel**  
Owner Address - same  
Loan Type - BURA rehab loan + NYS AHC Block by Block funds  
Loan/Subsidy Amount - TBD  
Balance Outstanding - NA  
Payments Current - NA  
Taxes Current - yes  
Assessed Value - \$22,500  
Date Acquired - 8/11/2011  
Total payments received - na

**Problem Summary** – Owner acquired the house as executor and lives there with her grandson. The property is in the AHC Block by Block (BBB) neighborhood but needed foundation repairs have driven up the initial cost estimate to \$66,050 not including potential unforeseen conditions. The max allowed at this time is \$40,000 AHC + \$35,000 HOME, but that puts her at the max for the BBB program which originally estimated \$24,000 for each property.

**Disposition** – **Tabled for more information.** Staff will request Belmont to prepare a full work write up and solicit bids to determine the true cost

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Problem - Request for waiver of arrearages limit  
Owner Name - Andrea Morrow  
**Property Address - 123 Coit**  
Owner Address - same  
Loan Type - BURA emergency roofing assistance - CDBG  
Loan/Subsidy Amount - TBD  
Balance Outstanding - NA  
Payments Current - NA  
Taxes Current - yes  
Assessed Value - \$11,300  
Date Acquired - 7/7/1982  
Total payments received - na

**Problem Summary** – Owner has two established payment plans for water and user fees and is current on both. Total arrearages are \$3,639.19 but because the plans are current and she pays the current charges when billed, the property is not in tax foreclosure. Ms. Morrow is currently on disability leave with an annual income below \$10,000. There is no mortgage. She is requesting a waiver of the \$3,000 arrearages limit to allow her to apply to the emergency program.

**Disposition** – Motion made by Don Tolbert to approve a waiver of the \$3,000 arrearages based on the owner's diligent compliance with her payment plans, and extremely low income. Greta Mobley, second. Approved. .

- **The Division of Housing Loan Review Committee recommends approval of the request for a waiver of the arrearages limit.**

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**OTHER BUSINESS**

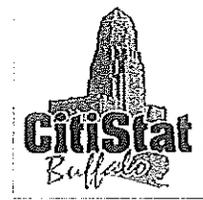
**Policy Discussion – Collections for BURA loans.** Greta Mobley explained that, should BURA loan collection duties be formally transferred to the Department of Administration, Finance, Policy and Urban Affairs (Division of Treasury and Collections), it is expected that delinquent BURA loans would be not be part of the portfolio to be handled under a contract with a collections agency. At this time, Anthony Chestnut, the new Loan Clerk Specialist, will assist loan clients who are delinquent in their payments to BURA to restructure their loans or initiate payments plans to satisfy their obligations.

**Adjournment** – Motion to adjourn made by Don Tolbert, Maria Scinta second. Approved. Meeting adjourned at 10:25 a.m.

Submitted by – Mary Lesniak, Committee Chair



# City of Buffalo



OFFICE OF STRATEGIC PLANNING  
Byron W. Brown, *Mayor*

Brendan R. Mehaffy, *Executive Director*

~ Office of Strategic Planning ~  
Division of Housing Loan Review Committee  
October 2, 2012

Chairperson - Mary Lesniak

Members –

Margreta Mobley

Yvonne McCray

Donald Tolbert

Maria Scinta

Associate Executive Finance Officer

Construction Specialist

**Agenda – October 2, 1012**

- Approval of September 5, 2012 Meeting Minutes
- Items for Review
  1. **24 Wilkes** – request for waiver of asset limit – ad hoc item report
  2. **54 Marigold** – request for arrearages policy waiver
  3. **94 Rose** – request for permission to transfer title – new owner to assume current BURA obligations
  4. **209 Efner** – request for assistance to investor owner
- Other Business – Discussion of Asset Policy
- Adjournment –

Housing Loan Review Committee Minutes – October 2, 2012

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**Attendance** - Mary Lesniak, Yvonne McCray, Don Tolbert, Maria Scinta. Absent - Margreta Mobley A quorum of four members was present and the meeting was called to order at 9:40 a.m

**Note** – The Supervisor of Building Construction and Associate Executive Finance Officer positions are vacant. Individuals appointed to those positions will join the committee at a future date.

Approval of the September 5, 2012 meeting minutes. Motion made by Maria Scinta to approve the minutes of the September meeting. Yvonne McCray, second. Approved.

**Note** - All votes are unanimous unless otherwise noted - only opposition votes/abstentions recorded by name.

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Problem	Request for waiver of the asset limit – report of ad hoc action – September 14, 2012
<b>Property Address -</b>	<b>24 Wilkes</b>
Owner Name -	Elaine Revekant
Owner Address -	same
Loan Type -	Proposed emergency roofing assistance
Loan/Subsidy Amount -	NA
Balance Outstanding -	NA
Payment per Month -	NA
Payments Current -	NA
Taxes Current -	yes
Assessed Value -	\$52,800
Date Acquired -	8/14/2009
Total payments received -	N/A

**Problem Summary** – Ms. Elaine Revekant, the elderly owner of 24 Wilkes, requested a waiver of the asset limit to allow her to apply for the emergency roofing program. Her annual SS income is approximately \$14,000/year. In 2000, Mrs. Revekant was laid off from her position with Buffalo General Hospital and BGH provided a lump sum pension payout at that time which she invested in a variable rate annuity through Pinnacle. The balance in the account is now \$36,830 after withdrawals of \$3,600 in 2011 and \$5,600 this year. The asset limit for the program is \$20,000. Ms. Revekant has no other assets and no other source of income beyond SS and the annuity payouts.

**Disposition** – On September 14, 2012 an ad hoc item requesting a waiver of the asset limit was circulated to the members of the Housing Loan Review Committee. Approvals were received from a majority of the members, specifically, Greta Mobley, Yvonne McCray, Maria Scinta and Don Tolbert, and the waiver was approved

- **The Division of Housing Loan Review Committee recommends approval of this request.**

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Problem	Request for additional assistance and waiver prior loan arrearages policy –
<b>Property Address -</b>	<b>54 Marigold</b>
Owner Name -	Virginia Ferguson
Owner Address -	same
Loan Type -	Principal Deferred Loan – CDBG funds - closed 8/30/05
Loan/Subsidy Amount -	\$19,590 (\$5,035 Principal + \$14,555 Deferred)
Balance Outstanding -	\$ 4,615.40 Principal + \$14,555 Deferred
Payment per Month -	\$41.96
Payments Current -	No payment book sent until October, 2011 – payments current from that date to present
Taxes Current -	yes
Assessed Value -	\$24,800
Date Acquired -	9/6/73
Total payments received -	\$419.60

**Problem Summary** – Ms. Ferguson is requesting \$6,900 in new CDBG funding for roof repairs. The encumbrance review revealed that she was delinquent on a prior loan. She stated that she had not received her payment book following the closing so a new start date was established. Ms. Ferguson has been current on all payments since the new book as delivered. The new loan will require that she repay 25% of the funds provided (\$1,725) at the rate of \$14.38/month

**Property Address - 54 Marigold - continues**

**Disposition** – Motion made by Yvonne McCray to approve additional assistance for roof repairs based on her record of consistent repayments following the restart. Don Tolbert, second. Approved.

- **The Division of Housing Loan Review Committee recommends approval of this request.**

**Problem** Request for transfer of property and loan assumptions  
**Property Address - 94 Rose**  
**Owner Name - Rita Feagin Crawford**  
**Owner Address - 865 Michigan – St. John Tower**  
**Loan 1 -**  
**Loan Type - Principal Deferred Loan – HOME funds - closed 10/14/97**  
**Loan/Subsidy Amount - \$19,204 (\$6,721 Principal + \$12,483 Deferred)**  
**Balance Outstanding - \$ 1,084.47 Principal + \$12,483 Deferred**  
**Payment per Month - \$56.01**  
**Payments Current - No – payment arrangement established in 2003 – payments current since then**  
**Loan 2 -**  
**Loan Type - Principal Deferred Loan – CDBG funds - closed 5/10/2012**  
**Loan/Subsidy Amount - \$6,600 (\$1,650 Principal + \$4,950 Deferred)**  
**Balance Outstanding - (\$1,650 Principal + \$4,950 Deferred)**  
**Payment per Month - \$13.75**  
**Payments Current - Payments began September, 2012**  
**Taxes Current - yes**  
**Assessed Value - \$10,000**  
**Date Acquired - 2/18/1975**  
**Total payments received - Loan 1 - \$5,636.53; Loan 2 - NA**

**Problem Summary** – Ms. Crawford has reported that she was no longer able to live alone in her house and has moved to a senior housing facility nearby. She would like to transfer title of the property to her granddaughter, Lindsey Loatman, who is requesting permission to assume the loans. A full application package will be required prior to the transfer to ensure continuing LM benefit. The HOME affordability period requirements have been met.

**Disposition** – Motion made by Don Tolbert to approve transfer of the property and assumption of the loans by the new owner pending confirmation of eligibility as a LM household. Yvonne McCray, second. Approved.

- **The Division of Housing Loan Review Committee recommends approval of this request.**

**Problem** Request for assistance – investor owned property  
**Property Address - 209 Efner**  
**Owner Name - Renata Machniewicz**  
**Owner Address - 5260 McFarren Blvd. # 25, Mississauga, ON**  
**Loan Type - Low Interest Loan or Grant**  
**Loan/Subsidy Amount - NA**  
**Balance Outstanding - NA**  
**Payment per Month - NA**  
**Payments Current - NA**  
**Taxes Current - yes**  
**Assessed Value - \$14,100**  
**Date Acquired - 11/9/2011**  
**Total payments received - NA**

**Problem Summary** – Ms. Machniewicz acquired two properties through the in rem auction last year – 209 Efner (\$1,500) and 96 Southside (\$900). She and her partner have been working on the homes for the past year, but there is now a water line break at the Efner Street site. They are asking for approximately \$4,200 in financial

**Property Address - 209 Efner – continued**

assistance to repair the break. Ms. Machniewicz stated that they have already invested \$15,000 in the Southside property and an additional \$15,000 will be needed which they will fund themselves. The 209 Efner house is directly across from the newly funded Mariner Townhouse project.

**Disposition** – Motion made by Don Tolbert to deny this request for assistance. Maria Scinta, second. Approved

- **The Division of Housing Loan Review Committee recommends disapproval/denial of this request.**
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**Other Business – Asset Policy and Annuities**

It has been recommended that OSP consider a revision to the list of asset exclusions to be considered when determining the total assets held by an applicant. Our test case client was over the limit because of a lump sum pension distribution made in 2000 by her previous employer being included in the asset calculation. The original payout was \$67,566 and she has withdrawn approximately \$300/month since that date. If she was receiving a monthly pension check from that employer, the approx \$300/month would be included in her income but the amount due to be paid to her in future years would not be included in the total asset calculation.

It is recommended that BURA/OSP adopt a formal policy relating to the treatment of assets acquired in this manner – specifically, the transfer of funds accumulated in a pension fund when employment is terminated and subsequently reinvested to ensure a form of “replacement pension” revenue as allowed by law.

Our current policy provides that -

Applicants with assets that exceed \$20,000 will not be considered to be eligible for participation in owner occupied housing programs without further review by the Loan Review Committee. The list will be reviewed by an OSP Loan Specialist, and in instances where the listed assets exceed \$20,000, the list will be submitted to the Committee for consideration. The Loan Review Committee will provide the final determination regarding the applicant's eligibility under OSP housing programs Guidelines.

**ASSETS - Definition**

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In determining eligibility for participation in City-sponsored programs, household assets must be considered.

Applicant assets must be listed by source and value and provided as part of the documentation package.

**NOTE:**

Applicants to OSP rehab programs who own real property (residential or commercial) other than their primary residence (not including any vacant land adjoining the lot on which the primary residence is situated) are not eligible for participation in any City-sponsored housing program.

Applicants to OSP homebuyer programs who currently own real property (residential or commercial) are not eligible for participation in any City-sponsored home buyer program.

In situations of critical need, OSP may consider a waiver of the property ownership restrictions following evaluation of the circumstances by the Loan Review Committee. Such situations may include, but are not limited to, exceptions for owners of property destroyed by fire, households facing overcrowding, or unsafe living conditions, or displaced homemakers.

**Inclusions**

1. Cash held in savings accounts, checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average 6-month balance.
2. Cash value of revocable trusts available to the applicant.
3. Rental property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs (e.g., broker fees)

that would be incurred in selling the asset. Under these guidelines, equity in the family's primary residence is not considered in the calculation of assets for owner-occupied rehabilitation projects.

4. Cash value of stocks, bonds, Treasury bills, certificates of deposit and money market accounts.
5. Individual retirement and Keogh accounts (even though withdrawal would result in a penalty).
- 6. Retirement and pension funds**
7. Cash value of life insurance policies available to the individual before death (e.g., surrender value of a whole life or universal life policy).
8. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc.
- 9. Lump sum or one-time receipts, such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments.**
10. Mortgages or deeds of trust held by an applicant.

#### **Exclusions**

1. Necessary personal property, except as noted in number 8 of Inclusions, such as clothing, furniture, cars and vehicles specially equipped for persons with disabilities.
2. Interest in Indian trust lands.
3. Assets not effectively owned by the applicant. That is, when assets are held in an individual's name, but the assets and any income they earn accrue to the benefit of someone else who is not a member of the household and that other person is responsible for income taxes incurred on income generated by the asset.
4. Equity in cooperatives in which the family lives.
5. Assets not accessible to and that provide no income for the applicant.
6. Term life insurance policies (i.e., where there is no cash value).
7. Assets that are part of an active business. "Business" does not include rental of properties that are held as an investment and not a main occupation.

The Housing Loan Review Committee has approved a revision to the list of **Exclusions** to add Item # 8 as follows -

8. Funds provided to an individual as a lump sum payout from a pension plan following the termination of employment that are reinvested to allow consistent periodic withdrawals to replace the pension lost from the employer. Documentation showing a history of consistent withdrawals will be required to support this exclusion. The periodic withdrawals will be treated as Income, not Assets.

This revision will be adopted and added to the OSP Policies and Procedures Guidebook upon review and approval by the Executive Director of OSP.

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**Adjournment** – Motion to adjourn made by Don Tolbert, Maria Scinta second. Approved. Meeting adjourned at 9:55 a.m.

Submitted by – Mary Lesniak, Committee Chair