**Affordable Housing Trust Meeting**

**Wednesday, Oct. 14, 2020**

Virtual “Zoom” meeting at 6pm

Hosted by Gwen Miller (GM), Lenox Land Use Director/Town Planner

**Trust Members Present**: Chair MaryBeth Mitts (MBM), Julie DiGrigoli (JD), Jackie McNinch (JM),

Kate McNulty-Vaughan (KM-V), Mindi Morin (MM), Charlene Rosen (CR), Olga Weiss (OW)

Also present: AH Committee: Chris Fenton (CF), Fred Keator (FK)

**Documents available or shared during meeting:** Minutes Sept. 10, Sept. 17

Appraisal; Purchase and Sale Agreement for 8 Hynes St. property; Article II Option for other Hynes St. parcels; Covid 19 Emergency Rental Assistance Program (Sept. Progress Report)

**Minutes**: Sept. 10, Sept. 17 meeting Minutes,Sept. 24 not available: **Deferred to next meeting**

**Updates: Purchase of 8 Hynes St. & Hynes St. Properties:**

Gwen Miller informed Trust members that the P & S for the 8 Hynes St. property had not been signed yet and updated Trust members on further discussion with seller Linda Shafiroff about revisions to that P & S, and a major change in the option on additional houses. Seller Shafiroff is asking for a deposit of $15,000 (or $5,000 for each house) that the Trust wants to option (9, 10, 11 Hynes St.), which would be refundable subject to contingencies. The Trust would be held to the sale dates on the Option: Jan. 15, Feb. 15, and April 1 for the properties.

MBM indicated that the buyer wants a serious commitment from the Trust to adhere to the tight timeline: as she rehabilitates the houses, she wants to go forward with the sales. The question for the Trust is how quickly the program contractor can get onboard (RFP responses due mid November) and what the carrying costs and transaction risks might be for the Trust to hold the houses -- for 60 days or so -- until the marketing and lottery process is underway. JM assured Trust members that there’s a pool of eager income-qualified homebuyers evident in her work with buyers and home sales recently. MBM noted that procurement laws, the LAU process and Fair Housing requirements will take some time. JM felt that contracting with a knowledgeable vendor will be help get streamlined procedures into place quickly. As for sources of funding for these transactions, JM and CF agreed that a smaller group from the Committee/Trust (JM, CF, FK, and MBM) could look at and work on alternative funding, or the Trust bonding.

GM stated the need for an immediate decision on whether to commit to the deposit. JD wants clarity on the terms – the typical conditions, property inspections, and appraisals – what reasons for terminating the options would enable the deposit to be returned. Members have confidence in the seller’s reputation and feel that her request is reasonable – and in “good faith.”

MBM made a motion, seconded by KMV: The Lenox Affordable Housing Trust commits to a deposit of $5,000 for each of the Hynes St. properties, as follows: in accordance the Purchase and Sale agreement for 8 Hynes St. and with the option for 9, 10, and 11 Hynes St. subject to standard conditions, for a total of $20,000.

**The rollcall vote of Trust members was unanimous: OW, JM, CR, JD, KMV, MM, MBM (7-0 in favor of the motion).**

GM noted minor changes to the P & S for 8 Hynes St. and she is waiting for the inspection report. JD asked to review the final document and stated that the $5,000 per unit deposit needed to be memorialized in the legal document’s final mark-up before signing. GM noted that Town Counsel is also reviewing these documents. The high cost ($2,350) of the appraisal was discussed, and recommendation made to seek a standard residential appraisal in the future, typically much lower in cost (~$300), unless there’s a statutory reason for doing otherwise.

MBM wrapped up the discussion and summarized actions ahead:

* MBM would talk with seller Shafiroff (Blackwater Realty Trust) and her attorney, Lori Robbins, about modifications to the option agreement and confer with Town Counsel real estate Atty. Katie Klein;
* GM consult with JM to find an appraiser for AHT properties;
* GM contact Jane Ralph (Construct) for Rental Assistance fund update at next meeting.

MM reminded the Trust of a brief discussion on merging the Trust and Committee, and resolving that issue. Other members spoke to -- effect on the quorum, others interested in serving on the Trust, subcommittees, etc. -- and recommended further discussion at a future meeting.

Next meeting:

Meeting adjourned by consensus at 6:59 pm

Submitted by: Kate McNulty-Vaughan