

LAND USE AND DEVELOPMENT

*188 Attachment 4*

**Township of Hillsborough**

**Appendix A to Article VII  
Hillsborough Development Regulations Ordinance  
Affordable Housing Provisions**

(Sample)

**DISCLOSURE STATEMENT FOR  
AFFORDABLE UNITS IN  
(Insert Name of Development)**

The home which you are considering purchasing or renting is an “Affordable Unit” as defined in an instrument entitled the “Affordable Housing Document” for the development known as “\_\_\_\_\_” which has been recorded with the Clerk of the County of Somerset and the Clerk of the Township of Hillsborough. The “Affordable Housing Document” was prepared by \_\_\_\_\_ in accordance with the requirements of the Township of Hillsborough and was a requirement of the Township of Hillsborough in its approval of the development known as “\_\_\_\_\_”. A complete reading of the “Affordable Housing Document” is necessary to fully understand and be aware of all the restrictions contained in the document which affect the home you are considering purchasing or renting. By way of a brief summary, the following restrictions are contained in the “Affordable Housing Document”:

1. Purchasers or tenants of these “Affordable Units” are limited to “low” and “moderate” income families. These “Affordable Units” may be occupied only as permitted by the Township of Hillsborough and the duly designated Housing Authority of the Township. The restrictions on the occupancy of the “Affordable Units” shall continue for the period of time noted in the “Affordable Housing Document”, and applies to the initial sale or rental of the unit and any subsequent resale or re-rental, as the case may be;
2. These “Affordable Units” may not be resold or re-rented at a price greater than the initial sales price or initial rental charge plus a percentage increase based on the annual “Median Regional Income” figures issued by the U.S. Department of Housing and Urban Development for the Somerset-Hunterdon-Middlesex County region as well as in consideration of some other factors as specified in the “Affordable Housing Ordinance of the Township of Hillsborough;”
3. Owners of the “Affordable Units” may add amenities or improvements to the “Affordable Units,” but the cost of such amenities or improvements must have been previously approved by the Hillsborough Township Housing Authority if they are to be included any resale price;

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4. These "Affordable Units" shall pay Homeowners' Association assessments. Owners of these "Affordable Units" have the very same rights, privileges, duties and obligations as the owner of "Market Rate Units" within the same Homeowners' Association. The owners of these "Affordable Units" are entitled to participate fully in the affairs of the Homeowners' Association on an equal basis with any other member of the Homeowners' Association; and
5. The terms, restrictions, provisions and covenants of the "Affordable Housing Document", and the provisions of the Master Deed referring to and incorporating the "Affordable Housing Document", shall expire and terminate no earlier than the time period specified in the "Affordable Housing Document," i.e., 20 years from the date of the first purchase of a sales "Affordable Unit" or 30 years from the date of the first rental of a rental "Affordable Unit," and shall only expire and terminate in accordance with § 188-134, "Recapture of Affordable Units", in the Affordable Housing Ordinance of the Township of Hillsborough.

The above are the limitations and restrictions which most greatly affect the "Affordable Units" in the development known as "\_\_\_\_\_"; however, a full understanding of the "Affordable Housing Document" requires a thorough and complete reading of the document.

**Statement of Understanding**

I/we have read the contents of this Disclosure Statement and understand same. I/we have been instructed that a thorough reading of the "Affordable Housing Document" in its entirety is necessary to understand its requirements and limitations. I/we have further been instructed to seek the assistance and advice of an attorney in reviewing the "Affordable Housing Document."

Date: \_\_\_\_\_  
Prospective Purchaser

Building No.: \_\_\_\_\_ Unit: \_\_\_\_\_