Access to Home Program Property Maintenance Declaration Instructions

Local Program Administrators (LPAs) must follow these procedures to complete Property Maintenance Declaration forms for assisted buildings. These instructions apply to only Access to Home, Access to Home for Medicaid, and Access to Home for Veterans.

The Local Program Administrator is responsible for obtaining and filing a Declaration for each property assisted. It is important to ensure that program participants are aware of the maintenance responsibilities and the Declaration requirement early in the project development process. LPAs must ensure that this requirement is clearly stated in the documents and/or agreements executed with property owners.

The maintenance term, or regulatory period, must be calculated from the date of Project Completion. The date of Project Completion is the date of the final inspection and approval by the LPA and the client. The LPA must use this date to calculate the termination date specified on the Declaration form. If the final inspection report is not formally documented or available in the LPA files, the maintenance term will begin on the date of final disbursement of Access to Home funds[1]. Please consult OCR program staff to confirm this date. Please refer to the appropriate program manual for additional guidance related to the Declaration.

I. Property Maintenance Declaration Form

For projects receiving funds through any of the Access to Home programs, the property owner must execute a Declaration. The Declaration must be signed, notarized and filed in the County Clerk's office in the county in which the assisted property is located, or the Office of the City Register for projects located in New York City. The LPA and Property Owner are both parties to the agreement and the form must be signed and notarized by both the LPA and the Property Owner.

Instructions for Completing Declaration Form:

The "Access to Home Property Maintenance Form" is to be used for all programs in the Access to Home portfolio – Access to Home, Access to Home for Medicaid, and Access to Home for Veterans. The document requires a five (5) year regulatory period.

- **LPA Name** – Replace with the Local Program Administrator (Access to Home awardee organization) name.
- **Address** – Replace with the mailing and street address of the LPA.
- **Owner(s)** – Enter the full name(s) of the legal property owner(s).
- **Property Address** – Enter the street address of the building. This must be the address confirmed by the Office of Community Renewal.
- **Section/Block/Lot** – Enter the tax parcel ID or Section / Block / Lot (SBL) number associated with the building. This must be confirmed by the Office of Community Renewal.
- **Amount of Grant Assistance** – Enter the amount of Access to Home funding the property received.
- **Unit Assisted –** Identify the type and number of residential units assisted with Access to Home funds, e.g. rental apartment in multi-family building (unit 2A), or single-family, owner occupied unit.

[1] Reference to the "Access to Home" in this document includes the Access to Home, Access to Home for Medicaid, Access to Home for Veterans programs.

- **Description of Assisted Improvements –** Provide a **brief** description of the general construction activities performed on the unit to be subject to the maintenance requirements during the regulatory term, e.g. expanded doorways, renovated accessible bathroom.

- **Execution Date –** Enter the start date of the Declaration which is the date of project completion, as documented by final inspection reports, or the date of final disbursement of Access to Home Funds for the applicable building

- **LPA Name** – Replace with the LPA (Access to Home awardee organization) name.

- **Termination Date –** Calculate the termination date by adding 5 years to the Execution Date.

- **LPA Name** – Replace with the LPA (Access to Home awardee organization) name.

- **Owner(s)** – The property owner(s) must sign here.

- **Mailing Address** – Enter the property owner(s) permanent mailing address.

- **LPA Name** – Replace with the LPA (Access to Home awardee organization) name.

- **By** – An authorized LPA representative must sign here.

- **Name** – Enter the name of the LPA representative signing.

- **Title** – Enter the title of the LPA representative signing.

The remainder of the document should be completed by a Notary Public. Both the Owner(s) and LPA signatures must be notarized. The document must be filed with the County Clerk or City Register. A copy of the Declaration and filing receipt must be maintained in the LPA project files and provided to the Office of Community Renewal upon request.

II. Release of Declaration

In the event that a property owner decides to no longer participate in the Access to Home Program, and returns the grant funds to the LPA to be returned to the Housing Trust Fund Corporation, a Release of Declaration should be filed to remove the maintenance responsibilities attached to the Declaration. The release can be obtained by contacting the OCR program staff upon return of funds to the HTFC.

Instructions for HTFC Release of Declaration Boilerplate:

This form is available upon request, and is for releasing a Declaration that was filed using the original version of the Declaration form where the Housing Trust Fund Corporation (HTFC) is party to the agreement, not the LPA. Only complete the portion specified below; the remainder must be reviewed and completed by an HTFC representative.

- **Date** – Enter the date the Declaration was executed.

- **Office** - Remove the type of Office that does not apply (City Register or Clerk). Remove the brackets. Only those projects filed in New York City are recorded in the Office of the City Register.

- **County** – Enter the name of the County where the Declaration was recorded.

- **Instrument No./Liber/Page** – This information can be found on the recorded Declaration or the filing receipt.

- **Date** – Enter the date the Declaration was recorded. This information can be found on the recorded Declaration or the filing receipt.

Mail the partially completed document to the HTFC at the address specified on the document. The completed document will be returned to the LPA to file with the associated Office of the City Register or County Clerk.