

PEARL STREET PROJECT

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first section of proposal, financial
statements & attachments 1-2
posted separately online

photo 2b not submitted

3.

COMMUNITY NEED

This project implements one of the strategies set forth in the final Comprehensive Plan Adopted in November of 2007 –to bring affordability to existing housing. That goal also is articulated in the Community Preservation Plan. The project will also meet the goal of protecting the City’s diversity.

The project will also meet the needs identified in the Consolidated Plan to provide additional housing to serve very poor families in Newton and the surrounding communities.

4.

COMMUNITY OUTREACH & SUPPORT

I have informed the ward aldermen of our intention to purchase the property and apply for CPA funds via e-mail. I also called President Lennon.

We plan to submit letters of support and/or a petition.

OPTION AGREEMENT

This Option Agreement is entered into as of October 15, 2010 by and between Margaret M. Murray, Trustee of the 61 Pearl Nominee Trust, _____ ("Seller") and CAN-D0 ("Buyer").

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, Buyer and Seller agree:

1. Grant of Option: Seller grants to Buyer the right and option to purchase (the "Option") from Seller the land and buildings thereon known as and located at 61 Pearl Street, Newton, MA 02458 (the "Property").

2. Payment for Option: As consideration for the granting of the Option Buyer pays herewith to Seller the sum of Five Hundred (\$500) Dollars.

3. Term of Option: The Option shall be effective as of the date hereof and shall terminate upon the signing of a mutually acceptable Purchase and Sales Agreement, no later than November 3rd, 2010, under the terms and conditions to be set forth therein.

4. Purchase Price: The purchase price for the Property shall be Seven Hundred Eighty Thousand (\$780,000) Dollars (the "Purchase Price").

5. Method of Exercise: If the Buyer exercises the Option to purchase, the Buyer and Seller shall forthwith execute a Purchase and Sales Agreement and the Option payment of \$500 shall become part of the Deposit and if the Buyer does not exercise the Option to purchase, the \$500 shall be retained by the Seller.

6. Repairs to be made prior to Closing:
Buyer has completed their Inspection of the Property and is satisfied with the condition of the Property and will be taking the Property in "AS IS" condition, with the exception of the following work to be completed prior to closing:

Seller shall clean out chimney; install liner and chimney cap and provide Buyer with a standard contractor warranty for said repairs as provided to Seller.

7. Entire Agreement; Parole Evidence: This Option Agreement represents the entire agreement with respect to the Option, is to be construed and governed under the laws of Massachusetts and may only be amended by an instrument in writing executed by the parties.

Executed as of the date first set forth above.

BUYER: Citizens for Affordable
Housing in Newton Development
Organization, Inc. (CAN-DO)

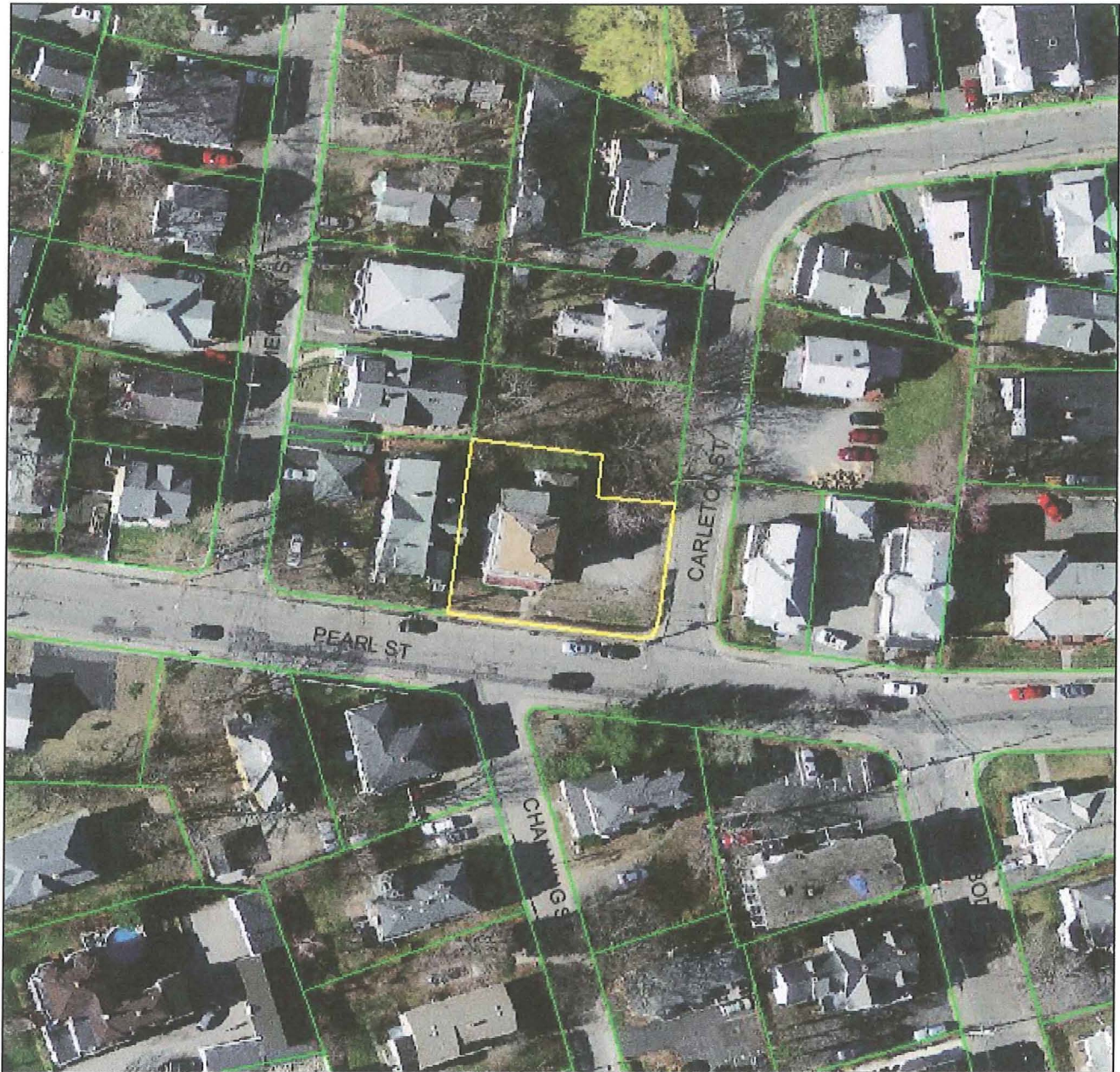
SELLER:

By: Josephine McNeil
Josephine McNeil, Executive Director

Margaret Murray

6A

Click the Print button to print this map.



Assessor's Map For:
 MURRAY MARGARET M TR
 61 PEARL TRUST 61 PEARL ST
 Neighborhood: 7

**Map for Reference Only
 NOT A LEGAL DOCUMENT**

CITY OF NEWTON
 MASSACHUSETTS
 ASSESSING DEPARTMENT
 1000 COMMONWEALTH AVE.
 NEWTON CENTRE, MA 02459
 PHONE: 617-796-1160

Because of different update schedules,
 current property assessments may not
 reflect recent changes to property
 boundaries. Check with the Board of
 Assessors to confirm boundaries used at
 time of assessment.

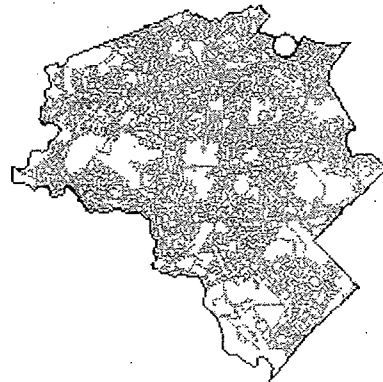
10/15/2010

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10/15/2010

6.

PROPERTY HISTORY

The property is a residential property and I am unaware of any other use. There are 4 units; one 2-bedroom units and three 1-bedroom units.

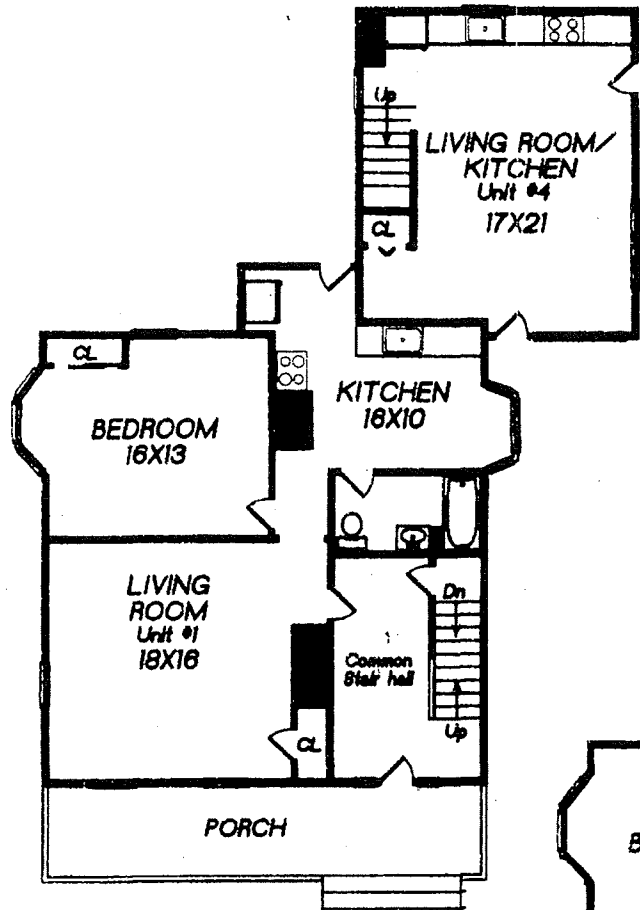
I am assuming given the age of the property that there is lead paint in the interior and exterior of the building and have included funding for testing and deleading. I will seek \$80,000 in CDBG funds for that purpose.

There is no zoning relief required.

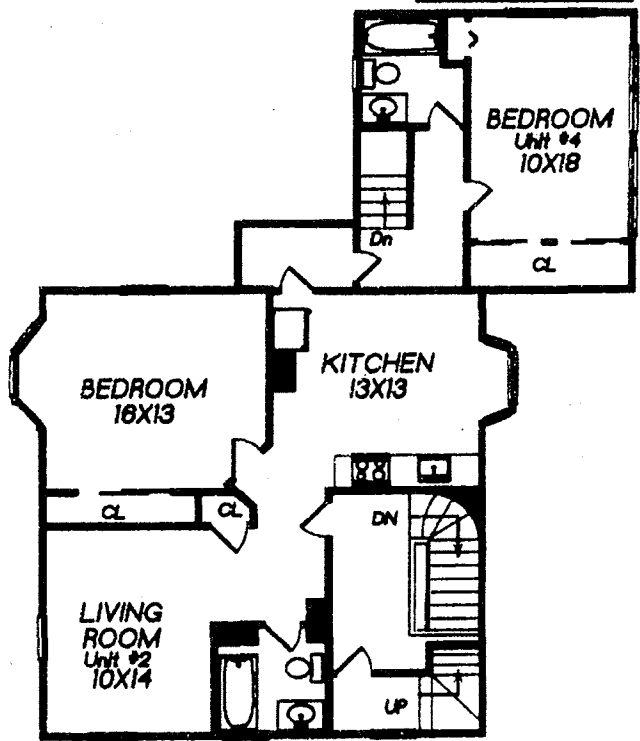
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61 PEARL STREET NEWTON, MA

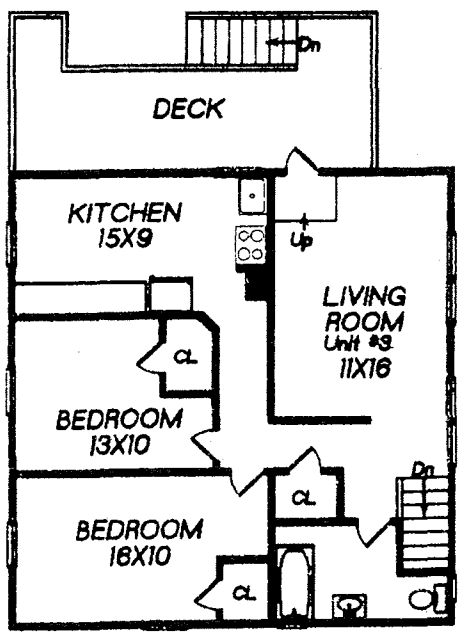
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR



Prepared for Carol Vagher
Hammond Residential R.E.

CM Carol Meyer
781-455-6100
Copyright 2010

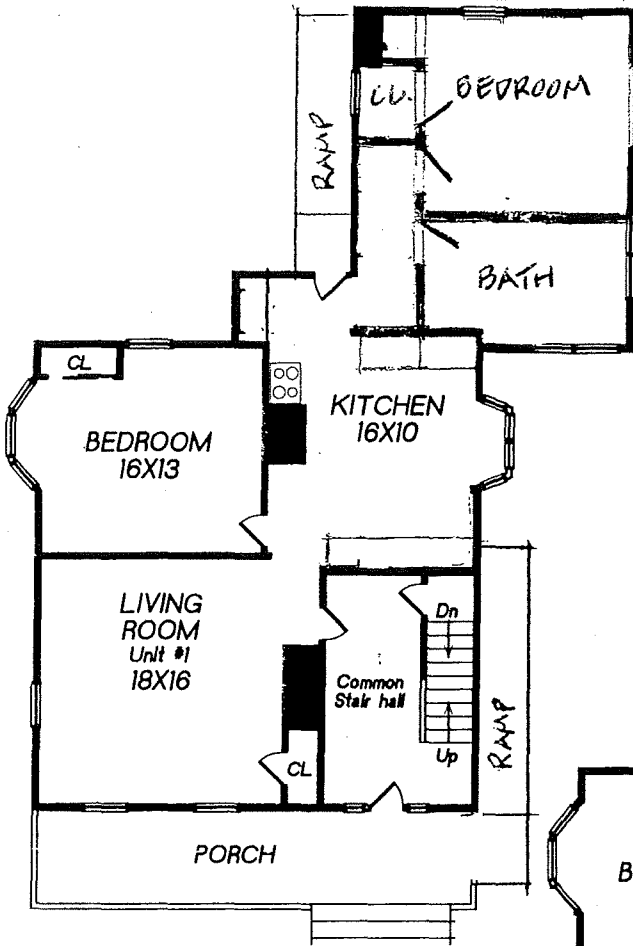
EXISTING PLANS

This drawing is an artistic rendering intended for marketing purposes only. The dimensions and/or square footage is approximate and should be verified by an independent source. This drawing is copyright protected and therefore licensed for use by those named on the floor plan.

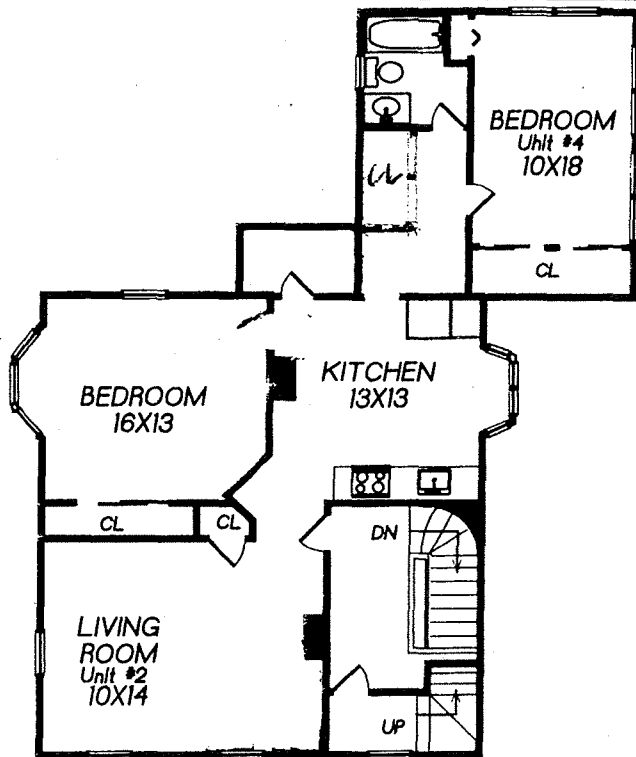
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FIRST FLOOR

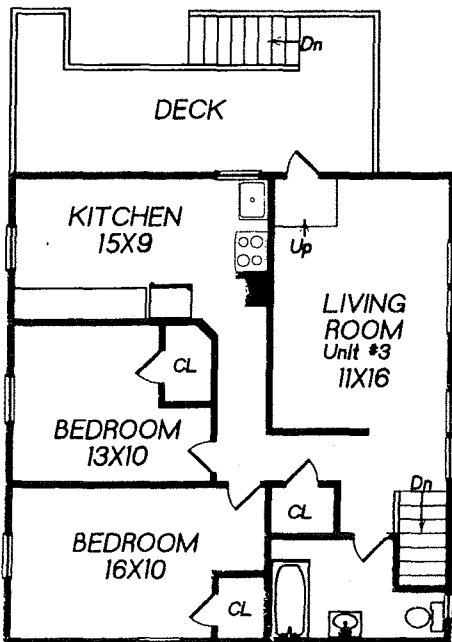
61 PEARL STREET
NEWTON., MA



SECOND FLOOR



THIRD FLOOR



PROPOSED PLANS

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7. B. & C.

DESIGN & CONSTRUCTION

B. Amenities – There are no unusual amenities in the 2nd and 3rd floor units. However, we are creating a completely accessible unit, designed for someone with a mobility impairment and although not required we are placing a ramp at the rear egress.

C. Sustainable elements – We will enhance existing insulation and place insulation in those areas which are not currently insulated.

8. A & B.

FAIR HOUSING & EQUAL OPPORTUNITY

A. Relocation Plan – Each unit is currently occupied and I am not aware of the incomes; however one of the tenants holds a section 8 voucher. I will work with the city's Housing Office to develop a plan and budget.

B. Reasonable Accommodation/Reasonable Modification Plan

Citizens for Affordable Housing In Newton d/b/a CAN-DO, received federal financial assistance for this project and is subject to the requirements of Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 24 CFR Part 8. The Act prohibits housing providers from discriminating against housing applicants or residents because of their disability or the disability of anyone associated with them and from treating persons with disabilities less favorably than others because of their disability. The Act also makes it unlawful to refuse to make reasonable accommodations relative to rules, policies, practices or services when accommodations may be necessary to enable a person with disabilities equal opportunity to use and enjoy residing in a housing unit.

The Act defines a person with a disability to include (1) individuals with a physical or mental impairment that substantially limits one or more major life activities; (2) individuals who are regarded as having such impairment; and (3) individuals with a record of such impairment. The term *substantially limits* suggests that the limitation is "significant" or "to a large degree". The term *major life activities* refers to those activities that are of central importance to daily life such as seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning and speaking.

Under the Act, physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current illegal use of a controlled substance) and alcoholism.

1. The definition of reasonable accommodation and reasonable modification under The Act are as follows:

- **Reasonable accommodation** is a request for a change or waiver to policies, practices, procedures or services to provide greater use and accessibility of the housing services.

- **Reasonable modification** is a physical alteration to provide greater accessibility and use of the premises for a person with a disability. Reasonable modifications can include structural changes to interiors and exteriors of residential units as well as common areas.

2. Persons in need of a reasonable accommodation and/or reasonable modification should make a request to the Executive Director, Josephine McNeil at 1075 Washington Street, West Newton, MA 02465 or via e-mail at jam_cando@msn.com. Or by phone, at 617-964-3527.

3. Within 5 days of receipt of the request CAN-DO will contact the applicant and arrange to meet with him/her to determine the specific nature of the reasonable accommodation or reasonable modification. In the event the applicant has a mobility impairment CAN-DO will arrange to meet with the applicant at a location that is wheelchair accessible. At that meeting, CAN-DO will prepare a written account of the request and ask the applicant to sign to show his/her agreement with the write-up.

Within 5 days of that meeting, CAN-DO will submit the report to its architect and/or contractor to obtain a description and the cost to satisfy the request. Upon receiving the report CAN-DO will determine if the request will cause an undue administrative and financial burden or changes the basic nature of the housing program. CAN-DO will provide the applicant with a copy of the report.

In order to determine whether the costs are reasonable, CAN-DO will establish a 3 member panel of volunteers which shall include a building professional, other than the one who wrote the report, a disability advocate and a lawyer familiar with disability law, who will review the request and the report from the architect/contractor and provide CAN-DO with a written report. The applicant will be given the opportunity to meet with the panel.

The report from the panel will be presented to CAN-DO's Board of Directors who will make the final determination regarding the expenditure of funds. This process must be completed within 21 business days of the original request.

4. If the Board denies the request because it would cause an "undue hardship", and the Applicant thinks he/she has been discriminated against he/she has the right to file a fair housing complaint with the City of Newton's Human Rights Commission.

Policy Adopted by Board of Directors on March 10, 2010
Policy Revised by Board of Directors on June 23, 2010
Policy Revised by Board of Directors on July 14, 2010

9.

ARCHITECTURAL ACCESSIBILITY

CAN-DO interest this property was motivated to a degree by its desire to produce a completely accessible unit. Therefore we are reducing the number of units in the structure for that specific purpose. As currently configured the first floor of the house consists of one – 1 bedroom unit and a combination kitchen and living area of another one-bedroom unit whose bedroom is on the second floor.

We plan to open the wall so that all of the first floor can be used to create a 2- bedroom unit designed for someone with mobility impairment and although not required we are placing a ramp at the rear egress.

When we meet with the city's development review team, we will present schematics which reflect the described unit.