

**Ridgway Workforce & Affordable Housing Committee
Meeting Agenda
Wednesday, July 10, 2024**

Pursuant to the Town's Electronic Participation Policy, the meeting will be conducted both in person and via a virtual meeting portal. Members of the public may attend in person at the Community Center, located at 201 N. Railroad Street, Ridgway, Colorado 81432, or virtually using the meeting information below.

Join Zoom Meeting

<https://us02web.zoom.us/j/88915564921?pwd=ZklmaOStDQybPaWpLxuekcpbXROReb.1>

Meeting ID: 889 1556 4921

Passcode: 089236

Dial by your location

+1 346 248 7799 US

+1 253 215 8782 US

5:30 p.m.

ROLL CALL Polly Kroger, Kevin Grambley, Beth Lakin, Terry Schuyler, Josey Scoville, Russ Meyer and John Clark

PUBLIC HEARING

1. Consideration of an exception request for a Leave of Absence to Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines from Carmen Messina.

ADJOURNMENT



MEMO

To: Ridgway Work Force & Housing Committee (RWFHC)
From: Jim Kolnik, Impact Development Services (IDS)
Date: June 12, 2024
Re: Consideration of an exception request for a Leave of Absence to Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines
Attachments: Exception Request Form
Email Thread from Carmen Messina to IDS

Introduction

Consideration of an exception request for a Leave of Absence to Ridgway Wetterhorn Homes Affordable Housing Regulations and Guidelines for owner Carmen Messina.

1.52 *Leave of Absence* is defined as follows:

an Exception from the requirement that a Qualified Household maintain the Housing Unit as its primary place of residence granted according to the Exception Procedure in Section 5.2.4.1.

5.2.4.1. Leave of Absence: In the event a Household wishes to not occupy the unit for more than four (4) months, the Household may apply to HA for a Leave of Absence for a term not to exceed two (2) years. The Household must provide clear and convincing evidence showing both a bona fide reason for leaving and a commitment to re-occupy the Housing Unit. HA shall condition the granting of the Leave of Absence on the Household offering the Housing Unit for rent to a Qualified Household, during the period of the requested leave. HA may include conditions on the Leave of Absence, as it deems necessary. Applications for a Leave of Absence shall be made to HA according to the Exceptions Procedure in Section 11.1. Short-term rental of Housing Units is otherwise prohibited.

Background

Carmen Messina is the current owner of a Ridgway Wetterhorn Housing Unit. Carmen was identified as a Qualified Household to own a Ridgway Wetterhorn Housing Unit in the initial lottery and closed on 11/13/2023. At the end of March 2024 her Ridgway employer closed temporarily, however they never reopened and have now permanently closed. Carmen has not been employed since the end of March and has not found any local employment opportunities. Carmen would like to accept temporary contract work out of state and as such is requesting an exception for a Leave of Absence with an intent to return to Ridgway and use her property as her primary residence. If granted this exception Carmen reports she will rent her property to a qualified tenant household that will work with IDS for qualification. At this time she intends to rent her property until Spring 2025 and hopes by that time she will find gainful local employment.



Staff Recommendation

Due to circumstances that are outside of the owner’s control staff recommends approval of Carmen Messina’s exception request for Leave of Absence considering she meets all other criteria outlined in the guidelines.

Exception Review Criteria:

Pursuant to Guidelines §11.1.3, the applicant must demonstrate and the Committee must find that the Exception meets one or more of the following review standards:

- 11.1.3.1 That the Exception meets the general RH policy goals; and
- 11.1.3.2 That the Exception meets one or more of the following review standards:
 - 11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.
 - 11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.
 - 11.1.3.2.c Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include “luxuries”).
 - 11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit
 - 11.1.3.2.e Enables a Household to own and occupy a Housing Unit more suitable to the Household’s needs; or
 - 11.1.3.2.f Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability.)



200 E. 7th Street, Suite 412
Loveland, CO 80537
Tel: 970-541-2617
E-mail: lottery@impactdf.org
Web: impactdf.org/impactdevelopmentservices

Motions for Consideration:

The following motions are presented for the Committee’s consideration:

Deny: Move to *deny* the exception request for Leave of Absence based upon the following finding:

- Granting such an Exception does not meet the General Policy Goal of providing high quality homes for working residents and their families who make a living primarily from employment in the Ridgway School District (R-2) and does not meet the requirements for Leave of Absence pursuant to §5.2.4.1.

OR

Approve: Move to *grant* the exception request for Leave of Absence based upon the following findings:

- Owner otherwise qualifies to continue ownership of a Wetterhorn Homes Ridgway Unit, meeting the requirements of Guidelines §5.2 Qualified Household Continuing Requirements. The Exception for Leave of Absence promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement of §11.1.3.2.b
- If approved, please advise of the length of time the Leave of Absence is approved for, which may be no greater than 2 years: _____
- Additional conditions for the Leave of Absence approval, if any:

End of Memorandum

Name of Applicant

Request for Exception to Ridgway Wetterhorn Homes Deed Restriction and Guideline

1. All Applicants must sign and date affidavit below.
2. Attach to the Ridgway Wetterhorn Homes Application and ask for staff assistance if you have questions.

Name(s) of applicant(s): _____ Phone no. _____

Email address: _____

Please explain why you are requesting an exception. You may be required to submit required documentation to support your Request for an Exception. Please note that the Ridgway Work Force and Housing Committee will hear the Request for an Exception at a publicly noticed meeting and may put extra conditions on the approval. Please consult with IDS staff for typical conditions that may be required.

Please note the following exceptions **will not** be granted per the Guidelines:

11.1.4.4 To Households whose Net Assets exceed three times the Maximum Sales Price of the Housing Unit.

11.1.4.5 To Households whose income is in excess of 120% AMI.

Name of Applicant

REQUEST FOR AN EXCEPTION

Affidavit

(You may attach a typed or hand-written statement on a separate sheet if you need more room):

I, _____, hereby declare, under penalty of perjury, that the following is a true statement:

PART I

1. I/We need an exception for: _____
- 2 Explain why exception is needed: _____

PART II

The Exceptions process is explained in Guidelines §11.1-11.3. In order for your Exception Request to be considered you must demonstrate, and the HA must find that:

11.1.3.1 The Exception meets the general Ridgway Wetterhorn Homes policy goals.

Please explain: _____

11.1.3.2 The Exception meets one or more of the following review standards: Please identify any and all review standards met and explain: _____

-
- 11.1.3.2.a Promotes greater affordability through decreasing the long-term operating and maintenance costs of the Housing Unit in question; enabling the Exception Applicant to take advantage of a financing opportunity that would not be available without the Exception; and/or, protecting the long-term affordability of the Housing Unit through a price control or other similar means.
 - 11.1.3.2.b Promotes or recognizes the long-term commitment of the Exception Applicant to residency, employment, and community involvement within the County in which the Housing Unit is located or provides housing for a critical community need.

Name of Applicant

- 11.1.3.2.c. Provides increased livability or durability in materials, finishes, fixtures or appliances or useful increased square footage (which shall not include “luxuries”).
- 11.1.3.2.d Creates living space for an additional member of the Household while maintaining the Income Tier for the Housing Unit
- 11.1.3.2.e. Enables a Household to own and occupy a Housing Unit more suitable to the Household’s needs; or
- 11.1.3.2.f. Enables the Household to respond to life circumstances that arise beyond the reasonable control of the Household (such as need to care for an Elderly or Household member who is Individual with a Disability).

Signature: _____ Date: _____

Signature: _____ Date: _____

Jim Kolnik

From: Carmen Messina <messinaca@gmail.com>
Sent: Wednesday, June 12, 2024 7:48 AM
To: Jim Kolnik
Subject: Re: LEAVE OF ABSENCE
Attachments: Wetterhorn Appeal 2.pdf

Jim,

I have reattached the form. The part where a signature is required does not have a "fillable box" like the rest of the form so I cannot sign it on there. Please accept this form as is and process it.

Thank you,

Carmen Messina

On 6/10/24 08:26, Jim Kolnik wrote:

Good morning Carmen,

Thank you for providing the attached form. A few items need to be completed before I can submit this form to the Ridgway Workforce and Housing Committee:

1. Please complete part II: You will check one of more of the boxes in Part II (11.1.3.2.a – 11.1.3.2.f) that apply to the exception you are requesting. Then you will explain how your situation applies to the checked review standard(s) in the free text box where you input your note.
2. Please sign the form.

Please reach out if you have any questions.

Thank you,

Jim Kolnik | Eligibility Specialist
Standard Working Hours: 7:30am – 4pm, M-F
Impact Development Services |
<https://link.edgepilot.com/s/ff184661/IiONXvcU2oeJ4vpvxv4OkEQ?u=http://www.impactdf.org/>
200 E. 7th St., Suite 412
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jim@impactdf.org
P: 970.494.2021 x. 205 | Direct 970.541.2617
IDF Company NMLS 1819232

Upcoming PTO: July 26th – July 29th



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From: Carmen Messina <messinaca@gmail.com>

Sent: Monday, June 10, 2024 7:30 AM

To: Jim Kolnik <jim@impactdf.org>

Subject: LEAVE OF ABSENCE

Hello Jim,

I have attached the form you provided to request a leave of absence so I can begin working again.

Thanks,

Carmen

On 6/7/24 07:38, Jim Kolnik wrote:

Good morning Carmen,

For the leave of absence you would use the form to apply for an exception found [here](#).

Prospective tenants would submit an application with all required materials to lottery@impactdf.org via the form found [here](#).

Please reach out if you have any questions.

Thank you,

Jim Kolnik | Eligibility Specialist
Standard Working Hours: 7:30am – 4pm, M-F

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From: Carmen Messina <messinaca@gmail.com>

Sent: Thursday, June 6, 2024 4:15 PM

To: Jim Kolnik <jim@impactdf.org>

Subject: Re: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

Jim,

Can you please provide a link to the application for a request for leave of absence, in order to rent my home?

Also, can you provide a link for the rental application that a potential tenant would have to fill out?

Thank you,

Carmen Messina

On Wed, May 29, 2024 at 2:19 PM Jim Kolnik <jim@impactdf.org> wrote:

Carmen,

Thank you for the clarification.

Please keep us posted on the unemployment decision results when available and let us know how you wish to proceed regarding potential exceptions/leave of absence.

Thank you,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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From: Carmen Messina <messinaca@gmail.com>
Sent: Wednesday, May 29, 2024 2:12 PM
To: Jim Kolnik <jim@impactdf.org>
Subject: Re: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

It's on hold as I appeal it

On Wed, May 29, 2024, 2:04 PM Jim Kolnik <jim@impactdf.org> wrote:

Carmen,

I also wanted to ensure I understood your most recent email correctly: Were you denied for unemployment benefits or your unemployment application is on hold? If on hold please provide a document or email from supporting this from the Colorado Department of Labor and Employment.

Do you still work for Bella Vino, The Hotel Telluride, or have any other sources of employment currently?

Thank you,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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From: Jim Kolnik
Sent: Wednesday, May 29, 2024 1:07 PM
To: Carmen Messina <messinaca@gmail.com>
Cc: Ross Valdez <ross@impactdf.org>
Subject: RE: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

Hi Carmen,

Here is the 2024 table for Ouray County rental maximums. A qualified tenant household may have an Area Median Income (AMI) no more than 120% so I've highlighted the absolute maximum you could ask for rent of the whole house (2 bedroom) at 120% AMI *if* you are approved for a leave of absence. If the tenant household has a lower AMI you would not be able to charge what is highlighted. (For reference, if the tenant becomes qualified and their AMI is 80% the maximum you could charge is \$1,842/month for the whole house).

As we won't know the tenants income until they apply with us for qualification we cannot officially report what the maximum rent will be.

If you intend to rent your property the first step is to apply for a leave of absence/exception. The decision the committee makes on this will determine how we may proceed.

I apologize we can't give a more specific answer on rent, however if you have other questions please let us know.

Regards,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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From: Carmen Messina <messinaca@gmail.com>

Sent: Wednesday, May 29, 2024 12:41 PM

To: Jim Kolnik <jim@impactdf.org>

Subject: Re: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

I'm not answering asking for financial advice. I'm asking what you guys will allow me to rent the house for. You said in your email that I listed the house at 2200 a month for rent, and that was not approved. How am I supposed to find a renter if you won't tell me what the rental price is?

My unemployment claim is stuck in education. It's been denied because I can't get into the workforce center database. They have me as holding an account, but have locked me out. Additionally, there's no workforce center in this county. Trying to navigate the bureaucracy of unemployment and the wetterhorn homes is exceptionally challenging.

On Wed, May 29, 2024, 12:06 PM Jim Kolnik <jim@impactdf.org> wrote:

Hi Carmen,

We are unable to provide financial advice, however we can inform, educate, and answer any questions you have on the deed restrictions guidelines.

We follow the maximum monthly rent established by CHFA that can be located [here](#). These numbers are updated annually and are dependent upon the tenants Area Median Income and number of bedrooms rented. I can not inform what the maximum rent would be until that information is known, however the table is a reference of what maximum rent could be.

Did you receive an email or physical letter confirming your application for unemployment was successfully submitted? If so, please provide. When do you expect to receive a decision?

If you find work outside of the R-2 school district boundaries you would need to apply for and be approved for an exception for this. Exception approvals are not guaranteed. This was disclosed in option number 2 below. All potential options for proceeding have been highlighted in yellow below.

Please reach out if you have other questions.

Regards,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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From: Carmen Messina <messinaca@gmail.com>

Sent: Wednesday, May 29, 2024 11:46 AM

To: Jim Kolnik <jim@impactdf.org>

Subject: Re: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

Hello jim,

I went to the link you provided. I scrolled all the way down to appendix b where it is supposed to list the fair market rent maximum of this house. I then went to the link provided there, and there are no actual numbers. The purchase price of this home was 339k, and my mortgage is 2167 per month. Can you please tell me what the monthly rent allowance is?

In response to your question, I just filed for unemployment. I went 7 weeks without anything. Currently I should be receiving \$500 a week in unemployment, for a total of 2,000 a month, which is less than my mortgage payment of 2167. Not to mention that I need to eat, etc. At this time, my main concern is not my job qualification for this house, but instead not falling behind on monthly payments and sinking myself deeper into a financial hole. Realistically, I will need to explore other work opportunities very soon, and this may involve taking a position outside of ouray county and putting the house up for rent. Please advise.

Thank you,

Carmen

On Wed, May 29, 2024, 11:32 AM Jim Kolnik <jim@impactdf.org> wrote:

Hi Carmen,

Thank you for getting back to me. I'm sorry to hear about your current situation and sincerely hope good news comes your way soon.

In general, if you have any change in your household financial situation we recommend you review the deed restriction guidelines to determine how that may impact your ongoing qualification status. We ask you to keep us, Impact Development Services, aware of any changes as well so we can support and inform you of your options and answer any questions. We can be reached at lottery@impactdf.org or by my contact information below. The deed restriction guidelines and other useful information is posted [here](#).

Are you receiving unemployment benefits while not working? If so, please provide your unemployment award letter. Please provide as much detail about your current income situation so we can help determine if you will need to apply for an exception to the Housing Committee for the

minimum work and/or earned income standard. We unfortunately can make no guarantees of exception approval. The Ridgway Workforce and Housing Committee is composed of city council members and exceptions are decided upon at a public meeting.

There are a couple of different options moving forward:

1. If you receive a local job opportunity within the R2 school district please provide the employment offer letter (with your 1st pay stub when it becomes available to support employment started).
2. If you receive a local job opportunity outside the R2 school district please provide the employment offer letter (with your 1st pay stub when it becomes available to support employment started) and a complete [other exception request form](#) to present to the committee for violation of the work standard.
3. Request an exception for a Leave of Absence – If you wish to work out of state that would be in violation of the primary residence and work standard and would require the committee to approve an exception for leave of absence. If approved, which is not guaranteed, this would allow you to be on leave for up to 2 years and rent your property to a qualified tenant household. More information can be found in the deed restriction guidelines (5.2.4.1).
4. Rent a room to a qualified tenant – to help supplement your income you may rent a room in your property to a qualified tenant household.
5. If any exception(s)/Leave of Absence are not approved by the Housing Committee, or if you so choose, you may also opt to sell the property.

This is a lot of information to digest. If you have any questions please reach out via email or phone call.

Please reply to this email no later than 6/12/2024 in accordance with the original email communication sent 5/22/2024.

Regards,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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<https://link.edgепilot.com/s/30aa807c/MNflc35ArkaqZbcQ7p733w?u=http://www.impactdf.org/>

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From: Carmen Messina <messinaca@gmail.com>

Sent: Wednesday, May 29, 2024 9:41 AM

To: Jim Kolnik <jim@impactdf.org>

Subject: Re: Ridgway Wetterhorn Compliance Check Request due to Notice of Non-Compliance

Hello Jim,

The house was briefly listed for rent for a couple days, and then the listing was removed. I recently lost my job because the company I was working for went out of business. I am currently residing in the home, no potential tenants were even given a tour, nor the option of signing any lease. None of the following accusations are actually valid.

It is quite possible that in the near future I WILL need to consider options for renting the home. At this time, I have been unemployed for 3 months and am severely financially strained. My previous employer began with a typical seasonal closure, which she extended, and then extended again, and finally revealed that she instead decided to close permanently. This has left me in a very compromised position, and I need to return to work immediately. At this time I have an offer of some temporary work out of state, though I am still figuring out the logistics of getting there and finding temporary lodging. I may need to rent the home in the meantime to cover my mortgage payment. I am aware that a potential renter would need to qualify with the housing authority and rent for a minimum of 6 months, and work in Ouray county. This is why the ad was listed on a local site as long term rental. The established price of \$2200/month is my mortgage payment. There was no ill-will intended here to violate the terms of the deed restriction, simply looking for solutions to some unanticipated life events.

Please forward me along any info for how to proceed in the future in regards to potentially renting the home, so I can make sure that my actions are in accordance with your rules.

Thank you,

Carmen Messina

On 5/22/24 14:18, Jim Kolnik wrote:

Good afternoon Carmen,

It has come to our attention that your entire housing unit at 414 Laura Street has been publicly listed for long term rent at \$2,200 per month.

If so, this is not compliant with the Affordable Housing Regulations and Guidelines Ridgway Wetterhorn Homes for the following reasons:

1. No longer occupying (or intending to occupy) your Ridgway Housing unit as your primary residence. (Section 3.1.3 and 5.2.4)
2. Tenant Household has not been qualified by the Housing Authority to occupy the property (Section 7.1.1 and 7.3.4)

3. Maximum rental rate per Housing unit has been established without approval. (Section 7.3.2)

*There may be additional non-compliance reasons if tenants are already occupying your property and/or you are no longer working within the Ridgway R-2 school district that may be found within Section 3 and 7 of the guidelines.

You may be able to apply for a Leave of Absence, however this must be approved by the Housing Authority and last no longer than 2 years. Please refer to Section 5.2.4.1 of the guidelines and reach out if you wish to apply for a leave of absence.

Please reply to this email answering the following as soon as possible, but no later than 6/12/2024:

1. Do you intend to rent or are you already renting your entire Ridgway housing unit? If yes, please advise what date this occurred/will occur and when you intend to reoccupy the Ridgway property as your primary residence.
2. Do you now own improved residential property within 150 miles of 414 Laura, Ridgway, CO 81432.
3. Do you still work and intend to continue working with Star Light Home Health and Bella Vino within the Ridgway R-2 School District boundaries? If not, please advise of your updated employment status.

Please reach out if you have any questions.

Regards,

Jim Kolnik | Eligibility Specialist

Standard Working Hours: 7:30am – 4pm, M-F

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