

## **Policy for Rental of Residential Housing Units**

WHEREAS, the Town of Westport owns various residential units which it desires to rent; and

WHEREAS, it is the intent of the Town of Westport to make its residential housing units available to Town employees and members of the public; and

WHEREAS, in April, 2000, the Board of Selectmen adopted the Policy for Rental of Residential tenants were selected and the housing units rented; and

WHEREAS, the Board of Selectmen wishes to adopt a new Policy for the Rental of Residential Housing Units which will, among other things, incorporate provisions of the two Policies and more accurately reflect the amount of rent to be paid.

NOW THEREFORE, the following Policy for Rental of Residential Housing Units is hereby adopted.

### **Policy**

It is the policy of the Town of Westport to make its residential housing units available to Town employees and members of the public in accordance with the following:

#### **1) Selection of Tenants.** When a vacancy occurs:

1. All full-time Town employees (as defined by the Personnel Department with a minimum of six months service with the Town at the time of submission of a lottery ballot), shall be eligible to submit one ballot for a lottery. All ballots shall be placed in a box and one ballot shall be randomly drawn therefrom. Ballots will continue to be drawn until a qualified person is chosen.
2. If the lottery described in paragraph (1) does not produce a tenant, then regular part-time Town employees (as defined by the Personnel Department with a minimum of 60 days service with the Town at the time of submission of a lottery ballot) shall be eligible to submit one ballot for a lottery conducted in accordance with paragraph 1.
3. If the lottery described in paragraphs (1) and (2) does not produce a tenant, then the residential unit will be advertised for rental to the general public.
4. In determining the eligibility of any tenant, the Town shall perform a standard background and reference check of all prospective tenants.

## 2) Rent

- (a) **General Rule.** For any vacancy that occurs after the Effective Date of this Policy, rent shall be equal to fair market rent.

For purposes of this Policy the term “fair market rent” shall mean the fair market rent established by the Town based upon a fair market rent appraisal, as adjusted annually by the New York-Northern New Jersey-Long Island CPI-U” (“CPI”)

Fair market rent shall be reassessed by the Town every three years by a duly certified real estate appraisal company.

(b) **Exception.**

- (i) Rent for any residential unit that is occupied as of the date of the adoption of this Policy shall be the rent currently being charged to such tenant. With respect to employee tenants, rent will continue to be equal to 30% of household income, provided however, that no such rent shall exceed fair market rent as established. A recertification of income by current employee and retired employee tenants shall continue to be submitted to the Department of Human Services.
- (ii) The Board of Selectmen shall have the authority to make any other adjustments in lease payments as may be necessary or advisable.

- 3) **Taxes.** To the extent the rent charged to an employee tenant is less than fair market rent, the Town will issue a form 1099 and that employee shall be responsible for the payment of all applicable Federal or state income taxes.

## 4) Lease

- (i) Leases are to be maintained for each residential unit at all times in accordance with this Policy. All leases are to be submitted to the Board of Finance for its recommendation and then submitted to the Board of Selectmen for its approval.
- (ii) All leases should be for a period of not more than three years. Any renewal option is solely in the discretion of the Town of Westport. Renewal must be submitted to the Board of Finance for its recommendation and then submitted to the Board of Selectmen for its approval.
- (iii) The leased premises shall be used for residential purposes only
- (iv) At no time may the leased premises be occupied by more than two adult person without the prior, written consent of the First Selectman.

## **5) Management of Properties**

Management responsibilities are to be directed by the Parks and Recreation Department. Management responsibilities include the collection of rental payment, supervision of use of the properties and supervision of maintenance of properties.

## **6) Properties covered by this policy**

Cabin 1  
Longshore Club Park

Cabin 9  
Longshore Club Park

Cabin 10  
Longshore Club Park

Knoll House, Apartments #1, #2, #3  
Longshore Club Park

99 Myrtle Ave

52 Compo Road South

52 B Compo Road South

**7) Effective Date:** This Policy shall become effective November 1, 2013.

**8) Adoption Date:** October 9, 2013.