



Strengthening Community Through Workforce Housing

AGENDA

Hearing & Special Review

February 2, 2021

4:00 PM ONLINE Zoom Meeting (see instructions below)

For Comment on either Hearing,

please reach out to Cindy.christensen@cityofaspen.com by 3:45 PM on 2/2/2020.

ONLINE Zoom Meeting:

START TIME: 4:00 PM

Topic: Special Review

Time: Feb 2, 2021 04:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84346097581?pwd=clFkR3I5YVcvR1dQUU5reVk0aE1yUT09>

Meeting ID: 843 4609 7581

Passcode: 123

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 843 4609 7581

Passcode: 123

Hearing Officer: Mick Ireland

4:00 PM Special Review Request from Taylor and Tania McBride

Petition for appeal of ruling by APCHA

Hearing date

Petitioner's name

Petitioner's signature

Address of affected property

Petitioner is: Applicant

Tenant

Owner

APCHA Representative and title

Petitioner's Attorney and contact information if any.

Petitioner's statement of factual basis and desired disposition including recommended sanctions if any. Attach additional pages as needed.

APCHA Regulations and Deed Restriction Provisions viewed by Petitioner as controlling. Attach additional pages as needed.

Petitioner witnesses and Exhibits, if any. Attach additional pages as needed.

Return completed form to mick@sopris.net

Petition for appeal of ruling by APCHA

Hearing date

Petitioner's name

Address of affected property

Petitioner is: Applicant Tenant Owner

APCHA Representative and title

Respondent's statement of factual basis and desired disposition including recommended sanctions if any. Attach additional pages as needed.

APCHA Regulations and Deed Restriction Provisions viewed by Respondent as controlling. Attach additional pages as needed.

Respondent witnesses and Exhibits, if any. Attach additional pages as needed.

Attachment A

Petitioner is requesting to be in the top priority lottery as having a four-year work history. Petitioners have an employment gap of approximately one- and one-half years due to a medical emergency. The unusual hardship was Tanaia's mother had a potentially life-threatening issue and they felt they had no choice but to move back to Springfield, MO during that time to help with everything. They feel this is consistent with APCA policy and purpose since they have worked in Pitkin County four- and one-half years.

Income and tax returns are consistent and the time away is not disputed by either party. The McBride's were employed in Pitkin County from May 2015 through 2017, in Springfield, MO all of 2018 and half of 2019, and employed in Pitkin County since August 2019 through present. Taylor works at AVH but does not qualify as an Emergency Worker. APCA allows 2 years in ownership units.

If the Hearing Officer decides to rule in the Petitioner's favor, APCA requests that their employment be reduced by the 18 months they were gone and not the standard 12 during the normal 12 month gap.

Attachment B

APCHA Regulations

Part V, Section 2, C(6) Employment/Work History Priority (Page 28)

Price bids at the listed sale price are prioritized according to qualified applicant employment/work history. Applicants with a minimum of four consecutive years of employment/work history receive highest priority. See Table VII for chances.

Part VI, Section 3, F (2) Approved Leave Period (Page 44)

An APCA owner may request a Leave of Absence for up to one year. An owner may request a LOA for a second year, but it is not guaranteed. Under no circumstances will owners receive any appreciation on the sales price of the unit during the second year. At no such time shall a LOA be approved for longer than two years.

Part VI, Section 4 Special Review Procedure (Page 46)

An applicant for a rental or ownership unit, in accordance with Part III, Section 1, may request a Special Review approval for a variance from the strict application of the Regulations, excluding cases involving compliance and enforcement, if the following can be shown:

- Unusual hardship; and
- Consistency with APCA policies and purposes.

A Special Review for a variance from the strict application of these Regulations may be requested if an unusual hardship can be shown, and the variance from the strict application of the Regulations is consistent

with the Housing Program intent and policies. To request a Special Review, a letter must be submitted to the APCHA stating the request, with documentation regarding the unusual hardship. The applicant shall submit any additional information reasonably requested by the APCHA and a Special Review meeting will be scheduled with a Hearing Officer in a timely manner.

The Hearing Officer may grant the request, with or without conditions, if the approval will not cause a substantial detriment to the public good and without substantially impairing the intent and purpose of these Regulations, and if an unusual hardship is shown.

APCHA Operations Handbook

Establishing work history

APCHA Staff will review documentation provided by the potential applicant (W2's, 1099's, tax returns, etc.,) to establish the consecutive full-time work within Pitkin County for the APCHA program. Documentation must prove full-time work of 1500 hours per calendar year, based on the minimum wage X 1500 hours.

The applicant can have a one-year gap in establishing the work history without losing the prior full-time work history; however, a year of time will be subtracted from the total combined work history. Anything greater than a one-year gap will create a new start date for that applicant.

Petition for appeal of ruling by APCHA

Hearing date

Petitioner's name

Address of affected property

Petitioner is: Applicant ve Tenant Owner

APCHA Representative and title

Hearing officers findings of fact and conclusions of applicable regulations.