Owner's Agreement to Set Aside Units for the Department of Mental Health/Department of Mental Retardation and to Create Accessible Units

Revised April 2006

June 1, 2007

Mr. Thomas R. Gleason Executive Director Massachusetts Housing Finance Agency One Beacon Street Boston, MA 02108

RE: Waterford Place Apartments MassHousing No. _____

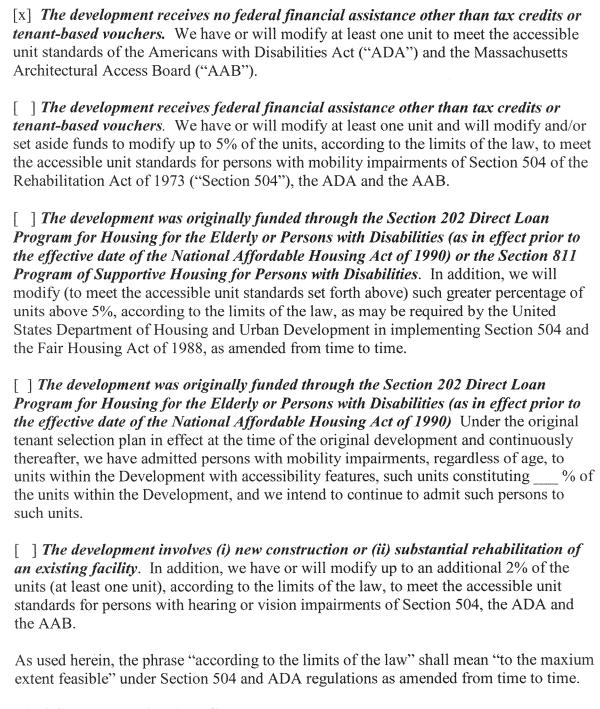
Dear Mr. Gleason:

It is our understanding that the Massachusetts Housing Finance Agency ("MassHousing") has adopted a policy relating to housing the physically and mentally handicapped. As a condition to the above-referenced financing, MassHousing has required that we comply with this policy and that we also comply with all other applicable accessibility requirements. In this regard, we commit ourselves as follows:

1. <u>DMH/DMR Set-Aside</u> [not applicable to Options for Independence or Elder CHOICE developments]

We will set aside 3% of all subsidized units, pro-rated among low-income and moderate units as applicable for residents referred by the Department of Mental Health (DMH) and/or the Department of Mental Retardation (DMR) according to the Interagency Agreement on Massachusetts Housing Finance Agency Set-Asides (Parity Agreement) between DMH and DMR. All such referrals must pass the usual management screening and comply with the elderly eligibility requirements under the Tenant Selection Plan approved for the Project by MassHousing. In return, DMH and DMR have agreed to offer any services necessary to maintain acceptable tenancies and to offer alternative housing should such tenancy fail. (See MassHousing/DMH/DMR/EOHHS Set-Aside Agreement for details.) Should MassHousing determine that DMH or DMR has failed to meet its obligations, MassHousing will suspend or terminate this agreement for the development in question.

2. Accessible Units [check applicable provision(s)]



3. Disability Fair Housing Compliance

We will comply with all applicable federal and state disabilities fair housing laws, including Section 504, the ADA, the Fair Housing Amendments Act of 1988, M.G.L. c. 151B, M.G.L. c. 93, Section 103, Massachusetts Executive Order 246, the rules and regulations of the AAB and any other or subsequent applicable laws and regulations. We further understand that in compliance with the above laws and regulations, we have

obligations to house any eligible applicant who meets screening requirements without regard to disability.

We understand that MassHousing will rely on these commitments in closing the abovereferenced financing transaction.

Sincerely,

CCBA Waterford Place LLC

By: Michael Wong, President

updated: October 2005