

# Ponderosa Resident's Guide

## PART 2

January 27, 2018



**What do you like about your  
community?**

*“We are coming together and supporting  
one another” – Ponderosa Resident,  
October 2017*

**What do you enjoy most about  
Ponderosa?**

*“That it’s a place for living creatively and  
[having] the ability to share” – Ponderosa  
Resident, October 2017*



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# When will appraisals for our trailers be available?

The city is working on ensuring home value estimates are fair and equitable. City staff with expertise in real estate conducted a review of all the homes and determined that each and every home requires its own evaluation. This has led the city to hire a third party, objective professional with experience in valuing manufactured housing. The hiring process and contracting of this professional will take about 6 weeks. The selection process will include a member of the RLC. Once hired, the appraisal process will take about 4 months to complete. We understand this is not desirable but necessary to ensure the determination of fair values of each home.



Resident leading community members on a tour of Ponderosa during the Resilience workshop on Dec. 4, 2017.

# Is the opportunity to own the land and keep our trailers, payments on the land an option?

Ownership of individual lots will not be added as a land tenure option because it will not meet the city set back requirements and minimum lot standards.

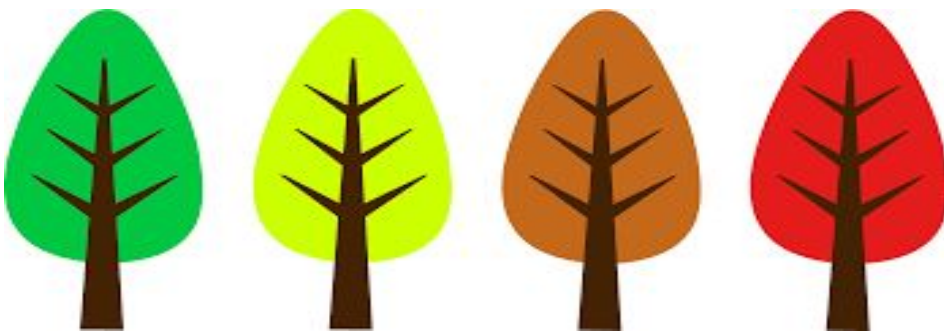


# The city has fought to protect trailer owners' rights against trailer park owner's rights is this different because the city owns the land now?

- The comment that “The city has fought to protect trailer owners’ rights against trailer park owner’s rights” references Ordinance No. 8043, adopted by the City of Boulder July 28, 2015. This Ordinance came into being when a homeowner in Vista Village Mobile Home Park was told by park management that he could not sell his home because it was built prior to 1976, the year HUD (Federal Department of Housing and Urban Development) established standards for manufactured housing. Ordinance No. 8043 disallows park owners from prohibiting the sale of mobile homes built prior to 1976 that are found to be safe and habitable.
- The city is not prohibiting the sale of homes, but it is saying no new leases will be given as result of redevelopment of the land. In the redevelopment of the land some mobile homes may need to be moved, therefore flexibility is required. This is the reason the city does not intend to allow new leases and, as a result, the City will pay market value for any of the mobile homes. Also, it is a possibility for one Ponderosa household to sell their home to another existing Ponderosa household, enabling a home swap.

I want to own the land underneath my trailer.  
Is it legally possible to privately own a lot  
while the rest of the land remains together  
within the community?

- Subdivision would be necessary to create a new lot that could be transferred to you. None of the pads/lots homeowners occupy in Ponderosa would meet the lot standards in BRC 9-12-12. The full list of subdivision standards can be found here: [https://library.municode.com/co/boulder/codes/municipal\\_code?nodeId=TIT9LA\\_USCO\\_CH12SU\\_9-12-12STLOPUIM](https://library.municode.com/co/boulder/codes/municipal_code?nodeId=TIT9LA_USCO_CH12SU_9-12-12STLOPUIM)
- Some examples of barriers to subdivision of individual lots include:
  1. Each lot must have at least 30 feet of frontage on a public street.
  2. No portion of a lot is narrower than 30 feet.
- This would also not conform to the standard lotting patterns in the City.



# Will my heirs (e.g., spouse, partner, children, other) have the right to inherit my home?

## Prior to Annexation (2018-19)

- Prior to Annexation, your rights will be as they were prior to the city's involvement in Ponderosa. Heirs would inherit the home even if they do not currently live in Ponderosa. The individual inheriting the home could either sell or occupy the home. In order to occupy the home, the household inheriting would need to meet the following requirements:
  - No prior felonies;
  - No more than two misdemeanors in the last five years; and
  - No evictions in the past 3 years.

## After Annexation (2020 onward)

- *New Habitat Homes:* The city's affordable housing covenant is written such that if a homeowner chooses to leave their property to someone following their death, that person must occupy the property as their primary residence (and abide by the covenant) or sell the property to an income-eligible buyer through the city's Affordable Homeownership Program.
- *Existing Mobile Homes:* The long-term vision for Ponderosa is full transition to new homes; therefore, in the case of owners of existing mobile homes who remain in their home, upon the death of the last original occupant (occupant as of Aug. 1, 2017, the date of the city's purchase) heirs may inherit the value of the home, but the home will be removed from the community.

Do we have current Ponderosa residents who are Section 8 voucher recipients? If yes, will any of the new houses in Ponderosa be sold to current residents who are Section 8 voucher recipients?

There are no Section 8 voucher recipients at Ponderosa.

Which rules apply until the property is annexed? City or County?

Until Ponderosa is annexed, County rules will apply.





I believe it is required to own the land when you buy a modular house or stick house to get a mortgage - is this correct? I assume this is why it is necessary to form a community land trust.

Homeowners do not need to own the land under their home to qualify for mortgages.

FHA-approved land leases enable resident to qualify for standard mortgage products.

Land leases work if another entity owns the land and residents lease the land. Local examples of land lease communities include Chautauqua and the Poplar neighborhood.

Community land trusts (CLTs) also use land leases. These organizations are nonprofits that own land with the goal of balancing homeowner interests (e.g., right to earn some of the market appreciation, right to inherit, etc.) and community interests (e.g., affordability). The board for a community land trust is called a tripartite board because three types of individuals serve on the board: resident, representatives of broader community interest and housing experts.

Residents would also qualify for mortgages in communities where the land has been condoized (mapped to define private and common areas). These common interest communities have owners' association boards and can accommodate a variety of housing types including single-family homes, townhomes, condos, etc. Owners' associations are common throughout Boulder. For example, most homeowner-occupied homes in the Holiday Neighborhood are common interest communities.

# Will we have Habitat for Humanity homes?

The city intends to partner with Habitat for Humanity to provide home replacement options. Habitat is the only organization with the necessary tools to recreate the affordable homeownership Ponderosa residents currently experience in new, energy efficient homes. These tools include:

- Reduced cost of construction through volunteer labor (blitz builds, sweat equity)
- Energy-efficient construction
- Low or no-interest mortgages
- Experience working with households with income at or below 60% of the Area Median Income.

For homeowners who do not wish to remain in their homes, city staff is exploring the details of enabling existing homeowners to remain in their homes, including methods for ensuring basic safety and grant opportunities for home rehab.



# Do I need to put my spouse on the title?

The CU Law Clinic has offered to provide free, confidential legal advice to Ponderosa residents. Please contact Deborah Cantrell at (303) 492-5289 or [deborah.cantrell@colorado.edu](mailto:deborah.cantrell@colorado.edu) . The CU Law Clinic can advise residents on question such as these.



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We have a few residents who are long standing renters. Will they be protected? Will they be able to choose to stay? Will it be the same house? How is the city going to regard the owner/tenant agreement?

Qualified occupants of Ponderosa Mobile Home Park at the time of the city's purchase on Aug. 1, 2017, are eligible for assistance under the Uniform Relocation Act (URA), should short-term, temporary relocation be necessary or should that person choose to leave the community.

The city's is committed to a path of non-displacement as much as legally possible. In the interest of non-displacement, it is our wish that owners of rented mobile homes will work with their renters/tenants over the next several years, enabling them to remain should they wish to and enabling choice for that individual; however, the city cannot interfere with the decisions of the home owner. If a tenant household is displaced by the decisions of the landlord/owner and wishes to return to Ponderosa, they will be placed on a waitlist and should continue to participate in community engagement activities, and work with the city.

In the long-term, investor ownership will not be allowed to continue at Ponderosa.