RAMSEY COUNTY

BOARD OF COMMISSIONERS

RESOLUTION

Presented By: Commissioner Ortega Date: October 24, 2017 No. B2017-274
Attention: Property Tax, Records and Election Services

WHEREAS, The County Board of Commissioners wishes to clarify and establish policies for the terms of sale related to the sale of tax forfeited property to a governmental subdivision of the state and the sale and disposal of unclaimed personal property from or on tax forfeited property; and

WHEREAS, Incorporating administrative polices for the sale of tax forfeited property into the County's Administrative Code will help the Tax Forfeited Land section of the Department of Property Tax, Records and Election Services act apolitically and equitably in a political environment on decisions about the use and conveyance of tax-forfeited property and also make the terms of sale consistent and transparent; and

WHEREAS, The Minnesota Legislature in 2017 passed legislation, adding provisions to subdivision 2(d) of Minnesota Statutes Section 282.04, which allows the County Auditor to sell unclaimed personal property using a sale method approved by the County Board; and

WHEREAS, An increase in the amount of unclaimed personal property and the nature of the property requires flexible and adaptive methods of sale; and

WHEREAS, Minnesota Statutes section 282.135 allows the County Board to delegate to the County Auditor any authority, power, or responsibility for the administration of tax-forfeited land assigned to the County Board; and

WHEREAS, Proposed modifications to the County's Administrative Code describe the processes that will be followed for the disposal and sale of personal property left in or on tax forfeited property and the Department of Property Tax, Records and Election Services requests that the County Board delegate its authority to the County Auditor to determine the method of sale and disposal of unclaimed personal property to allow for quicker turnaround time and greater flexibility in tailoring the sale method to the type of property being sold and attempting to expand the pool of bidders; and

WHEREAS, In 2013, the County Board established the methodology for the sale price of owner-occupied single family homes or vacant land to be used for affordable housing and required that the government subdivision acquiring the property enforce a deed restriction on the property requiring that it would only be sold to parties qualifying for affordable housing for the next seven years, and now wishes to further clarify the terms of sale and enforcement requirements, to expand the program to allow for development of rental property to be used for affordable housing, to identify the information and project timelines needed for consideration by the County Board, and to clarify what happens in the case of noncompliance; and

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____
Janet M. Guthrie
Chief Clerk – County Board

WHEREAS, the County Board wishes to document the terms of sale and to identify information and project timelines for consideration by the County Board for requested sales of non-conservation tax forfeited property to a government subdivision of the state for market value; and

WHEREAS, in 1999, the County Board established a repurchase policy and now wishes to modify and clarify the terms under which a repurchase will be processed and considered; Now Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners delegates authority the County Auditor to approve the sale or disposal of unclaimed personal property from or on tax-forfeited property; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves the amendments to the Administrative Code Chapter 4: Organization of Departments, Offices and Agencies as follows:

4.57.40 Delegation of Authority

The Director of Property Tax, Records and Election Services has been granted the following delegations of authority by the County Board of Commissioners.

g. The County Auditor is authorized to approve the sale or disposal of unclaimed personal property from or on tax-forfeited property in accordance with Minnesota Statutes Section 282.04, subdivision 2(d), and County policy;

4.57.60 Tax Forfeited Property Administrative Policies
The County Board adopts the following policy provisions for sales or use of tax-forfeited property.

a. Market Value: When the term market value is used in this section, it means an estimate of the full and actual market value of the parcel as determined by the County Assessor using normal established processes of valuing property.

b. Sale of non-conservation property to a government subdivision of the state for less than market value for affordable housing development:

1. If the County Board approves the sale and the property is being developed for affordable housing, it will be sold for 25% of market value plus maintenance costs and recording fees. For consideration by the County Board, a proposal must be submitted identifying the developer, specific plans for development of

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____

Janet M. Guthrie
Chief Clerk – County Board

the site including how affordable housing requirements will be met, and a project timeline that provides for project completion within two years from sale approved by the County. In the case of affordable housing for projects containing four or more units, project completion must be within three years from sale approved by the County. The success or failure of a developer in meeting stated timelines for previous projects in the County will be a consideration for approval of a sale. For the purpose of this section, developer is the party that is: 1) providing or securing funding for the project, 2) taking out building permits and coordinating construction contractors or subcontractors; and 3) selling the resulting building to persons qualifying for affordable housing. A developer may be non-profit or for-profit or any joint venture of two or more entities; and

2. As a condition of the sale, the government subdivision must enter into a memorandum of understanding providing that the government subdivision will place and enforce a deed restriction and/or declaration of restrictive covenant on the property requiring that it will only be sold to parties qualifying for affordable housing for the next seven years. During the seven year period, any subsequent owner is also bound to the same ownership, occupancy and income conditions and restrictions as applied to the original qualifying purchaser. For the purpose of this section, area median incomes are those determined by HUD for the Minneapolis/St. Paul Metropolitan Statistical Area.

   i. In the case of owner occupied single family, duplex or triplex property, a qualified purchaser is a homebuyer who continuously occupies and homesteads the property and whose household income at the time of written application to acquire the property does not exceed 115% of the area median income as adjusted for family size. Duplex or triplex properties may include rental units.

   ii. In the case of rental single family, duplex or triplex property, the purchaser must agree to rent at least 50% of the units to persons or families whose household incomes at the time of their written application to lease the property does not exceed 60% of the area median income as adjusted for family size. The purchaser must also agree not to require rents for those low income units that exceed 30% of 60% of the area median income as adjusted for family size. If in subsequent years, the household income for a family increase to more than 80% of the area median income as adjusted for family size, the purchaser may convert the rent to "Fair Market" rent as established

by HUD. If this conversion occurs, "Fair Market" rent will continue even if the household income subsequently decreases below the 80% threshold. Purchasers that agree to accept Section 8 vouchers are deemed to meet income and rent limit requirements for those housing units for which they accept vouchers. Purchasers must abide by the Fair Housing Act in rental decisions. The purchaser must, at least annually, reexamine the income of each tenant household and report the results to the government subdivision monitoring and enforcing the memorandum of understanding. The purchaser will continue to qualify even if there is temporary noncompliance caused by an increase in incomes of existing tenants as long as all vacancies are filled by qualifying low income renters until the noncompliance is corrected.

iii. In the case of rental housing containing four or more units, the purchaser must agree to rent at least 20% of the units to persons or families whose household incomes at the time of their written application to lease the property does not exceed 60% of the area median income as adjusted for family size. The purchaser must also agree not to require rents for those low income units that exceed 30% of 60% of the area median income as adjusted for family size. If in subsequent years, the household income for a family increases to more than 80% of the area median income as adjusted for family size, the purchaser may convert the rent to "Fair Market" rent as established by HUD. If this conversion occurs, "Fair Market" rent will continue even if the household income subsequently decreases below the 80% threshold. Purchasers that agree to accept Section 8 vouchers are deemed to meet income and rent limit requirements for those housing units for which they accept vouchers. Purchasers must abide by the Fair Housing Act in rental decisions. The income qualification must be satisfied at the time of each application to lease the property. A yearly certification of low-income rental property from the Housing Finance Agency as provided in Minnesota Statutes Section 273.128 is required to be provided to the government subdivision monitoring and enforcing the memorandum of understanding. The purchaser will continue to qualify even if there is temporary noncompliance caused by an increase in incomes of existing tenants as long as all vacancies are filled by qualifying low income renters until the noncompliance is corrected.

iv. The memorandum of understanding will provide that in the case of non-compliance with its terms, the government subdivision responsible for monitoring the associated deed restriction and/or restrictive covenant may

enforce the terms of those documents or alternatively provide that the non-compliant owner is liable for a pro-rated share of the discounted market value provided by the County for its sale of the property and the recaptured benefits are payable to the County within 90 days of notification of non-compliance for deposit into the Tax Forfeited Land Sale Fund. The recapture amount is determined by taking the number of years remaining in the seven year period rounded to the nearest integer divided by seven and this result is multiplied by 75% of the original market value used for determining the discounted market value approved by the County Board for its sale of the property. Examples of non-compliance include but are not limited to: 1) Failure of the government subdivision, developer or future owner to sell the property to a qualifying owner; 2) failure to homestead when required; 3) failure to lease enough units to qualifying renters; or 4) failure to supply the required certification from the Housing Finance Agency.

c. Sale of tax-forfeited property classified as conservation land to a governmental subdivision of the state for less than market value:

1. If the County Board approves the sale, the property will be sold for: 1) the conservation administrative processing fee for each parcel requested, as established in the county's fee schedule; 2) plus actual expenditures for additional services requiring outside resources and expertise such as wetland delineation, property survey or soil testing; 3) plus recording fees. If the result of this sale price determination exceeds the market value of the property, the property will be sold for its market value less $1.

2. As required by statute, a restrictive covenant will be placed on the deed conveying the property limiting the use of the land to one of the statutorily required conservation purposes for 30 years or until the property is reconveyed back to the state in trust. After 30 years, the property can be used for any authorized use granted to the governmental subdivision.

d. Sale of non-conservation property to a government subdivision of the state for market value:

1. Government subdivisions of the state will be notified to tax forfeited property available for acquisition: 1) after forfeiture, through notification of new forfeitures, classification of property as conservation or non-conservation, or a change in the

classification; 2) at least 30 days before an auction list is approved by the County Board through notification of properties to be included in the upcoming auction; or 3) upon request.

2. If a repurchase application has been filed for a tax forfeited property that also has been requested for acquisition by a government subdivision, no action will be taken on the government subdivision request until the repurchase application has been acted on by the County Board.

3. If more than one request for acquisition by a government subdivision for a given tax forfeited property is received, preference will be given to the project deemed to have the greater public good. Public good will be assessed based on proposals following these guiding principles:

    - Develops and maintains a land use pattern that strengthens the vitality, quality, and character of the residential neighborhoods, commercial districts and industrial areas, while protecting the county's natural resources to develop a sustainable pattern for future development.
    - Develops property in a way that accommodates a mix of land uses that is sensitive to the natural environment, economically sustainable and a benefit to the county.
    - Promotes the development, redevelopment and maintenance of a viable, innovative and diverse business environment that serves Ramsey County and the metropolitan area.
    - Develops and maintains a strong, vital, diverse and stable housing supply for all members of the county.
    - Enhances the health, safety and well-being of all who live, work and play in the County.
    - Creates a comprehensive, maintained and interconnected system of parks, pathways and open spaces, as well as a balanced program of recreational activities for residents of all ages, incomes and abilities.
    - Preserves, protects and restores the county's natural resources, including open spaces, lakes, wetlands other significant natural features, and historic resources.

4. If the County Board approves the sale, the property will be sold for the market value defined in 4.57.60 (a) plus any recording fees. If the government

subdivision requested that the property be withheld from sale, the government subdivision must also pay any maintenance costs incurred by the County during the withholding period as described in 4.57.60 (d)(5).

5. Following forfeiture, the county is committed to making each property secure, safe and healthy so that it is not a hazard to public health or safety. That effort requires the expenditure of funds by the county from the time the property forfeits and its needs are assessed. Funds expended by the county for this maintenance before a hold request is made are not part of what can be passed on to the government subdivision upon its purchase of the property.

   A hold request occurs when the government subdivision resolution is delivered to the county and the six month hold period begins. After a request to hold the property from public sale is made by the government subdivision, any costs incurred by the county to maintain the property in a safe and clean condition until the sale is completed will be added to the purchase price.

   Some properties necessarily require extensive clean-up costs. For those properties the county will attempt to let the government subdivision know that this is the case. When the application to purchase the property is submitted or, for those properties requested without an application, when the government subdivision requests the "purchase price" of a tax forfeit property prior to approval by the requesting governing body, the county will let the government subdivision know what maintenance costs have been incurred during the hold period to that time. The purchase price and maintenance costs incurred to that point in time must be submitted to the county by the government subdivision with the application.

   Before the county files the deed of conveyance, county staff will notify the government subdivision of any additional maintenance costs that were incurred by the county that must be paid by the government subdivision, and upon receipt of this information, the government subdivision is free to not consummate the sale. In the case the government subdivision elects not to go forward with the purchase, the county will return the purchase price and maintenance costs previously paid to the government subdivision and the county is free to offer the property for sale to another buyer.

6. Nonconservation tax-forfeited lands may be sold by the county board to a governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____

Janet M. Guthrie
Chief Clerk – County Board

i. If the property is being requested for development or redevelopment purposes, a proposal must be submitted for consideration by the County Board identifying the developer, specific plans for development of the site, and a project timeline that provides for project completion within two years from sale approved by the County. If a developer can provide good reason as why additional time is needed for a successful development, upon request of the government subdivision, an additional two years may be allowed by the County Board for project completion. The success or failure of a developer in meeting stated timelines for previous projects in the County will be a consideration for approval of a sale.

ii. If the property is being requested for site assembly purposes, a proposal must be submitted for consideration by the County Board showing that this property is part of a defined project adopted by the requesting government subdivision, is appropriately zoned and part of the comprehensive plan, and has expected site assembly completed within three years from sale approved by the County.

e. Sale or disposal of unclaimed personal property:

1. As part of the initial review of newly forfeited property, tax forfeited land staff will identify property left in or on tax forfeited property to determine the proper method of disposal:

i. Municipal solid waste (trash) will be sent to a solid waste disposal facility utilizing Ramsey County master contracts established to handle solid waste disposal.
ii. Recyclables will be recycled including tires, electronic waste such as outdated computer equipment, appliances, and mattresses.
iii. Household hazardous waste will be taken to a Ramsey County household hazardous waste disposal site.
iv. Items that can be used for tax forfeited land operations such as lawnmowers, snow removal equipment and tools may be used for those purposes.
v. Items that can be reused for 4R projects such as building supplies, architectural salvage, or furniture repurposed for staging at open houses may be used for those purposes.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____
Janet M. Guthrie
Chief Clerk – County Board

vi. Cash or small valuables will be catalogued and taken to the County Treasurer's office for receipt or storage.

vii. For personal property of some value, the items will be catalogued and a decision made to store the property on-site or to transport it to another site for storage.

2. The County Auditor will make reasonable efforts to provide at least 28 days' notice of the sale or disposal to the former owner, taxpayer, and any occupants at the time of forfeiture.

3. As needed, the County Auditor will determine the best method to auction off unclaimed personal property and make such arrangements as necessary to conduct the auction, as provided by Minnesota Statutes and county policy.

4. Any items offered at auction for which no bids are received will be held for a future auction, donated to a charitable organization, recycled, or sent to waste disposal as deemed appropriate by the County Auditor. For donations to charitable organizations, preference will be given to those organizations that give away rather than resell items received.

5. Proceeds of any sale are deposited in the Tax Forfeited Land Sale Fund for distribution as provided for other tax forfeited property revenues.

f. Repurchases

1. The owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement may file an application to repurchase a tax-forfeited property unless that property has already been sold. Those eligible to repurchase will be informed of the option in post-forfeiture conversations or property inspections, procedures posted on the County website, or upon request.

2. Applications for repurchase of homestead property at the time of forfeiture are timely if received prior to sale of the property. In the case of properties being sold at auction, the application must be received by 4:30 p.m. the day before the auction. For all other types of property, the application must be received within six months from the date of forfeiture and before the property has been sold.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____
Janet M. Guthrie
Chief Clerk – County Board

3. To approve the repurchase, the County Board must find that by repurchase undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting the repurchase will promote the use of lands that will be serve the public interest.

4. The cost of repurchase is the sum of all delinquent taxes and assessments along with associated penalties, interest and costs, that accrued or would have accrued if the parcel had not forfeited to the state. The repurchase cost also includes all maintenance costs incurred by the county during the time the property was in forfeiture.

5. In the case of property classified as conservation property, the application must be received at least one week before sale and the purchase price is the greater of the market value of the property or the amount determined in clause 4.

6. Repurchases, if approved, will be allowed payment terms as follows:

i. Except as provided in clause iii. below, repurchasers of property classified as homestead at the time of forfeiture will be allowed installment payments calculated pursuant to Minnesota Statutes Section 282.261, subdivision 1.

ii. Except as provided in clause iii. below, repurchasers of all other types of real property will be allowed installment payments calculated pursuant to Minnesota Statutes Section 282.261, subdivision 3.

iii. If the County Board has good cause to believe that a repurchase installment payment plan for a particular parcel is unnecessary and not in the public interest, the Count Board may require that the entire purchase price be paid in full as a condition of the repurchase. If the applicant has had repurchase contracts on the same or other properties which were canceled or, if a current contract is in arrears and cancellation is pending, the repurchase will require payment in full. Properties being repurchased by mortgage companies or banks will also require payment in full. If the County Board finds that the property must be sold to a third party as a condition of the repurchase, payment of the repurchase amount must be in full.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____

Janet M. Guthrie
Chief Clerk – County Board

7. The affected city will be notified of the pending repurchase at least three weeks before County Board action to consider the request to allow the city to provide comments or concerns about the repurchase, if any.

8. Factors to be considered as to whether a repurchase should be approved or approved with special conditions includes, but are not limited to, the following: 1) the record of police calls and code violations over the last five years; 2) the interior and exterior condition of the property include damage or neglect; 3) evidence of health issues or safety concerns for the occupants including gross and unsanitary conditions, infestations, pet neglect, or hoarding; and 4) evidence of health issues or safety concerns to the general public or the neighborhood. Repurchases will be denied in circumstances where there is a history of willful or flagrant disregard (as opposed to an inability to perform due to financial or mental illness reasons) of city requests to correct or remedy conditions that create public safety risks for the community. A history of serious police calls reflecting a danger to the community if caused, allowed or facilitated by the repurchaser may also be a cause for denial.

9. The following general conditions will be applied to all repurchases involving tax forfeited property with a structure:

i. Insurance requirement – If the property is being repurchased on a payment contract, the repurchaser must provide proof of insurance in an amount equal to the market value of the structure and must have Ramsey County listed as additional insured on the policy.

ii. Code compliance requirement – If the structure has been condemned, classified as a category II or III vacant building, or identified by staff as having property damage or deferred maintenance that needs to be corrected, a condition of the repurchase contract will require the property to be brought up to code within 12 months. A city approved certificate of code compliance or certificate of occupancy (as appropriate) will be the evidence that this requirement has been met. If progress is being made in addressing code compliance issues and the city allows additional time to complete code compliance, the County Auditor may, upon application, extend the time allowed for this activity beyond 12 months.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____
Janet M. Guthrie
Chief Clerk – County Board

iii. Payment of current property taxes – This condition applies to property with or without a structure. If the property is being repurchased under a payment contract, current property taxes must be paid before they become delinquent.

iv. Failure to comply with clauses i., ii. or iii. will be considered a default of the contract and the contract shall be subject to cancellation as provided in Minnesota Statutes Section 559.21.

10. The following special conditions may be applied:

i. If there is evidence to indicate that a repurchaser is a vulnerable adult that may need assistance in complying with a contract or caring for a property, the repurchase may be approved under the condition that a representative payee, court appointed conservator or guardian, as appropriate, be provided to assist in handling affairs for the repurchaser.

ii. If a repurchaser has demonstrated an inability to address property damage, health issues or safety concerns, and/or has a significant history of police calls or code violations, the repurchaser may be required to sell the property in an arm's length transaction to a third party as a condition of the repurchase. This may allow the repurchaser to recoup equity in the property while removing the deleterious effects on the property and/or the neighborhood.

iii. A repurchaser may be required to attend financial counseling or a homeownership class as a condition of remaining in the home.

11. The County Auditor may choose to make repairs to a structure with a pending repurchase to protect the asset, reduce liability to the County during occupancy, to address city condemnation or orders to repair, or to correct deficiencies on a property subject to a certificate of occupancy. Costs incurred will be added to the repurchase price.

12. If a repurchase contact has been cancelled and the property has not been sold to a third party, the repurchaser may request reinstatement of the contract and the County may approve the request.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: _____

Janet M. Guthrie
Chief Clerk – County Board

g. The County Board has delegated its authority on sales to adjoining owners to the County Auditor and has also clarified under what conditions the County Auditor can use this authority. Specifically, the County Board delegation provides:

1. The sale will be conducted by sealed bids or an alternate method determined by the County Auditor;
2. The sale will be restricted to owners of land adjoining or adjacent to the tax forfeited property to be sold;
3. All owners of adjoining or adjacent properties shall be given a written notice at least 30 days prior to the sale;
4. The land shall be sold to the highest bidder, but in no event shall the land be sold for less than its appraised value;
5. The County Commissioner of the District containing the tax forfeited land to be sold will be notified at the same time that adjoining and adjacent land owners are notified; and
6. If the highest bidder is the former owner, and/or his or her agent, approval of the sale shall be brought to the County Board of Commissioners for approval;

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes and directs the Chief Clerk to amend the Administrative Code to reflect the approved amendments.

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Blake Huffman	X		
Jim McDonough	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Janice Rettman		X	
Victoria Reinhardt	X		

Victoria Reinhardt, Chair

By: Janet M. Guthrie

Janet M. Guthrie
Chief Clerk – County Board

RAMSEY COUNTY

BOARD OF COMMISSIONERS

RESOLUTION

Presented by: Commissioner Ortega Date: August 20, 2019 No. B2019-202
Attention: Property Tax, Records and Election Services

WHEREAS, The County Board of Commissioners wishes to modify policies for the terms of sale of tax forfeited property to a governmental subdivision of the state at a rate less than market value for affordable housing development that are contained in the Ramsey County Administrative Code; and

WHEREAS, While the current maximum qualifying threshold for owner occupied housing of 115% of area median household income for a family of four, corresponding to medium income households, meets federal and state requirements for owner occupied affordable housing development, the County recognizes the housing shortage for low income households at 80% of area median income and below, and to be consistent with County housing goals, the County wishes to lower the threshold to 80% of area median income for this purpose; and

WHEREAS, This threshold change is not expected to significantly impact the number of affordable housing projects that developers will be willing to develop under the program; and

WHEREAS, The inclusion of repayment provisions contained in the 2017 modifications of the policy had the unintended consequence of limiting mortgage lenders' willingness to issue mortgages for properties acquired under the program and the County wishes to remove disincentives to issuing mortgages; Now Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves amendments to the Ramsey County Administrative Code, section 4.57.60 Tax Forfeited Property Administrative Policies, clause b. Sale of non-conservation property to a government subdivision of the state for less than market value for affordable housing development as follows:

a. In clause 2.i., replace 115% with 80% of the area median income as the maximum household income needed to qualify for the discounted sale price for owner occupied affordable housing development; and
b. Add the following language to clause 2.iv. to address concerns raised by developers and the mortgage industry: "The affordability restrictions of any deed restrictions and/or restrictive covenants as well as provisions to recapture benefits described in this section will terminate upon occurrence of any of the following events: foreclosure, transfer in lieu of foreclosure, or assignment of an FHA insured mortgage to HUD or to a conventional mortgage lender."

And Be It Further

RESOLVED, The Ramsey County Board of Commissioners directs the Chief Clerk to amend the Administrative Code to reflect the approved amendments

Ramsey County Board of Commissioners

	YEA	NAY	OTHER
Toni Carter	X		
Trista MatasCastillo	X		
Mary Jo McGuire	X		
Rafael Ortega	X		
Victoria Reinhardt	X		
Jim McDonough	X		

Jim McDonough, Chair

By: Janet M. Guthrie
Janet M. Guthrie
Chief Clerk – County Board