

# Legal Assistance Resource Center

## ◆ of Connecticut, Inc. ◆

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### Common Myths about the Affordable Housing Appeals Procedure

February 1, 2008

**Myth:** The act has been substantially unchanged since its original adoption in 1989.

**Fact:** A Blue Ribbon Commission on Affordable Housing was created in 1999 to review the act and produced extensive recommendations, which were adopted by the General Assembly in 2000. Those changes addressed numerous municipal concerns. In particular, they significantly increased the affordability requirements of housing built under the act, expanded the information available to towns, clarified the mechanisms to enforce affordability, and authorized moratoriums from the act for towns in which substantial affordable housing had been built. Criticisms based on pre-2000 applications should not be assumed to still apply to post-2000 applications.

**Myth:** The act requires towns to have 10% of their housing units affordable.

**Fact:** There is no such requirement. The 10% exemption from the act, which was borrowed from Massachusetts' version of this statute, is a way to exempt towns which already have a large amount of government-assisted or deed-restricted housing. There is no obligation of any town to reach the 10% level and no state goal expecting towns to do so. It is instead merely a mechanism to determine which towns are subject to the act.

**Myth:** Towns that are well below the 10% exemption are locked into the act forever and can never get out.

**Fact:** The 2000 amendments, as subsequently modified, allow towns with a high level of affordable housing construction to obtain a four-year moratorium from applications under the act. The moratorium is based on "housing unit-equivalent points" which gives bonuses for rental housing and for housing targeted to households below 60% of median income, so that many units will count for more than one point. A town, no matter how far below the 10% exemption, can get a moratorium by earning housing unit-equivalent points equal to 2% of its housing stock.

**Myth:** The units built under the act are not affordable.

**Fact:** The 2000 amendments increased the affordability requirements to assure that developments built under the act will always have a substantial number of units that are priced well below the typical units in the town's housing market and will be guaranteed affordable for an extended period of time. In an 8-30g set-aside development, at least 30% of the units must be deed-restricted for at least 40 years. Half of those units must be for households below 60% of median income. The cost of rental units cannot exceed a formula based on Section 8 fair market rents. The cost of ownership units must be based on realistic estimates of interest rates and the cost of insurance, taxes, heat, and utilities. Under these formulas, two-bedroom units targeted for households below 60% of median income (at least 15% of the development) must generally rent for less than about \$1,000 per month including

heat and utilities or sell for less than about \$125,000. For comparison, last year the median single-family unit in Easton sold for more than \$750,000 and in Trumbull for almost \$450,000.

**Myth: Hardly any affordable housing units have been built under the act.**

**Fact:** A 2006 analysis of construction under the act estimated that at least 3,300 affordable units have been built. In addition, there is reason to believe that many other affordable units have been approved by municipalities because of the existence of the act.

**Myth: The Affordable Housing Appeals Procedure is not adequate as an affordable housing policy for the Connecticut.**

**Fact:** The act was never intended to substitute for a state housing policy. It is one very essential piece of a policy, but it is not supposed to be the whole policy. At the time it was adopted, the state created two new municipal incentive programs – the Connecticut Housing Partnership and the Region Fair Housing Compact program – both of which came with financial incentives to participating towns. The state was also at that time bonding more than \$100 million per year for grants and reduced-rate loans to promote affordable housing development. The funding for all of those programs has disappeared or been radically reduced, and the two incentive programs have been dormant for years. The act is most effective when it is used in conjunction with state programming that encourages towns to act voluntarily.

**Myth: The only people who use the act are for-profit developers.**

**Fact:** The act is available to both non-profit and for-profit developers. The first case under 8-30g to reach the Supreme Court was brought by a local interfaith non-profit in West Hartford. The reduction in the 1990's of the state's financial commitment to affordable housing has been the principal factor which has limited more active application by the non-profit community.

**Myth: Developers who take appeals under the act always win.**

**Fact:** Taking an appeal is far from an automatic win for an applicant. Towns have won about one-third of appeals. The record is clear that, when a town shows strong reasons for a denial, it usually wins the appeal.

**Myth: The act unfairly counts only government-assisted and deed-restricted units as affordable.**

**Fact:** The 10% count of units to determine exemption from the act does not purport to be a count of all housing units in the town that are "affordable." It is a count of government-assisted and deed-restricted units. In virtually every town, 10% of the housing is affordable. Apart from practical problems in determining the affordability of market-rate units (affordability determinations require information as to both the cost of the housing and the income of the occupants), the inclusion of market-rate units would require a substantially different percentage to be used for the exemption – probably in the 80% range. The fact is that the 10% exemption reasonably identifies those towns in which application of the act is unnecessary. There are now 31 towns which are exempt from the act.

**Myth:** The act allows developers to use the threat of the act to get other concessions from zoning commissions.

**Fact:** The 2000 amendments have converted such threats to little more than posturing. The enhanced affordability requirements established in 2000, which now require a significant internal subsidy between the market-rate and the deed-restricted units, have the practical effect of limiting the profitability of an 8-30g development. Developers who are not serious about producing affordable housing are not likely to find its development sufficiently attractive financially. A town which thinks it is being leveraged should simply tell the developer to build affordable housing and not allow the threat of affordable housing (which is a benefit to the town, not a harm) to lead the town to approve some other kind of development which it does not want.

**Myth:** Zoning arises from a town's home rule powers.

**Fact:** The court cases are clear that all zoning power is vested in the state, not in the towns. Zoning is delegated to towns under strict limitations, many of which are contained in the Zoning Enabling Act (Section 8-2 of the General Statutes). For example, under Section 8-2, zoning ordinances are required to promote economic diversity in housing, including housing for both low and moderate income households, are required to encourage opportunities for multi-family dwellings, and are required to encourage such opportunities for residents of the region in which the town is located and not merely for residents of the town. Even before the Affordable Housing Appeals Procedure was adopted, the Connecticut Supreme Court had already ruled that it is illegal for towns to use their zoning powers to exclude low-cost housing. Section 8-30g is one mechanism for implementing the mandatory requirements of zoning contained in Section 8-2 but often ignored by the towns.

– Prepared by Raphael L. Podolsky

## Mandatory affordability of 8-30g deed-restricted units -- 2007

-- Prepared by Raphael L. Podolsky, Dec. 3, 2007

### Maximum 8-30g monthly apartment rent (including heat and utilities)

	<u>60% (15% of units)</u>		<u>80% (15% of units)</u>	
	<u>2-BR</u>	<u>3-BR</u>	<u>2-BR</u>	<u>3-BR</u>
Waterbury	\$ 830	\$959	\$1107	\$1239
New London-Norwich	\$ 926	\$1133	\$1342	\$1359
New Haven-Meriden	\$1009	\$1166	\$1346	\$1555
Bridgeport	\$1039	\$1201	\$1386	\$1601
Hartford	\$ 985	\$1244	\$1419	\$1659
Danbury	\$1077	\$1244	\$1436	\$1659
Stanford-Norwalk	\$1077	\$1244	\$1436	\$1659

### Estimated maximum 8-30g sales price for ownership units<sup>1</sup>

	<u>60% (15% of units)</u>		<u>80% (15% of units)</u>	
	<u>2-BR</u>	<u>3-BR</u>	<u>2-BR</u>	<u>3-BR</u>
Waterbury	\$ 76,175	\$ 81,654	\$128,195	\$141,767
New London-Norwich	\$109,417	\$120,068	\$172,519	\$192,985
New Haven-Meriden	\$109,925	\$120,654	\$173,195	\$193,767
Bridgeport	\$115,508	\$127,105	\$180,639	\$202,368
Hartford	\$122,613	\$135,316	\$190,113	\$213,316
Danbury	\$122,613	\$135,316	\$190,113	\$213,316
Stanford-Norwalk	\$122,613	\$135,316	\$190,113	\$213,316

### Median single-family home sales prices (including condos) for selected towns

*Source: The Warren Group (<http://rers.thewarrengroup.com>) -- January-October 2007*

Greenwich	\$1,555,000	Easton	\$ 755,000	Trumbull	\$ 442,000
New Canaan	\$1,450,000	Ridgefield	\$ 700,000	Orange	\$ 410,250
Darien	\$1,306,250	Fairfield	\$ 580,000	Avon	\$ 408,450
Weston	\$ 936,250	Madison	\$ 505,562	Guilford	\$ 385,000
Wilton	\$ 860,000	Woodbridge	\$ 451,500		

### Median income by region (lower of area or statewide median for family of four)

	<u>60%</u>	<u>80%</u>	<u>100%</u>
Waterbury	\$36,900	\$49,200	\$ 61,500
New London-Norwich	\$44,760	\$59,680	\$ 74,600
New Haven-Meriden	\$44,880	\$59,840	\$ 74,800
Bridgeport	\$46,200	\$61,600	\$ 77,000
Hartford	\$47,880	\$63,840	\$ 80,300
Danbury	\$47,880	\$63,840	\$100,000
Stamford-Norwalk	\$47,880	\$63,840	\$111,000

<sup>1</sup>The estimated sales price assumes a 20% downpayment; a 30-year 7% mortgage; and taxes, insurance, heat, and utility costs of \$425 per month for a 2-bedroom unit and \$525 per month for a three-bedroom unit. If the interest rate, taxes, or insurance is higher, or if the downpayment is lower, the maximum sales price will be lower.

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## A Brief Summary of the Affordable Housing Appeals Procedure February 1, 2008

### What is the Affordable Housing Appeals Procedure?

It is an anti-exclusionary zoning statute designed to promote the construction of low- and moderate-income housing in suburban and outlying towns. It is sometimes referred to as the "Affordable Housing Land Use Appeals Act" and is also known by its statutory citation of Section 8-30g. It was adopted in 1989 upon the recommendation of the Blue Ribbon Commission on Housing and was revised in 2000 in accordance with the recommendations of a second study commission, known as the Blue Ribbon Commission on Affordable Housing. The act is a "builder's remedy," in that it ordinarily comes into play only when someone proposes to build a specific housing development and the local zoning or planning commission either rejects the application or imposes conditions which make the deed-restricted units uneconomic.

### How does the act change zoning law?

It operates by changing the burden of proof on a zoning appeal, if the housing proposed to be built satisfies the affordability standards of the act. In general, the burden is an appeal from a zoning or planning commission is on the applicant to show that the commission has acted illegally or arbitrarily. In cases to which the Affordable Housing Appeals Procedure applies, the burden of proof is shifted to the commission to show four things:

- That the commission's decision is supported by sufficient evidence in the record;
- That the decision is necessary to protect substantial public interests in health, safety, or other matters which the commission may legally consider;
- That those public interests clearly outweigh the need for affordable housing, and
- That those public interests cannot be protected by reasonable changes to the proposed development.

If the commission offers such changes, the act permits the developer to submit a revised plan responding to those changes.

It thus follows from the act that the mere fact that the proposal fails to comply with the zone is not a sufficient basis to sustain a denial under the act. Otherwise a town could simply use density limits in its zoning ordinances to exclude entirely or to limit the ability to create low-cost housing in the town. The act instead requires the commission to show why the public interests which underlie the zone clearly outweigh the need for affordable housing.

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### To what towns does the act apply?

The act excludes towns in which an exceptionally large percentage of the dwelling units are either government-assisted or deed-restricted. The percentage used is 10% of the town's dwelling units, a percentage which was taken from a similar Massachusetts law. The practical effect is to exclude from the act approximately 30 towns which are most heavily impacted by government-assisted housing. The 10% threshold is neither a goal nor a mandate – it simply determines which towns are subject to the act and which are not. The Department of Economic and Community Development prepares the exempt list annually. The most recent list exempts 32 towns. In addition, since 2000 the act has had a provision by which non-exempt towns in which a substantial amount of qualifying housing has been built in recent years can obtain a four-year moratorium from application of the act. The moratorium formula gives extra weight to rental housing and to housing targeted to families with relatively lower incomes (e.g., under 60% of median income rather than under 80% of median income). At present, Trumbull is the only town with a moratorium, although Farmington has an application pending.

### Who is eligible to use the act?

The act may be used by either non-profit developers or for-profit developers. The proposed development must be either "assisted housing" or a "set-aside development." "Assisted housing" is a development that is built using state, federal, or local governmental assistance. Most developments built by non-profit developers are assisted housing. Developments may also use federal low-income tax credits, the CHFA housing tax credit program, or other governmental assistance programs which are open to for-profit developers. A "set-aside development" is one in which a certain percentage of the units is deed-restricted to assure their affordability. Because no governmental assistance is involved, the market rate units must be priced so as to provide an internal subsidy to the deed-restricted units. Since the act was first adopted, the affordability requirements have been tightened. At present, for a proposed development to meet the act's deed restriction requirements, the following conditions must be met:

- At least 15% of the units must be restricted to households with incomes below 60% of state median income (or area median income, if that is lower).
- An additional 15% of the units must be restricted to households with incomes below 80% of state median income (or area median income, if that is lower). In other words, at least 30% of the units in the development must be deed-restricted.
- The restrictions must last for at least 40 years.

The deed-restricted units must be priced so that the total housing cost for the occupants, including utilities, will not exceed 30% of the income reflected in the appropriate category. If the deed-restricted units are rental units, their price may also not exceed 100% of the Section 8 fair market rent (for 60% units) or 120% of the Section 8 fair market rent (for 80% units).

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## Summary of major changes made to Affordable Housing Appeals Procedure by P.A. 00-206

February 1, 2008

In 1999, the General Assembly created a broad-based Blue Ribbon Commission on Affordable Housing, which reviewed the Affordable Housing Appeals Procedure (C.G.S. 8-30g) and presented a package of recommendations to the General Assembly, most of which were adopted as part of P.A. 00-206. They resulted in significant changes in the act which were supported both by housing advocates and by municipalities. The three major changes were:

- Greater affordability of deed-restricted units: P.A. 00-206 significantly tightens the affordability standards which a developer must meet to use C.G.S. 8-30g. This was win-win, because it reduces the number of C.G.S. 8-30g applications (they are down by about 50%) but assures that the ones which are submitted will provide housing of greater affordability. In particular, the act:
  - Raises the percentage of units which must be deed-restricted from 25% to 30% of all units.
  - Raises the proportion of the deed-restricted units which must be for households with incomes below 60% of median from 10% of all units to 15% of all units, i.e., to half of the deed-restricted units. The remaining deed-restricted units must serve households below 80% of median income.
  - Increases the duration of the affordability restrictions from 30 years to 40 years.
  - Restricts maximum rents for below-60% units to 100% of the Section 8 fair market rents (FMRs) and for below-80% units to 120% of the Section 8 FMRs. This results in significant lowering of maximum rents in most of the state, as compared with the pre-2000 statute.
  - Restricts maximum sales prices for deed-restricted ownership units by requiring DECD to set a maximum down payment (DECD set that maximum at 20% of the purchase price).
- Greater information to the towns: P.A. 00-206 allows towns to require more information from developers in the application process. In particular, it requires the developer to provide a detailed affordability plan, including draft zoning regulations, deed restrictions, marketing plans, construction sequences, etc. It requires the developer to designate an entity to enforce the affordability restrictions. It allows towns to require a conceptual site plan. It clarifies the town's authority to use its zoning enforcement powers to assure that an affordability plan is complied with.

- Moratorium on applications: P.A. 00-206 allows towns in which a substantial amount of qualifying affordable housing is built to receive a three-year (subsequently amended to four-year) moratorium from applications under the act. A moratorium requires "housing equivalent-points" equal to 2% of the town's housing stock since the effective date of C.G.S. 8-30g in 1990. Cumulative bonus points are given for rental housing (an extra half point) and for units targeted to below-60% households (an extra half point), so the number of affordable units produced can equal less than 2% of the town's units. Fractional bonus points are given for the market-rate units in an affordable housing development. Because a moratorium is attainable, the act encourages towns to be proactive and to seek affordable housing development which maximizes the number of points received, as has in fact been done in Trumbull. At present, Trumbull is the only town with a moratorium.

– Prepared by Raphael L. Podolsky

Excerpts from

# **Connecticut Zoning Enabling Act**

Connecticut General Statutes Section 8-2  
Current through January 1, 2008

Such regulations [zoning regulations] shall also encourage the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a. Such regulations shall also promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and shall encourage the development of housing which will meet the housing needs identified in the housing plan prepared pursuant to section 8-37t [state Five-Year Housing Plan] and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26.

Based on the 2007 Affordable Housing Appeals List, 31 communities are exempt from the Affordable Housing Land Use Appeals Procedure under C.G.S. Section 8-30g. In addition, as a convenience, DECD also makes available a list of those towns that do not have 10% of their housing designated affordable and thus are not exempt from the Affordable Housing Appeals Procedure.

2007 Affordable Housing Appeals List - Exempt Municipalities							
	Town	2000 Census Housing Units	Governmentally Assisted Units	CHFA Mortgages	Deed Restricted Units	Total Assisted Units	Percent
1	Ansonia	7,937	1,064	97	9	1,170	14.74%
2	Bloomfield	8,195	693	245	0	938	11.45%
3	Bridgeport	54,367	8,584	885	4	9,473	17.42%
4	Bristol	26,125	2,509	998	6	3,513	13.45%
5	Brooklyn	2,708	225	48	0	273	10.08%
6	Danbury	28,519	2,472	278	180	2,930	10.27%
7	Derby	5,568	557	58	0	615	11.05%
8	East Hartford	21,273	2,373	805	0	3,178	14.94%
9	East Windsor	4,356	598	87	14	699	16.05%
10	Enfield	17,043	1,572	491	7	2,070	12.15%
11	Groton	16,817	3,303	295	9	3,607	21.45%
12	Hartford	50,644	16,095	1,449	0	17,544	34.64%
13	Killingly	6,909	550	234	0	784	11.35%
14	Manchester	24,256	2,835	795	44	3,674	15.15%
15	Mansfield	5,481	572	77	0	649	11.84%
16	Meriden	24,631	2,575	1,016	4	3,595	14.60%
17	Middletown	19,697	2,801	575	0	3,376	17.14%
18	New Britain	31,164	4,338	1,150	3	5,491	17.62%
19	New Haven	52,941	14,258	1,076	477	15,811	29.87%
20	New London	11,560	1,989	363	24	2,376	20.55%
21	Norwalk	33,753	2,965	250	503	3,718	11.01%
22	Norwich	16,600	2,778	472	0	3,250	19.58%
23	Plainfield	5,676	669	251	0	920	16.21%
24	Putnam	3,955	450	99	0	549	13.88%
25	Stamford	47,317	5,015	265	1,121	6,401	13.53%
26	Torrington	16,147	1,203	617	17	1,837	11.38%
27	Vernon	12,867	1,846	332	25	2,203	17.12%
28	Waterbury	46,827	7,000	2,352	436	9,788	20.90%
29	West Haven	22,336	2,329	398	0	2,727	12.21%
30	Winchester	4,922	490	124	0	614	12.47%
31	Windham	8,926	2,053	391	0	2,444	27.38%
<b>Total Exempt Municipalities</b>		<b>639,517</b>	<b>96,761</b>	<b>16,573</b>	<b>2,883</b>	<b>116,217</b>	

Source: DECD, COPS

**2007 Affordable Housing Appeals List - Non-Exempt Municipalities**

<b>Town</b>	<b>2000 Census Housing Units</b>	<b>Governmentally Assisted<sup>1</sup> Units</b>	<b>CHFA Mortgages</b>	<b>Deed Restricted Units</b>	<b>Total Assisted Units</b>	<b>Percent</b>
Andover	1,198	26	19	0	45	3.76%
Ashford	1,699	36	38	0	74	4.36%
Avon	6,480	143	27	0	170	2.62%
Barkhamsted	1,436	0	13	0	13	0.91%
Beacon Falls	2,104	5	23	0	28	1.33%
Berlin	6,955	400	68	6	474	6.82%
Bethany	1,792	0	3	0	3	0.17%
Bethel	6,653	216	52	46	314	4.72%
Bethlehem	1,388	24	0	0	24	1.73%
Bolton	1,969	1	15	0	16	0.81%
Bozrah	917	6	18	0	24	2.62%
Branford	13,342	252	171	0	423	3.17%
Bridgewater	779	0	1	0	1	0.13%
Brookfield	5,781	37	37	24	98	1.70%
Burlington	2,901	27	19	0	46	1.59%
Canaan	610	25	8	1	34	5.57%
Canterbury	1,762	76	22	0	98	5.56%
Canton	3,616	231	49	32	312	8.63%
Chaplin	897	3	18	0	21	2.34%
Cheshire	9,588	231	74	17	322	3.36%
Chester	1,613	27	7	0	34	2.11%
Clinton	5,757	87	33	0	120	2.08%
Colchester	5,409	354	76	0	430	7.95%
Colebrook	656	0	5	0	5	0.76%
Columbia	1,988	29	36	0	65	3.27%
Cornwall	873	18	0	0	18	2.06%
Coventry	4,486	119	119	20	258	5.75%
Cromwell	5,365	214	194	0	408	7.60%
Darien	6,792	89	1	32	122	1.80%
Deep River	1,910	31	13	0	44	2.30%
Durham	2,349	34	6	0	40	1.70%
East Granby	1,903	74	27	0	101	5.31%
East Haddam	4,015	74	22	1	97	2.42%
East Hampton	4,412	74	77	11	162	3.67%
East Haven	11,698	507	286	0	793	6.78%
East Lyme	7,459	297	76	0	373	5.00%
Eastford	705	0	12	0	12	1.70%
Easton	2,511	0	0	10	10	0.40%
Ellington	5,417	263	78	0	341	6.29%
Essex	2,977	36	6	0	42	1.41%

**2007 Affordable Housing Appeals List: Non-Exempt Municipalities (continued)**

<b>Town</b>	<b>2000 Census Housing Units</b>	<b>Governmentally Assisted Units</b>	<b>CHFA Mortgages</b>	<b>Deed Restricted Units</b>	<b>Total Assisted Units</b>	<b>Percent</b>
Fairfield	21,029	375	25	129	529	2.52%
Farmington	9,854	469	122	140	731	7.42%
Franklin	711	1	12	0	13	1.83%
Glastonbury	12,614	623	119	0	742	5.88%
Goshen	1,482	1	5	0	6	0.40%
Granby	3,887	86	31	5	122	3.14%
Greenwich	24,511	1189	3	54	1246	5.08%
Griswold	4,530	172	129	0	301	6.64%
Guilford	8,724	138	31	0	169	1.94%
Haddam	2,822	22	11	0	33	1.17%
Hamden	23,464	1499	394	4	1892	8.08%
Hampton	695	0	18	0	18	2.59%
Hartland	759	2	2	0	4	0.53%
Harwinton	2,022	23	16	0	39	1.93%
Hebron	3,110	60	21	0	81	2.60%
Kent	1,463	26	3	24	53	3.62%
Killingworth	2,283	0	5	5	10	0.44%
Lebanon	2,820	31	44	0	75	2.66%
Ledyard	5,486	35	144	4	183	3.34%
Lisbon	1,563	5	37	0	42	2.69%
Litchfield	3,629	143	18	29	190	5.24%
Lyme	989	0	0	6	6	0.61%
Madison	7,386	91	1	25	117	1.58%
Marlborough	2,057	25	16	0	41	1.99%
Middlebury	2,494	76	10	8	94	3.77%
Middlefield	1,740	30	13	0	43	2.47%
Milford	21,962	1091	208	107	1406	6.40%
Monroe	6,601	32	14	0	46	0.70%
Montville	6,805	104	163	0	267	3.92%
Morris	1,181	21	0	0	21	1.78%
Naugatuck	12,341	679	318	0	997	8.08%
New Canaan	7,141	145	2	31	178	2.49%
New Fairfield	5,148	0	20	7	27	0.52%
New Hartford	2,369	22	37	15	74	3.12%
New Milford	10,710	145	95	0	240	2.24%
Newington	12,264	388	377	36	801	6.53%
Newtown	8,601	139	10	15	164	1.91%
Norfolk	871	11	2	0	13	1.49%
North Branford	5,246	68	50	0	118	2.25%
North Canaan	1,444	106	7	0	113	7.83%

**2007 Affordable Housing Appeals List: Non-Exempt Municipalities (continued)**

<b>Town</b>	<b>2000 Census Housing Units</b>	<b>Governmentally Assisted Units</b>	<b>CHFA Mortgages</b>	<b>Deed Restricted Units</b>	<b>Total Assisted Units</b>	<b>Percent</b>
North Haven	8,773	351	75	0	426	4.86%
North Stonington	2,052	1	8	0	9	0.44%
Old Lyme	4,570	63	5	3	71	1.55%
Old Saybrook	5,357	51	13	0	64	1.19%
Orange	4,870	46	8	0	54	1.11%
Oxford	3,420	36	9	0	45	1.32%
Plainville	7,707	241	316	32	589	7.64%
Plymouth	4,646	181	149	0	330	7.10%
Pomfret	1,503	107	13	0	120	7.98%
Portland	3,528	274	33	0	307	8.70%
Preston	1,901	42	28	0	70	3.68%
Prospect	3,094	2	14	0	16	0.52%
Redding	3,086	0	0	0	0	0.00%
Ridgefield	8,877	148	10	0	158	1.78%
Rocky Hill	7,962	242	185	0	427	5.36%
Roxbury	1,018	19	0	0	19	1.87%
Salem	1,655	1	19	0	20	1.21%
Salisbury	2,410	16	3	0	19	0.79%
Scotland	577	0	6	0	6	1.04%
Seymour	6,356	278	79	0	357	5.62%
Sharon	1,617	20	3	0	23	1.42%
Shelton	14,707	323	55	82	460	3.13%
Sherman	1,606	0	1	0	1	0.06%
Simsbury	8,739	247	55	0	302	3.46%
Somers	3,012	57	11	0	68	2.26%
South Windsor	9,071	386	228	0	614	6.77%
Southbury	7,799	88	13	0	101	1.30%
Southington	15,557	654	266	48	968	6.22%
Sprague	1,164	29	22	0	51	4.38%
Stafford	4,616	192	131	0	323	7.00%
Sterling	1,193	1	24	0	25	2.10%
Stonington	8,591	312	56	0	368	4.28%
Stratford	20,596	829	219	33	1,081	5.25%
Suffield	4,853	215	48	15	278	5.73%
Thomaston	3,014	96	97	0	193	6.40%
Thompson	3,710	165	40	0	205	5.53%
Tolland	4,665	94	58	0	152	3.26%
Trumbull	12,160	307	25	233	565	4.65%
Union	332	1	4	0	5	1.51%
Voluntown	1,091	21	22	0	43	3.94%

<b>2007 Affordable Housing Appeals List: Non-Exempt Municipalities (continued)</b>						
<b>Town</b>	<b>2000 Census Housing Units</b>	<b>Governmentally Assisted Units</b>	<b>CHFA Mortgages</b>	<b>Deed Restricted Units</b>	<b>Total Assisted Units</b>	<b>Percent</b>
Wallingford	17,306	607	330	37	974	5.63%
Warren	650	0	2	0	2	0.31%
Washington	1,764	14	2	23	39	2.21%
Waterford	7,986	131	165	0	296	3.71%
Watertown	8,298	226	128	0	354	4.27%
West Hartford	25,332	1293	326	212	1831	7.23%
Westbrook	3,460	143	8	24	175	5.06%
Weston	3,532	1	0	0	1	0.03%
Westport	10,065	209	4	3	216	2.15%
Wethersfield	11,454	722	212	0	934	8.15%
Willington	2,429	163	29	0	192	7.90%
Wilton	6,113	90	3	69	162	2.65%
Windsor	10,900	388	308	0	696	6.39%
Windsor Locks	5,101	272	164	0	436	8.55%
Wolcott	5,544	320	127	0	447	8.06%
Woodbridge	3,189	36	4	0	40	1.25%
Woodbury	3,869	61	18	0	79	2.04%
Woodstock	3,044	27	29	0	56	1.84%
<b>Total Non-Exempt Municipalities</b>	<b>746,461</b>	<b>22,978</b>	<b>8,492</b>	<b>1,658</b>	<b>33,123</b>	

Source: DECD, COPS

<b>2007 Affordable Housing Appeals List: Summary</b>					
<b>Municipalities</b>	<b>2000 Census Housing Units</b>	<b>Governmentally Assisted Units</b>	<b>CHFA Mortgages</b>	<b>Deed Restricted Units</b>	<b>Total Assisted Units</b>
Exempt	639,517	96,761	16,573	2,883	116,217
Non-Exempt	746,461	22,978	8,492	1,658	33,123
<b>Total</b>	<b>1,385,978</b>	<b>119,739</b>	<b>25,065</b>	<b>4,541</b>	<b>149,340</b>

Source: DECD, COPS

For more information on the Affordable Housing Land Use Procedure, see DECD 2006-07 Annual Report, page 71-75 and in Appendix 14. To view DECD 2006-07 Annual Report click link below.  
[http://www.ct.gov/ecd/lib/ecd/decd annual report/01-30-08 annual report 2006-07 final.pdf](http://www.ct.gov/ecd/lib/ecd/decd%20annual%20report/01-30-08%20annual%20report%202006-07%20final.pdf)

<sup>1</sup> Includes both federal and state funded units.