

## MONTGOMERY COUNTY

OCCURS FIRST, THE APPLICANT SHALL NOTIFY THE COUNTY DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE PROPOSED OFFERING AND THE DATE ON WHICH THE OFFERING WILL BE MADE TO THE GENERAL PUBLIC. THE DEPARTMENT SHALL MAINTAIN A LIST OF ELIGIBLE PERSONS OF MODERATE INCOME AND SHALL, IN ACCORDANCE WITH PROCEDURES TO BE ESTABLISHED BY THE COUNTY EXECUTIVE, NOTIFY ELIGIBLE PERSONS OF THE OFFERING. FOR THE PURPOSE OF THIS SUBSECTION, LEVELS OF GROSS MODERATE INCOME SHALL NOT EXCEED TWO HUNDRED PERCENT (200%) OF THE LEVELS OF NET LOW INCOME FOR CONTINUED OCCUPANCY OF PUBLIC HOUSING ESTABLISHED BY THE MONTGOMERY COUNTY HOUSING AUTHORITY. IN ESTABLISHING NOTIFICATION PROCEDURES, THE COUNTY EXECUTIVE SHALL TAKE INTO CONSIDERATION FAMILY SIZE SO THAT FAMILIES ARE NOTIFIED OF THE AVAILABILITY OF MODERATELY PRICED DWELLING UNITS ADEQUATE TO MEET THEIR HOUSING NEEDS. THE DEPARTMENT SHALL PROVIDE PERSONS TO BE NOTIFIED WITH INFORMATION AS TO THE PROPOSED OFFERING AND SHALL FURNISH SUCH OTHER ASSISTANCE AS MAY BE APPROPRIATE. PERSONS SO NOTIFIED SHALL HAVE AN EXCLUSIVE RIGHT UNTIL TEN (10) DAYS PRIOR TO THE PROPOSED DATE OF PUBLIC OFFERING IN WHICH TO CONTRACT WITH THE APPLICANT TO PURCHASE OR RENT THE AVAILABLE MODERATELY PRICED DWELLING UNITS.

EVERY PURCHASER OR RENTER OF A MODERATELY PRICED DWELLING UNIT SHALL CERTIFY ON A FORM PRESCRIBED BY THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THAT HE OR SHE IS ACQUIRING OR LEASING SAID UNIT FOR HIS OR HER OWN, OR FAMILY'S, PRIMARY PLACE OF RESIDENCE AND THAT THE MODERATELY PRICED DWELLING UNIT IS NOT BEING PURCHASED OR RENTED FOR PURPOSES OF SPECULATION. NO APPLICANT SHALL SELL OR LEASE ANY UNIT WITHOUT FIRST OBTAINING SUCH CERTIFICATE FROM THE PURCHASER OR LESSEE. COPIES OF CERTIFICATES TO APPLICANTS FROM PURCHASERS OR LESSEES SHALL BE FURNISHED TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AND SHALL BE MAINTAINED ON FILE WITH THE DEPARTMENT IN SUCH MANNER AS THE DEPARTMENT SHALL PROVIDE. PRIOR TO THE SALE BY AN APPLICANT TO ANY PURCHASER OF ANY MODERATELY PRICED DWELLING UNIT CONSTRUCTED UNDER THIS CHAPTER, THE APPLICANT SHALL REQUEST A DETERMINATION BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FROM THE CERTIFICATES ON FILE WHETHER OR NOT SUCH PROPOSED PURCHASER WAS A PREVIOUS PURCHASER OF A MODERATELY PRICED DWELLING UNIT. PREVIOUS PURCHASERS SHALL NOT BE PERMITTED TO PURCHASE A SECOND MODERATELY PRICED DWELLING UNIT UNLESS THERE ARE NO OTHER FIRST-TIME PURCHASERS QUALIFIED TO MAKE SUCH PURCHASE, PROVIDED THAT THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT MAY WAIVE THIS RESTRICTION FOR GOOD CAUSE.

(B) HOUSING AUTHORITY OR OTHER DESIGNATED HOUSING DEVELOPMENT AGENCY OR CORPORATION. IN VIEW OF THE