



Affordable Accessory Apartment Requirements

- 1) Accessory Apartments are permitted in hamlets, known as Census Designated Places (CDP), where the density is under 500 persons per square mile. You may find the hamlets on the Town web site (www.southamptontownny.gov): *Under Departments tab, go to GIS, and then go to Public Information, and then to Demographic Information.*
- 2) The homeowner and tenant must reside in the house year-round as their principal place of residence. Summer or short-term rentals are NOT permitted.
- 3) Your lot must be greater than 20,000 square feet and meet all town code required setbacks and parking, etc.
- 4) The monthly rent allowed is the HUD designated Fair Market Rents (FMRs) for the New York Metropolitan area. This rental amount may change yearly as designated by HUD. The rent, once established, will remain for the lease term, which can be a maximum of two years. Upon lease renewal, Housing will provide the new rent allowed and the landlord may increase the rent in the new lease.
- 5) The Housing Department will qualify the tenant as low-moderate or middle income for eligibility to rent. You may find your own tenant and have them income qualified by the Housing Department or you may ask Housing to give you potential tenants from the Town's Housing Registry. As a private homeowner, you may interview and rent to any qualified applicant of your choice.
- 6) The Housing Department will provide you a Tenant Qualification Certification after your tenant is income verified. This form should be presented to Code Enforcement for your rental permit application.
- 7) The Housing Department will maintain copies of the lease and tenant information on file for monitoring Town Code compliance.
- 8) A Development Right will be set aside, subject to final Building Department Certificate of Compliance (CofC) or Certificate of Occupancy (CO) and subject to a valid rental permit from Code Enforcement.

Permit Application Instructions

- 1) The 'Request to Extinguish' form must be submitted and approved by Land Management, before the building department will start to process your building application.
- 2) You must complete an application with the building department for a permit to build or to schedule an inspection for a pre-existing apartment. The Building Department will provide you with the Affordable Accessory Apartment packet, which contains instructions and forms.
- 3) When the work is completed, the Building Department will issue the Certificate of Compliance (CofC) or CO. Submit the CofC or CO to the housing department along with a completed affordable accessory apartment permit application. The Housing Department requires copies of the lease and tenant's contact and income information.
- 4) Upon verification of the tenant's income, a Tenant Qualification Certification will approved by Housing.
- 5) If you do not have a tenant, the Housing Director may give you potential tenants from the Housing Registry.
- 6) If the tenant is a family member, you must complete a signed and notarized Lease Waiver Request form.
- 7) You must submit the Tenant Qualification Certification and a completed Affordable Accessory Apartment Permit Application to Code Enforcement for final processing and permit approval. Code Enforcement may conduct an inspection upon renewal of the rental permit.
- 8) If there is a change in tenant, you MUST notify Housing; submit a copy of the new lease and tenant information to Housing, in order to verify the appropriate rent amount and certify the new tenant's income.