

### Memorandum of Understanding Robbins Brook

The Town of Acton, through its Board of Selectmen (Board), hereby agrees that condition 9.4 as set forth in Site Plan Special Permit/ Special Permit #1-1/18/98-366 as amended has the following meaning:

Route 27 Realty Corp. (Applicant) shall provide three rental units. Such use of the units shall be in compliance with the Applicant's Residence and Service Agreement. Such residents of the units shall satisfy the appropriate guidelines for assisted living residents promulgated by the Massachusetts Executive Office of Elder Affairs. Local preference shall be given to an eligible individual (s) who meets at least one of the following conditions:

1. Current resident of the town of Acton.
2. Parent or sibling of a current resident of the town of Acton.
3. Employee working in the town of Acton.
4. A current Robbins Brook resident having "spent down".

To be eligible to occupy any of these three (3) units, an individual's income, adjusted for household size and number of bedrooms in the unit, must qualify as "low income" under the guidelines published from time to time by the Massachusetts Department of Housing and Community Development ("DHCD") applicable in Acton. Eligible individuals must require assistance with at least one (1) Activity of Daily Living (ADL) (i.e. tasks related to bathing, dressing/grooming, ambulation, eating, toileting and other similar tasks related to personal care needs).

Two (2) of these three (3) units will be rented to eligible individual(s) who either qualify for the Massachusetts Group Adult Foster Care Program (the "GAFC Program") in which case such individual(s) will be charged monthly fees consistent with the GAFC Program, or if such individuals do not qualify for the GAFC Program they shall each be charged monthly fees (i.e. rent plus cost of assisted living services) not to exceed \$2000.00 (plus an annual cost of living adjustment based on CPI of Worcester). This monthly fee shall include the daily basic services of one hour of personal assistance and all the Inn at Robbins Brook amenities. Should the resident's initial needs change to require more care, an additional hour of daily care shall be provided by the Applicant and will be included in the monthly fee not to exceed \$2000.00 (plus an annual cost of living adjustment). The one-time "Community Fee" of \$1000 as defined in the Inn at Robbins

Brook marketing materials, for the purpose of a complete multi-disciplinary development of a care and wellness plan, shall be waived by the Applicant.

The third of these three (3) units shall be rented to an individual(s) who does not qualify for community based Medicaid, and such individual shall be charged monthly fees (i.e. rent plus cost of assisted living services) not to exceed the amount equal to seventy-five percent (75%) of the individual's monthly net income calculated by applying guidelines consistent with the guidelines utilized in assisted and/or supportive services public housing programs for purposes of determining a resident's net income. If no one qualifies under these guidelines, the third unit will be filled using the GAFC Program guidelines noted above.


The Applicant shall administer the selection process for the low income residents and shall maintain a waiting list of eligible residents. This list shall be generated through the initial use of a lottery, ranking the residents through a random lottery process. Any subsequent eligible applicant who is not part of the initial lottery shall be added to the end of the list for future consideration as the three (3) low income rental units become available. Local Preference, as defined above, shall be given to all applicants. Following the initial fill-up of these three units, individuals shall be taken from the list in the following manner:

- a) The next unit that becomes available will be filled with the next person on the list, taking into account, first, local preference based on any of qualifications 1, 2, or 3, and if no such person is on the list, then qualification 4.
- b) The subsequent unit that becomes available will be filled with the next person on the list, taking into account, first, local preference based on qualification 4; and if no such person is on the list, then any of qualifications 1, 2, or 3.
- c) Fill-up of additional units that become available will then alternate between method (a) and method (b).

Should the waiting list decrease to 5 names or less, the Applicant shall notify the Board. The Board may require a new marketing campaign and lottery at that point.

The Applicant shall provide an Annual Report to the Board, due on October 1 of each year, which shall certify compliance with the requirements listed above. The Board shall periodically review this program based on the details reported in the Annual Report.

Dated

Robbins Brook *2/22/02*  


Board of Selectmen: