



What is CLAM?

The Community Land Trust Association of West Marin (CLAM) is a nonprofit organization that acquires and holds land for the benefit of the community and its future generations. Our mission is to provide stable and permanently affordable homes in an environmentally responsible way in the communities surrounding Tomales Bay. CLAM provides 18 rental homes; this is our second home for sale.

Who can purchase a CLAM home?

Anyone who can qualify for the mortgage amount and agree to CLAM's requirements in the community land trust ground lease (see below) can purchase a CLAM home. Households between 3 and 6 persons are eligible to purchase 31 Giacomini Road. See the Buyer Handout for details.

What does permanent affordability mean?

CLAM raises funds that it invests into a property in order to make home purchases affordable for households of modest means. CLAM supports the residents to attain and sustain the benefits of homeownership. In return, the homeowner agrees to sell the home at an affordable price to another income-eligible homebuyer when they are ready to sell, passing on this affordable house to the next home buyer.

What is the home owner's relationship to CLAM?

CLAM and the homeowner enter into a ground lease agreement for 99 years. CLAM retains ownership of the land, and the buyer purchases the "improvements" which means the house and all structures and systems on the land. The ground lease contains details about home maintenance, what happens when an owner chooses to sell, and other conditions of the relationship between CLAM and the home owner.

Can I sell and move away?

Yes. You can decide at any time to purchase or sell based on your personal and financial situation, just like standard home ownership. However, the resale terms are contained in the ground lease agreement. The CLAM home resale price will increase at a rate relative to future affordability. This below-market price is passed on to the next homebuyer, maintaining the relative affordability of the CLAM home, one resale after another.

CLAM will likely assist you with finding an income qualified buyer or repurchase the home from you. In either event, the home can be sold for no more than the maximum price determined by the resale formula stipulated in the ground lease.

Is there a minimum or maximum amount of time I need to live in my CLAM home before I consider selling it?

There is no time requirement. Generally, it is not a good idea to buy a house if you do not intend to live in it for at least five years. It is expensive to buy and sell real estate; closing costs can range from \$7,000 to \$10,000. It will take several years to pay enough in mortgage payments to establish equity in the home.

Can I rent my home to someone else, subletting for a profit?

No. CLAM homeowners must continually occupy the home as his/her primary residence. However, under special circumstances, with CLAM's approval, a homeowner may sublet all or part of the home for a short period.

Can someone inherit my CLAM home?

Yes, as with any real estate, you may bequeath your CLAM home to whomever you wish. If you leave your home to your child, spouse, or someone who has been living with you for the past year, s/he may inherit the home and live in it providing s/he is income-eligible and willing to agree to the terms of the lease. If the person you leave your home to is not one of these people or is not income eligible, your estate will sell the house and the person you have designated will receive the money from the sale. The mortgage will need to be paid off before the house can be transferred to your heirs, so any heirs hoping to keep the house will need to be able to afford a loan of their own to pay for any portion of the mortgage that is still outstanding.

Who pays property tax?

CLAM homeowners are responsible for the payment of all real estate taxes – on both the home they own and the land they lease. CLAM homeowners qualify for tax deductions and benefits that are made available to any other homeowner.

Who takes care of the home repairs and septic system?

CLAM homeowners are responsible for all aspects of home maintenance and repair. Maintenance to a safe and habitable condition are required by the ground lease. You may be able to include the cost of post-purchase improvements to the resale price of your home with prior approval of CLAM staff. Septic maintenance and monitoring are also the responsibility of the homeowner, and may cost around \$1000 per year.

What is an HOA?

A Home Owners Association (HOA) is an organization in a subdivision or planned community that makes and enforces rules for the member properties. The purchase of the property automatically makes the homeowner a member of the HOA. HOAs collect monthly association fee or annual dues to pay for upkeep of common areas like roads, or community storm drains. They can impose special assessments on homeowners when the association needs to pay for unexpected repairs on common areas such as sidewalks or parking lots. They can also place a lien on a property if a homeowner falls behind on his dues, and penalties can be imposed for breaking the rules. The monthly HOA fee at 31 Giacomini is \$75.

What is CLAM's monthly fee?

A monthly fee of \$50 is due to CLAM. This covers CLAM's costs for program administration and support provided to home owners over the life of the ground lease.

How can I get a mortgage?

CLAM recommends buyers work with a mortgage lender experienced with Community Land Trusts. In 2017, CLAM is working with [Caliber Home Loans'](#) broker Chris Doolittle. 707.303.2902

What happens if an owner defaults on his/her mortgage?

Under the "standard permitted mortgage", CLAM must be notified by the lender whenever a CLAM home owner is in default. CLAM has the right to cure the default and/or purchase the home in foreclosure. CLAM always retains ownership of the underlying land. CLAM's mission is to ensure households do not lose their home, and will work with the owner on options to avoid foreclosure.