A house alone is not enough! But what else does it take to make a house a home? The goal of this manual is to provide a step-by-step guide to assist families who are interested in an independent living situation for their family member with a disability. Although it will focus on home ownership for persons with a physical disability, many of the same considerations exist for people with different disabilities, or for those who are solely interested in renting, rather than owning, a home in the community.

"Independence is possible and housing is key! Housing has always been the major barrier for people with disabilities living independently. Think creatively, throw out ideas! Some of the best ideas have come directly from people with disabilities and advocates."

former PA Secretary of Public Welfare, and current Chief Operating Officer for the U.S. Department of Housing and Urban Development, Estelle Richman

HomeWorks of Montgomery County includes Michael, Kelvin and Will -- three guys who have physical disabilities who live independently with the supports they need. In 2008, they bought a home together and this is their story.

A house alone is not enough! But what else does it take to make a house a home? The goal of this manual is to provide a step-by-step guide to assist families who are interested in an independent living situation for their family member with a disability. Although it will focus on home ownership for persons with a physical disability, many of the same considerations exist for people with different disabilities, or for those who are solely interested in renting, rather than owning, a home in the community.

This manual has been written by Diane Belnavis and Susan Tachau along with HomeWorks and with the support of the Pennsylvania Housing Finance Agency.
HomeWorks At-A-Glance

**Goal:** To build a creative, sustainable, affordable community for people with disabilities through homeownership. This community is called **HomeWorks**.

**What is HomeWorks?** HomeWorks is a home for three men who have physical disabilities. The men own the house through a Tenancy-in-Common agreement, which incorporates features of a limited equity cooperative.

**Why Was HomeWorks Created?** There is a tremendous need for affordable, accessible housing. Three men were all entering periods of their lives when they were ready to live independently -- in their own homes and not in the homes of their parents.

**HomeWorks Model:** A Tenancy-in-Common agreement with an incorporated mini-board that supports and advises the three owners.

**Funding Partners:**

<table>
<thead>
<tr>
<th>Pennsylvania Housing Finance Agency</th>
<th>Office of Long-Term Living (Home and Community Based Waivers)</th>
<th>Grants</th>
<th>Special Needs Trusts</th>
<th>Supplementary Security Income (SSI) or Social Security (SS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage: Keystone Product along with two “soft” mortgages: Access Downpayment &amp; Closing Costs and Access Home Modification Loans</td>
<td>Home modification and assistive technology grants through individual service plans</td>
<td>Self Determination Housing Project of PA, Community Design Collaborative, and the Hankin Foundation</td>
<td>Can be used to buy-down the purchase price of the house so that the monthly mortgage payments can be paid from SSI or SS</td>
<td>Monthly benefits pay for the mortgage</td>
</tr>
</tbody>
</table>

**Legal Assistance:**

<table>
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<tr>
<th>Regional Housing Legal Services (RHLS)</th>
<th>Pennsylvania Health Law Project (PHLP)</th>
</tr>
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<tbody>
<tr>
<td>Provided counsel with housing model, participated in house closing, created Tenancy-in-Common documents, and conducted all legal work associated with incorporation. <a href="http://www.rhls.org">www.rhls.org</a></td>
<td>Provided counseling and overall support with understanding waivers, special needs trusts and Supplemental Security Income. Partnered with Community Legal Services of Philadelphia in proceedings with the Social Security Administration. <a href="http://www.phlp.org">www.phlp.org</a></td>
</tr>
</tbody>
</table>
It’s a Saturday morning in early autumn and Kelvin, Michael and Will are planning their day.

The house is bright and cheery, the morning light filters in through spacious windows. Each of the attendants have already helped the guys take care of their basic daily living and hygiene activities and they have showered, dressed and are ready for Kenyatta’s wonderful breakfast. The guys drive their wheelchairs up to the table and the house is buzzing with morning conversation. It’s the weekend and their day off from work or volunteer job, and each of them has a plan for the day.

Michael especially loves sports activities, and he is excited and ready to go to a Phillies game. With the help of Kenny, his attendant, Michael makes sure he attends as many games as he can. Will is visiting with his family today and is looking forward to his mom’s cooking. It’s great that they live nearby and can see each other often. Kelvin is going bowling today. He’s a member of a bowling league for persons with disabilities and he looks forward to participating in the league every other Saturday. And because they live independently, in a house in which they each have part ownership, and because they have attendant care that they each have hired to take care of their basic needs, Will, Michael and Kelvin have complete control over where and how they spend their time. So this Saturday in early autumn, each of them will be able to plan their day and make it happen.

HomeWorks of Montgomery County is the name that these three guys and their families have given their ownership model and the mini-board that oversees it. This partnership includes all related housing issues (e.g. maintenance). HomeWorks exists solely for the benefit of Michael, Kelvin and Will. Herein lies the difference between HomeWorks and a traditional non-profit organization that exists for the benefit of many.

With the creation of this partnership came the freedom to invest in a permanent, stable and affordable living situation and still retain the income-restricted services provided by the Commonwealth of Pennsylvania’s home and community-based waivers. After two years of researching, house hunting, social gatherings, meeting with lawyers, selecting services and providers, working with state agencies, and renovating, the guys were ready! On January 18, 2008, Martin Luther King Day, a day commemorating freedom, Will, Kelvin, and Michael moved into their house in Merion Station, Pennsylvania and made it a home.
HomeWorks: The Mini-Board

The Mission: To create a new model of independent living, bringing together adults with physical disabilities to share activities and supports in an accessible, safe, enriching community.

HomeWorks is Kelvin, Michael and Will: three guys who have physical disabilities and who need assistance with many of their activities. HomeWorks is also the families and friends that make up their “mini-board,” the non-profit corporation that is based on the microboard model of support. HomeWorks exists to support, consult and advise the guys on important decisions. The HomeWorks mini-board includes the guys, one member from each family, an attorney who understands government funding and who specializes in wills, estates and special needs trusts, and the director of a social service department of a local disability organization (who "knows" transportation, recreational opportunities, health care providers, etc.).

The concept of a microboard stems from the idea that a person with a disability benefits from having control over all important aspects of his/her life. The microboard exists solely for that one person (or in the HomeWorks Mini-board, for the three guys). It brings together a support network of people who care about that person(s), believe in that person(s) and who want to help that person(s) realize his/her dreams while ensuring that needs are met.

Are you interested in creating a microboard or a mini-board for yourself or for a family member?

For more information about how to set up a microboard, contact the Pennsylvania Health Law Project at 800-274-3258 or email David Gates, dgates@phlp.org

You can learn more about microboards and listen to one person’s story here: http://www.microboard.org/

Not too far from Philadelphia -- that was the bottom line. The guys love the city. The guys said they wanted to be able to get around by themselves. So, we were in search of sidewalks and a bus line. We needed a safe area where the neighbors would be friendly. And, of course, we were looking for a ranch house. For two of the guys, the house HAD to be close to the sports arenas! Time was spent entertaining the idea of finding land that met the criteria and building a home. After many months of searching, with no luck, we went back to searching for a single-story house. Location! Location! Location! It’s what drove the process for HomeWorks.

Armed with new knowledge of home ownership with government-funded supports, we worked with a realtor and pounded the pavement. But as luck would have it, it was a friend who found “our” home in Merion Station: an affordable, 1950’s ranch house with a lot of potential!

It was March, 2007, and the guys loved the house. It was in the perfect location! It was on a bus line, close to stores and a pharmacy, in a real neighborhood, down the street from the fire department and there were sidewalks. And, best of all, only 20 minutes to the sports arenas. But, we needed to renovate -- not talking about repairs, talking about making the house accessible and livable for Kelvin, Michael and Will. Who was going to give the guys a mortgage?

~~ PHFA to the Rescue ~~

The Pennsylvania Housing Finance Agency (PHFA) was established in 1972 to provide Pennsylvania families with safe, decent and affordable housing options. In keeping with that mission, PHFA offers attractive homeownership financing programs and helpful informational services.
Pennsylvania Housing Finance Agency

Pennsylvania Housing Finance Agency (PHFA) offered Michael, Will and Kelvin a loan to purchase their home along with “soft” secondary financing to assist them with the down payment and closing costs. They also got a “soft” third mortgage that provided monies for adaptations. (Michael, Will and Kelvin used this money for a ramp into the house.) A “soft” mortgage means a zero-interest loan that you repay when the house is resold. For eligibility guidelines, check out PHFA’s website www.phfa.org. The actual lending process for the guys was taken care of by Mark Adelsberger at Boulevard Mortgage, who worked with PHFA. [Mark was great! He explained every paper that had to be signed!] PHFA later bought the loan and will service it for the life of the mortgage. Mortgage insurance wasn’t necessary because Kelvin, Michael and Will “bought-down” the principal with monies available in their special needs trusts.

PHFA offers 30-year, fixed-rate home loans with low interest rates and fees through Keystone Home Loan, Keystone Home Loan Plus, and the Keystone Government programs. There are eligibility requirements for each of these programs that can be found on the PHFA website (www.phfa.org). Note: When searching through the website, begin by clicking on the Homebuyers tab and then click on Home Purchase. You’ll see a section on Home Purchase Loans and another section on Assistance Loans.

What is the Access Downpayment and Closing Cost Assistance Program? For a buyer with a physical disability (or has a household member with a physical disability) and who qualify for one of the purchase loan programs, he/she may also be eligible for up to $15,000 in a zero-interest downpayment and closing cost assistance loan through either the Access Downpayment and Closing Cost Assistance or HOMEstead Program. Access Downpayment and Closing Cost Assistance is only available to buyers who are also using the Access Home Modification Program and whose gross, annual household income does not exceed 80% of statewide median income (that’s just over $51,000 in 4/2011. Please call PHFA for the most up-to-date income guidelines.) HOMEstead has geographic restrictions. Neither program may be used in conjunction with any other PHFA downpayment and/or closing cost assistance program.

How can the Access Home Modification Program help you? If you find a house that’s right for you, but it needs some minor accessibility modifications, PHFA may be able to help you through the Access Home Modification Program. This Program offers a zero-interest loan between $1,000 and $10,000 in conjunction with a PHFA home purchase loan. Repayment of the Access loan is not required as long as the home is your primary residence.

Does this sound complicated? It is, a bit. So, please, check out PHFA’s website and then call and talk to someone.
It’s Time to Buy a House: *What Do We Do Now?*

Things were getting more complicated. There are many legal things to consider.

Regional Housing Legal Services: *With Us Every Step of the Way…*

Regional Housing Legal Services (RHLS) [http://www.rhls.org/](http://www.rhls.org/) provides free legal assistance to people of low-income. It is a non-profit law firm with unique expertise in affordable, sustainable housing.

HomeWorks found RHLS early on in the process. The guys submitted an application stating that they were low-income (with disabilities), in need of housing and legal assistance. Michael, Will and Kelvin were accepted as clients; they signed a contract with RHLS, and they began to meet regularly. We got to know Kim Dolan and ‘The Marks’ (Mark Schwartz and Mark Levin) very well! They spent hours talking with us about different housing models and provided counsel throughout the various stages -- the house closing, the creation of the Tenancy-in-Common agreement with an exit strategy, the incorporation of the mini-board. They were also the first people to say to us *Keep your Housing and your Services Separate!*

And, when it was all said and done, home ownership for Kelvin, Will and Michael looked like this:

**HOMEWORKS ~~ Home Ownership in a Nutshell ~~**

- The guys co-own the house. They are *tenants-in-common*, which means that ownership will pass to kin, not the other owners.
- HomeWorks is a ‘tenancy-in-common’ housing model somewhat like a ‘limited equity co-op.’ Again, it means that there are three owners, a corporation does not own the house. (*‘But that would be another option,’ says Kim Dolan. ‘You would have to get the lender to lend to a corporation. It might have a better exit policy this way.’ The exit policy, how others can come in or out of the partnership, was her main concern.*)
- If someone leaves, the house needs to be re-financed and the new person will assume their portion of the mortgage.
- It is a ‘limited equity’ partnership, so there are no profits to be made and it will remain affordable to others who are low income (and with disabilities).
- A ‘mini-board’ was created with the help of both RHLS and David Gates, attorney from the Pennsylvania Health Law Project (PHLP). HomeWorks became a non-profit corporation, a board was elected and it continues to meet regularly.
- See the *Tenancy-in-Common* agreement in the last section of the manual.
Money Matters: How Can We Afford All of These Modifications?

The guys had their house, and now it was time for renovations! It needed to be completely modified so that it would be accessible. We were in search of help, both financial and design...and we found both! The Self-Determination Housing Project of PA (SDHP) and the Hankin Foundation helped us with grants (for accessibility features). Each of the guys received grant monies for assistive technology and home modifications from their OBRA waiver services. The Community Design Collaborative provided architectural ideas and design assistance. And, PHFA helped the guys through their Access Home Modification Program. We spent hours researching and we found designers, architects, color consultants, and landscape architects all willing to donate their time.

All three families spent time researching accessible designs (thank you to R. Wolfson and Ben Nichols of BLT Architects, Ed Steinfeld, Center for Inclusive Design and Environmental Access and Bill Dibble from UCP Philadelphia) and products (flooring with a little bit of padding that will hold up under power wheelchairs, automatic faucets, bidets). Friends (including our Church community) donated pots, pans and other household necessities and also helped put together the IKEA furniture. Peggy Phipps developed a website for HomeWorks, www.homeworksweb.org.

Today, Will, Michael and Kelvin approach their home up a graded walkway and they enter with the help of an automatic opener through a front door that has a mail slot so that Kelvin can receive his mail the same way he did when he lived in the city. There’s also wide open areas throughout the house, lowered enlarged windows and a central roll-in shower room accessible on each side from two spacious bathrooms.

Check out the list of Home Modification and Universal Design resources in the last section of this manual.
Advice: Keep Your Housing and Your Services Separate

This concept was really important for HomeWorks. We wanted to create a long-term and stable living situation. That’s best accomplished if your housing is not owned by the organization that provides your services. We know that if a provider owned the house, the guys might be vulnerable to changes that the provider could make independently -- like move someone out of the house and/or move someone else in!

For most of us who have always lived in the community, we take it for granted that the services that we hire to come into our home to help us out in one way or another, like the person who puts on the new roof or the person who helps us complete our tax forms, or installs our cable … these people have absolutely no control over our life. Of course not! They have very little to do with our life, except for the specific service they provide. When they finish delivering the service, they go away and you don’t see them until the roof leaks again, or Verizon fails to deliver.

But many, many people with disabilities have their housing tied to their services. The most familiar example is probably the classic ‘group home’ or the ‘institutional’ setting so common thirty years ago. In these situations, the housing is owned and controlled by the people who provide the services. The organization that hires the people to help with daily living needs like bathing and meal preparation, also pay the mortgage. So if you don’t like the person(s) who helps you bathe or cook your meals, your only option may be to move out or simply put up with it. The attendant(s) comes with the house.

We believe that choices are drastically reduced when you allow your service providers to also control your housing. You may want to be able to hire your own staff, and then let them go if they don’t work out, and you’ll want to be able to do this without worrying about losing your home. Enough preaching. If you want more information or a clearer explanation, talk to the people at Regional Housing Legal Services or the PA Health Law Project.
Once they moved out of their parents’ homes, the guys at HomeWorks were going to need additional supports, including personal assistance and community integration services. They were already enrolled in the OBRA waiver (see the Get with the Program section, page 24) so they just needed their plans updated. The Pennsylvania Health Law Project (PHLP) reminded the guys that they could maintain their income eligibility for the OBRA waiver if they owned their own home AS LONG AS THEY LIVED IN THAT HOME. This meant that the guys names could be on the deed. Yes, they could be homeowners!


It’s critical that you understand the asset limitations that determine eligibility for government-supported programs.

You can leave money to your family member in a Special Needs Trust.

Learn about Special Needs Trusts Here:

Happily Ever After

Usually when a person or family decides it’s time to buy a home, they call a realtor who assigns them to an agent that helps them through the process.

To find out how much house they can afford, a person usually goes to their bank or a mortgage lender and, after filling out some paperwork, they are given a magic number, a maximum price. Then they go house hunting with their best friend, the real estate agent, to find the home of their dreams.

This new best friend then takes them every step of the way. How fun! How exciting! How EASY!

Unfortunately, it’s often a totally different experience when a person with a disability wants to buy his/her own home. Overwhelming, intimidating, discouraging, scary, difficult, IMPOSSIBLE. How many of these words have gone through your head when you thought about a home purchase for your family member or yourself?

Happy One Day at a Time

You CAN do it! But, the process is more complicated. There is more to consider. And, as with many aspects of life when living with a disability, you have to remember to take one day at a time (and keep going).

After you have found your potential living companions, you want to look for your new home! But…

How can I afford it with my income? And if I am partnering with other families in this venture, how can I make sure that we are all equally responsible financially? How can I make sure that I can get the help and support I need? And how can we make the modifications so that all of us can access the entire home? How will owning a home affect my government funding for support?

Most real estate agencies are not familiar with disability issues so it is difficult for them to guide you through this process.
Before you waste a lot of time, get some basic education. You don’t want to fall in love with an impossible dream house if your son or daughter needs support services in order to live independently but they are on a waiting list for services, or if the house is too expensive and your son/daughter won’t be able to afford the mortgage payments. There are dozens of “ifs.” Talk to some people who have expertise in the disability and housing field and learn as much as you can.

HomeWorks called David Gates, attorney of the Pennsylvania Health Law Project. We learned that in order to keep our housing and services separate, we had to learn about them together. David was the link between housing and services.

What does this all mean? It means that if you don’t completely understand how a person with a disability who receives waiver support services and has income and asset limitations could ever own a home, call PHLP. The first thing you need to be clear on is how you can access or continue the supports that you need once you are in your new home.

The service “piece” is a critical element in the model you choose!

You want to be sure that all aspects of your home purchase (price, housemate choice, location, actual deed ownership) will not affect your government funding. At PHLP, they understand that each new situation presented to them is different from the last. Almost everyone is an exception to the rule! You may need their expertise so that your own unique set of circumstances can be turned into your ‘Happy One Day at a Time’ dream living situation.
October 27, 2005: ‘Independent Community Living for People with Physical Disabilities’ Important First Meeting Announcement!
Fourteen people showed up to share ideas and plan the next steps. By mid-November there were 54 people on the mailing list who wanted to be ‘in the loop.’ There were so many early participants, consultants and enthusiasts who offered their help, their support and their wisdom. It was encouraging!

Now it’s your turn!

Plan an initial brainstorming get-together with the important people in your life: your family, friends, co-workers and neighbors. There is a support network out there of people who care, people who want you to succeed, people who WANT TO HELP! The more input, the better. You will hear ideas that you never would have thought of yourself!

Come up with a list of resources that might be of help. Take another look at the lists of organizations in the last section!
And the next day, start calling and emailing! Put up flyers! There are many people who are interested in the same kind of living situation as you, you just need to find them! Invite organizations to your meetings...maybe they will come!

Amazingly, your very own contact list of interested people will begin to take shape....

OK now that a few people are identified...

It's time for Social Gatherings! Bring food. Make it the same time every month. Find a comfortable place. Don't forget food. Did we mention food?

It's time to set up regular monthly meetings. Invite everyone's support team, at least initially. It's nice to have the entire team along with you for awhile.

Pick the same day and time each month. Find a meeting place that is easily available and comfortable, and keep it as the ongoing meet-up place. This helps busy people who decide at the last minute that they can attend THAT NIGHT. It might be best to start out in a neutral public place, rather than someone's home, but be open to either. For example, Wegmans is a great location. It has free WiFi, couches, and food! Is there someplace like that near you? Sometimes there is an organization in your area that facilitates these meetings. Use them! They have connections.

There are a couple of purposes behind these get-togethers: to share information about how to go about making this dream happen; and, to provide an opportunity for everyone to get to know each other well enough to make an educated decision about living together. So before you start your meeting, plan for some time to relax and just talk about your month, your family, your job, things going on in your life. If your entire family is involved in this process, then the parents really need to get to know each other also.

After 20-30 minutes, get down to business! The conversation each month needs to address where, when, how, how much -- have open and honest conversations. Some of these subjects are difficult subjects, but they are important. Remember, you are thinking about the possibility of living together. It's a good idea to have a theme to talk about at the monthly meeting. Try the Why, What, Where, and How items from The Housemate section.

Have someone take “progress” notes of the meetings. Find out who in the group loves to email and ask that person to be the correspondent between get-togethers. Someone usually emerges as the organizer of the group. Help them out. Appreciate them. Bring them chocolate.

After a few months, you might really enjoy just having a social outing with the group -- a movie, potluck dinner at someone's house, bowling, picnic in the park. These casual times are really important; it's difficult to get to know someone when you only talk shop. Maybe you've really hit it off with one other person in the group. Try getting together with just the two of you sometimes. You'll be amazed at how quickly you'll get to know each other that way.

Be the one to make the effort....great things happen when you do!
The Perfect Housemate: We Know You’re Out There Somewhere…

Who will I live with and How will I find them?

For much of their lives, Michael, Will and their families attended the same church each Sunday, were active members in their fellowship community and casual friends. When their parents began talking seriously about a home in the community for Michael and Will, they thought of each other. Susan Tachau, Michael’s mom, also approached Kelvin Alston and his father, Ken, who had served with her on the board of United Cerebral Palsy of Philadelphia (UCP). The three families spent the next year and a half getting to know each other, by meeting regularly to discuss aspects of the future living situation and by spending casual social time together. The three men became friends, and they agreed to pursue an independent living situation together.

So you and your family members have been attending gatherings for awhile now and you have decided that it would work well to live with another person in an independent living situation. How and where do you find this other person? Start by asking yourself a few questions.

Why do you want a housemate? Many people want companionship -- but for some, the primary reason to share a living situation may be for financial reasons, to split expenses. Consider carefully what your expectations of this person will be. Do you enjoy spending time alone? Or, do you just want some help with bills? Do you want someone that will share your social life? Is it absolutely necessary to share similar tastes in music, food and social activities? Sharing your home with someone with whom you have few things in common doesn’t necessarily have to be a bad thing -- as long as there is a mutual respect for each other, and an understanding of the shared responsibilities that come with this type of living situation.

What is important to you when considering a housemate? Come up with your own list of questions. Do you smoke? Do you like animals? How late do you stay up? Do you play your music loud? Do you like watching sport games with someone? What do you do in your spare time? What kind of food do you like to eat and do you like eating together? Do you have a boyfriend or girlfriend? Do you plan asking them, or other friends, to spend the night from time-to-time? How much will your family be involved?

share similar tastes in music, food and social activities?
How important is age/gender/disability to you? Are you willing to consider a person much older or younger than you are? A person of the opposite sex? How about a person who might have an intellectual disability, instead of a physical disability? How about a person who does not have a disability at all?

How many people are you interested in sharing your home with? And, what are the restrictions for ‘maximum number of unrelated people’ in a house? In our area, three unrelated people can live in a house without getting an exemption from the zoning board (and without getting neighbors upset).

Where do you want to live? How flexible are you willing to be? Do you love the outdoors and want to live in the country where it is peaceful with a lot of space? Or, do you want ready access to public transportation and where you are close to shopping and recreation? Do you want to be close to your family? Job? Friends? Give these questions a lot of thought. Often, location is the biggest deal breaker in a housemate relationship. Location! Location! Location!

How do I find this person(s) I want to live with?

Now that you have an idea of the type of person you might be interested in, how do you find that person? Is there anyone in the meeting group that you think you might want to live with? Are you in touch with any friends from when you were in school? Do you participate in any other regular social situations where you can send out a message to the group about your plans? Is there a university near you that might have students looking for living situations? How about organizations that advocate for people with disabilities? Are you willing to use the Internet to find someone? If you find someone who is a possibility, make sure to invite him or her to the gatherings!

Brent and Jose live on a farm in southern Chester County.

Nicole and Tina have lived in the borough of Downingtown together for five years!
Getting Along

Never underestimate the importance of getting along -- with the staff, with the other family members, and with each other. The success of the living situation very much depends on everyone’s commitment to get along with each other so that things continue to run smoothly ... day after day, year after year.

Why, you ask?

Because the overnight staff noticed that a plumber was needed

Because Kelvin got locked out of the house

Because Will’s Paratransit didn’t show up again

Because there wasn’t enough food for breakfast

Because there’s an unexpected gap of 1 1/2 hours between the staff shifts

Because there was a thunderstorm and the power went out

Because Michael ran out of medication and the pharmacy misplaced the credit card number

Because the staff wasn’t doing dishes and the next shift was upset

Because some of the attendants are confused about their role and that of the community integration attendant

Because there was a bad snowstorm, and the staff couldn’t get to work

Because Kelvin’s ride didn’t come and he has a doctor’s appointment

Because the fire alarm went off for no good reason

and on, and on, and on...so what to do?

Guess what? There isn’t any one person who can solve these problems alone. The guys, their families and the people who help them in their everyday lives are often all involved to some extent. Many of the problems can only be solved through collaboration.
Forge Good Working Relationships with the Other Families Involved!

Here are some suggestions....

• From the very beginning of the relationship, prioritize **regular meetings** with as many members of the team as possible. *This is really, really important!* Set a meeting time every month at a family member’s or the HomeWorks house. Serve FOOD.

• Don’t depend on a service agency to solve your problems. Communication is important, learning how to hear and understand each other may take time and a great deal of effort.

• From the very beginning, request that the support staff CALL or EMAIL family members regularly so that a relationship can develop. Feeling comfortable with the families will facilitate communication when something important comes up or a quick decision has to be made.

• Sometimes, one of the families is easier to talk with, or are more present in the house so an opportunity may presents itself for a quick conversation. Unfortunately, a staff person may get in the habit of calling just that one family. Nip it in the bud! It’s just going to cause resentment when one family knows more than the another. Keep everyone involved in the conversation!

• **Everyone needs an advocate.** No one wants to go through life alone without support from friends and family. This is true whether you have a disability or not. So if you are the parent and are unable to help support the living situation, **hire someone who does.** Someone needs to be the contact person for regularly scheduled meetings as well as spontaneous decisions. And someone needs to be available when an immediate response is needed to address a minor emergency such as a power outage. Of course, major emergencies will always be covered by the immediate family member.

• You don’t need to be best friends with each other. You don’t need to agree. But a mutual respect is absolutely necessary.

• Decide on a neutral moderator who can help with disagreements.

• The guys should develop a set of house rules that promote self-determination, respect, independence and caring for each other.

• Make sure you address: decision-making processes, specific rental/home ownership restrictions and guidelines, all financial issues, and an exit strategy if one person decides to leave.

Just be nice!
Getting Along with Staff

How do you foster relationships within the home to make it feel like a family?

At HomeWorks not too long ago, a raccoon got into the garbage, spread it all over the lawn and no one picked it up. A sense of shared community was needed, where people pitch in “above and beyond” the ordinary. How do you build relationships and a sense of family? The guys celebrate attendants’ birthdays with small gifts and cards. Michael and Will take staff to sports events and concerts. Kelvin takes staff out to restaurants. The families celebrate anniversaries. And for Christmas this year, Kelvin, Michael and Will treated the staff to a barbecue dinner on the Delaware River.

It is important to form relationships, but it is not a requirement for staff. How then do you foster relationships within the home to make it feel like a family? How is an overall attitude created that makes everyone feel like they play an important part? How DO you get staff to pick up the spilled garbage on the front lawn?

When a person feels ownership in his work, they do a better job. Yet, an important premise of the HomeWorks project is that HOUSING is separate from SERVICES. So how does one find a happy medium? Having staff in your home a lot of the time can feel invasive. It just feels better, and more like a home, when the people you see everyday are involved in your life and you can call them ‘friend.’ When this happens, everyone benefits. Including the neighbors!

Staff will come and go. They don’t really get paid all that much, and the work is often very hard. Sometimes resentment can build up because the care required for one resident might be more than for another resident. There are different levels of difficulty, and some staff just have it harder than others while the pay is the same. Some balance can be provided by the division of light housekeeping chores.

There are three relationships we are talking about. The relationship between staff themselves, the relationship between staff and the people they assist, and the relationship between staff and family members -- they all take nurturing, work and vigilance. Put some effort into this -- the benefits are substantial!
Create Family and You Will Create a Home

Here are Some Suggestions….

• Everybody has a story. Have a binder for each of the housemates with his or her own personal story. Make it like a scrapbook with pictures. Help the staff know the people they are assisting! In the binder along with the story, make sure you include: weekly schedules, important phone numbers and contact information, and medical history.

• How about a photo album of the staff and their families, too?

• Keep a house log and encourage everyone to write in it daily. This is a good place to include information about upcoming vacations, events people may be interested in attending, exciting news, and things the house needs. When you visit, read it! If you don’t read it and care about it, chances are they won’t either.

• Encourage staff to share in the lives of your family members. Encourage eating dinner together. Too often in these situations, the food is prepared and served, and then the staff sits and watches TV while the house members eat.

• Have house events like movie nights, board games, Super Bowl parties, celebrate everyone’s birthday! You might have to be the one to make this happen. Keep suggesting it, and help plan these events until they become the norm.

• Check in with everyone every week. Ask specific questions about how everyone’s doing. Ask if there are any ideas about how things might be done differently.

  • Encourage honest conversations.

  • Encourage everyone to come up with ideas of their own, and then support them in carrying them out.

  • Find everyone’s strong points. Some staff love to cook, some are great with coming up with ideas for activities, some love to clean. Encourage everyone to compromise and work together.

  • Help staff get along with each other. Don’t talk behind their backs. Don’t encourage anyone speaking about someone else if there’s a problem.

  • Stay organized…it will help everyone!

• Don’t give orders. Always treat everyone with respect.

• And from the start, lay down rules about TV watching. Be understanding that there will be times during a shift when there really isn’t anything to do. (Remember, your family member may not want someone watching over them constantly.) Give everyone ideas of how to fill up empty time, but also let them know that it’s OK with you that they also take a break. They’re gonna do it anyway.

IMPORTANT: Let staff know you appreciate them…a lot!
Getting Along with *Each Other... Piece of Cake! Birthday Cake, That Is!*

*Kelvin’s birthday was coming up, and Michael and Will wanted to make it special. Kelvin wanted to go to the Bahama Breeze in King of Prussia, and so Michael and Will made it happen. Will set up the guys’ rides with ParaTransit. He scheduled a 5:30 p.m. pick-up to King of Prussia. Michael did the menus. And then Michael and Will, together, ordered music CD’s for their friend and housemate.*

Maintaining a good relationship among the people living together can be easier than keeping the families or staff on good terms! With the housemates, there is day-to-day communication, and a trust often develops. However, issues can arise, and often a third party is required to help. This third party can be a support person, a family member, or a neutral member of the team. Often all it takes is a good listener who can make suggestions on how to solve the disagreement.

Make sure the staff is aware of any potential personality conflicts and help them work through them. The staff are with the guys all the time, and they are the ones who may be able to address the problem.

Encourage “house family” outings...restaurant dinners, concerts and other special events. Encourage the staff to involve everyone in activities. Often it takes a third party to help develop the relationships between the housemates.

Discourage “talking behind backs.” Help keep the lines of communication open. Make it easy for everyone to share their feelings.

*It often takes a third party to help develop relationships among housemates.*
Everyone signed off on the by-laws and the exit strategy. There is still some overall coordination that needs to happen. How about a house manager? Top of the priority list: To work towards a policy change in Pennsylvania (through a waiver service definition amendment) to provide for clustered, shared community integration time. A qualified individual could work with all three guys together to teach menu planning, shopping for foods, budgeting, house maintenance, and negotiating skills for finding affordable service contractors (e.g., snow removal and leaf raking.)

The guys are much more settled than a year ago. After almost three years, the guys’ day-to-day life is settled into somewhat of a routine.

Kelvin participates in programs at United Cerebral Palsy of Philadelphia (UCP) during the week. Will volunteers at Valley Forge National Historical Park, the Constitution Center and the Please Touch Museum. Michael volunteers at Valley Forge National Historical Park and with the Philadelphia Phillies. He will continue to help out the 76ers during the season but he’s seriously looking for a job! Michael, Kelvin and Will all participate in some of UCP’s recreational activities, Michael volunteers on political campaigns, and all the guys enjoy going to local museums and concerts.

At the end of the day, the guys come HOME...home to their very own house in Merion Station, and they share conversations over a home-cooked meal.
It's Time to Get with the Program

The families at HomeWorks have been involved in the disability community in Pennsylvania for a long time. Susan, Michael’s mom, is the director of the Pennsylvania Assistive Technology Foundation (PATF), an organization that provides low-interest loans for the purchase of assistive technology (adapted vehicles, home modifications, hearing and low-vision aids) devices. Susan has served on a number of disability-related boards and advisory committees. Mark, Michael’s Dad, is a board member of the PA Health Law Project. Susan met Ken, Kelvin’s dad, years ago when they both served on the Board of United Cerebral Palsy (UCP) of Philadelphia, PA. Ann, Will’s mom, learned about the systems of support early on through Will’s very supportive school district (Tredyffrin/Easttown) who worked closely with the Chester County Intermediate Unit. Associations with these agencies helped these families learn about the systems in Pennsylvania. So, for them, it was easier to figure out the next piece of the housing, services, and funding puzzle with this background knowledge. Michael, Kelvin and Will were already enrolled and receiving home and community-based services through the OBRA waiver before HomeWorks.

Sometimes, families who have a young, school-age child with a disability are familiar with services that may be available from the state to provide support at home, in the school, and in the community. These families are often the lucky ones because they know what’s coming and they can begin to plan for their young person’s life.

Many families are unaware of what happens when their family member reaches the age of 18 or 21...NOTHING HAPPENS. Not unless the family or individual makes it happen themselves.

There are two very important services families and individuals should know about: First, Medical Assistance (also known as Medicaid) and Early & Periodic Screening, Diagnostic and Treatment (EPSDT) services for individuals under the age of 21. Eligible children with disabilities are entitled to receive important services (e.g., therapies, respite, immunizations.) Second, everyone should learn about waivers. What are they? What services are available through enrollment in a waiver program? Please understand that waiver services are not an entitlement -- which means you or your family member do not have guarantee to these services. (Check page 24 for more information on waivers.) Why is this information important? Because it takes a lot of advocacy to receive the services that are necessary for a person with a disability to live independently! (Note: In Pennsylvania, the age of eligibility and types of available services are not based on functional need...rather, they are based on diagnosis and age of onset!)

So, It’s Time to Get with the Program!

- **CHECK OUT SOCIAL SECURITY**
Start with the Internet and look at the programs to familiarize yourself with what is available through the Social Security Administration (SSA). The website is [http://www.ssa.gov/disability/](http://www.ssa.gov/disability/). There are two programs available through SSA for people with disabilities: Supplemental Security Income, (SSI) and Social Security Disability Insurance (SSDI). In addition, if a person with a disability has a deceased parent, or a parent who is on Social Security him/herself (retirement or disability), the adult child can get SSDI on their parent’s Social Security account.

The SSI program is designed for people with disabilities who have little or no income, and it provides cash to meet basic needs for food, clothing and shelter. In addition to the monthly cash payment, SSI also provides Medical Assistance. The SSDI program is for those with a disability who worked a certain amount of time and paid social security taxes.

This is the SSA phone number:  
**US Social Security Administration**  
1-800-772-1213  
TTY 1-800-325-0778
Important note: If you register your child for SSI before the age of 18, the family’s income is counted towards determining eligibility. At age 18 or older, the only income that is counted is the individual who is applying.

Eligibility for SSDI is not based on current income. However, the individual must have a certain number of quarters in which the individual (or his/her parent) had earnings on which Social Security taxes were paid.

- Next, become familiar with the **Pennsylvania Department of Public Welfare (DPW)** website

This website can provide you with information about services for people with disabilities. It’s also the place to go for information about heating assistance, health care and food stamps. These are all programs that can help you live independently.

This is the link to the DPW home page: [http://www.dpw.state.pa.us/](http://www.dpw.state.pa.us/)

Just click on the link on the left side of the page, *Disability Services*, and you are on your way.

There are several offices in the Department of Public Welfare and some of the offices are responsible for serving people with specific disabilities. For example, the **Office of Developmental Programs** helps people who have an intellectual disability. They also provide services to people who have autism. The **Office of Long-Term Living** serves people with physical disabilities and traumatic brain injuries. And, the **Office of Mental Health and Substance Abuse Services** (OMHSAS) helps people who have a mental health disability.

Remember: The disability diagnosis matters. It is very important that you get in touch with the “right” office. You cannot access state services until this happens.

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For People with an Intellectual Disability:

The Office of Mental Retardation is now the Office of Developmental Programs (ODP). This is the link that explains what services may be available to eligible individuals:

[http://www.dpw.state.pa.us/fordisabilityservices/mrservices/index.htm](http://www.dpw.state.pa.us/fordisabilityservices/mrservices/index.htm)

Services for people who have an intellectual disability are administered through their local county Mental Health/Mental Retardation (MH/MR) program office. This link can help you find the contact information for your county:

[https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP](https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP)

For People Who Have Autism:

The Bureau of Autism Services home page on the DPW website has links to several programs that assist people who are on the autism spectrum. For more information, go to [http://www.autisminpa.org](http://www.autisminpa.org).

There is an excellent report on housing options for persons on the autism spectrum available at [http://bastraining.tiu11.org/course/category.php?id=24](http://bastraining.tiu11.org/course/category.php?id=24). You will need to register on this website and “sign-up” for a “course” to download the report. However, there is no charge and no course! Just the report.

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For People with a Physical or Traumatic Brain Disability:

**Office of Long Term Living**

You will hear this term over and over! The “waiver” may provide the supports and services that make it possible for a person with a disability to live in their home and participate in the community. It is a shortened term for the Medicaid (Medical Assistance) Home and Community Based Waiver Program. There are several different waivers in Pennsylvania and they all offer an array of services and supports for a person with a disability. These services may include personal assistance services (attendant care), community integration, home modifications, assistive technology, nursing, therapy, supported employment, etc. So make sure you familiarize yourself with your specific waivers! (Why is a waiver even called a waiver? Because federal dollars traditionally come into Pennsylvania and serve people with disabilities in institutions. However, many people want to receive their services in the community. So the usual flow of federal dollars is waived and the dollars go directly into the community where they are used to support people with disabilities.)

Michael, Will and Kelvin are enrolled in the OBRA waiver (Omnibus Budget Reconciliation Act waiver) because their primary diagnoses are physical disabilities (that occurred prior to the age of 18.) Through their individual service plans, based on individual needs, their waiver provides Personal Assistance Services, Community Integration Services, and funding for transportation services so they can get to medical appointments, work, stores and sports events. The OBRA waiver also funded some of the assistive technology devices and home modifications made to their house.

Click on the links below to read about the different waivers:

- Aging Waiver
- Attendant Care/Act 150
- COMMCARE Waiver
- Consolidated Waiver for Individuals with Mental Retardation
- Independence Waiver
- Infant, Toddlers, and Families Waiver
- LIFE (Living Independence for the Elderly)
- OBRA Waiver
- Person/Family Directed Support Waiver

Waiver Services May Include:

- Assistive Technology
- Community Integration
- Environmental Modifications
- Job Finding
- Residential Habilitation
- Supported Employment
- Therapies (Occupational, Speech and Language, Counseling)
- Transitional Work Services
- Behavioral Specialist Services
- Day Habilitation
- Nutritional Consultation
- Respite

~ Waiting List: Another Term to Understand ~

There is a waiting list to enroll in some of the waivers in Pennsylvania. Keep in touch with advocates, a provider agency, or your county MH/MR office. You have to be an advocate to move off of a waiting list and into a program with services!
Some Closing Remarks…

When an attempt is made to document a process such as the creation of HomeWorks, the emphasis is placed on those aspects that were successful. This is a *How To* manual, not a *How Not To* manual.

Therefore, the recipe for success might appear fairly straightforward. It was not, by any means.

HomeWorks began in the fall of 2005. Michael, Will and Kelvin moved into their new home on Martin Luther King Day, 2008...almost 2 1/2 years later.

There was so much we didn’t know and we didn’t have a manual! However, we took the time that we needed to take, and we learned. The lists of “musts” that the guys and parents put together ended up including everything that was important. Kevin, Michael and Will are delighted with their living situation. They are friends with each other, responsible homeowners and good neighbors. And the community is great!

Although we recognize homeownership won’t be the housing solution for everyone, it is an affordable option for many people. The development of HomeWorks was an affordable option for Michael, Will and Kelvin because everything was -- as we often said -- divided by three!

We found some really wonderful people who helped us all along the way. In addition to those who gifted or discounted goods and services, many folks gave us a great deal of their time and counsel. They were committed to helping us succeed. We are very grateful. We have included most of these people and organizations in this manual -- please reach out to them if you need their help.

Lastly, all of us with HomeWorks are committed to expanding affordable, accessible housing opportunities for people with disabilities. This house -- HomeWorks -- will continue to “live” for a very long time. Not only is HomeWorks incorporated as a Tenants-in-Common Partnership, but we also included a limited equity component. When (or if) Kelvin, Michael or Will move, another person with a disability will be able to afford to move into this house because the individual share will be less than the market value. We want to keep this house “in the community!”

So take a deep breath and have fun with your planning. We hope some of the information we included in this manual will help you along the route to homeownership and independent living!

**Good Luck!**

*Kelvin, Michael, Will and their families*  
April, 2011

P.S.  *We want to give a special “thank you” to our friend, Diane Belnavis.* Diane spent months working with Susan Tachau (Michael’s mother) writing our story. She got to know us and really understand HomeWorks. Now, she’s creating a new model for independent living with some friends! Look for Juniper Hill on facebook!
List of Agencies and Organizations in Pennsylvania

DPW PA Department of Public Welfare  [http://www.dpw.state.pa.us/]

ODP Office of Developmental Programs  [http://www.dpw.state.pa.us/dpworganization/officeofdevelopmentalprograms/index.htm]


PATF Pennsylvania Assistive Technology Foundation  [http://www.patf.us] is a non-profit organization that provides low-interest loans to people with disabilities and older adults so that they can buy the assistive technology devices and services they need.

PHFA Pennsylvania Housing Finance Agency  [http://www.phfa.org] is the Commonwealth’s leading provider of capital for affordable homes and apartments, homeownership programs, rental housing development initiatives.

R HLS Regional Housing Legal Services  [http://www.rhls.org] is a nonprofit law firm with unique expertise in affordable, sustainable housing and its related components.

PHLP Pennsylvania Health Law Project  [http://www.phlp.org] is a nationally recognized expert and consultant on access to health care for low-income consumers, the elderly, and persons with disabilities.

SDHP Self-Determination Housing Project  [http://www.sdhp.org] is a non-profit organization that works to expand housing options for people with disabilities in Pennsylvania.

RLO Residential Living Options  [http://www.residentiallivingoptions.org] is an organization that addresses the needs and interests of persons 50 and older. This site includes links to a section on Universal Design: Home Modifications.

UCP United Cerebral Palsy of Philadelphia  [http://www.ucp.org] is a non-profit organization with a mission to advance the independence, productivity and full citizenship of people with disabilities through an affiliate network.

Home Modifications and Universal Design

AARP  [www.aarp.org/life/home-garden] (formerly known as the American Association of Retired Persons)  [www.aarp.org] is an organization that addresses the needs and interests of persons 50 and older. This site includes links to a section on Universal Design: Home Modifications.

ADA  [www.ada.gov] provides information and technical assistance on the Americans with Disability Act, including information on new construction guidelines.

Community Design Collaborative  [http://cdesignc.org] is a volunteer-based community design center that provides pro bono preliminary design services to non-profit organizations.

Home Modifications in Pennsylvania  [http://homemods.jevs.org] is a comprehensive website that provides information and resources that can help consumers make their homes more accessible. The site also includes information about various funding resources that are available for Pennsylvania residents.

HomeWorks  [http://www.homeworksweb.org] is a website dedicated to the HomeWorks project. May need updating from time to time.

International Code Council  [http://www.iccsafe.org/Pages/default.aspx] is a membership association dedicated to building safety and fire prevention. ICC develops the codes and standards used to construct residential and commercial buildings, including homes and schools.

National Association of Remodelers Industries  [http://www.nari.org] provides information about how to find NARI-certified professionals to help with renovating a home. Resource links are included on the website that provide remodeling tips and other materials that should be considered when modifying a home.

National Kitchen & Bath Association  [http://www.nkba.org] is a source for design ideas, expert remodeling tips, and advice.

The University of California, San Francisco  [http://www.homemods.org] is a website dedicated to promoting aging in place and independent living for persons of all ages. This website includes links to a comprehensive inventory of resources for home modifications and repairs.

Veterans Administration  [http://www.va.gov] Provides funding for home modifications. Also check out the JEVS website above for a comprehensive resource list for Pennsylvanians.
TENANCY IN COMMON AGREEMENT

THIS AGREEMENT made as of the _____ day of __________, 2010 (the “Agreement”) between Kelvin Alston, Michael Anderson and William Keech (collectively referred to as the “Owners” and, individually, as an “Owner” or by their last names), residing in PA (the “Property”).

WITNESSETH:

WHEREAS, the Owners are three adult males enrolled in the Pennsylvania Department of Public Welfare’s OBRA Waiver, a Home and Community-Based program that provides services to people with developmental physical disabilities to allow them to live independently in the community;

WHEREAS, the Owners purchased the Property together, financed part of the purchase price with a loan from the Pennsylvania Housing Finance Agency (“PHFA Loan”) secured by a first mortgage on the Property (“PHFA Mortgage”) and paid for renovations to make the Property accessible;

WHEREAS, each Owner, being a separate economic unit and separately responsible for the costs and expenses of the Property, entered into an Agreement (attached as Exhibit 1) in March 2008 to establish each Owner’s respective financial obligations and rights in regards to the Property and to satisfy the Social Security Administration of the economic independence of each Owner receiving SSI; and

WHEREAS, Owners desire to further memorialize in writing their agreement about their rights and responsibilities as co-owners of the Property;

NOW THEREFORE, in consideration of the mutual agreements contained in this Agreement, and for good and valuable consideration, the parties agree as follows:

Exhibit 1. The provisions of Exhibit 1 are fully incorporated herein by reference.

Voting Shares and Voting. Each individual Owner shall have one voting share with respect to any decisions concerning the Property. All decisions and actions with respect to the Property shall be made by consent of the majority of the Owners, except as otherwise provided herein. However, any amendment to this Agreement must be in writing approved by all Owners.

Board of Directors. The Board of Directors of HomeWorks of Montgomery County (the “Board”) shall have the authority to take certain actions with respect to the Property, as specified in this agreement.

Transfer of Ownership. Option to Purchase as Condition Precedent to Transfer and Transfer Value.

(a) Restrictions on Voluntary Transfers. No Owner shall, except in strict accordance with this Agreement, sell, transfer, lease, mortgage, encumber or assign all or any portion of his or her interest in the Property.

Restrictions Related to Sale

(b) Option to Purchase. If an Owner desires to sell his or her entire interest in the Property, he or she shall notify the other Owners in writing of such intention. The remaining Owner(s), pro rata as determined by their ownership interests, shall have the option, but not the obligation, for a sixty (60) day period commencing the first day of the month following the giving of such notice, to purchase the departing Owner’s share for the Transfer Value, defined below.
(c) **Procedure When Option Not Exercised.** If the other Owners waive in writing their right to purchase the departing Owner’s share or fail to exercise such option within the sixty (60) day period, the departing Owner’s share will be transferred to any person who has been approved by 2/3rds majority vote of the Board, provided that all conditions of this subparagraph have been satisfied. The transfer shall be finalized within a period of twelve (12) months from the date of departing Owner’s written notice of intention under subparagraph 4(b). The transfer price shall not exceed the Transfer Value as defined herein. The terms and conditions of this Agreement shall be binding upon the purchaser, who must execute this Agreement, as amended, at or prior to the closing. Upon transfer, the departing Owner shall be released from his or her obligations under this Agreement, provided all amounts owed under the Agreement by the departing Owner are paid, and PHFA or a successor lender approves the assumption of the departing Owner’s share of outstanding loan(s) by the remaining Owners.

(d) **Failure to Find a Buyer within 12 Months.** If a transfer has not occurred within the 12-month period set forth in 4(c) above, then upon 30 days written notice to all Owners, the departing Owner may demand that the entire Property be sold for the best available price, terms and conditions, except that during such 30 day notice period the remaining Owners shall again have the option to purchase the departing Owner’s interest for Transfer Value, as set forth in 4(b). If this second option is not exercised, all Owners agree to cooperate in the sale of the entire Property, including prompt execution and delivery of any documents or instruments necessary to effectuate a sale of the Property.

(e) **Transfer Value.** Whenever necessary to establish a purchase price of Owner’s share pursuant to this Article, the term “Transfer Value” shall mean the sum of the following:

- (i) all Owner’s Capital Contributions as set forth in paragraph 2 of Exhibit 1;
- (ii) Owner’s share of any additional paid Capital Contributions, including Owner’s share of principal paid on the PHFA loan; and
- (iii) the depreciable cost of any qualified improvements installed at the expense of Owner with the prior approval of all the other Owners;

multiplied by

- (iv) a cost of living adjustment equal to the percentage difference between the cost of living index (now known as "United States Bureau of Labor Statistics Consumer Price Index of All Urban Consumers") for the MSA on March 16, 2007 and the index for the date on which the departing Owner gives notice of his/her intention to vacate;

minus

- (v) Owner’s share of any unpaid Capital Contributions (and interest thereon) and all other amounts due under this Agreement.

**Restrictions Related to Non-Sale Transfers**

(f) All transfers, leases, mortgages, or assignments of all or any portion of Owner’s interest in the Property, except for sales which are addressed in sections 4(b)-(e) above or transfers by will or intestate succession which are within the discretion of each Owner, must be approved by consent of all Owners and by 2/3rds majority vote of the Board.

(g) If an Owner dies, the Owner’s death shall be treated as a notice to sell under 4(b), and the estate of Owner.
Waiver of Right to Partition. While Owners hold title to the property as Tenants in Common, Owners agree on behalf of themselves, their successors, heirs, creditors and assigns that no Owner shall, either directly or indirectly, make an application to any court for a partition of the Property. Owners agree to and do hereby waive the right of partition with respect to the Property and agree that the provisions of this Agreement governing transfer are reasonable as a substitute for such right, especially given Owners' desire to create an affordable homeownership model for persons with physical disabilities.

Sale of the Property and Liquidation of Ownership Interest. In the event that the Owners determine that it would be desirable to sell the property, that action shall be approved by consent of all the Owners and a two-thirds vote of the Board. The Board shall oversee the sale and liquidation of the property to ensure that the Owner's interests are protected.

Distribution of Sale Proceeds. If the Property is sold by all the Owners, the proceeds of such sale shall be distributed in the following order of priority:

(a) first, to the payment of the expenses of the sale;
(b) second, to the payment of debts and liabilities with respect to the Property that were not assumed or taken subject to or in connection with the sale;
(c) third, if the cumulative amount of all expenditures by the Owners for expenses and, alterations or improvements is not equal, then to reimburse the Owner who has spent the greater amount, as a reimbursement for such excess expenditures;
(d) fourth, each Current Owner shall be paid the Transfer Value of his or her ownership interest, as that is defined in paragraph 4(e), but if proceeds are not sufficient to fully compensate each Current Owner for Transfer Value, the Current Owners shall share pro rata in the remaining proceeds; and
(e) fifth, any remaining amount will be called the Undistributed Liquidation Pool (the "Pool"), and shall be distributed as follows:

(i) Each Original Owner who remains a Current Owner shall receive one-third of the Pool.
(ii) Each Current Owner who is not an Original Owner and who has been an Owner for at least five years shall receive one-third of the Pool.
(iii) Each Current Owner who has not been an Owner for at least five years shall receive a pro-rata share of one-third of the Pool, calculated as a percentage equal to the number of days since the Current Owner became an Owner divided by 1,825, the number of days in five years.
(iv) Any former owner who has been an owner in the last five years shall receive a pro-rata share of one-third of the Pool, calculated as a percentage equal to 1,825 minus the number of days since he or she became a former owner divided by 1,825.

(f) Definitions. The following definitions apply to this section.

(i) Original Owner: Kelvin Alston, Michael Anderson, or William Keech, or their heirs.
(ii) Current Owner: An Owner on the date of sale of the Property who was not an Original Owner.
**Status of Relationship.** The Owners acknowledge that it is their intention to hold the Property as tenants in common and that they have expressly elected not to become partners and that neither this Agreement nor any provision of this Agreement shall be interpreted to impose a partnership relationship at either law or equity on the parties. Accordingly, no Owner shall have any liability for the debt or obligation of any other Owner.

**House Rules.** The Owners have unanimously adopted the House Rules attached as Exhibit 2. Those Rules may be amended from time to time by agreement of all Owners.

**Termination for Cause.** The HomeWorks Board shall have the right to declare by two-thirds majority vote that an Owner is in default. Default is defined as material non-compliance with the House Rules or for other good cause, including one or more of the following: behavior which disrupts the liveability of the building, adversely affects the health and safety of any person or the right of any Owner to the quiet enjoyment of the Property, or default for nonpayment. The HomeWorks Board shall give an Owner written notice of default and a thirty-day period to cure such default. If the default cannot reasonably be cured within a thirty-day period and delay would not cause material harm to the other Owners, the period required to cure the default will be extended, provided that the recipient of the notice of default shall commence to cure the default diligently and in good faith. If the default is not cured, the Board shall, by two-thirds majority vote give final written notice of Default, and such notice shall be treated as the Owner’s notice to transfer under paragraph 4(b) above, except that no Owner will be forced to move until the Owner has secured alternative living arrangements.

**Dispute Resolution.** Any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement not otherwise resolved shall be settled by private arbitration, pursuant to the rules attached as Exhibit 3.

**Entire Agreement.** This Agreement, together with the exhibits hereto and any documents specifically referred to herein, constitutes the entire understanding between Owners with respect to the subject matter hereof and merges and supersedes all prior negotiations and understanding, and there are no other representations, promises, agreements or understanding, oral or otherwise, between the parties pertaining to the Property which are not set forth herein. Except as may be otherwise provided in this Agreement, this Agreement and all of the covenants hereof including, without limitation, any options herein contained, shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

**Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall be one document binding on all the Owners even though each Owner may have signed different counterparts.

**Governing Law.** This Agreement shall be governed and construed under the laws of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, the undersigned have set their hands and seals on the date and year first above written.