

Affordable Housing Appeals Act Overview

Kenneth R. Slater, Jr.
Halloran & Sage, LLP
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and supplement case studies



THE AFFORDABLE HOUSING APPEALS ACT

C.G.S. § 8-30g

Key Terms

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(1) “Affordable housing development” means a proposed housing development which is (A) assisted housing, or (B) a set-aside development;

(2) “Affordable housing application” means any application made to a commission in connection with an affordable housing development by a person who proposes to develop such affordable housing;

(3) “Assisted housing” means housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under chapter 319uu or Section 1437f of Title 42 of the United States Code;

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(6) “Set-aside development” means a development in which **not less than thirty per cent** of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that, **for at least forty years after the initial occupation of the proposed development**, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay **thirty per cent or less of their annual income, where such income is less than or equal to eighty per cent of the median income**. In a set-aside development, of the dwelling units conveyed by deeds containing covenants or restrictions, a number of dwelling units equal to **not less than fifteen per cent of all dwelling units in the development** shall be sold or rented to persons and families whose income is **less than or equal to sixty per cent of the median income** and the remainder of the dwelling units conveyed by deeds containing covenants or restrictions shall be sold or rented to persons and families whose income is less than or equal to eighty per cent of the median income;





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(7) “Median income” means, after adjustments for family size, the lesser of the state median income or the area median income for the area in which the municipality containing the affordable housing development is located, as determined by the United States Department of Housing and Urban Development.

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The Plan Requirement

(b) (1) Any person filing an affordable housing application with a commission shall submit, as part of the application, an affordability plan which shall include at least the following: (A) **Designation of the person, entity or agency that will be responsible for the duration of any affordability restrictions**, for the administration of the affordability plan and its compliance with the income limits and sale price or rental restrictions of this chapter; (B) an **affirmative fair housing marketing plan** governing the sale or rental of all dwelling units; (C) a **sample calculation of the maximum sales prices or rents** of the intended affordable dwelling units; (D) a description of the projected **sequence** in which, within a set-aside development, the affordable dwelling units will be built and offered for occupancy and the general location of such units within the proposed development; and (E) **draft zoning regulations, conditions of approvals, deeds, restrictive covenants or lease provisions** that will govern the affordable dwelling units.





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The Appeal Provisions

(f) Except as provided in subsections (k) and (l) of this section, any person whose affordable housing application is denied, or is approved with restrictions which have a substantial adverse impact on the viability of the affordable housing development or the degree of affordability of the affordable dwelling units in a set-aside development, may appeal such decision pursuant to the procedures of this section. . . .

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(g) Upon an appeal taken under subsection (f) of this section, **the burden shall be on the commission** to prove, based upon the evidence in the record compiled before such commission, that the decision from which such appeal is taken and the reasons cited for such decision are **supported by sufficient evidence in the record**. The commission shall also have the burden to prove, based upon the evidence in the record compiled before such commission, that (1) (A) **the decision is necessary to protect substantial public interests in health, safety or other matters** which the commission may legally consider; (B) **such public interests clearly outweigh the need for affordable housing**; and (C) **such public interests cannot be protected by reasonable changes to the affordable housing development**, or (2) (A) the application which was the subject of the decision from which such appeal was taken would locate affordable housing in an area which is zoned for industrial use and which does not permit residential uses; and (B) the development is not assisted housing. **If the commission does not satisfy its burden of proof under this subsection, the court shall wholly or partly revise, modify, remand or reverse the decision** from which the appeal was taken in a manner consistent with the evidence in the record before it.



Interests Usually Not Found to be Substantial

- Preserving density limitations, including minimum lot sizes (one exception: state density recommendations for public water supply watersheds)
- Traffic concerns in the absence of expert findings of actual safety hazards
- Failure to comply with road standards (e.g., minimum width of pavement, sight line requirements) in the absence of expert findings of actual safety hazards
- Environmental concerns in the absence of expert findings of the likelihood of significant environmental harm
- Noncompliance with town ordinances
- Inadequate onsite parking



THE AFFORDABLE HOUSING APPEALS ACT C.G.S. § 8-30g



The Appeal Provisions

(h) Following a decision by a commission to reject an affordable housing application or to approve an application with restrictions which have a substantial adverse impact on the viability of the affordable housing development or the degree of affordability of the affordable dwelling units, the applicant may, within the period for filing an appeal of such decision, submit to the commission ***a proposed modification of its proposal responding to some or all of the objections or restrictions articulated by the commission***, which shall be treated as an amendment to the original proposal. . . . The filing of such a proposed modification shall stay the period for filing an appeal from the decision of the commission on the original application. ***The commission shall hold a public hearing on the proposed modification if it held a public hearing on the original application and may hold a public hearing on the proposed modification if it did not hold a public hearing on the original application.***

Questions?

Affordable Housing Appeals Act

Recent Case Developments and

Town of Glastonbury, Area Median Income (AMI) Calculations

Kenneth R. Slater, Jr.
Halloran & Sage, LLP
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Overview: General Considerations



What “Substantial Public Interests” Clearly Outweigh the Need for Affordable Housing?

While there were about 128 court decisions in affordable housing appeals through the end of 1998, some of them were only on procedural issues.

The applicant prevailed in about 68% of the appeals which have been decided on the merits.

This is significantly different than conventional zoning and planning appeals where the municipal agencies prevail in over 80% of the cases.

Since 1998, the applicant has been successful in about the same to a slightly higher percentage of these appeals.

Since 30% of the units in the project have to be dedicated to affordable housing, the project as a whole is typically of significant size and density so as to be economically viable. This generally means that public water and sewer must be available for the proposed site.

In the cases where the municipal agency's denial of an application was upheld on appeal, there were substantial reasons supported by evidence in the record which were related to public health and safety, such as an inadequate water supply or unavailability of sewers.

As with conventional zoning cases, traffic problems and related safety concerns can be a valid reason for a denial, but generally, there must be more than mere traffic increase and either congestion or an unsafe road design at or near the entrances and exits from the site.

Other potential safety or environmental problems can also be grounds for denial in a proper case, such as where the zoning commission did not have adequate information to decide that residential uses on or near the site would be adequately protected from industrial uses.

The following case illustrations are instructive as a general guide, demonstrating how Connecticut courts weigh various “substantial public interests” against the need for affordable housing in appeals brought under General Statutes 8-30g

Fairfield 2000 Homes Corp. v. Town of Newtown Planning & Zoning Comm'n, 1999 WL 186768 (Conn. Super. Ct. March 22, 1999) (Mottolese, J.)

Substantial Public Interest(s):

1. Sewage Disposal
2. Traffic Impact
3. Earth Removal
4. Water Supply

Facts: The Commission denied an application to construct an affordable housing development with 96 detached single-family dwellings, citing concerns with 1) sewage disposal; 2) traffic impact; and 3) earth removal. The commission identified two substantial public interests regarding the proposed sewage disposal: (i) the proposed system was contrary to the sewer avoidance policy adopted by the Town's Water Pollution Control Authority (WPCA), which included areas where community sewage systems should not be permitted, such as the subject property; and (ii) environmental risks implicated by the proposed mechanical sewage system. In rebuttal, the Plaintiff argued that the proposed sewage system had already received preliminary approval from DEP, and that DEP had exclusive authority to regulate the engineering, permitting and environmental compliance of the sewage system.

Decision: The court rejected Plaintiff's argument that DEP had exclusive authority to regulate the proposed sewage system and upheld the Commission's denial, determining that "there was an absence of evidence before the commission to assuage the fear ultimately expressed by the commission in its reasons for denial, namely pollution of the aquifer by large concentrations of wastewater effluent which has not been properly treated." *Id.* at *6. The court held that the commission was justified in denying the application where the plaintiff had failed to address the consequences of a breakdown in the proposed sewage system, identifying the Town's water supply as a substantial public interest that should be protected, and which outweighed the need for affordable housing. *Id.* at *7-8.

AvalonBay Communities, Inc. v. Wilton Planning & Zoning Comm'n, 2001 WL 1178638 (Conn. Super. Ct. September 6, 2001) (Munro, J.)

Substantial Public Interest(s):

1. Traffic and Parking
2. Safety of Residents and Community
3. Storm Water Management

Facts: AvalonBay, in its modified proposal pursuant to § 8-30g(d) submitted an application to construct 113 townhouse rental units on 10.6 acres in Wilton. The Commission denied the modified proposal, citing: 1) traffic safety concerns including insufficient and poorly located site parking, turning gaps, and sight lines; 2) safety concerns affecting site residents, especially children, such as unsafe walkways and bus stops, inadequate lighting and unsuitable recreational areas; and 3) environmental concerns including inadequacy of storm water management plans.

Decision: The court upheld the Commission's denial, concluding chiefly that "the underground detention structure and the potential for exacerbating downstream flooding raises a substantial public interest in both health and safety" and noting that "[t]he capacity of the infrastructure of a proposed development is a substantial concern in deciding whether a particular proposal should be adopted." *Id.* at *15 citing *West Hartford Interfaith Coalition, Inc v. Town Council*, 228 Conn. 498, 510-11 (1994). The court further upheld the denial based on traffic concerns, including increased visits to the site from trucks, which, combined with the ordinary traffic in the location of the proposed development, and, on balance, created a substantial public safety issue that clearly outweighed the need for affordable housing.

Substantial Public Interest(s):

1. Impact on Wetlands

Landworks Development, LLC v. Town of Farmington Planning & Zoning Comm'n, 2002 WL 377210 (Conn. Super. Ct. 2002) (Eveleigh, J.)

Facts: The denial of an application to amend the zoning regulations, change the zone of 67.5 acres of land, and a site plan for a 384 rental unit affordable housing development was upheld where (i) the commission met its burden of proof that the applicant had to obtain an approval from the inland wetlands agency; (ii) there was sufficient evidence of a wetlands impact due to storm water runoff and drainage on the site; and (iii) the applicant had not filed an application for a regulated activities permit before filing the site plan application with the planning and zoning commission under § 8-3(g), which was required by that statute even though the zoning application was for affordable housing under § 8-30g.

Decision: The court noted that the protection of inland wetlands and watercourses “are an indispensable and irreplaceable, but fragile natural resource with which the citizens of the State have been endowed.” *Id.* at *9. The Court acknowledged that the preservation of these resources is “in the public interest.” *Id.* Notwithstanding the fact that the inland wetlands and watercourses agency never reviewed the application, the court noted that the Commission had heard testimony regarding the importance of setbacks to avoid detrimental impact to the vernal pool ecosystem and concluded that there was sufficient evidence in the record to justify a sufficient buffer from the vernal pool.

Further, the court found that the record “also includes extensive evidence from an expert witness regarding the applicant’s failure to propose a storm water management and treatment system which avoid impacts to the brook and wetlands on the property, such as the discharge of pollutants and sedimentation erosion.” *Id.* at *11. The court reasoned that “the environment resources are recognized as a vital public interest that may serve as a basis to deny an affordable housing plan.” *Id.* at *12.

AvalonBay Communities, Inc. v. Zoning Com'n of Town of Stratford,
130 Conn. App. 36 (2011).

Substantial Public Interest(s):

1. Emergency Vehicle Access
2. Adequacy of Site Access
3. Wetlands Permit Requirement

Facts: Commission denied an affordable housing plan citing (i) safety concerns for emergency vehicle access for fire trucks under an underpass; (ii) the adequacy of a public street for a secondary emergency access; and (iii) that a new inland wetlands permit application was required for a new site plan despite prior review of the previous site plan. Ultimately, the court found that these reasons were not supported by sufficient evidence in the record which outweighed the need for affordable housing, and the record did not establish that there was more than a theoretical possibility of a specific harm to the public interest.

Decision: The court affirmed in part and reversed in part the judgment of the trial court. Chiefly, the court concluded that the record supported the plaintiff's claim that the underpass provided sufficient access for emergency vehicles and, thus, was not a proper basis for denial. Further, the court did not find persuasive the Commission's argument that the Town's fire department and, in particular, its aerial fire truck, would have difficulty accessing the development in an emergency because of the limited height of the underpass finding that such a basis for denial was not supported by sufficient evidence in the record.

Eureka V, LLC v. Planning & Zoning Comm'n of Town of Ridgefield,
139 Conn. App. 256 (2012)

Substantial Public Interest(s):

1. Protection of Public Watershed
2. Sewer Lines

Facts: The applicant originally proposed a 509-unit (modified to 389-units) housing project with an affordable housing component on 153 acres in Ridgefield. Some of the units were to be located within the public water supply watershed area. The Commission allowed units on the non-watershed area but disallowed any residences on the watershed area. The trial court upheld the Commission's decision to not permit housing on the watershed portion. The trial court also upheld the Commission's decision not to allow sewer lines to enter the watershed area or to permit private septic systems on watershed lands.

Decision: The Appellate Court reversed and remanded the case back to the Commission. Although protection of the watershed was a substantial public health interest (generally), the Appellate Court found that the evidence was not sufficient to show that the Commission's *complete* ban on housing in the watershed was necessary to protect this interest, as opposed to limiting density *Id.* at 275. The Appellate Court also concluded that the commission failed its evidentiary burden to show that a total ban on sewerage within the watershed was necessary to protect the public's interest in safe drinking water. On remand, the Commission was ordered to "approve the plaintiff's application under reasonably justified terms and conditions with regard to the watershed portion of the subject property in accordance with this opinion."

Eppoliti Realty Co., Inc. v. Planning and Zoning Com'n of Town of Ridgefield,
2013 WL 6510893 (Conn. Super. Ct. 2013) (Berger, J.)

Substantial Public Interest(s):

1. Drainage

Facts: The Commission approved a 14-unit application subject to conditions which included a requirement for a groundwater monitoring analysis because of concerns cited by the Commission about the impact of the proposed stormwater management system on downstream property. The Court upheld the Commission's decision, finding that it was supported by sufficient evidence in the record because there was insufficient data on how the proposed drainage system would work, and an appeal challenging the condition was dismissed.

Decision: The court stated that “drainage impact issues—whether on people structures or the environment—have long been a consideration in land use planning and permitting” and that “an applicant should not be permitted to refuse unilaterally to submit required information and then appeal in an attempt to force the town to prove the information was necessary under the burden switching mechanism of 8-30g(g).” *Id.* at *10.

The record contained numerous reports which established the need for the groundwater mounding analysis because of uncertainty that the soil could handle the water discharged.

The court found that the commission was within its rights to request more information and reject the opinion of the plaintiff's expert in favor of its own expert's opinion, stating:

“A determination of the location of where the water would discharge... was essential to the commission's decision. Such information is necessary to the protection of the health, safety, and welfare of the community as a whole and the particular neighborhood specifically.” *Id.* at *9.

Cross Street, LLC v. Westport Planning & Zoning Comm'n,
2020 WL 5624112 (Conn. Super. Ct. Jul. 10, 2020) (Roraback, J.)

Substantial Public Interest(s):

1. Operational Fire Safety Concerns
2. Pedestrian Safety
3. Preservation of Historic Resources

Facts: The Plaintiff appealed the Commission's denial of its application for an 81-unit apartment building with 104,625 square feet of floor area located on 3.15 acres in Westport.

Chiefly, the Commission denied the application due to operational fire safety concerns – although no violation of the fire code existed – and also cited concerns for pedestrian safety and preservation of historic resources. The court ultimately sustained the appeal and remanded back to the

Commission for approval, subject to conditions that the applicant secure approval from the Town's traffic authority for the removal of on-street parking spaces to accommodate sight lines and to make provision for the safe access of emergency vehicles, as outlined in the Plaintiff's application.

Decision: The main issue in front of the court, was whether, if a proposed development does in fact meet all requisite fire and building code requirements, can evidence from a local fire marshal (or consultant) of practical and operational difficulties be considered to outweigh code compliance and justify denial.

This court held no, stating: "Even if there is sufficient evidence in the record for Westport to have concluded that a substantial public interest would be served by requiring more than is required by applicable codes, the court finds that premise, in the context of a Section 8-30g appeal, to be an inadequate foundation for concluding that any such substantial public interests clearly outweighs the need for affordable housing in Westport." *Id.* at *7; see also *Garden Homes Mgmt. Corp. v. Fairfield Town Planning & Zoning Comm'n*, 2017 WL 2784127 (Conn. Super. Ct. Mar. 3, 2017), *aff'd sub nom. Garden Homes Mgmt. Corp. v. Town Plan & Zoning Comm'n of Town of Fairfield*, 191 Conn. App. 736, 216 A.3d 680 (2019).

John & Dilan, LLC v. Town Plan & Zoning Comm'n of the Town of Fairfield, 2021 WL 3910685 (Conn. Super. Ct. Aug. 13, 2021) (Welch, J.)

Substantial Public Interest(s):

1. Sight Lines
2. Failure to Meet Sight Line Standards of DOT

Facts: The Commission found that the applicant's proposed accommodations to prohibit parking on the street, to remove hedges and to prohibit left turns exiting the site did not alleviate the concerns regarding the sight line; that regardless of the established sight line standard, the likelihood of vehicles parking in adjacent driveways further limit the sight line to an unacceptable distance and that there is no enforcement mechanism to prevent a resident from parking in their driveway within the right of way; that the probability that drivers will obey the left turn prohibition is limited, further reducing public safety; that given all the factors regarding roadway geometry, the 85th percentile speed, existing on street parking, adjacent hedges and parking in adjacent driveways there is more than a mere concern, but rather a significant probability of significant risk to public safety; that the identified substantial interest in public health and safety outweighs the need for affordable housing; and that such public interest cannot be protected by reasonable changes to the proposed development.

Decision: The court considered and cited the extensive testimony and evidence offered by several expert consultants during the public hearings, ultimately upholding the Commission's denial.

The Commission went to great lengths to analyze, reconcile and establish credibility of the competing traffic reports and testimony and, as a result, the court concluded that the record did show that there was "more than a mere theoretical possibility, but not necessarily a likelihood, of specific harm to the public interest if the application is granted." After its plenary review of the record, the court held that the commission had satisfied its burden because there was sufficient evidence in the record to support its decision that the denial was necessary to protect substantial public interests in health and safety.

Hopp Brook Developers, LLC v. Town of Beacon Falls Planning and Zoning Commission, 2023 WL 3071086 (Conn. Super. Ct. April 17, 2023) (Roraback, J.)

- Substantial Public Interest(s):
1. Septic System Compliance
 2. Public Water Supply

Facts: The interplay with the wetlands agency was central in an appeal from the conditional approval of a zoning text amendment and denial of zoning map amendment to allow a 109-unit affordable housing development on 59 acres in Beacon Falls. The Commission imposed nine conditions on the text amendment requiring the applicant to make further changes to the text, and denied the map amendment because of the need to modify the text amendment.

Wetlands Interplay: The Court found that the Commission lacked authority to require the applicant to return to the inland wetlands commission for a modification of a wetlands permit, because only the inland wetlands commission can impose such a requirement..

Decision: The Court upheld the text amendment modifications requiring amendments to certain typographical errors in the text, requiring approval of the septic systems by the relevant governing authority, requiring that the homes be furnished with public water from a company authorized to do so from the Department of Public Health, and requiring the applicant to comply with certain zoning regulations that the applicant had agreed to comply with. The Court struck conditions requiring that internal streets comply with the driveway standards in the zoning regulations finding that the 24-foot wide proposed streets were adequate, that the density be reduced, that the tree diameter and planting requirements be modified (which the Commission conceded was not required), that the applicant be required to illustrate the proximity of the watershed to the development finding that there was no requirement for such mapping by the regulatory authority, and that certain regulations that the applicant disagreed with be incorporated into the text. The Court reversed the denial of the zoning map amendment, finding that the zone change should be approved given the Court's approval of the modified text amendment.

131 Beach Rd., LLC v. Town Plan & Zoning Comm'n of Town of Fairfield,
No. 20808, 2024 WL 3381648 (Conn. July 11, 2024)

(Only Westlaw citation is currently available)

Substantial Public Interest(s):

1. Historic Preservation where Development is not Located within Historic District

Facts: Developer appealed commission decision to deny, in part, an application to construct a 40-unit affordable housing development near a historic district. The roughly 53-foot-high apartment building was to go on a 0.65-acre property in Fairfield. The Supreme Court transferred the appeals of the commission and intervenors.

Decision: Justice Ecker wrote for the court that historic preservation is “among the panoply of interests that a zoning commission may properly consider,” but added that the proposed apartment building is neither in the historic district nor “abutting” it. The Court found that, even if the legislature intended the public interest in historic preservation to apply to buildings outside the historic district, the commission failed to prove that an interest in protecting the viewsheds from those sites “clearly outweighed the need for affordable housing in Fairfield.”

Substantial Public Interest(s):

1. Sewage System
2. Sight Lines
3. Narrow Parking Driveway
4. Lack of Parking

15 Unquowa Rd., LLC v. Town Plan & Zoning Comm'n of the Town of Fairfield, 2024 WL 3949050 (Conn. Super. Ct. Aug. 20, 2024) (Frazzini, J.T.R.)

Facts: Most recently, the Court sustained an appeal of a Commission's denial of an 8-30g application in Fairfield. The Commission denied an application for a text amendment to the zoning regulations and an application to construct a 63-unit affordable housing project. In its denial, the Commission cited to an overwhelmed sewage system, increased flooding, a narrow parking driveway, a lack of parking spaces, and poor visibility for vehicles leaving the parking garage.

Decision: After its plenary review, the Court found that "the risk of harm to the public interests that the commission was entitled to protect do not clearly outweigh the need for affordable housing, since the public interest can be protected by reasonable changes to the affordable housing development." The Court remanded the matter back to the commission with intermediate orders that (i) the plaintiff shall cause additional soil testing to determine the vertical separation distance between the bottom of the proposed infiltration devices and depth of the groundwater; (ii) the plaintiff shall submit revised architectural drawings showing that access ramps and driveways will have an unobstructed width of twenty feet; and (iii) the plaintiff shall submit a revised text amendment to make clear the revision applies only to the plaintiff's property. The Court further instructed that the commission was to file notice with the Court within sixty days indicating whether these orders had been met, at which time the Court would issue its final order that both applications be granted.

Glastonbury Area Median Income Limits (Base Calculation)

Regs. Conn. State Agencies § 8-30g-8...

(d) The maximum price for a rental unit in a set-aside development, for the period of affordability restrictions, for a household earning eighty percent of the median income or less, shall be determined as follows:

(1) **Step 1.** Determine area median income and the statewide median as published by the U.S. Department of Housing and Urban Development for the subject municipality, and **use the lesser of these figures.**

- **Glastonbury:** \$121,800.00
- **Connecticut:** \$122,300.00

(2) **Step 2.** Adjust median income identified in Step 1 by family size by assuming that 1.5 persons will occupy each bedroom of an affordable unit, except in the case of a studio or zero-bedroom unit, in which case 1.0 person shall be assumed. **Family size adjustment shall be made with reference to the following percentages:**

Number of Persons in Family	1	2	3	4	5	6	7	8
Percentage Adjustment	70%	80%	90%	100% (BASE)	108%	116%	124%	132%

The family size adjustment that involves a half person (such as 4.5 persons) shall be calculated by taking the midpoint between the relevant figures above and below the half. For example, the adjustment for a 4.5 person household is 104 percent.

(3) **Step 3.** Calculate eighty percent (80%) of Step 2....

(e) For a unit required to be rented to a household earning sixty percent (60%) or less of the median income, the formula stated above shall be used, except that in Step 3, sixty percent (60%) shall be used instead of eighty percent (80%)...

CGS § 8-30g Calculations (Glastonbury)

GLASTONBURY: 80% AND 60% LIMITS

(HARTFORD-WEST HARTFORD-EAST HARTFORD, CT HUD METRO FMR AREA)

Income Limit	1-person	2-person	3-person	4-person	5-person	6-person	7-person	8-person
Family Size Adjustment	\$85,260	\$97,440	\$109,620	\$121,800	\$131,544	\$141,288	\$151,032	\$160,776
	\$85,260 *	\$97,440 *	\$109,620 *	\$121,800 *	\$131,544 *	\$141,288 *	\$151,032 *	\$160,776 *
	0.8 =	0.8 =	0.8 =	0.8 =	0.8 =	0.8 =	0.8 =	0.8 =
80% Limit	\$68,208.00	\$77,925.00	\$87,696.00	\$97,440.00	\$105,235.20	\$113,030.40	\$120,825.60	\$128,620.80
	\$85,260 *	\$97,440 *	\$109,620 *	\$121,800 *	\$131,544 *	\$141,288 *	\$151,032 *	\$160,776 *
	0.6 =	0.6 =	0.6 =	0.6 =	0.6 =	0.6 =	0.6 =	0.6 =
60% Limit	\$51,156.00	\$58,464.00	\$65,772.00	\$73,080.00	\$78,926.40	\$84,772.80	\$90,619.20	\$96,465.60