

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**

**HUD SECTION 811 APPLICATION**

**DUNS #** 

**EXHIBIT** 4(a) **NEED**

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**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**  
**SILVER SPRING, MARYLAND**  
**SECTION 811 APPLICATION**  
Duns # [REDACTED]

**EXHIBIT 4(a) STATEMENT REGARDING THE COMMUNITY'S ANALYSIS OF  
IMPEDIMENTS**

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1. We contacted the following person at Montgomery County:

Ms. Luann Korona  
Department of Housing & Community Affairs  
100 Maryland Avenue, 4<sup>th</sup> Floor  
Rockville, Maryland 20850  
[REDACTED]

2. We discussed with the above the Community's Analysis of Impediments to Fair Housing choice. They also mailed us a copy of the Analysis of Impediments.

Lack of affordable housing for disabled persons was cited as an impediment to housing choices in the Community. There is a great need for this type of housing in the Community and also that the needs of minorities in this area have been previously neglected.

3. After a review of the County's Analysis of Impediments, it was decided that our proposed project would greatly help alleviate the impediments cited since we will be providing affordable housing for low income persons and minority disabled persons.

## **Exhibit 4(a): Need for Supportive Housing**

### **Population and Sustained Demand**

The sponsor anticipates that the units will be occupied by homeless persons with severe and persistent mental illness, including minorities with disabilities. All residents will be 18 years of age and older. Residents may also have physical or developmental disabilities and/or chronic somatic health problems. Eligible individuals ready to live independently and meeting the HUD definition of chronically homeless will receive priority when filling vacant units.

Regrettably, demand for affordable, permanent supportive housing far exceeds the number of Ashmore units. The 2007 Point in Time survey documents a total of 640 homeless single individuals. Of these, 535 (84%) have a special need including mental illness, physical or developmental disabilities, and chronic health problems.

According to Arleen Rogan with the Montgomery County Core Service Agency, there are currently about 160 people on the waiting list for residential rehabilitation programs. These are all disabled adults needing supportive housing. This is an increase in demand for services from a list which has historically fluctuated between 120 – 130 according to Ms. Rogan.

The overall real estate market in Montgomery County is extremely tight, even for households able to afford market rate rents. According to the Montgomery County Vacancy Rate report, in 2006 the overall vacancy rate in market rate and subsidized rental properties fell to 3.9%, a decrease of .7% from the previous year. Efficiency apartments had an even lower vacancy rate of 2.9% reflecting the high demand for smaller, more affordable rental units.

The market for affordable housing is even tighter, with essentially 100% occupancy for quality affordable housing. According to the Montgomery County 2006 Vacancy Report prepared by the Department of Housing and Community Affairs, 9,889 people were on waiting lists for 59 facilities providing affordable housing for low-income families or housing and services to the elderly or disabled. This is a remarkable 42% increase in the length of waiting lists for affordable housing in the last year alone.

The Housing Opportunities Commission (HOC) which operates the Housing Choice Voucher program reported that in 2006 there were 10,025 households on the waiting list for only 5,575 Housing Choice Vouchers – in other words, almost twice as many people were waiting for a voucher as can be served by the program. Of the households on the waiting list, approximately 2,500 or 25% are anticipated to include a family member with a disability. Furthermore, the Housing Choice Voucher waiting list understates the need for this form of

subsidy, since the sheer length of the waiting list for Housing Choice Vouchers discourages other potential eligible applicants from even trying to get a voucher.

### **Occupancy and Vacancy**

The high level of demand for units like the Ashmores is also supported by the operating experience of similar programs. The Coalition's programs which serve homeless individuals with disabilities operate at capacity. The Men's Emergency Shelter operates at full capacity during non-winter months when it serves 60 men. In the winter, the Shelter operates ABOVE "capacity" – with the support of the County the Shelter expands to meet the need during winter months. This winter, the County supported the operation of the MES at 100 men, a trailer for an additional 35 men and provided additional space at a County recreation center for an additional 40 men. The Safe Haven program of the Coalition, which also houses homeless individuals living with chronic mental illness, operates at 90 -100% capacity, depending on the facility. Seneca Heights permanent housing program houses individuals exiting homelessness, 93% of whom are living with a disability, chronic physical illness or addictions, operates at full capacity. When Seneca Heights first opened, they received over 80 applications for the 40 spots. The waiting list is purged every six months and turnover is very low. It operates at full capacity. It is not just Coalition housing programs which operate at capacity. Housing Unlimited, which provides affordable housing for people living with chronic mental illness operates with no vacancy and maintains a waiting list, according to Executive Director Abe Schuchmann.

### **State and Local Needs Assessments and Planning Documents**

The need for the Ashmore project is further documented by the high priority placed on creating new permanent supportive housing in County assessment and planning documents, including the County Consolidated Plan, the County Housing Policy, and "Homelessness in Montgomery County: Beginning to End," which was adopted by the County as part of its housing policy in 2002.

The Montgomery County Consolidated Plan for '06-'07 lists as its first three key priorities 1) affordable housing, 2) affordable housing with supportive services, and 3) shelter and services for the homeless. Excerpts from the Consolidated Plan are attached. On the need for housing with supportive services the plan states:

*...there is added need for housing that is affordable and accessible that meets the supportive services needs of persons with physical or developmental disabilities, those who are victims of abuse, and those with chronic mental illness or addictions. Funding to nonprofit organizations to purchase properties for use as group homes is one way to assist in*



*meeting this need, but additional strategies need to be pursued to address this priority need. (p. 14)*

The Ashmore is just such an additional strategy, which provides greater housing choice for disabled residents of Montgomery County.

The Consolidated Plan continues describing the need for shelter and services for the homeless:

*For the homeless or those threatened with homelessness, housing choices are not only limited by affordability considerations but also by the need for supportive services. Preventing homelessness through early intervention, coordinated case management, and financial assistance were identified as priorities along with more long-term transitional and permanent housing and supportive services needed to help those already homeless. (p. 15)*

The Ashmore units will meet this high County priority, addressing the need for additional affordable permanent housing with supportive services for people exiting homelessness.

The attached excerpts from the Montgomery County Housing Policy show the commitment of the County to provide permanent supportive housing with supportive services to residents with special needs. The Housing Policy calls for the County to "encourage production of housing for populations with special needs, including seniors, persons with disabilities, persons with mental illness, and persons transitioning from homelessness." The excerpts demonstrate that the County places a high priority on serving the very lowest income individuals and on serving those with special needs including chronic mental illness.

"Homeless In Montgomery County, Beginning to End," was officially adopted by the County as part of its housing policy in 2002. This document demonstrate the County's commitment to end homelessness, including its commitment to a "Housing First" model.

*The "housing first" philosophy is intrinsic to "Beginning to End"; therefore, this plan emphasizes housing. "Housing first" means permanent supportive housing (housing with services) for the chronically homeless. (p. 6)*

The Ashmore is an example of a "housing first" strategy which provides permanent housing with supportive services for disabled individuals exiting homelessness. The Ashmore project addresses many of the County's highest housing priorities because of the great unmet need for housing of this type.

July 1, 2006 – June 30, 2007

EXHIBIT 4(a)

**CONSOLIDATED PLAN FOR  
MONTGOMERY COUNTY, MARYLAND  
Executive Summary**

Background

This Plan sets forth overall needs for community and economic development, including affordable and supportive housing; it also identifies the needs of special populations, such as the homeless and persons with disabilities. The Consolidated Plan provides a comprehensive strategy for addressing identified needs that relies on both public and private resources and participation by and coordination with all interested parties, with an emphasis on citizen input. A federally-approved plan is required of all states and local jurisdictions entitled to receive federal funds under the following programs:

- ! Community Development Block Grant (CDBG)
- ! Emergency Shelter Grant (ESG)
- ! HOME Investment Partnership (HOME)
- ! Housing Opportunities for Persons with Aids (HOPWA)

This Action Plan specifically identifies how funds received for the year will be spent to meet the priority needs identified in the Consolidated Plan.

For the fiscal year July 1, 2006 - June 30, 2007, Montgomery County has been notified by HUD, that upon approval of its Consolidated Plan/Annual Action Plan, it is eligible to receive the following amounts:

CDBG	\$6,382,662 (includes program income)
Home	\$2,863,177 (includes program income)
ESG	\$ 226,596

As for HOPWA, the program was established by HUD to address the specific housing and service needs of persons living with HIV/AIDS and their families. The City of Gaithersburg has been designated as a formula grantee for HOPWA funds on behalf of the Bethesda-Frederick-Gaithersburg Metropolitan Division. The Montgomery County Department of Health and Human Services was selected to serve as the HOPWA project sponsor for the County because its experience providing HIV/AIDS services and offering case management services to HOPWA. It is estimated that \$452,000 in HOPWA funds for Montgomery County will be available during Fiscal Year 2007 to serve 37 individuals. See the appendix for more information on this program.

HOPWA formula funds will assist in the provision tenant-based rental assistance to eligible, low-income persons that are not being addressed by other public and private resources. With the demand for affordable housing in the Metropolitan Division far outstripping the supply of affordable units, this tenant-based rental assistance meets an urgent need.

Data on income limits is provided below:

The median household income in Montgomery County is \$90,300 as of March, 2006.

Family Size	Extremely Low (30% of median)	Low (50% of median)	Moderate (Section 8 Low)
1	\$18,950	\$31,600	\$41,700
2	\$21,700	\$36,100	\$47,700
3	\$24,400	\$40,650	\$53,650
4	\$27,100	\$45,150	\$59,600
5	\$29,250	\$48,750	\$64,350
6	\$31,450	\$52,350	\$69,150
7	\$33,600	\$56,000	\$73,900
8	\$35,750	\$59,600	\$78,650

Source: U.S. Department of Housing and Urban Development March, 2006

*Affordable Housing With Supportive Services*

In addition to the need for affordable housing for low-income county residents not in need of supportive services, there is the added need for housing that is affordable and accessible that meets the supportive services needs of persons with physical or developmental disabilities, those who are elderly, those who are victims of abuse, and those with chronic mental illness or addictions. Funding to nonprofit organizations to purchase properties for use as group homes is one way to assist in meeting this need, but additional strategies need to be pursued to address this priority need.

### Shelter and Services for the Homeless

For the homeless or those threatened with homelessness, housing choices are not only limited by affordability considerations but also by the need for supportive services. Preventing homelessness through early intervention, coordinated case management, and financial assistance were identified as priorities along with more long-term transitional and permanent housing and supportive services needed to help those already homeless. The need for year-round shelter and safe havens for those single homeless persons who are unwilling or are unable to assume the responsibilities inherent in participation in the county's system of social services continue to be priorities as well. In 2005, 33% of the families in the shelter system population were identified as suffering from chronic mental illness, substance abuse or co-occurring disabilities; 43% of the families reported domestic abuse. Seventy-three percent of the single adult shelter population was identified as suffering from chronic mental illness, substance abuse or co-occurring disabilities. Issues related to the special needs of the homeless recuperating after hospital discharge or those in need of health services like dental and vision care or with illnesses such as tuberculosis or HIV/AIDS were also identified as priorities. Public services that support families, especially those benefiting children and youth and those addressing needs of the ethnically and linguistically diverse immigrants to the county, are identified as priorities, as are services for the elderly.

An Interagency Housing Workgroup made up of public and private agency leaders has formed to study, develop and recommend policies to expand homelessness prevention efforts and housing options for households with incomes below 30% of the area median income (AMI) and who also have a disability, are homeless or are elderly. The workgroup determined that households with this very low income level and special needs require deep rental subsidies linked to appropriate housing supports and service coordination. The County Executive responded to this need in his Recommended FY07 Operating Budget by including \$473,000 to establish a supportive housing rental assistance program to provide "deep" housing subsidies (up to 80% of Fair Market Rents) for 75 special needs and homeless households.

### Non-Housing Community Development

Montgomery County also places a high priority on cultivating a positive business climate through incentives to businesses which will result in job creation and retention, including support through economic and commercial revitalization activities. Capital projects including acquisition, renovation, and construction of public facilities and infrastructure improvements are components of this overall effort. Public services that support expansion of economic opportunities for persons of low and moderate-income and those with special needs, including employment, employment training, and other supportive services are a high priority as well.

### Fair Housing

Actions to affirmatively further housing choices for all county residents are coordinated through the County's Human Relations Commission (HRC) and spearheaded by the Interagency Fair Housing Coordinating Group, an entity with both public and private sector representation.

# Vacancy Rates

A vacant unit is defined as one offered for rent, but not leased as of April 1, 2006.

## Highlights – Market and Subsidized Units

- The Countywide vacancy rate for all units was 3.9 percent in 2006, a decrease of 0.7 percentage points from the 4.6 percent vacancy rate in 2005.
- Vacancy rates in the City of Gaithersburg and the City of Takoma Park decreased in 2006. The City of Gaithersburg experienced a 1.1 percentage point decrease with the vacancy rate in 2006 falling to 4.8 percent. The City of Takoma Park saw a 0.8 percent point decline with the vacancy rate dropping to 1.3 percent in 2006. The City of Rockville had an increase in its vacancy rate, moving from 3.3 percent in 2005 to 3.9 percent in 2006.
- Vacancy rates declined for most unit sizes in 2006. Efficiency units had the lowest vacancy rate at 2.9 percent, a decrease of 2.3 percentage points from the 2005 rate of 5.2 percent. The one and two bedroom unit vacancy rates fell to 3.7 percent and 3.9 percent respectively in 2006. Only the four bedroom plus category experienced an increase rising from 2.3 percent in 2005 to 2.8 percent in 2006.
- Bethesda-Chevy Chase had the tightest market of the major market areas, with a vacancy rate of 1.7 percent, 2.2 percentage points below the countywide average. The highest vacancy rate of the major market areas was found in Germantown-Gaithersburg at 5.2 percent.
- Vacancy rates by structure type ranged from a low of 2.8 percent for midrise and highrise buildings to a high of 6.3 percent for townhouse/piggyback units.

## Highlights – Market Rate Units

- The Countywide vacancy rate for market rate units only was 4.3 percent in 2006, a decrease of 0.6 percentage points from the 4.9 percent vacancy rate in 2005.
- Bethesda-Chevy Chase was the tightest major market area with a vacancy rate of 1.8 percent. Germantown-Gaithersburg had the softest market of the major market areas with a vacancy rate of 5.7 percent.
- Townhouse/Piggyback units had the highest vacancy rate at 7.9 percent. Midrise and highrise apartment units had the lowest vacancy rate at 3.3 percent.
- Vacancy rates by turnover rent range went from a low of 0.4 percent in units with rents over \$2,500 to a high of 6.1 percent in units with rents between \$800-899.

## Waiting Lists Market Rate and Subsidized

The survey also requested information about applicant waiting lists. One hundred and fifty-two (152) properties, approximately 37.7 percent, of the 403 properties included in this report, responded that they were maintaining waiting lists as of April 1, 2006. A total of 11,609 applicants were on these lists. The majority of the applicants, 85.1 percent, were reported on lists for 59 special facilities for low-income families or that provide services to the elderly or disabled. The remaining waiting list applicants, 14.9 percent, were reported on lists for 93 market rate facilities

### Applicants on Waiting List by Jurisdiction and Market Type 2005-2006

	2005			2006		
	<u>Facilities Responding</u>			<u>Facilities Responding</u>		
	<u>All</u>	<u>Subsidized</u>	<u>Market</u>	<u>All</u>	<u>Subsidized</u>	<u>Market</u>
Unincorporated Areas	119	40	79	125	49	76
City of Gaithersburg	10	2	8	9	2	7
City of Rockville	9	6	3	9	6	3
City of Takoma Park	7	2	5	9	2	7
<b>Total All</b>	<b>145</b>	<b>50</b>	<b>95</b>	<b>152</b>	<b>59</b>	<b>93</b>

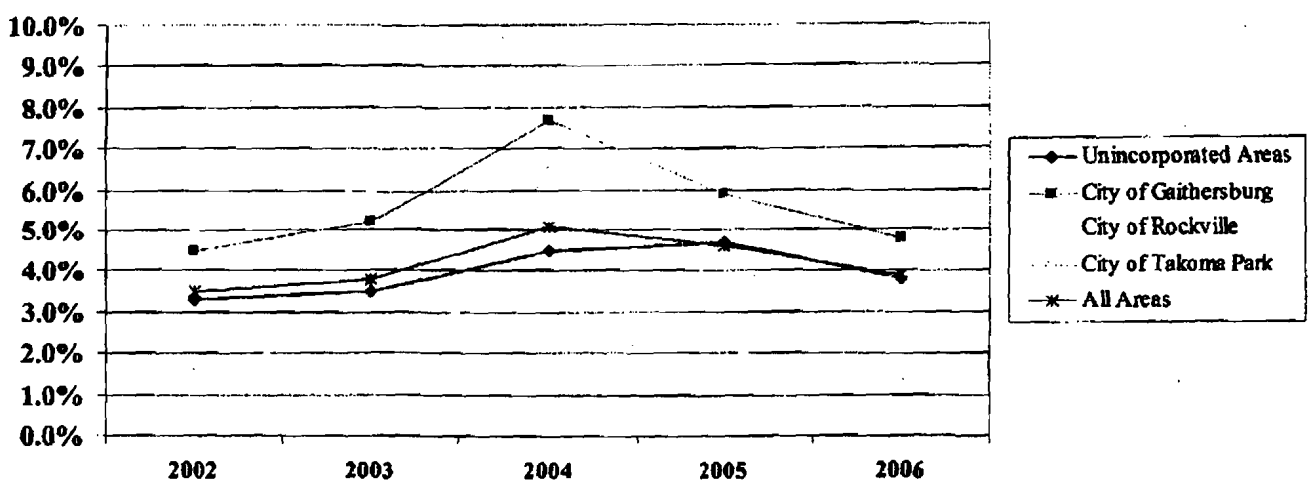
	2005			2006		
	<u>Applicants on Waiting List</u>			<u>Applicants on Waiting List</u>		
	<u>All</u>	<u>Subsidized</u>	<u>Market</u>	<u>All</u>	<u>Subsidized</u>	<u>Market</u>
Unincorporated Areas	6,714	5,790	924	9,672	8,580	1,092
City of Gaithersburg	92	40	52	107	77	30
City of Rockville	1,010	971	39	1,314	1,027	287
City of Takoma Park	345	181	164	516	205	311
<b>Total All</b>	<b>8,161</b>	<b>6,982</b>	<b>1,179</b>	<b>11,609</b>	<b>9,889</b>	<b>1,720</b>

## Vacancy Rates Market Rate and Subsidized

### Vacancy Rates By Jurisdiction 2006

	<u>Units</u>	<u>Vacant</u>	<u>Vacancy Rate</u>
Unincorporated Areas	55,704	2,148	3.9%
City of Gaithersburg	6,371	305	4.8%
City of Rockville	4,811	189	3.9%
City of Takoma Park	1,513	20	1.3%
All Areas*	68,399	2,662	3.9%

### Vacancy Rates By Jurisdiction 2002-2006



	<u>2002*</u>	<u>2003*</u>	<u>2004*</u>	<u>2005*</u>	<u>2006*</u>
Unincorporated Areas	3.3%	3.5%	4.5%	4.7%	3.9%
City of Gaithersburg	4.5%	5.2%	7.7%	5.9%	4.8%
City of Rockville	5.1%	6.1%	8.9%	3.3%	3.9%
City of Takoma Park	1.6%	2.6%	3.4%	2.1%	1.3%
All Areas*	3.5%	3.8%	5.1%	4.6%	3.9%

\*Weighted average

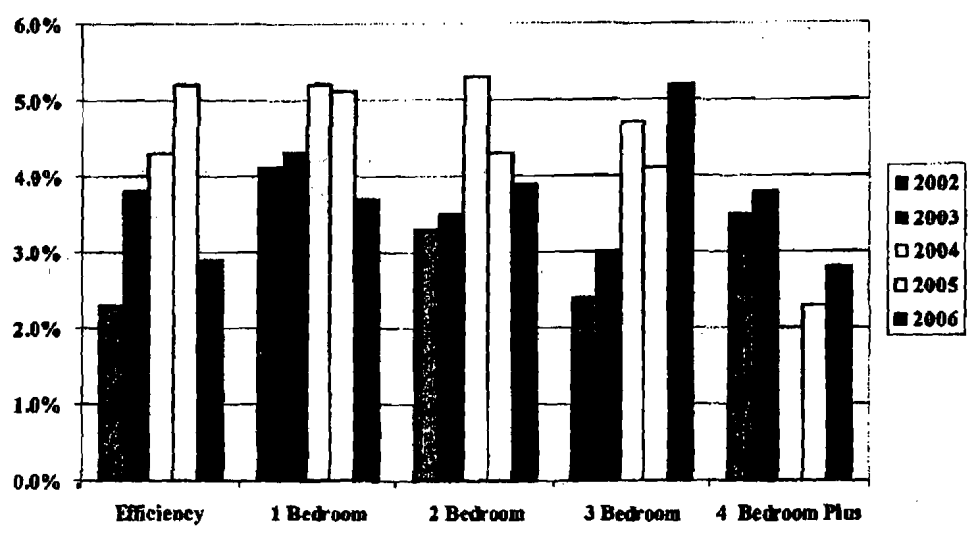
## Vacancy Rates Market Rate and Subsidized

### Vacancy Rates By Unit Size 2006

	<u>Units</u>	<u>Vacant</u>	<u>Vacancy Rate*</u>
Efficiency	3,737	107	2.9%
1 Bedroom	26,902	994	3.7%
2 Bedroom	31,500	1,243	3.9%
3 Bedroom	6,011	311	5.2%
4 Bedroom Plus	249	7	2.8%
All Units	68,399	2,662	3.9%

\*Weighted average

### Vacancy Rates By Unit Size 2002-2006



	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Efficiency	2.3%	3.8%	4.3%	5.2%	2.9%
1 Bedroom	4.1%	4.3%	5.2%	5.1%	3.7%
2 Bedroom	3.3%	3.5%	5.3%	4.3%	3.9%
3 Bedroom	2.4%	3.0%	4.7%	4.1%	5.2%
4 Bedroom Plus	3.5%	3.8%	2.0%	2.3%	2.8%

\*Weighted average

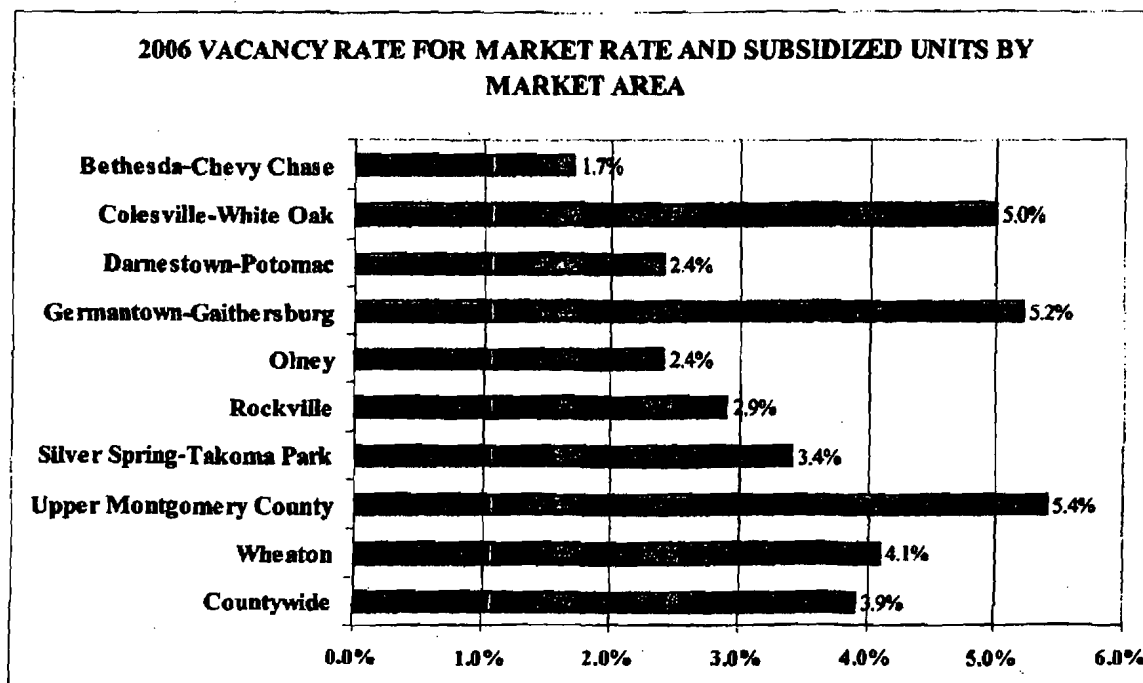


## Vacancy Rates Market Rate and Subsidized

### Vacancy Rates By Market Area and Unit Size 2006

	<u>Surveved Units</u>	<u>Efficiency</u>	<u>1 BR</u>	<u>2BR</u>	<u>3BR</u>	<u>4BR Plus</u>	<u>All</u>
Bethesda-Chevy Chase	6,770	0.2%	1.5%	2.5%	1.2%	0.0%	1.7%
Colesville-White Oak	9,288	18.9%	4.3%	4.5%	6.8%	0.0%	5.0%
Darnestown-Potomac	499	N/A	1.9%	3.4%	2.7%	0.0%	2.4%
Germantown-Gaithersburg	16,580	4.2%	4.7%	5.7%	5.0%	4.5%	5.2%
Olney	549	0.0%	2.1%	2.3%	5.3%	0.0%	2.4%
Rockville	9,594	2.1%	2.5%	2.4%	6.0%	4.8%	2.9%
Silver Spring-Takoma Park	15,487	1.9%	3.9%	2.9%	4.6%	3.4%	3.4%
Upper Montgomery County	203	0.0%	3.6%	6.2%	4.5%	N/A	5.4%
Wheaton	9,429	2.7%	4.5%	3.8%	4.7%	0.0%	4.1%
Countywide*	68,399	2.9%	3.7%	3.9%	5.2%	3.9%	3.9%

\*Weighted average



**Vacancy Rates  
Market Rate and Subsidized**

**Vacancy Rates By Building Structure Type 2006**

	<u>Units</u>	<u>Vacant</u>	<u>Vacancy Rate*</u>
Garden	44,567	1,889	4.2%
Highrise	14,979	415	2.8%
Midrise	5,670	159	2.8%
Townhouse/Piggyback	3,183	199	6.3%
<b>All Units</b>	<b>68,399</b>	<b>2,662</b>	<b>3.9%</b>

\*Weighted average

**Vacancy Rates By Building Structure Type 2002-2006**

	<u>Units</u>					<u>Vacancy Rate*</u>				
	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Garden	42,773	42,651	44,105	44,469	44,567	3.5%	4.1%	5.2%	5.0%	4.2%
Highrise	16,638	16,562	16,746	15,359	14,979	3.3%	3.4%	4.7%	4.5%	2.8%
Midrise	5,818	5,760	5,728	5,741	5,670	3.5%	2.5%	3.9%	2.9%	2.8%
Townhouse/Piggyback	3,008	3,412	3,691	3,463	3,183	3.3%	4.7%	7.9%	3.6%	6.3%
<b>All Types</b>	<b>68,237</b>	<b>68,385</b>	<b>70,270</b>	<b>69,032</b>	<b>68,399</b>	<b>3.5%</b>	<b>3.8%</b>	<b>5.1%</b>	<b>4.6%</b>	<b>3.9%</b>

\*Weighted average

## Vacancy Rates Market Rate Units

### Summary of Annual Vacancy Rates 2002-2006

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Vacancy Rate	3.7%	4.0%	5.5%	4.9%	4.3%
Vacant Units	2,127	2,249	3,193	2,770	2,364
Occupied Units	55,235	53,909	54,480	53,221	53,176
Units Surveyed	57,362*	56,158*	57,673*	55,991*	55,540

\*Does not include below market rate units located in market rate facilities.

### Vacancy Rate By Unit Size 2006

	<u>Units</u>	<u>Vacant</u>	<u>Vacancy Rate*</u>
Efficiency	2,571	87	3.4%
1 Bedroom	20,982	844	4.0%
2 Bedroom	27,061	1,159	4.3%
3 Bedroom	4,825	269	5.6%
4 Bedroom Plus	101	5	5.0%
<b>All Units</b>	<b>55,540</b>	<b>2,364</b>	<b>4.3%</b>

\*Weighted average

### Vacancy Rates By Building Structure Type 2006

	<u>Units</u>	<u>Vacant</u>	<u>Vacancy Rate*</u>
Garden	37,862	1,686	4.5%
Highrise	11,638	382	3.3%
Midrise	3,897	127	3.3%
Townhouse/Piggyback	2,143	169	7.9%
<b>All Units</b>	<b>55,540</b>	<b>2,364</b>	<b>4.3%</b>

\*Weighted average

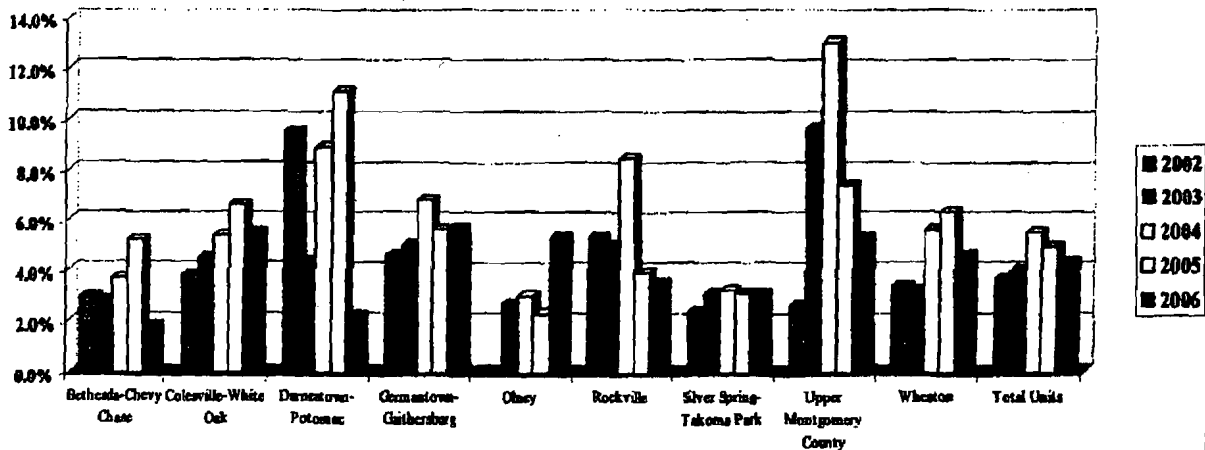
## Vacancy Rates Market Rate Units

### Vacancy Rates By Market Area 2002-2006

	2002		2003		2004		2005		2006		
	Units	Rate	Units	Rate	Units	Rate	Units	Rate	Units	Vacant	Rate
Bethesda-Chevy Chase	6,041	2.9%	5,904	2.8%	5,839	3.7%	6,058	5.2%	5,779	106	1.8%
Colesville-White Oak	8,297	3.8%	8,152	4.5%	7,758	5.4%	7,769	6.6%	8,148	452	5.5%
Darnestown-Potomac	42	9.5%	45	4.4%	45	8.9%	45	11.1%	45	1	2.2%
Germantown-Gaithersburg	14,532	4.6%	13,883	5.0%	14,910	6.8%	13,767	5.6%	14,390	820	5.7%
Olney	113	0.0%	112	2.7%	132	3.0%	132	2.3%	132	7	5.3%
Rockville	6,994	5.3%	7,277	5.0%	8,384	8.5%	7,708	3.9%	7,154	251	3.5%
Silver Spring-Takoma Park	13,753	2.4%	13,272	3.1%	13,697	3.2%	13,332	3.1%	12,891	401	3.1%
Upper Montgomery County	77	2.6%	72	9.7%	77	13.0%	68	7.4%	75	4	5.3%
Wheaton	7,513	3.4%	7,441	3.2%	6,831	5.6%	7,112	6.3%	6,926	322	4.6%
<b>Total Units*</b>	<b>57,362</b>	<b>3.7%</b>	<b>56,158</b>	<b>4.0%</b>	<b>57,673</b>	<b>5.5%</b>	<b>55,991</b>	<b>4.9%</b>	<b>55,540</b>	<b>2,364</b>	<b>4.3%</b>

\*Weighted average

### 2002-2006 VACANCY RATES FOR MARKET RATE UNITS BY MARKET AREA



## Vacancy Rates Market Rate

### Vacancy Rates By Rent Range and Unit Size 2006

	<u>Efficiency</u>	<u>1 Bedroom</u>	<u>2 Bedroom</u>	<u>3 Bedroom</u>	<u>4 Bedroom</u>	<u>Total Units</u>	<u>Vacant Units</u>	<u>Vacancy Rate</u>
					<u>Plus</u>			
\$0 - \$799	1.7%	5.3%	1.1%	0.0%	N/A	1,933	85	4.4%
\$800-\$899	9.1%	4.4%	9.7%	0.0%	N/A	3,808	231	6.1%
\$900-\$999	1.6%	4.4%	4.2%	0.6%	N/A	8,735	351	4.0%
\$1000 - \$1099	0.5%	4.2%	3.6%	0.0%	0.0%	8,546	319	3.7%
\$1100 - \$1199	3.2%	3.0%	5.1%	1.5%	N/A	9,299	397	4.3%
\$1200 - \$1299	0.0%	4.6%	4.5%	5.0%	0.0%	6,210	276	4.4%
\$1300-\$1399	0.0%	5.0%	2.6%	5.6%	0.0%	5,166	190	3.7%
\$1400-\$1499	N/A	2.0%	4.6%	3.0%	0.0%	3,918	138	3.5%
\$1500-\$1999	0.0%	1.5%	4.4%	7.9%	6.0%	6,673	350	5.2%
\$2000-\$2499	N/A	N/A	2.0%	5.6%	5.0%	994	26	2.6%
\$2500 Plus	N/A	N/A	0.0%	0.4%	0.0%	258	1	0.4%
<b>Total Units</b>	<b>2,571</b>	<b>20,982</b>	<b>27,061</b>	<b>4,825</b>	<b>101</b>	<b>55,540</b>	<b>—</b>	<b>—</b>
<b>Vacant Units</b>	<b>87</b>	<b>844</b>	<b>1,159</b>	<b>269</b>	<b>5</b>	<b>—</b>	<b>2,364</b>	
<b>Vacancy Rate*</b>	<b>3.4%</b>	<b>4.0%</b>	<b>4.3%</b>	<b>5.6%</b>	<b>4.3%</b>	<b>—</b>	<b>—</b>	<b>4.3%</b>

\*Weighted average

## 2007 Point In Time Survey Data

### Homeless Individual Adults by Special Need

	All	Chronic Substance Abuse (CSA) Only	Serious Mental Illness (SMI) Only	Co-occurring Illness Only	Physical Disability Only	Chronic Health Problems Only	Developmental Disability Only	Multiple Special Needs	None Reported
	640	120	105	91	19	18	4	178	105
		19%	16%	14%	3%	3%	1%	28%	16%
Unsheltered	123	25	21	7	5	11	1	17	36
Emergency Shelter	310	62	48	27	12	7	3	92	59
Transitional Housing	207	33	36	57	2	0	0	69	10

### Homeless Households with Children by Special Need of Head of Household

	All	Chronic Substance Abuse (CSA) Only	Serious Mental Illness (SMI) Only	Co-occurring Illness Only	Physical Disability Only	Chronic Health Problems Only	Developmental Disability Only	Multiple Special Needs	None Reported
	151	10	5	5	0	6	0	5	120
		7%	3%	3%		4%		3%	80%
Emergency Shelter	65	4	2	0	0	4	0	3	52
Transitional Housing	86	6	3	5	0	2	0	2	68

### Race

The following is the race distribution of the 640 homeless individuals.

	Unsheltered	Emergency Shelter	Transitional	All
White	18	85	80	183 (29%)
Black/African American	52	154	105	311 (49%)
Asian	0	4	4	8 (1%)
American Indian/Alaskan Native	1	1	2	4 (<1%)
Native Hawaiian/Pacific	1	0	1	2 (<1%)

4(a)

Islander				
Hispanic	46	63	12	121 (19%)
Other	5	3	3	11 (2%)

**Race**

The following is the race distribution of the heads of household of the 151 homeless families.

	Emergency Shelter	Transitional Housing	All
White	7	7	14 (9%)
Black/African American	52	54	106 (70%)
Asian	0	0	0
American Indian/Alaskan Native	0	0	0
Native Hawaiian/Pacific Islander	0	0	0
Hispanic	4	11	15 (10%)
Other	2	14	16 (11%)
Not Reported	0	0	0

*Diane Horning*  
 Administrator, Special Needs Housing  
 Montgomery County  
 Department of Health and Human Services  
 401 Hungerford Drive, 4th Floor  
 Rockville, Maryland 20850

fax 240-777-1242

# Montgomery County

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## The Place to Call Home

### A Housing Policy for Montgomery County, Maryland

Department of Housing and Community Affairs

July 2001



**County Executive**  
Douglas M. Duncan

**County Council**

Blair Ewing, President

Steven Silverman, Vice President

Howard A. Denis

Nancy Dacek

Phil Andrews

Marilyn Praisner

Derick Berlage

Isiah Leggett

Michael L. Subin

-----

**Department of Housing and Community Affairs**

Elizabeth B. Davison, Director

**Department of Health and Human Services**

Charles Short, Director

**Housing Opportunities Commission**

Scott Minton, Executive Director

**Human Relations Commission**

Odessa Shannon, Executive Director

**For additional copies and information:**

Department of Housing and Community Affairs

Phone: 240-777-3600

Address: 100 Maryland Avenue, 4<sup>th</sup> Floor, Rockville MD 20850

Web site: <http://www.maryland.gov>

In our vision for Montgomery County, we see:

- Everyone with a place to call home — no one homeless.
- All housing in sound condition, meeting all building maintenance codes.
- Adequate living space within each housing unit for its occupants.
- Affordable housing for all who live or work in the county, regardless of age or position.
- Appropriate housing and services for each stage of life so that people can remain in the community as they grow older.
- No discrimination in choosing a place to live, regardless of race, color, religious creed, ancestry, national origin, sex, sexual orientation, marital status, presence of children, age, physical or mental disability, or source of income.
- Housing opportunities and supportive services for those who have mobility or sensory impairment, developmental or emotional disabilities, or mental illness.
- Safe and sound neighborhoods with community services and well-maintained facilities.

We will work to achieve this vision with:

- The commitment of citizens, community leaders, housing providers, and public employees.
- Funding and appropriate planning.

### ***Purpose***

The purpose of the Housing Policy is to guide the implementation of the County's housing programs and policies, provide recommendations for improving them, and direct the allocation of resources. Changing population demographics and economic conditions will necessitate a review and update of the housing policy every ten years.

## **Principles**

The Housing Policy of Montgomery County is a commitment to certain principles, reflecting who we are and what we stand for as a community. These principles mandate that the County should strive to maintain and enhance the quality of life of its citizens by:

- Developing a regional housing strategy to address housing needs in all parts of the metropolitan region and all segments of the population, in its various forms of diversity, and pairing this strategy with County commitment to:
  - Maintain, preserve, and revitalize the infrastructure in older regions.
  - Protect the safety of inhabitants of every neighborhood.
  - Preserve open space and agricultural areas for future generations.
- Providing funding and programs when necessary to supplement state and federal programs.

This comprehensive housing strategy requires that the County:

- Encourage:
  - Innovative planning and design efforts.
  - Compact residential and commercial development in business districts, town centers, and other areas served by public transit and other infrastructure.
  - Continued upkeep of the County's aging housing stock.
- Support development of a housing stock that:
  - Includes structure types to accommodate the needs of different households.
  - Provides affordability for all income levels, widely distributed throughout the county.
  - Meets the needs of individuals and families as people age and their needs change.
  - Provides housing for special needs populations, including persons with physical disabilities, individuals with mental or

emotional illness, persons transitioning from homelessness, and persons recovering from substance abuse and addiction.

- Expand and enforce fair housing policies appropriate for a diverse society.

**Objectives**

The Housing Policy has seven main objectives for accomplishing the vision. They are:

1. **Variety and Choice in Housing** — Variety and choice in housing of quality design and durable construction in various types of new and existing neighborhoods in conformance with the County's General Plan.
2. **Assistance for Persons With Diverse Housing Needs** — Housing for diverse residential needs, including housing for the elderly, persons with disabilities, persons with mental illness, and persons transitioning from homelessness.
3. **Safe, High-Quality Neighborhoods** — Neighborhoods in which quality and safety are maintained and enhanced through code enforcement and renewal efforts.
4. **Communities With Affordable Housing** — An adequate supply of affordable housing in economically inclusive communities throughout the county for those living or working in Montgomery County, especially for households at the median income level and below.
5. **Housing for All Stages of Life** — A sufficient housing supply to serve the county's existing and planned employment and the changing needs of its residents at various stages of life.
6. **Equal Opportunity Housing** — Fair housing ordinances to ensure that all residents have an opportunity to purchase, rent, finance, and occupy housing in the county.
7. **Sustainable Communities** — Sustainable development and environmental sensitivity in housing, neighborhood design, and redevelopment.

## **Objective 2: Assistance for Persons with Diverse Housing Needs**

Encourage housing for diverse residential needs, including housing for the elderly, for persons with disabilities, for persons with mental illness, for persons transitioning from homelessness, and for persons with AIDS.

### **First Priority Strategies**

A. Provide More Special Needs Housing — Encourage production of housing for populations with special needs, including seniors, persons with disabilities, persons with mental illness, and persons transitioning from homelessness.

### **Action Plan**

- Assess inventory of special needs housing.
- Develop forecast of special needs populations.
- Identify and implement programs to meet any shortfall of special needs housing.
- Include goals for affordable and assisted housing in master plans and designate suitable sites for elderly housing and other special needs housing.
- Ensure that multifamily housing developments provide units adaptable for persons with disabilities, as required by the federal Fair Housing Act and the County building code.
- Explore incentives, such as density bonuses, to developers who provide special needs housing.
- Consider a program for County purchase of land for senior and special needs housing.
- Explore establishing 'visitability' standards for all new and renovated housing receiving public funds.



**B. Provide Housing with Support Services — Coordinate the availability of affordable housing units and needed support services for persons with special needs, including those persons transitioning from homelessness.**

**Action Plan**

- Establish interagency initiative to provide seamless provision of affordable housing with supportive services to those with special needs.

**C. Simplify Regulations for Senior Housing — Explore zoning and regulatory changes to ease approval of elderly housing development.**

**Action Plan**

- Develop standard compatibility criteria for elderly housing and study possibility of eliminating special exception approval process.



Asbury Methodist Village senior housing

**D. Expand Housing for Homeless — Ensure adequate supply of housing with support services for individuals and families transitioning from homelessness.**

**Action Plan**

- Conduct inventory of housing appropriate for transitioning from homelessness.
- Increase supply and affordability of appropriately designed and located housing.

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**

**HUD SECTION 811 APPLICATION**

**DUNS #** 

**EXHIBIT** 4(b) *BENEFITS*

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## **Exhibit 4(b): Project Benefits**

This project is designed primarily to assist the persons who will reside in it, however, additional benefits will accrue to other disabled citizens, to the Coalition, to other residents of the condominium, to the Germantown community, and to Montgomery County as a whole.

### **Benefit to Target Population**

Residents of the Ashmore will be living with a disability, very low income, and, for the most part, will be exiting homelessness, leaving the streets, shelters, or transitional housing for a permanent home of their own with the services they need to succeed.

The life transformation experienced by [REDACTED] illustrates the kind of life transition Ashmore residents will experience. "I first became homeless when I was asked to leave the home in which I was renting a room. I was depressed and lost my job around the same time. I ended up sleeping on the floor of a homeless center in Silver Spring. Someone told me about the Coalition's Safe Havens Program. I lived there for about a year, they got me treatment for my depression and gave me a nice place to live. They taught me how to cook and take care of a house and helped me get SSI. I took care of the cats at the house. Now I have my own place at Seneca Heights. I never had my own apartment or even room before. It is really nice. I like participating in the activities with the other residents." Like Seneca Heights, the Ashmore will provide permanent housing with individual living units to people who may never have had the experience of "a room of their own."

Residents will also gain the benefit of community integration, a goal of the Americans with Disabilities Act. Since the condominium units are scattered throughout the condo buildings, the individuals will be fully assimilated into the community. There will be no way to label the residents as living in "a facility" for the mentally ill. Instead they will be living in brand new, upscale condominium complex, in units indistinguishable from their upper income neighbors.

Other members of the disabled community will benefit as they see and share in the success of others. They too can have hope for themselves in other achievements and aspire to higher goals than they initially thought possible.

The Coalition will benefit by increasing the options available to the people it serves. The independent living units at the Ashmore broadens the spectrum of residential environments the Coalition offers.

### **Benefit to Local Community**

The other condominium owners and the Germantown community will benefit by offering fair housing choice in the neighborhood and by fully integrating people living with a disability into a market rate housing situation.

Montgomery County will gain from this project as it will further the goals identified in both the County Consolidated Plan and County Housing Policy to increase the supply of affordable permanent supportive housing for individuals living with disabilities, and increase housing choice for homeless individuals living with disabilities. Further, in "Beginning to End" Montgomery County adopted the goal of increasing the supply of permanent supportive housing for serving people exiting homelessness. Since the Ashmore units will primarily serve people exiting homelessness, the Ashmore will also help the County meet its goal of ending homelessness by 2012.

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**

**HUD SECTION 811 APPLICATION**

**DUNS #** 

**EXHIBIT** 4(c) **PROJECT DESCRIPTION**

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**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**  
**SECTION 811 APPLICATION**  
**DUNS # [REDACTED]**

**EXHIBIT 4 (c)**

(i) The project consists of the following:

ACQUISITION ONLY of ten (10) condominium apartment units scattered through-out the newly constructed Ashmore condominium apartment complex in Germantown, Maryland, which has a total of 350 units as follows:

[REDACTED]	2- 1BR Apartments	2 Residents
[REDACTED]	2-1BR Apartments	2 Residents
[REDACTED]	4-1BR Apartments	4 Residents
[REDACTED]	2-1BR Apartments	2 Residents
<b>TOTAL</b>	<b>10 UNITS</b>	<b>10 DISABLED RESIDENTS</b>

The buildings are being developed for adults who have chronic mental illness. A comprehensive array of support services would be made available from the Sponsor to the residents to assist them in their daily living. Each resident will have supervision provided based on the particular needs of the client. Please refer to Exhibit 5 Supportive Services Plan, for details on the cost and level of staffing for the homes. A proven recruitment plan has already been established to provide direct care to the clients, and is available when necessary to provide the needed personnel.

Apartment [REDACTED] has already been constructed to provide handicapped accessibility. However, minor repairs (under \$2,000) may be required to bring it up to the usual HUD standards for wheelchair accessibility. This unit will be able to serve the physically handicapped clients under our care and will also allow us to comply with the applicable Federal and State Accessibility laws for this project.

These apartments have been selected in a neighborhood that will facilitate the integration of the residents, our clients, into the surrounding communities. The neighborhood is completely residential and convenient to community facilities, shopping, transportation, places of worship and community activities such as parks, playgrounds and ball fields. The residents will be able to partake in the same activities as their non-disabled neighbors and therefore be able to assimilate with ease. Having our clients integrate into the neighborhood we have chosen is a major goal of our organization. We are very sincere in this goal and believe the Section 811 program will assist us in attaining our goal.

**Statement Regarding Visitability And Universal Design**

- (i) We will select one of the apartments and will provide an accessible entrance route, an entrance door and all interior passage doors that are at least 2 feet 10 inches wide, allowing 32 inches of clear passage space. This will allow persons with mobility impairments access into the apartment.

The construction of the buildings was designed to be used by all people to the greatest extent possible, without the need for adaptation or specialized design. By incorporating universal design, this will simplify life for as many people as possible at little or no extra cost to them.

- (ii) The construction of the buildings used the most economical and straight-forward conventional construction techniques and utilized the most economical materials, equipment and hardware within acceptable quality limits. The construction endeavored to promote energy efficiency by adding storm doors, double glazed windows and additional insulation where feasible. Also high efficient mechanical equipment was utilized for the HVAC units. Low-flow toilets and shower heads were used as well for water conservation
- (iii) This proposal is not a mixed-finance/mixed-use project.

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**

**HUD SECTION 811 APPLICATION**

**DUNS #** 

**EXHIBIT 4(d) SITE CONTROL, ETC.**

EXHIBIT 4(d)(i)

**CONTRACT OF SALE**

THIS Contract of Sale, made this 25<sup>th</sup> day of April, 2007, by and between COALITION HOMES, INC., hereinafter referred to as the "Seller", and MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC., hereinafter referred to as the "Purchaser".

**WITNESSETH:**

That in consideration of the premises and of the promise hereinafter exchanged, the parties hereto agree as follows:

1. **Agreement of Sale and Purchase.** The Seller hereby agrees to sell and convey to the Purchaser and the Purchaser hereby agrees to purchase from the Seller, in fee simple, under the terms and conditions hereinafter set forth, the ten (10) condominium units described in Paragraph 2, hereinafter sometimes referred to as the "subject property".

2. **Description of Subject Property.** All of that real property and improvements located thereon situated in Montgomery County, Maryland, more particularly identified in the attached Exhibit A. The subject property has been offered to Purchaser pursuant to the requirements of Section 25A-9(b(1)) of the Montgomery County Code as a moderately priced dwelling unit. The sale is subject to the requirements of the law (the "MPDU Law").

3. **Purchase Price.** The total purchase price for the subject property (the "Purchase Price"), shall be Nine Hundred Sixty Two Thousand Nine Hundred Forty One and 20/100 Dollars (\$962,941.20) in cash.

4. **Deposit.** The Purchase Price shall be paid as follows:

(i) At the time of execution of this Contract, Purchaser shall deliver to Chen, Walsh, Tecler & McCabe, L.L.P. ("Escrow Agent"), the sum of One Hundred Dollars (\$100.00) check, ("Deposit"), to be deposited in an escrow account.

(ii) The Escrow Agent shall hold such sum in a federally insured account located at a banking institution in the Washington, D.C. metropolitan area until settlement or termination of this Contract and all accrued interest on such sum shall become part of the Deposit and shall be payable to whichever party becomes entitled to the Deposit under this Contract.

5. **Title.** Fee simple title to the subject property on the closing date will be marketable and good of record and in fact insurable by a title company of Purchaser's selection (hereinafter referred to as the "Title Company"), and free and clear of all liens, encumbrances, leases, tenancies, covenants, conditions, restrictions, rights-of-way, easements and other matters affecting title excepting only:

- (i) the lien of current real estate taxes not yet due and payable; and
- (ii) easements, covenants and restrictions of record, if any, which do not materially detract from the value of the property or materially impair the use of the property as proposed by the Purchaser; and

- (iii) such other matters as Purchaser may agree to in writing as provided for herein.

The exceptions listed in subdivision (i), (ii), and (iii) of this paragraph are hereinafter referred to as the "permitted exceptions". In the event title is not as aforesaid and cannot be cured by Seller within the thirty (30) days after notice from Purchaser, Purchaser shall have the right, at Purchaser's option, to terminate this Agreement and obtain a return of its total deposit.

6. TRANSFER AND RECORDATION TAXES. SECTION 14-104 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND PROVIDES THAT, UNLESS OTHERWISE NEGOTIATED IN THE CONTRACT OR PROVIDED BY STATE OR LOCAL LAW, THE COST OF ANY RECORDATION TAX OR ANY STATE OR LOCAL TRANSFER TAX SHALL BE SHARED EQUALLY BETWEEN THE PURCHASER AND SELLER. TRANSFER AND RECORDATION TAXES SHALL BE PAID BY SELLER AS PROVIDED UNDER THE MPDU LAW.

7. Termite Inspection. Purchaser at Purchaser's expense, is authorized to obtain a written report from a Maryland licensed pest control company that, based on a careful visual inspection, there is no evidence of termite or other wood-destroying insect infestation in the residence and damage due to previous infestation has been repaired. If there is evidence of present infestation as described above, or if damage caused by present or prior infestation is discovered, Seller, at Seller's expense, shall treat present infestation and repair any damage caused by present or prior infestation. If the cost of treatment and repair of such damage exceeds two percent (2%) of the purchase price, Seller may, at Seller's option, cancel this Contract, unless the Purchaser, at Purchaser's option should choose to pay for the cost of treatment and repairs exceeding two percent (2%) of the purchase price, then this Contract shall remain in full force and effect. If such report reveals damage for which the cost of treatment and repair may exceed two percent (2%) of the purchase price, Seller's decision regarding treatment and repair of damage shall be communicated in writing to Purchaser within five (5) days from receipt of the report, after which Purchaser shall respond to Seller in writing with Purchaser's decision within three (3) days from receipt of Seller's notification of Seller's decision. If Seller does not notify Purchaser in writing of Seller's decision within five (5) days from receipt of report, Purchaser may, at Purchaser's option, pay for the cost of treatment or this Contract shall be declared null and void upon written notice delivered to Seller. In the event this Contract is terminated under the terms of this paragraph, then all monies on deposit shall be returned to Purchaser in accordance with the terms of this Contract.

8. Condition of Property and Possession. At settlement, Seller shall deliver possession of the Property in "as is" condition, vacant, clear of trash and debris, and broom clean. Purchaser reserves the right to inspect the Property within five (5) days prior to settlement.

9. Performance. Purchaser intends to obtain financing for the purchase through a loan provided under the HUD Section 811 Program (the "HUD Financing") and assumption of a portion of existing financing provided from a loan provided by Montgomery County, if necessary, which will be subordinated to the HUD Financing. Settlement and closing is to be made at the office of an attorney or title company to be designated by Purchaser



contemporaneous with the closing for financing for the subject property under the HUD Financing. Delivery to the attorney selected for settlement of the total purchase price in cash and settlement costs as herein stated, the executed deed of conveyance, and such other papers as are required of either party by the terms of this contract shall be considered good and sufficient tender of performance in accordance with the terms hereof. It is agreed that funds arising out of this transaction at settlement may be used to pay off any existing encumbrances, including interest as required by any lender. Purchaser's rights hereunder may be assigned to an entity wholly controlled by Purchaser.

10. Conveyance. Seller agrees to execute and deliver a good and sufficient special warranty deed. Purchaser agrees to have the deed of conveyance recorded promptly.

11. Adjustments. Real property taxes are to be adjusted according to the certificate of taxes issued by Montgomery County, except that assessments for improvements completed prior to the date hereof, whether assessment therefor has been levied or not, shall be paid by the Seller or allowance made therefor at the time of transfer. Utilities and related property expenses are to be adjusted between the parties as of the date of closing.

12. Costs of Settlement. In addition to the Purchase Price, Purchaser shall pay the cost of title insurance, tax certificate, and, notary fees. The Seller agrees to pay recording fees and title examination charges and recordation charges. Seller shall pay all closing costs and the Montgomery County and State transfer taxes and recordation taxes if any.

13. Possession. Seller agrees to give possession and occupancy at time of settlement, and in the event it shall fail to do so, it shall become and be thereafter a tenant by sufferance of the Purchaser and hereby waives all notice to quit as provided by the laws effective in the State of Maryland. All notices of violation or orders or requirements noted or issued by any County or local authority, or actions in any court on account thereof, against or affecting the property at the date of settlement of this Contract, shall be complied with by the Seller, and the property conveyed free thereof.

14. General and Master Plans. The Purchaser acknowledges that it has been apprised of its rights to review the applicable Master Plans and the Wedges and Corridors General Plan for the Bi-County Region, including maps showing planned land use, roads and highways, and the location and nature of proposed parks and other public facilities affecting the property herein described prior to the execution of this Contract. It acknowledged that it has reviewed said applicable plans prior to executing this Contract, or does hereby waive its right to do so. The Purchaser also acknowledges that the Seller has advised it of the relative location of any airport or heliport existing within a five (5) mile radius of the property.

The Purchaser also acknowledges that it is aware that the applicable Plan or General Plan for Montgomery County is available at the Maryland-National Capital Park and Planning Commission, and that at no time did the Seller explain to it the intent or meaning of such plan, not did it rely on any representation made by the Seller pertaining to the applicable Master Plan or General Plan.

15. Subdivision Plat. The Purchaser hereby acknowledges receipt of an entire copy of the single recorded subdivision plat, if any, prior to the execution of this Contract.

16. **Lead-Based Paint Hazards.** Title X, Section 1018, the Residential Lead-Based Paint Hazard Reduction Act of 1992 (the Act), requires the disclosure of certain information regarding lead-based paint and lead-based paint hazards in connection with the sale of residential real property. Unless otherwise exempt, the Act applies only to housing constructed prior to 1978. A Seller of pre-1978 housing is required to disclose to the Purchaser, based upon the Seller's actual knowledge, all known lead-based paint hazards applicable to the Property. The Seller, however, is required to provide the Purchaser with the EPA pamphlet entitled "Protect Your Family From Lead In Your Home" and a "Disclosure of information on Lead-Based Paint and Lead-Based Paint "Hazards" form.

The Seller is required under the Act to provide the Purchaser with a ten (10) day time period (or other mutually agreeable time period) for the Purchaser, at Purchaser's expense, to conduct a risk assessment or inspection of the presence of lead-based paint and/or lead-based paint hazards unless the Purchaser waives such assessment or inspection by indicating such waiver on the Lead-Based Paint Disclosure form. Seller and any agent involved in the transaction are required to retain a copy of the completed Lead-Based Paint Disclosure form for a period of three (3) years following the date of settlement. A Seller who fails to give the required lead-based paint disclosure form and EPA pamphlet may be liable under the act for three (3) times the amount of damages and may be subject to both civil and criminal penalties. Seller represents and warrants to Purchaser, intending that they rely upon such warranty and representation, that the Property was not constructed prior to 1978, Seller and Purchaser mutually agree that the requirements of the Act shall apply to the sale of the Property. Seller and Purchaser agree, represent and warrant, each unto the other, that no binding and enforceable contract shall be deemed to exist or to have been formed unless the requirements of the Act have been complied with prior to the execution of this Contract by Seller and Purchaser. Seller and Purchaser represent and warrant that each intended, as a material term of the offer and acceptance, that the requirements of the Act be complied with as an express condition of the formation of a binding and enforceable contract by and between the parties.

17. **Insurance.** Risk of loss or damage to subject property by fire or other casualty shall be assumed by Seller until the deed is recorded.

18. **Water and Sewer Service.**

**I. Notice and Disclosure of Availability  
of Water and Sewer Service**

Seller provides the following information known to Seller regarding water and sewer services:

A. The Property is connected to, and has been approved for connection to, a public water and sewer system.

By signing below, the Purchaser acknowledges that, prior to signing the Contract, the Seller has provided the information referenced above, or has informed the Purchaser that the

Seller does not know the information referenced above; the Purchaser further understands that, to stay informed of future changes in County and municipal water and sewer plans, the Purchaser should consult the County Planning Board, the Washington Suburban Sanitary Commission, the County Department of Environmental Protection or any appropriate municipal planning or water and sewer body.

Sharon Ford  
Purchaser Executive Director  
Montgomery County Coalition for the Homeless  
4/25/07  
Date JK

**II. Specifically Protected Areas Notice**

The Seller discloses and states pursuant to Chapter 40, Section 40-13 of the Montgomery County Code that the Seller's Property referenced above is:

                     Subject to a Special Protection Area (SPA) Designation

  X   Not subject to a Special Protection Area (SPA) Designation

The Purchaser understands that special water quality measures and certain restrictions on land uses and impervious surfaces may apply to this Property if subject to SPA Designation. For further information regarding Special Protection Areas contact the Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring, Maryland 20910-3760.

Special Protection Area means, under Montgomery County law, a geographic area where:

- (1) existing water resources, or other environmental features directly relating to those water resources, are of high quality or are unusually Sensitive; and
- (2) proposed land uses would threaten the quality or preservation of those resources or features in the absence of special water quality protection measures which are closely coordinated with appropriate land use controls.

Designation. The Montgomery County Council may designate a geographic area as a Special Protection Area by identifying the area in:

- (1) a land use plan;
- (2) the Comprehensive Water Supply and Sewer System Plan;
- (3) a resolution adopted after at least fifteen (15) days' notice and a public hearing.

19. Liquidated Damages. The parties hereto agree that upon failure of Purchaser to make full settlement the measure of actual damages would be difficult to determine. Therefore, as liquidated damages for such default and not as a penalty or forfeiture the parties agree that if Purchaser shall fail to make full settlement or otherwise breach this agreement, the deposit, shall be paid over to the Seller and the Purchaser shall be relieved from further liability. The right to receive the liquidated damages is Seller's sole remedy and Purchaser's liability for breach is expressly limited to the loss of the deposit as liquidated damages.

20. Notice. Any notice required or permitted to be given under this Agreement shall be deemed to have been given, if made in writing and hand-delivered or mailed by Certified Mail, postage prepaid, return receipt requested, to the party who is to receive such notice at the following addresses:

**IF TO PURCHASER:** Montgomery County Coalition for the Homeless, Inc  
600B East Gude Drive  
Rockville, Md 20850  
Attn: Sharan London Executive Director

**IF TO SELLER:** Coalition Homes, Inc.  
600B East Gude Drive  
Rockville, Md 20850  
Attn: Sharan London President

When it is mailed, the notice shall be deemed to have been given as of the date mailed.

21. Eminent Domain. The Seller warrants that to the best of his knowledge neither the whole nor any portion of the said premises is subject to temporary requisitions of use by any governmental authority or other body with such power, nor have the premises been condemned or taken by any governmental authority or other body having the power of eminent domain, nor is there now pending any condemnation, requisition or similar proceeding affecting the said premises or any portion thereof. Seller further warrants that it has received no notice and has no knowledge that any such proceeding is contemplated, Seller will immediately notify the Purchaser of this fact in writing.

22. Indemnity Agreement. The Seller agrees to indemnify and hold the Purchaser free and harmless from any liability arising because of breach of contract, breach of lease, or any other matter related to the Property which occurs, or is alleged to occur, prior to settlement as to the real and personal property if any, being purchased. The Purchaser agrees to indemnify and hold the Seller free and harmless from any liability arising because of breach of lease, breach of contract or any other matter related to the premises which occurs, or is alleged to have occurred, after settlement.

23. Attorney's Fees. Should any litigation be commenced between the parties hereto concerning the premises, this Contract, or the rights and duties of either in relation thereto, the party (Purchaser or Seller) prevailing in such litigation shall be entitled, in addition to such other relief granted, to a reasonable sum as and for his attorney's fees in such litigation, to be

determined by the Court in such litigation or in a separate action brought for that purpose.

24. General Provisions. It is the intention of the parties hereto that all questions with respect to the construction of this Agreement and rights and liabilities of the parties hereunder shall be determined in accordance with the laws of the State of Maryland.

No change or modification of this Agreement shall be valid unless the same is in writing and signed by the parties hereto.

This Agreement contains the entire agreement among the parties, there are no promises, agreements, conditions, undertakings, warranties or representations, oral or written, expressed or implied, among them, other than as set forth herein.

25. No Commissions. Purchaser and Seller each represent to the other that no person, firm or corporation is entitled to a commission with regard to the sale. Seller agrees to indemnify and hold harmless Purchaser from any claim, liability, loss or damage for any sum due to any person for broker's fees or commissions.

26. Miscellaneous. The provisions of this Agreement shall be binding upon the parties hereto and their heirs, legal representatives and successors and assigns.

The captions of the several paragraphs of this agreement are intended to be only of a general descriptive nature and not to limit or qualify the meaning of the language following thereafter.


Reference to the parties hereto by singular shall be deemed to include plural and vice versa.

IN WITNESS WHEREOF, the parties hereto have signed, sealed and delivered these presents as of the date hereinabove first written.

WITNESS:



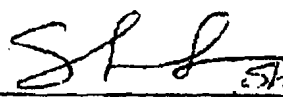
PURCHASER:

By:  SEAL  
Name: Sharan London  
Title: Executive Director  
Montgomery County Coalition for the Homeless Inc

WITNESS:



SELLER:

 SEAL  
Name: President  
Title: Coalition Against

**Condominium Resale Addendum for Maryland**

The Contract of Sale dated 4/25/07

Address \_\_\_\_\_  
City See Exhibit A \_\_\_\_\_, State \_\_\_\_\_ Zip \_\_\_\_\_  
Unit: \_\_\_\_\_ Section: \_\_\_\_\_ Tax ID # \_\_\_\_\_  
Parking Space(s) # \_\_\_\_\_ Subdivision/Project: \_\_\_\_\_

Seller Coalition Homes, Inc.

and

Buyer Montgomery Coalition for the Homeless Inc

is hereby

amended by the incorporation of this Addendum, which shall supersede any provisions to the contrary in the Contract.

**1. CONDITION OF THE PROPERTY AND POSSESSION/EQUIPMENT, MAINTENANCE AND CONDITION:**

Paragraph is amended to provide that the Seller's warranty applies only to appliances, systems, equipment and detectors that are not the responsibility of the Unit Owners' Association to maintain.

**2. DEED AND TITLE/TITLE:** Paragraph is amended to include the agreement of the Buyer to take title subject to commonly acceptable easements, covenants, conditions and restrictions of record contained in Condominium instruments, and the right of other Unit owners in the Common Elements and the operation of the Condominium.

**3. ASSESSMENTS:** Buyer agrees to pay such monthly and/or other assessments as the Board of Directors or Association of the Condominium may from time to time assess against the Unit for the payment of operating and maintenance or other proper charges. Said monthly assessments as of the date hereof amount respectively to:

A. Monthly Condominium Fee: Buyer is hereby advised and acknowledges that the present condominium fee for the subject unit and parking space or storage unit, if applicable, is \$ See attachment

B. Special Assessments (if any): In addition to the monthly fee above, the Buyer hereby acknowledges the following existing or levied but not yet collected special assessments:

- 1) Reason for Assessment: See attachment
- 2) Payment Schedule: \$ \_\_\_\_\_ per \_\_\_\_\_ See attachment
- 3) Number of payments remaining as of \_\_\_\_\_ See attachment (Date)

Total Special Assessment balance remaining: \$ \_\_\_\_\_

The Seller agrees to pay at the time of settlement OR Buyer agrees to assume any existing or levied but not yet collected special assessments.

**4. NOTICE (APPLIES ONLY TO A CONDOMINIUM WITH 7 OR MORE UNITS):**

The following notice is applicable only to the resale by a unit owner, other than a developer, of a residential unit in a condominium containing 7 or more units.

**THE SELLER IS REQUIRED BY LAW TO FURNISH TO THE BUYER NOT LATER THAN FIFTEEN (15) DAYS**

**PRIOR TO CLOSING THE CERTAIN INFORMATION CONCERNING THE CONDOMINIUM WHICH IS DESCRIBED IN § 11-135 OF THE MARYLAND CONDOMINIUM ACT. THIS INFORMATION MUST INCLUDE AT LEAST THE FOLLOWING;**

- (I) A COPY OF THE DECLARATION (OTHER THAN THE PLATS);**
- (II) A COPY OF THE BY-LAWS;**
- (III) A COPY OF THE RULES AND REGULATIONS OF THE CONDOMINIUM;**
- (IV) A CERTIFICATE CONTAINING;**
  - 1. A STATEMENT DISCLOSING THE EFFECT ON THE PROPOSED CONVEYANCE OF ANY RIGHT OF FIRST REFUSAL OR OTHER RESTRAINT ON THE FREE ALIENABILITY OF THE UNIT, OTHER THAN ANY RESTRAINT CREATED BY THE UNIT OWNER;
  - 2. A STATEMENT OF THE AMOUNT OF THE MONTHLY COMMON EXPENSE ASSESSMENT AND ANY UNPAID COMMON EXPENSE OR SPECIAL ASSESSMENT CURRENTLY DUE AND

**PAYABLE FROM**

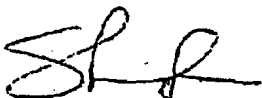
**THE SELLING UNIT OWNER;**

- 3. A STATEMENT OF ANY OTHER FEES PAYABLE BY THE UNIT OWNER TO THE COUNCIL OF UNIT OWNERS;**
  - 4. A STATEMENT OF ANY CAPITAL EXPENDITURES APPROVED BY THE COUNCIL OF UNIT OWNERS OR ITS AUTHORIZED DESIGNEE PLANNED AT THE TIME OF CONVEYANCE WHICH ARE NOT REFLECTED IN THE CURRENT OPERATING BUDGET INCLUDED IN THE CERTIFICATE;**
  - 5. THE MOST RECENTLY PREPARED BALANCE SHEET AND INCOME AND EXPENSE STATEMENT, IF ANY, OF THE CONDOMINIUM;**
  - 6. THE CURRENT OPERATING BUDGET OF THE CONDOMINIUM, INCLUDING DETAILS CONCERNING THE AMOUNT OF THE RESERVE FUND FOR REPAIR AND REPLACEMENT AND ITS INTENDED USE, OR A STATEMENT THAT THERE IS NO RESERVE FUND;**
  - 7. A STATEMENT OF ANY JUDGMENTS AGAINST THE CONDOMINIUM AND THE EXISTENCE OF ANY PENDING SUITS TO WHICH THE COUNCIL OF UNIT OWNERS IS A PARTY;**
  - 8. A STATEMENT GENERALLY DESCRIBING INSURANCE POLICIES PROVIDED FOR THE BENEFIT OF THE UNIT OWNERS, A NOTICE THAT THE POLICIES ARE AVAILABLE FOR INSPECTION STATING THE LOCATION AT WHICH THEY ARE AVAILABLE, AND A NOTICE THAT THE TERMS OF THE POLICY PREVAIL OVER THE GENERAL DESCRIPTION;**
  - 9. A STATEMENT AS TO WHETHER THE COUNCIL OF UNIT OWNERS HAS KNOWLEDGE THAT ANY ALTERATION OR IMPROVEMENT TO THE UNIT OR TO THE LIMITED COMMON ELEMENTS ASSIGNED TO THE UNIT VIOLATES ANY PROVISION OF THE DECLARATION, BY-LAWS, OR RULES OR REGULATIONS;**
  - 10. A STATEMENT AS TO WHETHER THE COUNCIL OF UNIT OWNERS HAS KNOWLEDGE OF ANY VIOLATION OF THE HEALTH OR BUILDING CODES WITH RESPECT TO THE UNIT, THE LIMITED COMMON ELEMENTS ASSIGNED TO THE UNIT, OR ANY OTHER PORTION OF THE CONDOMINIUM;**
  - 11. A STATEMENT OF THE REMAINING TERM OF ANY LEASEHOLD ESTATE AFFECTING THE CONDOMINIUM AND THE PROVISIONS GOVERNING ANY EXTENSION OR RENEWAL OF IT; AND**
  - 12. A DESCRIPTION OF ANY RECREATIONAL OR OTHER FACILITIES WHICH ARE TO BE USED BY THE UNIT OWNERS OR MAINTAINED BY THEM OR THE COUNCIL OF UNIT OWNERS, AND A STATEMENT AS TO WHETHER OR NOT THEY ARE TO BE A PART OF THE COMMON ELEMENTS; AND**
- (V) A STATEMENT BY THE UNIT OWNER AS TO WHETHER THE UNIT OWNER HAS KNOWLEDGE:**
- 1. THAT ANY ALTERATION TO THE UNIT OR TO THE LIMITED COMMON ELEMENTS ASSIGNED TO THE UNIT VIOLATES ANY PROVISION OF THE DECLARATION, BY-LAWS, OR RULES AND REGULATIONS;**
  - 2. OF ANY VIOLATION OF THE HEALTH OR BUILDING CODES WITH RESPECT TO THE UNIT OR THE LIMITED COMMON ELEMENTS ASSIGNED TO THE UNIT;**
  - 3. THAT THE UNIT IS SUBJECT TO AN EXTENDED LEASE UNDER § 11-137 OF THIS TITLE OR UNDER LOCAL LAW, AND IF SO, A COPY OF THE LEASE MUST BE PROVIDED.**
- 5. NOTICE (APPLIES ONLY TO A CONDOMINIUM WITH FEWER THAN 7 UNITS):**  
**The following notice is applicable only to the resale by a unit owner, other than a developer, of a residential unit in condominium containing less than 7 units.**

THE SELLER IS REQUIRED BY LAW TO FURNISH TO THE BUYER NOT LATER THAN FIFTEEN (15) DAYS PRIOR TO CLOSING CERTAIN INFORMATION CONCERNING THE CONDOMINIUM WHICH IS DESCRIBED IN § 11-135 OF THE MARYLAND CONDOMINIUM ACT. THIS INFORMATION MUST INCLUDE AT LEAST THE FOLLOWING:

- (1) A COPY OF THE DECLARATION (OTHER THAN THE PLATS);
- (2) A COPY OF THE BY-LAWS;
- (3) A COPY OF THE RULES AND REGULATIONS OF THE CONDOMINIUM; AND
- (4) A STATEMENT BY THE SELLER OF HIS EXPENSES RELATING TO THE COMMON ELEMENTS DURING THE PRECEDING 12 MONTHS.

**6. RIGHT TO CANCEL:** Buyer shall have the right for a period of seven (7) days following Buyer's receipt of the condominium documents and statements referred to in Paragraph 4 or 5, as applicable, to cancel this Contract by giving Notice thereof to Seller. In the event that such condominium documents and statements are delivered Buyer on or prior to the ratification of this Contract by Buyer, such seven (7) day period shall commence upon ratification of this Contract. If the condominium documents and statements are not delivered to Buyer within the 15 day time period referred to in Paragraph 4 or 5, as applicable, Buyer shall have the option to cancel this Contract by giving Notice thereof to Seller prior to receipt by Buyer of such condominium documents and statements. Pursuant to the provisions of this paragraph, in no event may the Buyer have the right to cancel this Contract after Settlement.

  
\_\_\_\_\_  
Seller Sharan London  
President, Coalition Homes


  
\_\_\_\_\_  
Buyer Sharan London  
Executive Director  
Montgomery County Coalit  
for the Homeless



EXHIBIT A

[REDACTED] "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE", as per plat recorded at Condominium Plat Nos. [REDACTED] and Parking Space 267 as recorded at Condominium Plat Nos. [REDACTED] among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber [REDACTED] folio [REDACTED] among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: [REDACTED] Germantown, MD 20874  
Parcel ID: [REDACTED]

[REDACTED] "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE", as per plat recorded at Condominium Plat Nos. [REDACTED] and Parking Space 297 as recorded at Condominium Plat Nos. [REDACTED] among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber [REDACTED] folio [REDACTED] among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: [REDACTED] Germantown, MD 20874  
Parcel ID: [REDACTED]

[REDACTED] "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE", as per plat recorded at Condominium Plat Nos. [REDACTED] and Parking Space 310 as recorded at Condominium Plat Nos. [REDACTED] among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber [REDACTED] folio [REDACTED] among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: [REDACTED] Germantown, MD 20874  
Parcel ID: [REDACTED]

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE", as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 312 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████, Germantown, MD 20874  
Parcel ID: ██████████

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 410 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████, Germantown, MD 20874  
Parcel ID: ██████████

██████████, "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 409 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████, Germantown, MD 20874  
Parcel ID: ██████████

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 90 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████, Germantown, MD 20874  
Parcel ID: ██████████

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 193 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 186 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 195 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

TITLE REPORTS - EXHIBIT 4(d)(ii)

SCHEDULE A

File No.: [REDACTED]

Policy No.:

Amount of Insurance: \$94,442.00

Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

LAWYERS TITLE INSURANCE CORPORATION

By: [Signature]  
Kenneth B. Tecler

ALTA Owner's  
Schedule A

MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.

DUNS # [REDACTED]

SCHEDULE B

File No.: [REDACTED]

Policy No.:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [REDACTED] folio [REDACTED]
14. Amended Declaration (as to Liber [REDACTED] folio [REDACTED] recorded at Liber [REDACTED] folio [REDACTED]
15. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat [REDACTED]
21. Category I Conservation Easement shown on Plat [REDACTED]

**SCHEDULE B (Continued)**

Policy No.:

22. Ten (10") foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ and Parking Space 195 as recorded at Condominium Plat Nos. ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**


File No.: [REDACTED]  
Amount of Insurance: \$94,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler



**SCHEDULE B**

File No.: [REDACTED]

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [REDACTED] folio [REDACTED]
14. Amended Declaration (as to Liber [REDACTED] folio [REDACTED]) recorded at Liber [REDACTED] folio 4 [REDACTED]
15. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.
21. Category I Conservation Easement shown on Plat [REDACTED]

ALTA Owner's/Leasehold Owner's  
Schedule B

**SCHEDULE B (Continued)**

Policy No.:

22. Ten (10") foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

[REDACTED] WASHMORE AT GERMANTOWN CONDOMINIUM II™ as per plat recorded at Condominium Plat Nos. [REDACTED] through [REDACTED] Parking Space 186 as recorded at Condominium Plat Nos. [REDACTED] among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber [REDACTED] folio [REDACTED] among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: [REDACTED] Germantown, MD 20874  
Parcel ID: [REDACTED]

**SCHEDULE A**


File No.: [REDACTED]  
Amount of Insurance: \$94,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler

**SCHEDULE B**

File No.: [REDACTED]

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (s) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [REDACTED] folio [REDACTED]
14. Amended Declaration (as to Liber [REDACTED] folio [REDACTED]) recorded at Liber [REDACTED] folio [REDACTED]
15. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.
21. Category I Conservation Easement shown on Plat [REDACTED]

**SCHEDULE B (Continued)**

Policy No.:

22. Ten (10') foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] to [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 193 as recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**


File No.: [REDACTED]  
Amount of Insurance: \$94,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler



**SCHEDULE B**

File No.:

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [redacted] folio [redacted]
9. Certificates of Compliance recorded at Liber [redacted] folio [redacted] and Liber [redacted] folio [redacted]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [redacted] folio [redacted]
11. Declaration (Condo Sites) recorded at Liber [redacted] folio [redacted]
12. Declaration (Community Association) recorded at Liber [redacted] folio [redacted]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [redacted] folio [redacted]
14. Amended Declaration (as to Liber [redacted] folio [redacted] recorded at Liber [redacted] folio [redacted]
15. Declaration (MPDU) recorded at Liber [redacted] folio [redacted]
16. Right of Way to AT&T Co. recorded at Liber [redacted] folio [redacted]
17. Easement to WGL Co. recorded at Liber [redacted] folio [redacted] and shown on Plat [redacted]
18. Right of Way to WSSC recorded at Liber [redacted] folio [redacted] and shown on Plat [redacted]
19. Right of Way to WSSC recorded at Liber [redacted] folio [redacted] and shown on Plat [redacted]
20. Twenty five (25') foot Temporary Slope Easement by Plat.
21. Category I Conservation Easement shown on Plat [redacted]

SCHEDULE B (Continued)

Policy No.:

22. Ten (10') foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 90 as recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented; together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**

File No.: [REDACTED]

Policy No.:


Amount of Insurance: \$94,442.00

Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
  
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
  
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
  
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler

SCHEDULE B

File No.: [REDACTED]

Policy No.:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [REDACTED] folio [REDACTED]
14. Amended Declaration (as to Liber [REDACTED] folio [REDACTED]) recorded at Liber [REDACTED] folio [REDACTED]
15. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.
21. Category I Conservation Easement shown on Plat [REDACTED]

**SCHEDULE B (Continued)**

**Policy No.:**

22. Ten (10") foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] and Liber [REDACTED] to [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$86,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.



**SCHEDULE A**

File No.: [REDACTED]

Policy No.:

Amount of Insurance: \$94,442.00

Premium: \$

Date of Policy: April 27, 2007

1. Name of insured:

Coalition Homes, Inc.

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Coalition Homes, Inc.

4. The land referred to in this policy is described as follows:

SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By: \_\_\_\_\_

*Kenneth B. Tecler*  
Kenneth B. Tecler



SCHEDULE B

File No.: [REDACTED]

Policy No.:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown II) recorded at Liber [REDACTED] folio [REDACTED]
14. Amended Declaration (as to Liber [REDACTED] folio [REDACTED] recorded at Liber [REDACTED] folio [REDACTED])
15. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.
21. Category I Conservation Easement shown on Plat [REDACTED]

**SCHEDULE B (Continued)**

Policy No.:

22. Ten (10") foot PUE shown on Plat 22886.
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] to [REDACTED] d Liber [REDACTED] to [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$98,423.62.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM II" as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 410 as recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████ among the Land Records of Montgomery County, Maryland as from time to time amended and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**


File No.: [REDACTED]  
Amount of Insurance: \$94,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler

**SCHEDULE B**

File No.: [REDACTED]

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] to [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] to [REDACTED] and Liber [REDACTED] to [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] to [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] to [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] to [REDACTED]
13. Declaration & By Laws (Ashmore Germantown III) recorded at Liber [REDACTED] to [REDACTED]
14. Declaration (MPDU) recorded at Liber [REDACTED] to [REDACTED]
15. Supplementary Declaration (as to Liber [REDACTED] to [REDACTED] Phases 2 and 4) recorded at Liber [REDACTED] to [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] to [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] to [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] to [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] to [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.

**SCHEDULE B (Continued)**

Policy No.:

21. Category I Conservation Easement shown on Plat [REDACTED]
22. Ten (10') foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,099.87.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE",  
as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 312 as  
recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of  
Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a  
Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████  
among the Land Records of Montgomery County, Maryland as from time to time amended  
and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**

File No.:   
Amount of Insurance: \$84,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By: 

Kenneth B. Tecler



**SCHEDULE B**

File No. [REDACTED]

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown III) recorded at Liber [REDACTED] folio [REDACTED]
14. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
15. Supplementary Declaration (as to Liber [REDACTED] folio [REDACTED] Phases 2 and 4) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.

**SCHEDULE B (Continued)**

Policy No.:

21. Category I Conservation Easement shown on Plat [REDACTED]
22. Ten (10") foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Libe [REDACTED] and Libe [REDACTED] [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$98,099.87.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE",  
as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 310 as  
recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of  
Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a  
Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████  
among the Land Records of Montgomery County, Maryland as from time to time amended  
and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**

File No.: [REDACTED]

Policy No.:

Amount of Insurance: \$94,442.00

Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:

Coalition Homes, Inc.

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Coalition Homes, Inc.

4. The land referred to in this policy is described as follows:

SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler

**SCHEDULE B**

File No.: [REDACTED]

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [REDACTED] folio [REDACTED]
9. Certificates of Compliance recorded at Liber [REDACTED] folio [REDACTED] and Liber [REDACTED] folio [REDACTED]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [REDACTED] folio [REDACTED]
11. Declaration (Condo Sites) recorded at Liber [REDACTED] folio [REDACTED]
12. Declaration (Community Association) recorded at Liber [REDACTED] folio [REDACTED]
13. Declaration & By Laws (Ashmore Germantown III) recorded at Liber [REDACTED] folio [REDACTED]
14. Declaration (MPDU) recorded at Liber [REDACTED] folio [REDACTED]
15. Supplementary Declaration (as to Liber [REDACTED] folio [REDACTED] pages 2 and 4) recorded at Liber [REDACTED] folio [REDACTED]
16. Right of Way to AT&T Co. recorded at Liber [REDACTED] folio [REDACTED]
17. Easement to WGL Co. recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
18. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
19. Right of Way to WSSC recorded at Liber [REDACTED] folio [REDACTED] and shown on Plat [REDACTED]
20. Twenty five (25') foot Temporary Slope Easement by Plat.

**SCHEDULE B (Continued)**

**Policy No.:**

21. Category I Conservation Easement shown on Plat [REDACTED]
22. Ten (10') foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] to [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$98,099.87.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ CASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE",  
as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 267 as  
recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of  
Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a  
Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████  
among the Land Records of Montgomery County, Maryland as from time to time amended  
and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████

**SCHEDULE A**

File No.: [REDACTED]  
Amount of Insurance: \$94,442.00

Policy No.:  
Premium: \$

Date of Policy: April 27, 2007

1. Name of Insured:  
Coalition Homes, Inc.
2. The estate or interest in the land which is covered by this policy is:  
Fee Simple
3. Title to the estate or interest in the land is vested in:  
Coalition Homes, Inc.
4. The land referred to in this policy is described as follows:  
SEE SCHEDULE C ATTACHED HERETO.

**LAWYERS TITLE INSURANCE CORPORATION**

By:   
Kenneth B. Tecler



**SCHEDULE B**

File No.:

Policy No.:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any Exception stated in this Commitment (Policy) for covenants, conditions or restriction which indicate a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C.3607, or (c) related to a handicap, but does not discriminate against handicapped people.
2. Rights or claims of parties in possession not shown by the public records.
3. Any lien, or rights to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
4. Unpaid water rents.
5. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the land.
6. Easements, or claims or easements, not shown by the public records.
7. State, County and/or City taxes subsequent to those of the original levy for the year ending June 30 2007.
8. Declaration (Open Space) recorded at Liber [redacted] folio [redacted]
9. Certificates of Compliance recorded at Liber [redacted] folio [redacted] and Liber [redacted] folio [redacted]
10. Declaration (Deferred Water & Sewer Charges) recorded at Liber [redacted] folio [redacted]
11. Declaration (Condo Sites) recorded at Liber [redacted] folio [redacted]
12. Declaration (Community Association) recorded at Liber [redacted] folio [redacted]
13. Declaration & By Laws (Ashmore Germantown III) recorded at Liber [redacted] folio [redacted]
14. Declaration (MPDU) recorded at Liber [redacted] folio [redacted]
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17. Easement to WGL Co. recorded at Liber [redacted] folio [redacted] and shown on Plat [redacted]
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19. Right of Way to WSSC recorded at Liber [redacted] folio [redacted] and shown on Plat [redacted]
20. Twenty five (25') foot Temporary Slope Easement by Plat.

**SCHEDULE B (Continued)**

Policy No.:

21. Category I Conservation Easement shown on Plat [REDACTED]
22. Ten (10') foot PUE shown on Plat [REDACTED]
23. Right of Ways to Montgomery County recorded at Liber [REDACTED] and Liber [REDACTED] folio [REDACTED]
24. Notes on Plat [REDACTED]
25. Deed of Trust from Coalition Homes, Inc. to the County Attorney of Montgomery County, Maryland, trustee, dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland, securing Montgomery County, Maryland in the principal sum of \$96,099.87.
26. Notice of Lien dated April 23, 2007, recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.
27. Financing Statement recorded April 27, 2007 among the Land Records of Montgomery County, Maryland.

**SCHEDULE C**

**PROPERTY DESCRIPTION**

The land referred to in this policy is described as follows:

██████████ "ASHMORE AT GERMANTOWN CONDOMINIUM III, PHASE THREE",  
as per plat recorded at Condominium Plat Nos. ██████████ through ██████████ and Parking Space 297 as  
recorded at Condominium Plat Nos. ██████████ through ██████████ among the Land Records of  
Montgomery County, Maryland; said Unit being a part of the land and premises subjected to a  
Condominium Regime by a certain Declaration and By-Laws recorded in Liber ██████████ folio ██████████  
among the Land Records of Montgomery County, Maryland as from time to time amended  
and/or supplemented: together with an undivided interest in the common elements.

Property Address: ██████████ Germantown, MD 20874  
Parcel ID: ██████████



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

April 18, 2007

Stephen N. Joy  
Housing Investment Associates, Inc.  
101 Chestnut Street  
Gaithersburg, Maryland 20877

EXHIBIT 4(d) (iii)

Re: [REDACTED]

Germantown, Maryland

Dear Mr. Joy:

In response to your request concerning the above referenced property compliance with applicable codes, regulations and ordinances, please be advised as follows:

(1) The Montgomery County Government, Department of Permitting Services is responsible for the enforcement of building codes, zoning ordinances, Use and Occupancy Certificates and similar codes or ordinances related to commercial development in Montgomery County Maryland.

(2) Building permits and Use and Occupancy certificates have been issued and are in effect for the above referenced property and we are not aware of any circumstance which would render the certificates invalid.

(3) The property is presently zoned T-S, Town Sector zoning; under Chapter 59-C-7.231 (d) (Montgomery Zoning Ordinance) Multi-family Dwellings are a use which is permitted if shown on an approved site plan amended in accordance with the requirements of division 59-D-3. A copy is available from the Montgomery County Planning Board.

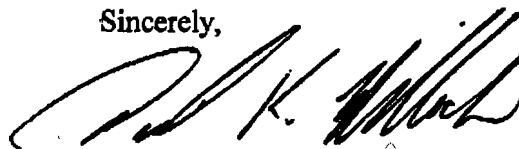
(4) As a condition to the issuance of the use and occupancy certificates in Montgomery County a project must comply with all applicable codes and ordinances including, but not limited to, building and occupancy codes, special exception conditions, any regulations pertaining to an entry sign board, fire department codes and regulations, applicable zoning and land use laws, landscaping and parking requirements, obtaining appropriate curb cut permits and provisions for applicable sanitary sewer, water, storm drainage and other utilities. The property currently complies with all applicable laws, codes, regulations pertaining to zoning, land use, parking, and is in compliance with applicable building and fire codes.

Housing Investment Associates, Inc.  
April 18, 2007

(5) As of the date of this letter, our records indicate that there are no pending violations of any applicable laws, codes, rules, regulations or ordinances as described above, and there are no pending rezoning applications, hearings, cases, appeals other proceedings which would affect the zoning classification of this property.

If you have any further questions please contact me at (240) 777-6252.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. K. Niblock', written in a cursive style.

David K. Niblock  
Permitting Services Specialist



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

April 18, 2007

Stephen N. Joy  
Housing Investment Associates, Inc.  
101 Chestnut Street  
Gaithersburg, Maryland 20877

Re: [REDACTED]  
Germantown, Maryland

Dear Mr. Joy:

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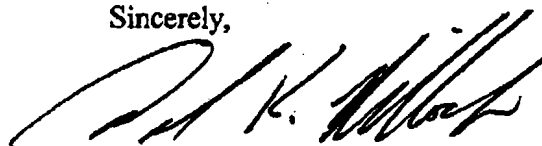
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David K. Niblock  
Permitting Services Specialist



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

April 18, 2007

Stephen N. Joy  
Housing Investment Associates, Inc.  
101 Chestnut Street  
Gaithersburg, Maryland 20877

Re: [REDACTED]  
Germantown, Maryland

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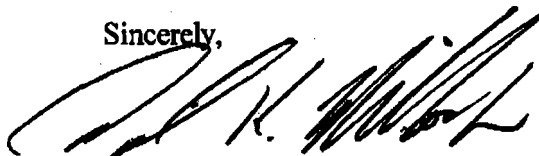


Housing Investment Associates, Inc.  
April 18, 2007

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David K. Niblock  
Permitting Services Specialist



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

April 18, 2007

Stephen N. Joy  
Housing Investment Associates, Inc.  
101 Chestnut Street  
Gaithersburg, Maryland 20877

Re:

[REDACTED]  
Germantown, Maryland

Dear Mr. Joy:

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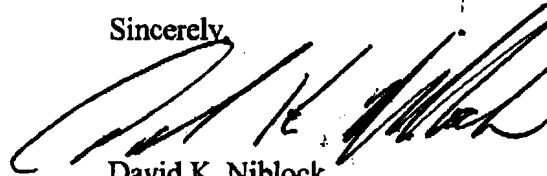
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Housing Investment Associates, Inc.  
April 18, 2007

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If you have any further questions please contact me at (240) 777-6252.

Sincerely,

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David K. Niblock  
Permitting Services Specialist

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**

**HUD SECTION 811 APPLICATION**

**DUNS # [REDACTED]**

**URA SITE NOTIFICATION**

Attached you will find evidence of compliance with URA site notification requirements in the form of a letter/s to the Seller/s of the project site/s.



montgomery county  
coalition for the homeless

April 24, 2007

Dan Mahoney, Chair  
Coalition Homes  
600 B East Gude Drive  
Rockville, MD 20850

RE: Uniform Relocation Act Requirements  
Ashmore Condominium Units  
Germantown, Maryland

Exhibit 4(d) (iv)

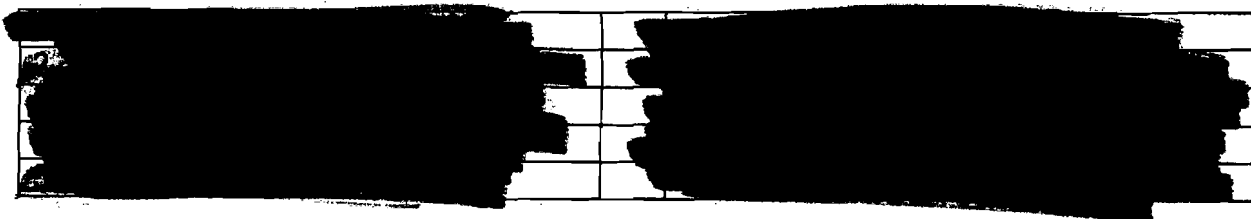
Dear Mr. Mahoney:

In reference to our purchase of your properties listed below, please be advised of the following:

1. We do not have the power of eminent domain and therefore, we will not acquire the property if negotiations fail to result in an amicable agreement, and
2. You acknowledge that you have been provided in writing with an estimate of the fair market value of the property.

The above statement has been required by the Uniform Relocation Act.

The 10 property addresses, all located in the Ashmore Condominium complex in Germantown Maryland 20874 are:



Sincerely,

Sharan London  
Executive Director

**Exhibit 4(d): Evidence of Site Control and Permissive Zoning**

**v) Site Narrative**

Site Description and Unit Suitability

The project will consist of ten apartments scattered throughout two newly constructed garden style apartment buildings in Germantown, Maryland. Though there are two physical buildings, each building is further divided by orientation and legal address, so the 10 units function as if they are located in four separate properties. Below is a chart of the unit addresses.

Unit Address	Unit Number	Handicap Accessible?
[REDACTED]	[REDACTED]	Yes
[REDACTED]	[REDACTED]	Yes
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	Yes
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	No
[REDACTED]	[REDACTED]	No

The development has over 400 units among 14 buildings. The construction of the buildings was recently completed, so the residents of this project will be the first occupants of these units.

Coalition Homes, a non-profit affiliate of Montgomery County Coalition for the Homeless (MCCH), recently purchased the ten units for this project from the developer at below market rates (in accordance with the county's Moderately Priced Dwelling Unit – MPDU – program). Coalition Homes and Montgomery County Coalition for the Homeless have executed a purchase agreement to allow the MCCH (or a newly created single purpose entity controlled by MCCH) to purchase the units upon receipt of 811 financing. MCCH will operate the units as permanent supportive housing for people with disabilities.

Each unit purchased for this project is a one bedroom unit, of 610 square feet, including a balcony or patio.

The other units in the buildings are one-, two-, and three- bedroom units. All the units in the building have high end appliances, washer-dryers, wall-to-wall

carpeting, ceramic tile bathrooms, 9 foot ceilings, and ceiling fans in the living room and bedroom. Each unit has its own individually metered, all electric, heating and cooling system, and an electric hot water heater. The kitchen ranges use natural gas. Ashmore residents will have full access to the community amenities, including a pool and heated spa, 24 hour athletic club, and business center with computer and internet access.

The buildings are garden style apartments without elevator service, so only first floor units are handicapped accessible. Apartment [REDACTED] Circle is handicap accessible, but will require minor modifications (less than [REDACTED] to fully meet the HUD standard for wheelchair accessibility. An additional two of the ten units in this project meet visitability standards and incorporate universal design; there is wheelchair turning radius in the kitchens and bathrooms, all doors are wide enough for a wheelchair, the appliances' controls are accessible from the front, and the kitchen and bathroom cabinets under sinks have toe room at the bottom for someone sitting in a wheelchair.

#### Characteristics of the Neighborhood

The Aurora project is well located to maximize integration of the residents into a growing urban community. The amenities of urban living are available within minutes of the door. The project is located just off Father Hurley Boulevard in Germantown, Maryland, in an area experiencing dramatic growth.

Immediately adjacent to the site, a townhouse community is under construction. In the immediate vicinity of the building, the neighborhood is a mix of uses, with residential to the north and retail to the east. Less than a mile from the site there is a convenience store, several restaurants, a full service grocery store with pharmacy, a bank with an ATM, a regional park, a movie theater, several churches, two bus stops with regional service, and a small shopping mall with a video rental, cleaners, and gas station. The local library is less than 1.5 miles from the site, as is the regional recreation center.

Emergency services are easily accessible. The Shady Grove Adventist Emergency Center is located within half a mile and has 21 emergency treatment beds. It functions similarly to an emergency department at a hospital except that it does not have inpatient beds. There are both fire and police stations less than half a mile from the site.

Educational facilities are also very convenient. Within two miles of the site are two prominent adult and continuing education institutions, Strayer University and Montgomery County Community College Germantown branch.

Housing Opportunities

The Ashmore will promote greater housing opportunities for minority individuals with disabilities for several of reasons:

- The Ashmore neighborhood is a majority white neighborhood, with fewer residents who are members of minority groups than the County as a whole.
- The Ashmore units are unaffordable to the target population (individuals with low incomes and disabilities who are exiting homelessness) without the assistance of a deep subsidy

As the chart below demonstrates, not only is the area surrounding the Ashmore a majority white neighborhood, minority groups are also less represented in this neighborhood than in Germantown and than in the County as a whole. Since 77% of the residents of Montgomery County Coalition for the Homeless (MCCH) housing are members of minority groups, providing MCCH clients access to Ashmore units provides housing opportunities in a neighborhood which has underserved minorities.

*Racial composition of area surrounding the site*

	% White	% Non White**
Census Tract 7003.10	74.5	25.5
Germantown Zip Code 20874	65.5	34.5
Montgomery County	64.8	35.2

Source: 2000 US Census, from <http://factfinder.census.gov/>

\*\* Includes African Americans, American Indians, Asian, Pacific Islanders, and people with two or more races

Additionally, Ashmore units are not affordable to the very low income people living with disabilities served by the Coalition. The Coalition purchased units through the County's Moderately Priced Dwelling Unit program, units which would have been sold on the market for [REDACTED]. The availability of the Coalition units enhance housing opportunities for minorities and disabled because there is simply no way the Coalition's clientele (76% minority, 100% low income, and all living with disabilities) could live in the Ashmore building without public intervention.



### Furthering Fair Housing

The Ashmore promotes Fair Housing by addressing one of the major impediments to Fair Housing identified in the County's "Fair Housing Analysis of Impediments" (AI). The AI identifies nine impediments to Fair Housing in Montgomery County, including the need for additional affordable housing:

*"There still remains an enormous need for affordable housing through out the county. The county remains committed to the funding and development of affordable housing, including innovative housing programs such as the very successful Moderately Priced Dwelling unit (MPDU) program. The County Council should continue to support innovative housing solutions.... (AI, p. 4)"*

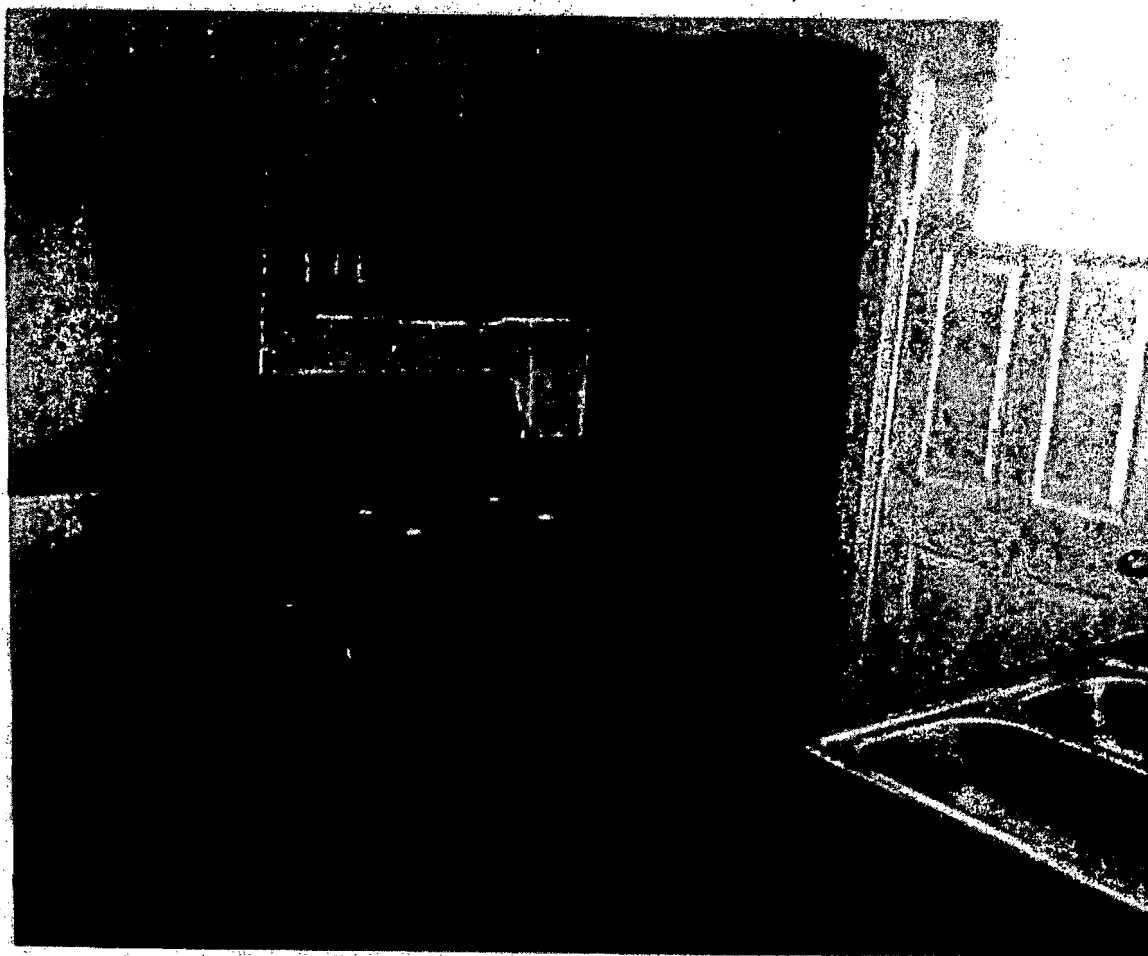
The Ashmore expands housing options available to minorities living with disabilities, using the MPDU program to access units which would otherwise be unaffordable to the Coalition's clientele. The Ashmore is an example of an innovative housing solution called for in the AI.

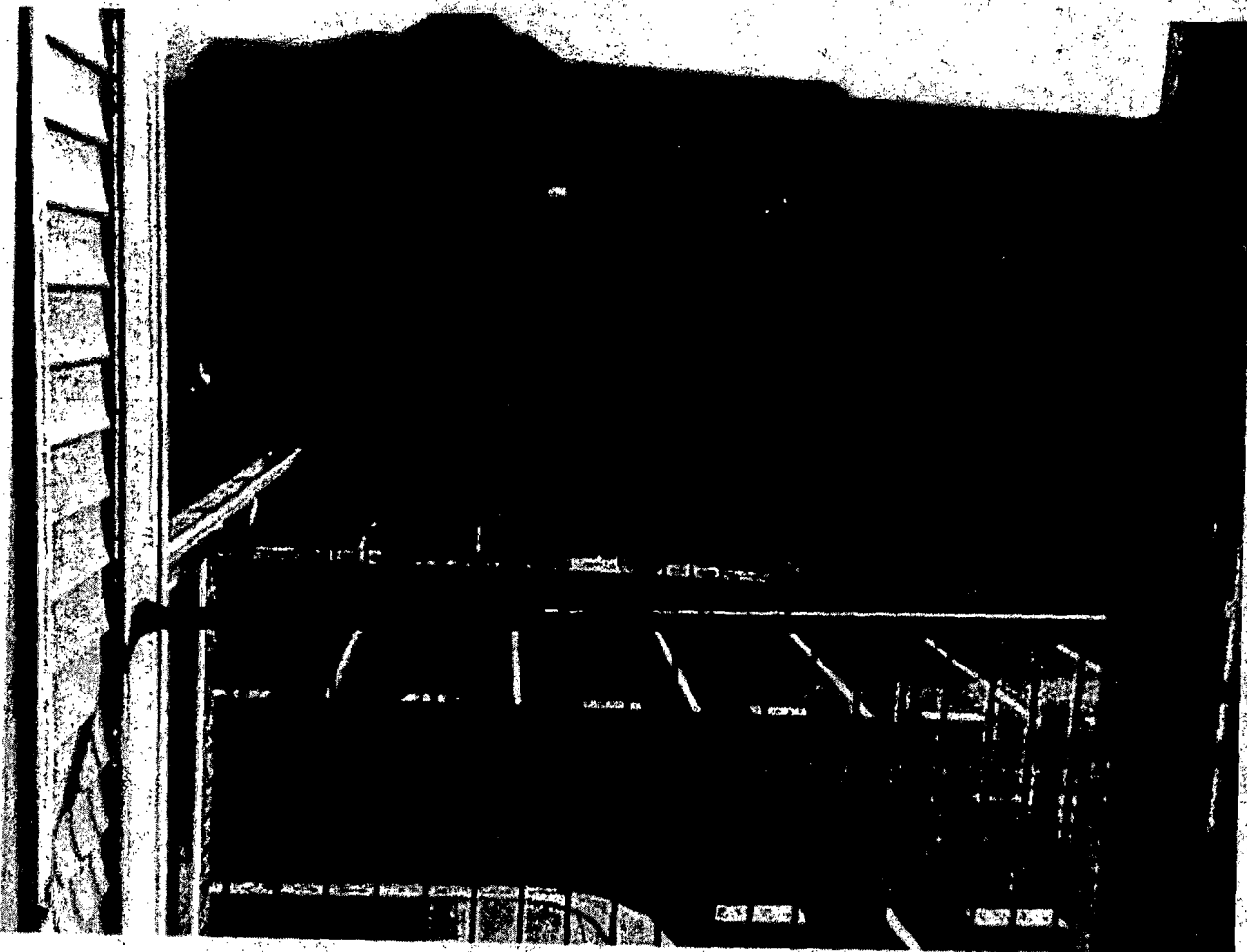
The Fair Housing section of the Consolidated Plan calls for Montgomery County to "Support the expansion and retention of housing that is affordable and accessible to lower-income residents...." The Ashmore furthers the County's goal of promoting Fair Housing by expanding the stock of affordable and accessible housing.



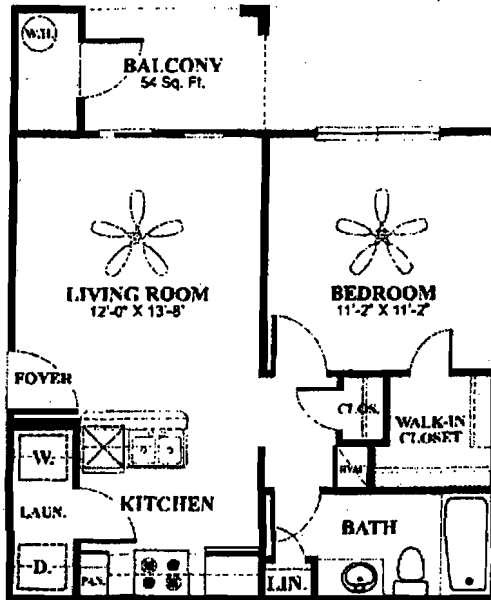








Ashmore  
germantown



**A1.1**  
**1 Bedroom/1 Bath/Second Floor Only**

Interior.....556 SF  
Balcony.....54 SF  
Total.....610 SF

Please note: Due to continuing changes in products, building codes and availability of materials, the Developer reserves the right to incorporate new and improved design features at any time without notice or to use equivalent materials. All dimensions shown in this brochure are approximate and plans, specifications and standard features are subject to modification or improvement at any time without notice. Room dimensions may vary between the brochure, model homes and the individually built residences.

[REDACTED] Germantown, MD 20874  
sales@ashmorecondos.com . www.ashmorecondos.com



*Experience the Datfield Difference!*





FATHER HURLEY ROAD

LEWIS GLEN COURT

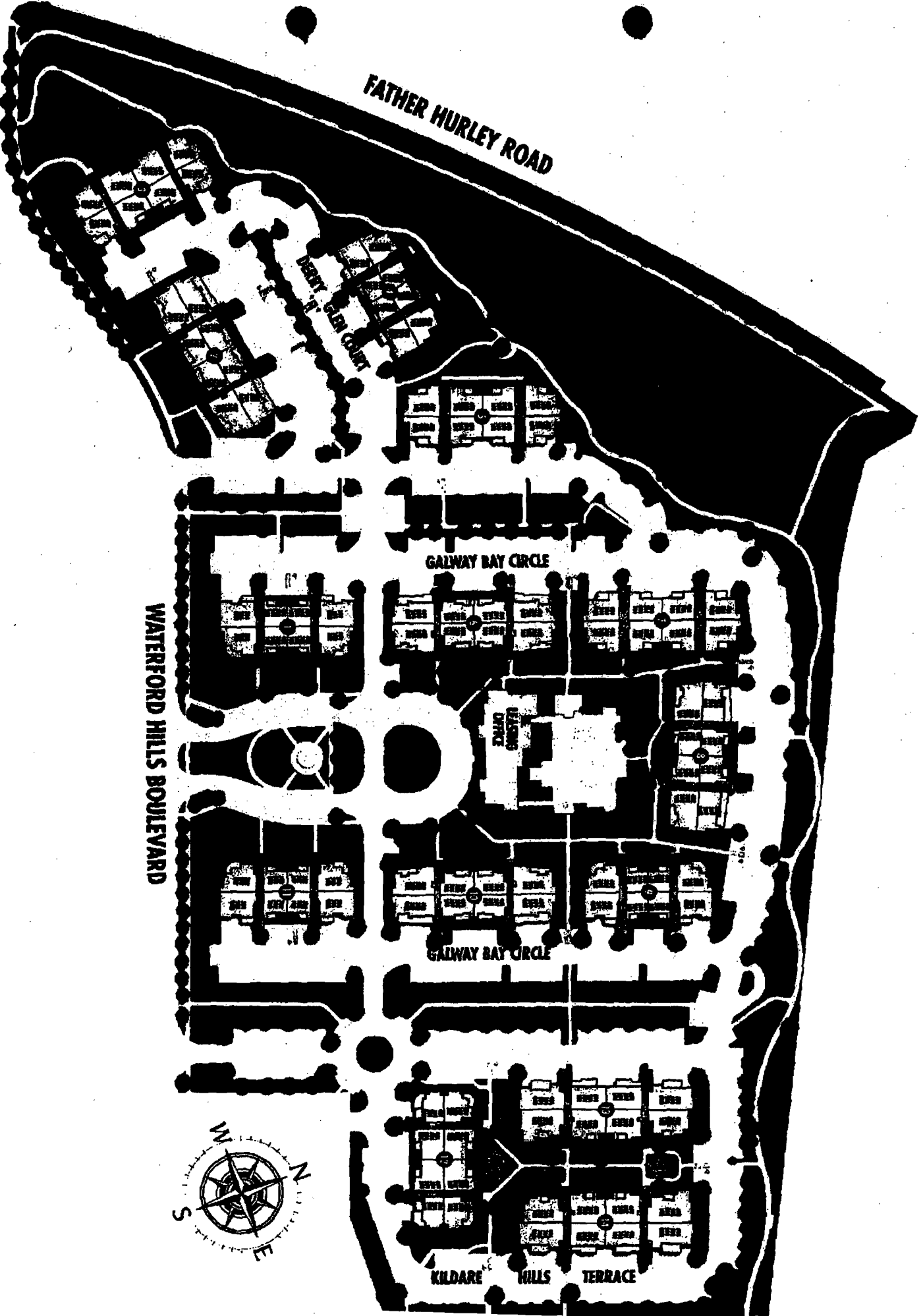
GALWAY BAY CIRCLE

WATERFORD HILLS BOULEVARD

REASONS OFFICE

GALWAY BAY CIRCLE

KILDARE HILLS TERRACE



**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.  
SECTION 811 APPLICATION  
DUNS# 860058809**

**EXHIBIT 4(d)**

---

**(vi) LOCATION MAP AND CENSUS INFORMATION**

A map showing the location of the site and the census information showing racial composition of the neighborhood is attached to this exhibit.

**(vii) PHASE I ENVIRONMENTAL SITE ASSESSMENT**

The Phase I Environmental Site Assessment is attached to this exhibit.

**(viii) ASBESTOS STATEMENT or Report is attached to this exhibit.**

**(ix) HISTORIC PRESERVATION**

A letter to and the response from the Maryland Historical Trust regarding any historic significance of the site is attached to this exhibit.

**(x) ALTERNATIVE SITES**

If the sites proposed in this application should be found to be not approvable by HUD, the Sponsors would be willing to locate other sites on which to develop the project.

We have visited alternate sites and can assure HUD that site control of an alternate site will be obtained within six months of fund reservation notification.

**(xi) PROJECT SIZE LIMITS**

We are not requesting an exception to the project size limits.



## Exhibit 4(d): Evidence of Site Control and Permissive Zoning

### vi) Racial Composition of Area

The Ashmore neighborhood is a majority white neighborhood, with fewer residents who are members of minority groups than the County as a whole.

As the chart below demonstrates, not only is the area surrounding the Ashmore a majority white neighborhood, minority groups are also less represented in this neighborhood than in Germantown and than in the County as a whole. Since 77% of the residents of Montgomery County Coalition for the Homeless (MCCH) housing are members of minority groups, providing MCCH clients access to Ashmore units provides housing opportunities in a neighborhood which has underserved minorities.

#### *Racial composition of area surrounding the site*

	<b>% White</b>	<b>% Non White**</b>
Census Tract 7003.10	74.5	25.5
Germantown Zip Code 20874	65.5	34.5
Montgomery County	64.8	35.2

Source: 2000 US Census, from <http://factfinder.census.gov/>

\*\* Includes African Americans, American Indians, Asian, Pacific Islanders, and people with two or more races



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509-694-6628

Bassett/Boynton

Apr 24 07 01:10p

**QT-P3. Race and Hispanic or Latino: 2000**  
**Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data**  
**Geographic Area: Census Tract 7003.10, Montgomery County, Maryland**

NOTE: For information on confidentiality protection, nonsampling error, definitions, and count corrections see <http://factfinder.census.gov/home/en/datatools/expf1u.htm>.

Subject	Number	Percent
<b>RACE</b>		
Total population	4,280	100.0
One race	4,036	96.1
White	3,131	74.5
Black or African American	500	11.9
American Indian and Alaska Native	27	0.6
American Indian	23	0.5
Alaska Native	0	0.0
Both American Indian and Alaska Native	0	0.0
American Indian or Alaska Native, not specified	4	0.1
Asian	270	6.4
Asian Indian	101	2.4
Chinese	47	1.1
Filipino	23	0.5
Japanese	12	0.3
Korean	38	0.9
Vietnamese	22	0.5
Other Asian category	28	0.7
Two or more Asian categories	1	0.0
Native Hawaiian and Other Pacific Islander	1	0.0
Native Hawaiian	1	0.0
Samoan	0	0.0
Guamanian or Chamorro	0	0.0
Other Pacific Islander category	0	0.0
Two or more Native Hawaiian or Other Pacific Islander categories	0	0.0
Some other race	107	2.5
Two or more races	164	3.9
Two races including Some other race	65	1.5
Two races excluding Some other race, and three or more races	99	2.4
Two races excluding Some other race	85	2.0

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Subject	Number	Percent
Three or more races	14	0.3
<b>HISPANIC OR LATINO</b>		
Total population	4,260	100.0
Hispanic or Latino (of any race)	327	7.8
Mexican	49	1.2
Puerto Rican	20	0.7
Cuban	7	0.2
Other Hispanic or Latino	242	5.8
Not Hispanic or Latino	3,873	92.2
<b>RACE AND HISPANIC OR LATINO</b>		
Total population	4,260	100.0
One race	4,036	96.1
Hispanic or Latino	297	7.1
Not Hispanic or Latino	3,739	89.0
Two or more races	164	3.9
Hispanic or Latino	30	0.7
Not Hispanic or Latino	134	3.2

(X) Not applicable.

Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices P3, P4, PCT4, PCT5, PCT8, and PCT11.

Bassett/Boynton

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p.4

509-694-6628

Bassett/Boymton

Apr 24 07 01:11p

**QT-P3. Race and Hispanic or Latino: 2000**  
**Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data**  
**Geographic Area: 20874 5-Digit ZCTA**

NOTE: For information on confidentiality protection, nonsampling error, definitions, and count corrections see <http://factfinder.census.gov/home/en/data/notes/exp1u.html>.

Subject	Number	Percent
<b>RACE</b>		
Total population	49,224	100.0
One race	47,247	96.0
White	32,259	65.5
Black or African American	8,372	17.0
American Indian and Alaska Native	139	0.3
American Indian	99	0.2
Alaska Native	3	0.0
Both American Indian and Alaska Native	0	0.0
American Indian or Alaska Native, not specified	40	0.1
Asian	4,694	9.5
Asian Indian	1,622	3.3
Chinese	1,148	2.3
Filipino	354	0.7
Japanese	91	0.2
Korean	519	1.1
Vietnamese	497	1.0
Other Asian category	412	0.8
Two or more Asian categories	51	0.1
Native Hawaiian and Other Pacific Islander	40	0.1
Native Hawaiian	8	0.0
Samoan	0	0.0
Guamanian or Chamorro	14	0.0
Other Pacific Islander category	17	0.0
Two or more Native Hawaiian or Other Pacific Islander categories	1	0.0
Some other race	1,743	3.5
Two or more races	1,977	4.0
Two races including Some other race	818	1.7
Two races excluding Some other race, and three or more races	1,161	2.4
Two races excluding Some other race	1,027	2.1

Subject	Number	Percent
Three or more races	134	0.3
<b>HISPANIC OR LATINO</b>		
Total population	49,224	100.0
Hispanic or Latino (of any race)	4,452	9.0
Mexican	472	1.0
Puerto Rican	458	0.9
Cuban	143	0.3
Other Hispanic or Latino	3,379	6.9
Not Hispanic or Latino	44,772	91.0
<b>RACE AND HISPANIC OR LATINO</b>		
Total population	49,224	100.0
One race	47,247	96.0
Hispanic or Latino	3,950	8.0
Not Hispanic or Latino	43,297	88.0
Two or more races	1,977	4.0
Hispanic or Latino	502	1.0
Not Hispanic or Latino	1,475	3.0

(X) Not applicable.

Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices P3, P4, PCT4, PCT5, PCT8, and PCT11.





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**QT-P3. Race and Hispanic or Latino: 2000**  
**Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data**  
**Geographic Area: Montgomery County, Maryland**

NOTE: For information on confidentiality protection, nonsampling error, definitions, and count corrections see <http://factfinder.census.gov/home/en/data/notes/cps/sf1u.htm>

Subject	Number	Percent
<b>RACE</b>		
Total population	871,341	100.0
One race	843,224	96.6
White	585,719	64.8
Black or African American	132,258	15.1
American Indian and Alaska Native	2,544	0.3
American Indian	1,704	0.2
Alaska Native	19	0.0
Both American Indian and Alaska Native	1	0.0
American Indian or Alaska Native, not specified	820	0.1
Asian	98,851	11.3
Asian Indian	23,628	2.7
Chinese	28,580	3.3
Filipino	7,393	0.8
Japanese	3,168	0.4
Korean	15,130	1.7
Vietnamese	8,907	1.1
Other Asian category	9,375	1.1
Two or more Asian categories	1,462	0.2
Native Hawaiian and Other Pacific Islander	412	0.0
Native Hawaiian	103	0.0
Samoan	47	0.0
Guamanian or Chamorro	68	0.0
Other Pacific Islander category	184	0.0
Two or more Native Hawaiian or Other Pacific Islander categories	10	0.0
Some other race	43,642	5.0
Two or more races	30,117	3.4
Two races including Some other race	15,080	1.7
Two races excluding Some other race, and three or more races	15,027	1.7
Two races excluding Some other race	13,170	1.5

509-694-6628

Basset/Boynton

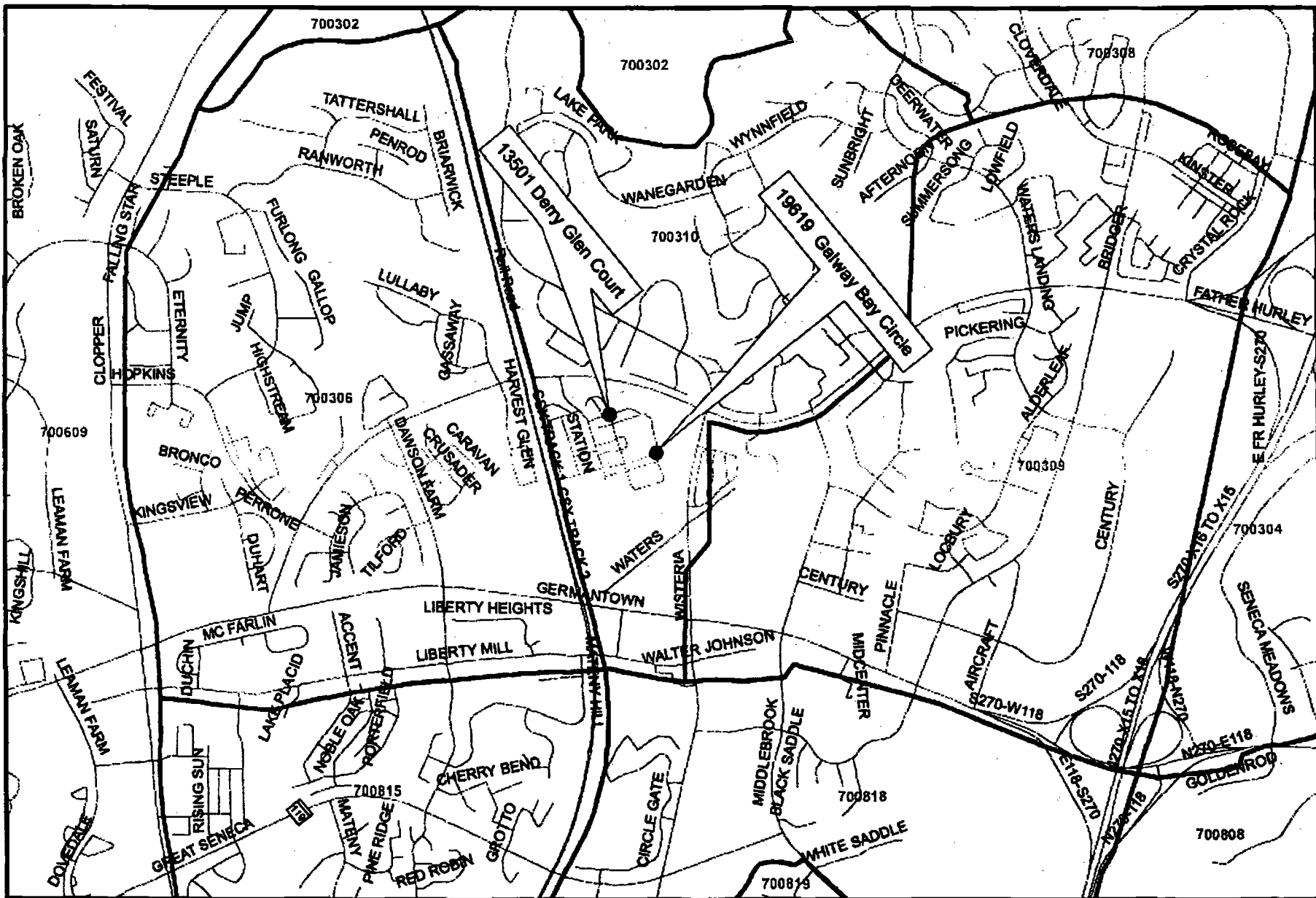
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Montgomery County, Maryland - QT-P3. Race and Hispanic or Latino: 2000

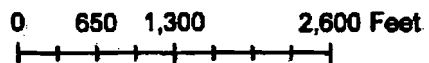
Subject	Number	Percent
Three or more races	1,857	0.2
<b>HISPANIC OR LATINO</b>		
Total population	873,341	100.0
Hispanic or Latino (of any race)	100,604	11.5
Mexican	8,917	1.0
Puerto Rican	5,319	0.6
Cuban	2,739	0.3
Other Hispanic or Latino	83,629	9.6
Not Hispanic or Latino	772,737	88.5
<b>RACE AND HISPANIC OR LATINO</b>		
Total population	873,341	100.0
One race	843,224	96.6
Hispanic or Latino	91,517	10.5
Not Hispanic or Latino	751,707	86.1
Two or more races	30,117	3.4
Hispanic or Latino	9,087	1.0
Not Hispanic or Latino	21,030	2.4

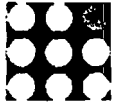
(X) Not applicable.

Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices P3, P4, PCT4, PCT5, PCT6, and PCT11.

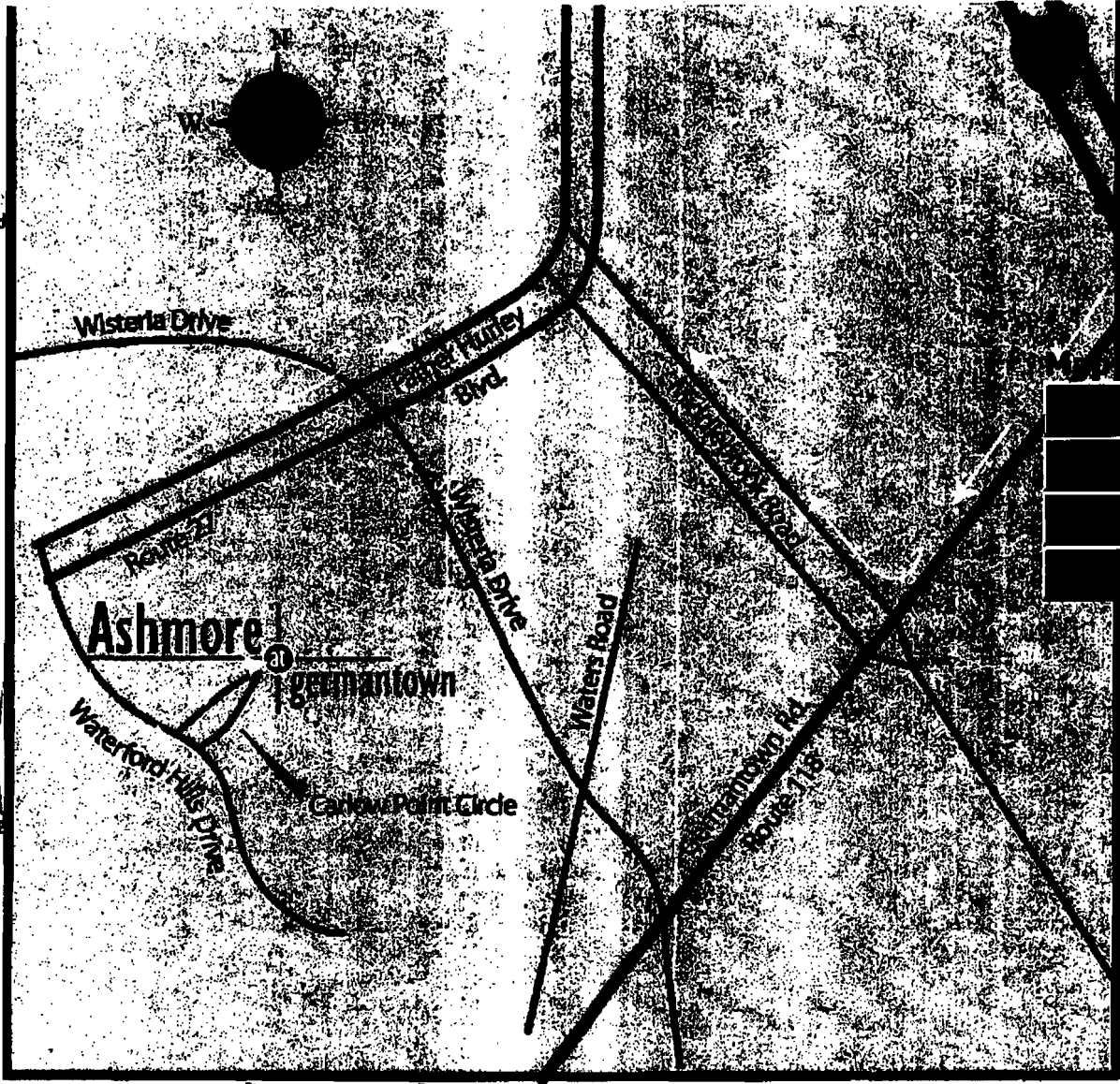


Map Designed by Trivens Kargbo  
DHCA





- Floor Plans
- Amenities
- Neighborhood
- Inquiries
- News
- Developer
- Home



Map Controls

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Ashmore

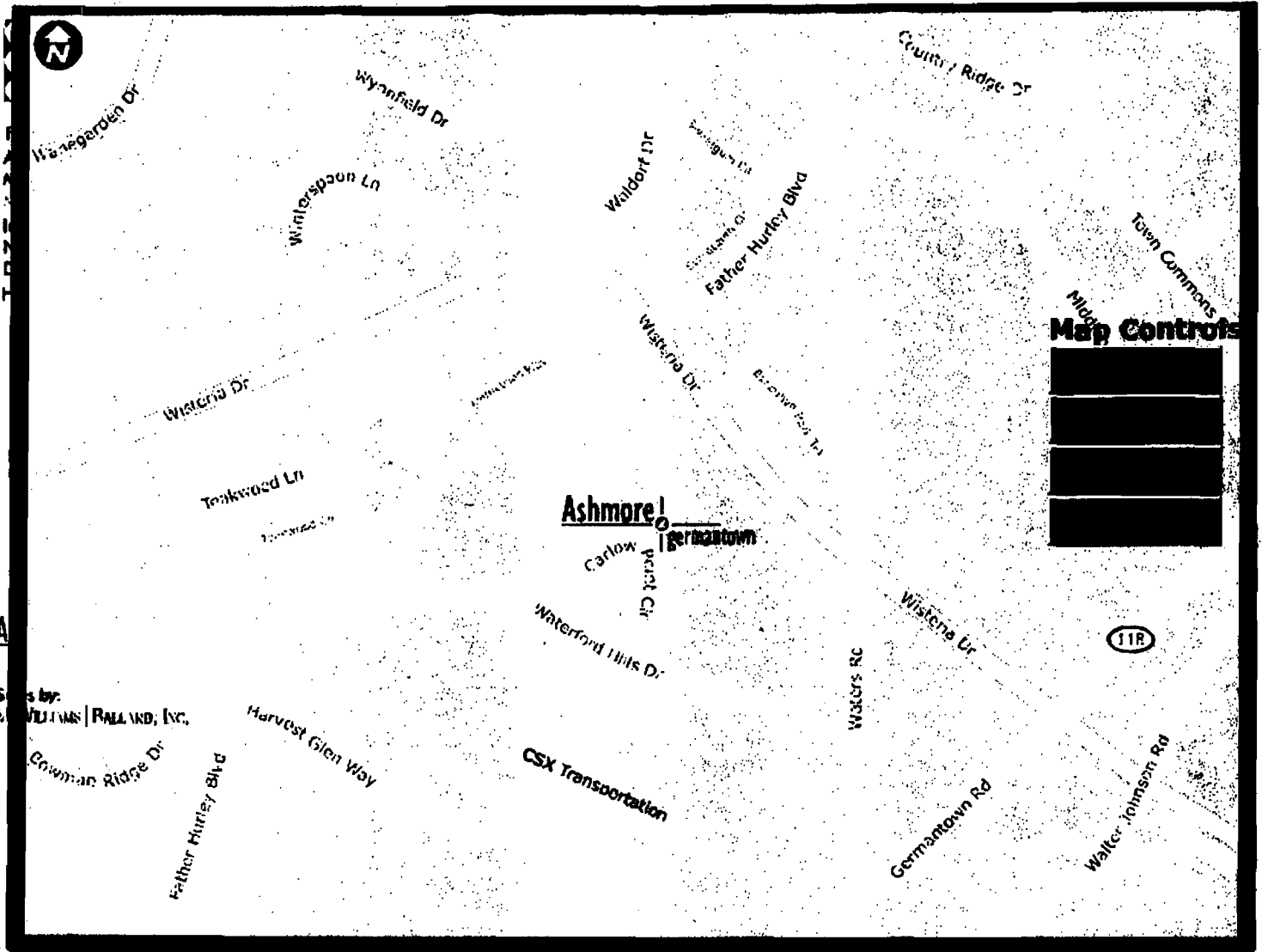




EXHIBIT 4(d) (vii)

**PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**Ashmore at Germantown Condominiums**

Montgomery County  
Germantown, Maryland 20874

Tax Map EU 342  
Plat 9015

Prepared For:

**Sharan London**  
**Executive Director**  
**Montgomery County Coalition**  
**for the Homeless, Inc.**  
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Prepared By:

**ECO DYNAMICS CORPORATION**

April 23, 2007

**Ashmore at Germantown Condominiums  
PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**1. Summary**

Eco Dynamics Corporation (EDC) of Ellicott City, Maryland conducted a Phase I Environmental Site Assessment (ESA) of ten residential condominium units at the Ashmore at Germantown complex owned by Fairfield Germantown Farms, L.P. The ESA was performed using American Society for Testing and Materials (ASTM) Standard E 1527 - 05, entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." The site is located on the southeast side of Father Hurley Boulevard, southwest of Wisteria Drive, in Germantown, Maryland. The subject property was inspected by John Mornini, Division Manager, on April 12, 2007.

The Ashmore at Germantown complex reportedly has 404 total units, and the interior of the following ten, one-bedroom, units were inspected as part of this ESA: [REDACTED]

[REDACTED] The property is listed in tax records as 4.93 acres, and each one-bedroom unit is approximately 630 s.f. in size. Tax records indicate that the complex was constructed in 2006. Each dwelling is heated with an electric forced air system. There is also natural gas service, which is used for the hot water tanks and the stoves. There were no aboveground storage tanks (ASTs) observed on site. There was no evidence of USTs observed, such as vent pipes or grade level openings. Based on the date of construction of the complex, there were no building materials observed which were suspected of being asbestos containing material (ACM).

Based on the date of construction of the complex, it is assumed that there is no Lead-based paint (LBP) on site, and no dust wipe samples were taken. According to the HUD "Guidelines For the Evaluation and Control of Lead-Based Paint Hazards in Housing", lead was first regulated in residential paint in 1972, when it was reduced to 0.5 percent lead by dry weight. Lead was completely banned as a paint additive in 1978, meaning that paint could contain no more than 0.06 percent lead by dry weight (Reich, 1992; Rabin, 1989).

There was no evidence discovered of past industrial use of the property. The adjoining property to the north of the complex is the Churchill Business Center, off Wisteria Drive. The adjoining property to the south is a Centex Homes condominium construction site. The adjoining property to the east is an open field, the remainder of the Martens property. The adjoining properties to the west, across Father Hurley Boulevard, are residential townhouses. Based on visual observation there were no adjoining properties observed which appear to pose an environmental risk to the subject property. The area is served by public water and sewer. There was no evidence discovered of recognized environmental conditions in connection with the Ashmore at Germantown condominiums at [REDACTED]

2. Introduction

2.1 Purpose - The purpose of this Phase I Environmental Site Assessment (ESA) is to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations (landowner liability protections, or LLPs) with respect to petroleum products and the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); that is, the practices that constitute "all appropriate inquiry into the previous ownership and uses of a property consistent with good commercial or customary practice" as defined in CERCLA. There may be environmental issues or conditions at a property that are not included in the scope of CERCLA liability, and this ESA does not address: radon, lead in drinking water, wetlands, regulatory compliance, industrial hygiene, endangered species, indoor air quality, biological agents, or mold.

2.2 Terminology - This section provides definitions, descriptions of terms, and a list of acronyms for words and phrases that might be used in this ESA.

**abandoned property** - Property that can be presumed to be deserted from the general disrepair or lack of activity such that a reasonable person could believe that there was an intent on the part of the current owner to surrender rights to the property.

**activity and use limitations** - Legal, administrative, or physical restrictions on the use of, or access to, a site or facility to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property. An institutional control is a type of AUL.

**actual knowledge** - The knowledge actually possessed by an individual who is a real person, rather than an entity. Actual knowledge is to be distinguished from constructive knowledge that is knowledge imputed to an individual or entity.

**adjoining properties** - Any real property or properties the border of which is contiguous or partially contiguous with that of the property, or that would be contiguous or partially contiguous with that of the property but for a street, road, or other public thoroughfare separating them.

**aerial photographs** - Photographs taken from an aerial platform with sufficient resolution to allow identification of development and activities of areas encompassing the property.

**asbestos** - Six naturally occurring fibrous minerals found in certain types of rock formations. Of the six, the minerals chrysotile, amosite, and crocidolite have been most commonly used in building products. When inhaled in sufficient quantities, asbestos fibers can cause serious health problems.

**asbestos containing material (ACM)** - Any material or product that contains more than 1% asbestos.

**Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)** - The list of sites compiled by EPA that EPA has investigated or is currently investigating for potential hazardous substance contamination for possible inclusion on the National Priorities List.

**data failure** - Occurs when all of the reasonably ascertainable standard historical sources which are likely to be useful are reviewed and do not identify the uses of the property at five year intervals back to first use or 1940 (whichever is earlier). Data failure is not uncommon, and should be documented. If the data failure represents a significant data gap, the report shall comment on the impact of the data gap on the ability of the environmental professional to identify recognized environmental conditions.



Ashmore at Germantown Condominiums  
Page Three

**demolition debris** - Concrete, brick, asphalt, and other such building materials discarded in the construction of a building or other improvement to property.

**drum** - A container (typically holding 55 gallons of liquid) that may be used to store hazardous substances or petroleum products.

**dry wells** - Underground areas where soil has been removed and replaced with pea gravel, coarse sand, or large rocks; used for drainage, to control storm runoff, for the collection of spilled liquids (intentional and non-intentional) and wastewater disposal (often illegal).

**dwelling** - Structure or portion thereof used for residential habitation; house.

**environmental lien** - A charge, security, or encumbrance upon title to a property to secure the payment of a cost, damage, debt, obligation, or duty arising out of response actions, cleanup, or other remediation of hazardous substances or petroleum products upon a property, including liens imposed pursuant to CERCLA and similar state or local laws.

**environmental professional** - A person possessing sufficient training and experience necessary to exercise professional judgement to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in, or to a property. A person who does not have a relevant license or certificate can qualify with the equivalent of ten years of full-time relevant experience.

**ERNS list** - EPA's emergency response notification system list of reported CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity, as maintained at the National Response Center.

**fire insurance maps** - Maps produced for private fire insurance map companies that indicate uses of properties at specified dates and that encompass the property.

**hazardous substance** - A substance defined as a hazardous substance pursuant to CERCLA, any hazardous waste, any toxic pollutant, any hazardous air pollutant, and any imminently hazardous chemical substance or mixture. The term does not include petroleum.

**hazardous waste** - RCRA defines a hazardous waste as "a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed."

**hazardous waste/contaminated sites** - Sites on which a release has occurred, or is suspected to have occurred, of any hazardous substance, hazardous waste, or petroleum products, and that release or suspected release has been reported to a government entity.

**historical recognized environmental condition** - An environmental condition which has been remediated, with such remediation accepted by the responsible regulatory agency. The environmental professional shall provide an opinion of the current impact on the property of this historical environmental condition.

**landfill** - A place, location, tract of land, area, or premises used for the disposal of solid wastes as defined by state solid waste regulations. The term is synonymous with the term solid waste disposal site and is also known as a garbage dump, or similar term.

**LUST sites** - State lists of leaking underground storage tank sites.

Ashmore at Germantown Condominiums  
Page Four

**National Priorities List (NPL)** - List compiled by EPA pursuant to CERCLA of properties with the highest priority for clean-up pursuant to EPA's Hazard Ranking System.

**obvious** - That which is plain or evident; a condition or fact that could not be ignored or overlooked by a reasonable observer while visually or physically observing the property.

**operator** - The person responsible for the overall operation of a facility.

**owner** - Generally the fee owner of record of the property.

**petroleum products** - Crude oil or any fraction thereof. The word fraction refers to distillates of crude, oil, including gasoline, kerosene, diesel oil, jet fuels, and fuel oil.

**pits, ponds, or lagoons** - Man-made or natural depressions in a ground surface that are likely to hold liquids or sludge containing hazardous substances or petroleum products.

**property** - The real property that is the subject of the environmental site assessment. Real property includes buildings and other fixtures and improvements located on the property and affixed to the land.

**practically reviewable** - Information that is practically reviewable means that the information is provided by the source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data.

**publicly available** - Information that is publicly available means that the source of the information allows access to the information by anyone upon request.

**RCRA generators** - Those persons or entities that generate hazardous wastes, as defined and regulated by RCRA.

**RCRA TSD facilities** - Those facilities on which treatment, storage, and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA.

**RCRA TSD facilities list** - List kept by EPA of those facilities on which treatment, storage, and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA.

**reasonably ascertainable** - Information that is (1) publicly available, (2) obtainable from its source within reasonable time and cost constraints, and (3) practically reviewable.

**recognized environmental conditions** - The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.

**recorded land title records** - Records of fee ownership, leases, land contracts, easements, liens, and other encumbrances on or of the property recorded in the place where land title records are, by law or custom, recorded for the local jurisdiction in which the property is located.

Ashmore at Germantown Condominiums  
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**solvent** - A chemical compound that is capable of dissolving another substance and is itself a hazardous substance, used in a number of manufacturing/industrial processes including but not limited to the manufacture of paints and coatings for industrial and household purposes, equipment clean-up, and surface degreasing in metal fabricating industries.

**underground storage tank (UST)** - Any tank, including underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground.

**user** - The party seeking an environmental site assessment of the property. A user may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager. The user has specific obligations for completing a successful application of this practice, including communicating environmental liens or activity and use limitations, and other reasonably ascertainable information that is material.

**USGS 7.5 Minute Topographic Map** - The map available from or produced by the United States Geological Survey, entitled "USGS 7.5 Minute Topographic Map," and showing the property.

**visually and/or physically observed** - During a site visit this term means observations made by vision while walking through a property and the structures located on it and observations made by the sense of smell, particularly observations of noxious or foul odors.

**wastewater** - Water that (1) is or has been used in an industrial or manufacturing process, (2) conveys or has conveyed sewage, or (3) is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant.

2.2.3

Acronyms

**AAI** - All Appropriate Inquiry into previous ownership and uses of a property  
**AULs** - Activity and Use Limitations  
**ASTM** - American Society for Testing and Materials.  
**CERCLA** - Comprehensive Environmental Response, Compensation and Liability Act of 1980.  
**CERCLIS** - Comprehensive Environmental Response, Compensation and Liability Information System (maintained by EPA).  
**CFR** - Code of Federal Regulations.  
**CORRACTS** - Facilities subject to corrective action under RCRA.  
**EPA** - United States Environmental Protection Agency.  
**EPCRA** - Emergency Planning and Community Right to Know Act (known as SARA Title III).  
**ERNS** - Emergency Response Notification System.  
**ESA** - Environmental Site Assessment (different than an environmental compliance audit).  
**FOIA** - U.S. Freedom of Information Act.  
**FR** - Federal Register  
**ICs** - Institutional Controls  
**LBP** - Lead-based paint  
**LLPs** - Landowner Liability Protection under the Brownfields Amendments  
**LUST** - Leaking Underground Storage Tank.  
**NFRAP** - Former CERCLIS sites where no further remedial action is planned under CERCLA  
**NPL** - National Priorities List.  
**PCBs** - Polychlorinated Biphenyls.  
**PRP** - Potentially Responsible Party  
**RCRA** - Resource Conservation and Recovery Act.  
**SARA** - Superfund Amendments and Reauthorization Act of 1986 (amendment to CERCLA).  
**USGS** - United States Geological Survey.  
**UST** - Underground Storage Tank.

## **2.3 Principles and Limitations**

**2.3.1 Uncertainty Not Eliminated** - No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and recognize reasonable limits of time and cost.

**2.3.2 Not Exhaustive** - All appropriate inquiry does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an ESA, and the reduction of uncertainty about unknown conditions resulting from additional information.

**2.3.3 Level of Inquiry is Variable** - Not every property will warrant the same level of assessment. Consistent with good commercial or customary practice, the appropriate level of environmental site assessment will be guided by the type of property subject to assessment, the expertise and risk tolerance of the user, and the information developed in the course of the inquiry.

**2.3.4 Comparison With Subsequent Inquiry** - It should not be concluded or assumed that an inquiry was not appropriate inquiry merely because the inquiry did not identify recognized environmental conditions in connection with a property. Environmental site assessments must be evaluated based on the reasonableness of judgements made at the time and under the circumstances in which they were made. Subsequent environmental site assessments should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors.

**2.3.5 Continued Viability of ESA** - An environmental site assessment meeting or exceeding this practice and completed less than 180 days prior to the date of acquisition is presumed to be valid.

## **2.4 Limiting Conditions and Methodology Used**

This Phase I ESA includes a records review; observations made during site reconnaissance; and interviews of the owner and other individuals familiar with the subject property. It did not include the testing or sampling of dust, soil, water, or air. The scope of the investigation performed was reasonably likely to identify significant contamination and/or environmentally sensitive areas present at the site.

## **3. Site Description**

**3.1 Location and Legal Description** - The subject site consists of ten residential condominium units at the Ashmore at Germantown complex owned by Fairfield Germantown Farms, L.P. The site is located on the southeast side of Father Hurley Boulevard, southwest of Wisteria Drive, in Germantown, Maryland. The property is shown on Montgomery County Tax Map EU 342, and on Plat 9015.

Ashmore at Germantown Condominiums  
Page Seven

3.2 **Site and Vicinity Characteristics** - The subject property is located in a residential community adjoining a commercial district. It is served by public water and sewer. The subject site has been graded to form a low knoll, and the area slopes gradually downgradient primarily to the west and southwest. Surface drainage is into storm drains in the complex. The area is drained by unnamed tributaries of Little Seneca Creek. According to the USGS 7.5 Minute Topographic Map (Germantown Quadrangle), the elevation range on site is approximately 475 feet to 500 feet above mean sea level.

3.2.1 **Geology and Soils** - The subject property is underlain by Marburg Schist, in the Western Piedmont Metasedimentary Rocks Physiographic Province, according to the Geologic Map of Maryland (1968). Soils in the area are mapped in the Montgomery County Soil Survey (USDA SCS, October 1961) as belonging to the Manor-Linganore-Glenelg association. Soils in this association are shallow to moderately deep, well-drained, strongly sloping, channery soils.

The mapping unit for the area is labeled as Glenelg channery silt loam (GcB2), 3 to 8 percent slopes. The Glenelg series consists of moderately deep, well drained soils that developed from materials weathered from rather soft mica schist, or, in some places, from granitized schist or gneiss.

3.2.2 **Adjoining Properties** - The adjoining property to the north of the complex is the Churchill Business Center, off Wisteria Drive. The adjoining property to the south is a Centex Homes condominium construction site. The adjoining property to the east is an open field, the remainder of the Martens property. The adjoining properties to the west, across Father Hurley Boulevard, are residential townhouses. Based on visual observation there were no adjoining properties observed which appear to pose an environmental risk to the subject property.

3.3 **Descriptions of Structures, Roads, and Other Improvements on the Site** - The Ashmore at Germantown complex is improved with fourteen four-level, masonry and wood-frame multi-unit structures. Tax records indicate that the site was constructed in 2006. The area has paved streets. Underground utilities include water, electric, natural gas, telephone, sanitary sewer lines, and storm sewers.

3.4 **Information Reported by User Regarding Environmental Liens or Specialized Knowledge or Experience** - The user of this report provided no information regarding environmental liens, or specialized knowledge or experience concerning the subject site. The user of this report is Sharan London, Executive Director of Montgomery County Coalition for the Homeless, Inc.

3.5 **Current Uses of the Property** - The subject property is currently a residential condominium complex.

3.6 **Past Uses of the Property** - The property has been used in the past as part of a larger farm field. There are no other known uses of the subject property.

3.7 **Current and Past Uses of Adjoining Properties** - The current uses of adjoining properties includes both residential and commercial uses. Adjoining properties were also used in the past as farm fields. There are no other known past uses of adjoining properties.

3.8 **Site Location** - See Attachments.

4. Records Review

4.1 Standard Environmental Record Sources, Federal and State - Eco Dynamics Corporation reviewed a database of potential hazardous waste sites, produced by Environmental Data Resources, Inc. (EDR), which included a search of the following primary databases: NPL, CERCLIS, CERC-NFRAP, CORRACTS, RCRIS-TSD, UST/LUST, SWLF, UST, ERNS, LG QUAN GEN, and SM QUAN GEN. The subject property is not listed in the EDR report. The nearest mapped sites include Diamond Cleaners, at [REDACTED] and Kenwood Auto Body, at [REDACTED]. Both are in the adjoining Churchill Business Center, and both are listed as small quantity generators of hazardous waste, with no violations found. There is also a closed Maryland State Oil Control Program (OCP) case at Kenwood Auto Body. According to the Map Findings Summary, on Page 4, there are an additional nine OCP cases within one-half mile of the subject property. There are three unmapped sites listed in the report, but only one in Germantown, the Volunteer Fire Department. Based on the information provided, there are no mapped or unmapped sites listed which appear to pose an environmental risk to the subject property. The EDR report is included with this Phase I ESA. A Freedom of Information Act request has been made to Maryland Department of the Environment (MDE). Eco Dynamics Corporation is awaiting their response.

4.2 Physical Setting Sources - A 1953 USGS 7.5 Minute Topographic Map (Germantown Quadrangle), photorevised in 1979, was reviewed. See Attachments. The USGS map shows the subject site as part of a larger undeveloped, cleared, area north of the former Baltimore and Ohio railroad tracks. A 1994 200-scale topographic map provided by the Maryland National Capital Park and Planning Commission was also reviewed, and labels the general location of the Ashmore condominiums as "crops".

4.2.1 FEMA Flood Map - Panel Number: 240049 0050 B. Effective Date: July 2, 1979. The subject property is not in a flood plain.

4.3 Historical Use Information - Historical use information was provided by [REDACTED] a resident of the adjoining townhouses dating back to 1988. At that time, and through the 1990's, the site was an open farm field planted in corn and other row crops. Aerial photographs from 1957 and 1987 also show the subject site as part of a larger open field. Recorded land records were reviewed back to 1917.

4.3.1 Sanborn Fire Insurance Maps - There are no Sanborn Maps covering the subject property.

Held in  
Entirety

5. Information from Site Reconnaissance

5.1 Hazardous Substances and Petroleum Products in Connection with Identified Uses - Other than pool chemicals, there are no hazardous substances or evidence of petroleum products on the subject property in connection with identified uses.

5.2 Hazardous Substance Containers, Petroleum Products Containers, Unidentified Substance Containers - There were no hazardous substance containers, petroleum products containers, or unidentified substance containers observed on the subject site.

5.3 Storage Tanks - There are no aboveground storage tanks (ASTs) on site. There was no evidence of underground storage tanks (USTs) observed, such as vent pipes or grade level openings.

5.4 Pits, Ponds, Pools of Liquid, and PCB's - There were no pits or pools of liquid observed on site. There are stormwater management ponds near the southeast and southwest corners of the site. There were no transformers, capacitors, electric motors, pumps, or other items which might contain PCB's on site.

5.5 Wells, Waste Water, Drains, Sumps, and Septic Systems - There were no wells observed on the subject property. There were no septic systems, sumps, drains, or waste water observed on the property.

5.6 Odors, Stained Soil or Pavement, Stressed Vegetation and Solid Waste - There were no odors observed on site. There was no stained soil observed, evidence of vegetation stress, or solid waste on site.

6. Interview With Present Owner and Occupant - The following individuals were interviewed for this report. They are not aware of any recognized environmental conditions on the subject property or surrounding area.

1. [REDACTED] Representing the owner of the subject property, Fairfield Germantown Farms, L.P. The prior Phase I ESA, performed when the property was acquired from the Martens, was requested and was not received.

2. [REDACTED] - Sales agents on site.

3. [REDACTED] With Montgomery County Department of Housing and Community Affairs. Ms. Barker's office completed an Environmental Review Record of the subject property.



7. Findings, Data Gaps, and Conclusions

The subject site consists of ten residential condominium units at Ashmore at Germantown, owned by Fairfield Germantown Farms, L.P. The Ashmore at Germantown complex reportedly has 404 total units, and the interior of the following ten, one-bedroom, units were inspected as part of this Phase I ESA:

[REDACTED]

The property is listed in tax records as 4.93 acres, and each one-bedroom unit is approximately 630 s.f. in size. Tax records indicate that the complex was constructed in 2006. Each dwelling is heated with an electric forced air system. There is also natural gas service, which is used for the hot water tanks and the stoves. There were no aboveground storage tanks (ASTs) observed on site. There was no evidence of USTs observed, such as vent pipes or grade level openings. Based on the date of construction of the complex, there were no building materials observed which were suspected of being asbestos containing material (ACM).

Based on the date of construction of the complex, it is assumed that there is no Lead-based paint (LBP) on site, and no dust wipe samples were taken. According to the HUD "Guidelines For the Evaluation and Control of Lead-Based Paint Hazards in Housing", lead was first regulated in residential paint in 1972, when it was reduced to 0.5 percent lead by dry weight. Lead was completely banned as a paint additive in 1978, meaning paint could contain no more than 0.06 percent lead by dry weight (Reich, 1992; Rabin, 1989).

There was no evidence discovered of past industrial use of the property. The adjoining property to the north of the complex is the Churchill Business Center, off Wisteria Drive. The adjoining property to the south is a Centex Homes condominium construction site. The adjoining property to the east is an open field, the remainder of the Martens property. The adjoining properties to the west, across Father Hurley Boulevard, are residential townhouses. Based on visual observation there were no adjoining properties observed which appear to pose an environmental risk to the subject property. The area is served by public water and sewer.

Data failure occurs when all of the reasonably ascertainable standard historical sources which are likely to be useful are reviewed and do not identify the uses of the property at five year intervals back to first use or 1940 (whichever is earlier). Data failure is not uncommon, and should be documented. If the data failure represents a significant data gap, the report shall comment on the impact of the data gap on the ability of the environmental professional to identify recognized environmental conditions. The standard historical sources did not identify uses of the property at five year intervals. This may be considered a data gap; however, it does not prevent the identification of recognized environmental conditions.

We have performed a Phase I ESA of the subject property in conformance with the scope and limitations of ASTM Practice E 1527 - 05. There was no evidence discovered of recognized environmental conditions in connection with the Ashmore at Germantown condominiums at 13501 Derry Glen Court. Units

[REDACTED]

8. Signature of Environmental Professional

ECO DYNAMICS CORPORATION



  
Division Manager

9. Qualifications of Environmental Site Assessor

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental professional as defined in 312.10 of 40 CFR 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.

NAME: , Division Manager  
Environmental Assessment Services

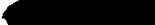
EDUCATION:

B.S., Eastern Kentucky University /1976

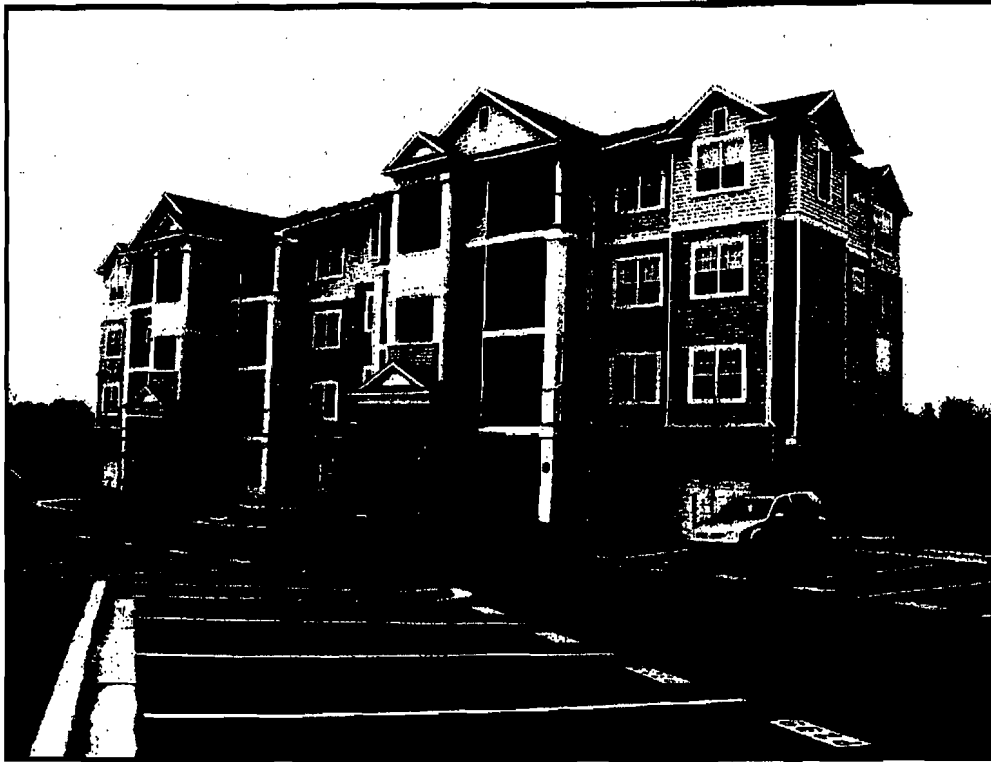
TRAINING:

Professional Environmental Auditor  
AHERA accredited Asbestos Inspector courses  
Maryland Lead Paint Abatement Inspector  
MDE Water Sampler training

EXPERIENCE:

 has twenty-two years of experience providing environmental services, including over fourteen years performing environmental site assessments (ESAs), four years providing underground storage tank (UST) testing and management, and four years of emergency oil spill response. Projects include coordination and project support for seventy-five (75) Phase II ESAs and UST removals, and direct project management of over eight hundred and fifty (850) Phase I ESAs, and over six hundred (600) Transaction Screen ESAs.

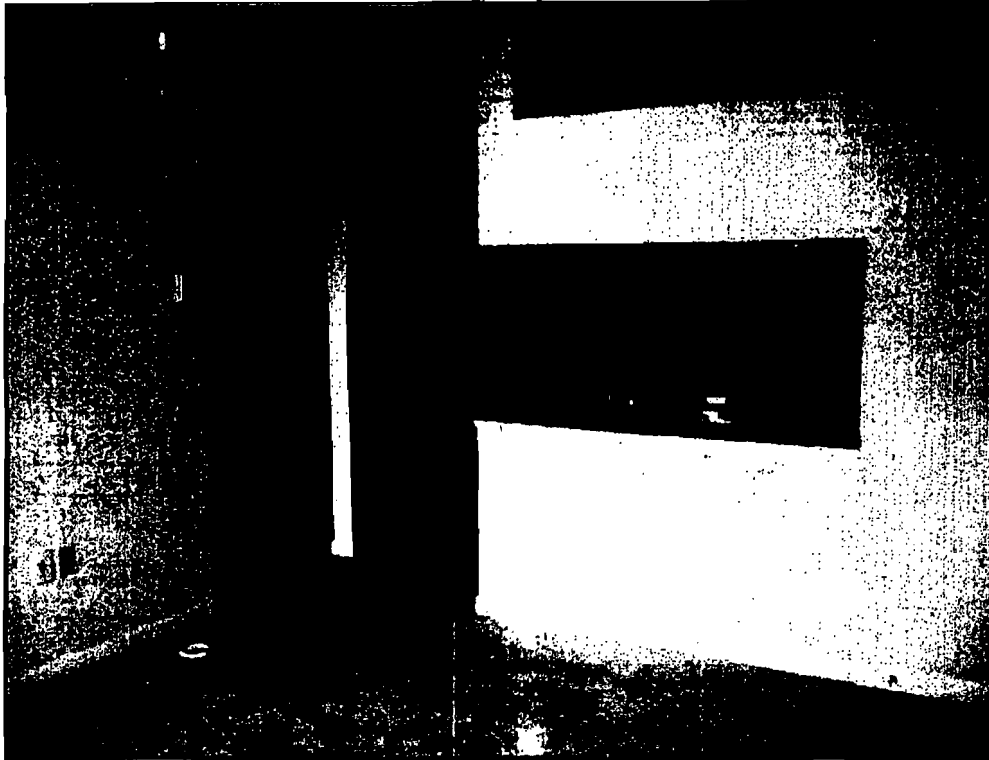
**Ashmore at Germantown Condominiums**



**Photograph #1 - View of the multi-unit condominium building at**



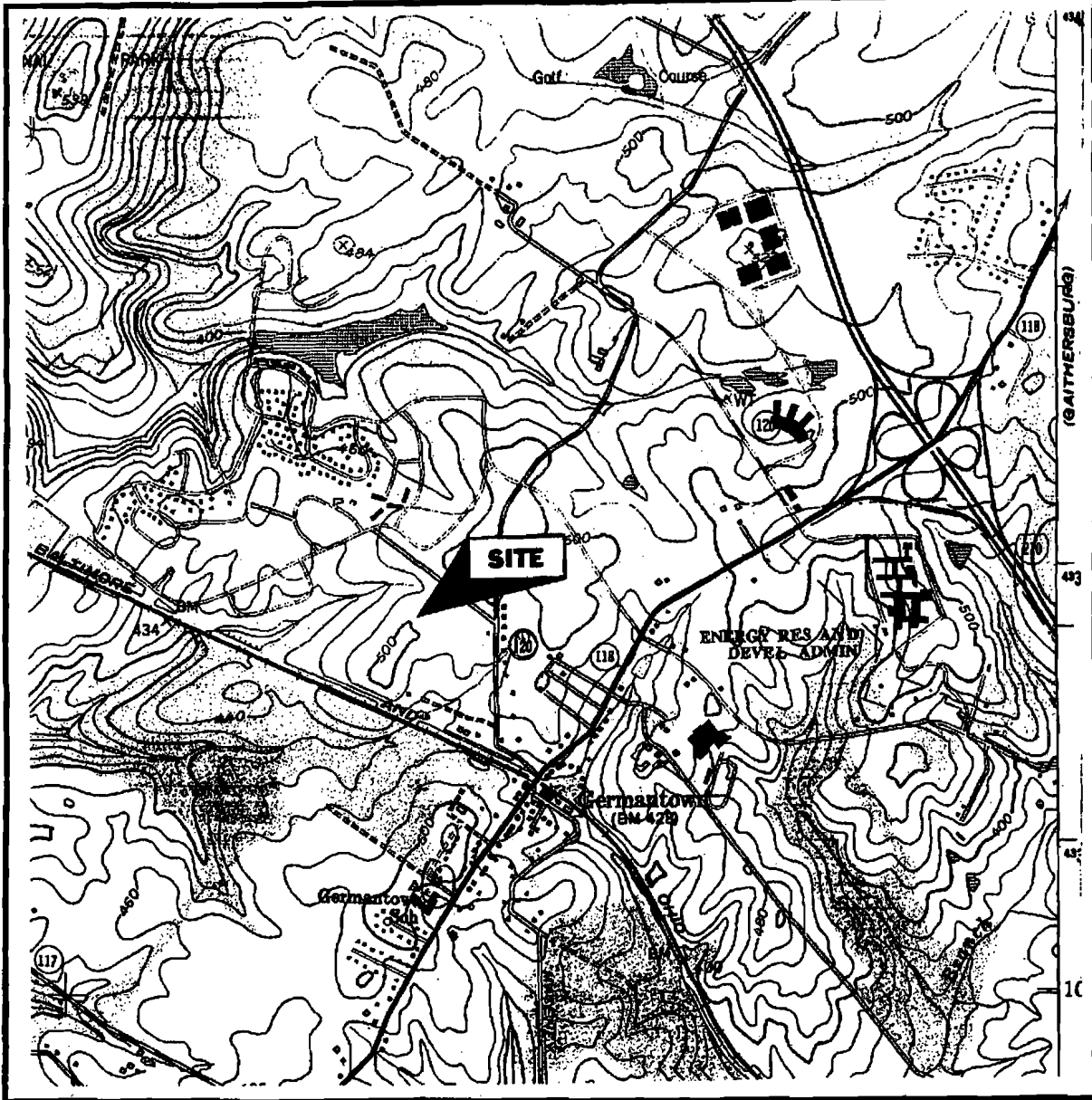
**Photograph #2 - View of the multi-unit condominium building at**



Photograph #3 – Typical interior view of each of the ten vacant, one-bedroom, new condominium units.



Photograph #4 – View, looking southwest, of the open space on site, and the adjoining residential townhouse properties across [REDACTED]



**USGS Topographic Map**

Germantown Quadrangle  
 Published 1953 / Photorevised 1979  
 SCALE: 1" = 2,000'

**Ashmore at Germantown Condominiums**

**Germantown, Maryland 20874**



Prepared by:  
**ECO DYNAMICS CORPORATION**

8318 Forrest Street  
 Historic Ellicott City, Maryland 21043

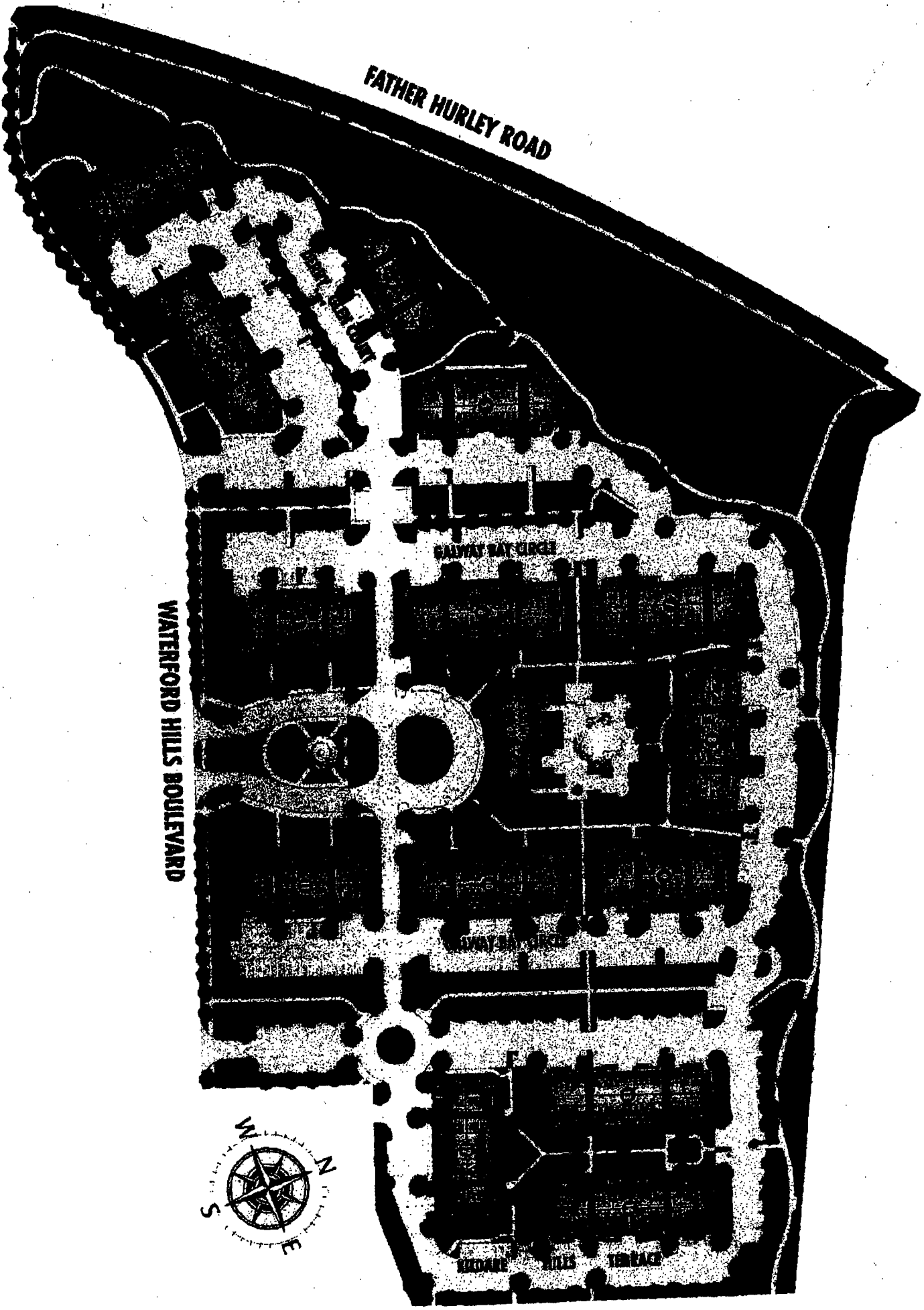
FATHER HURLEY ROAD

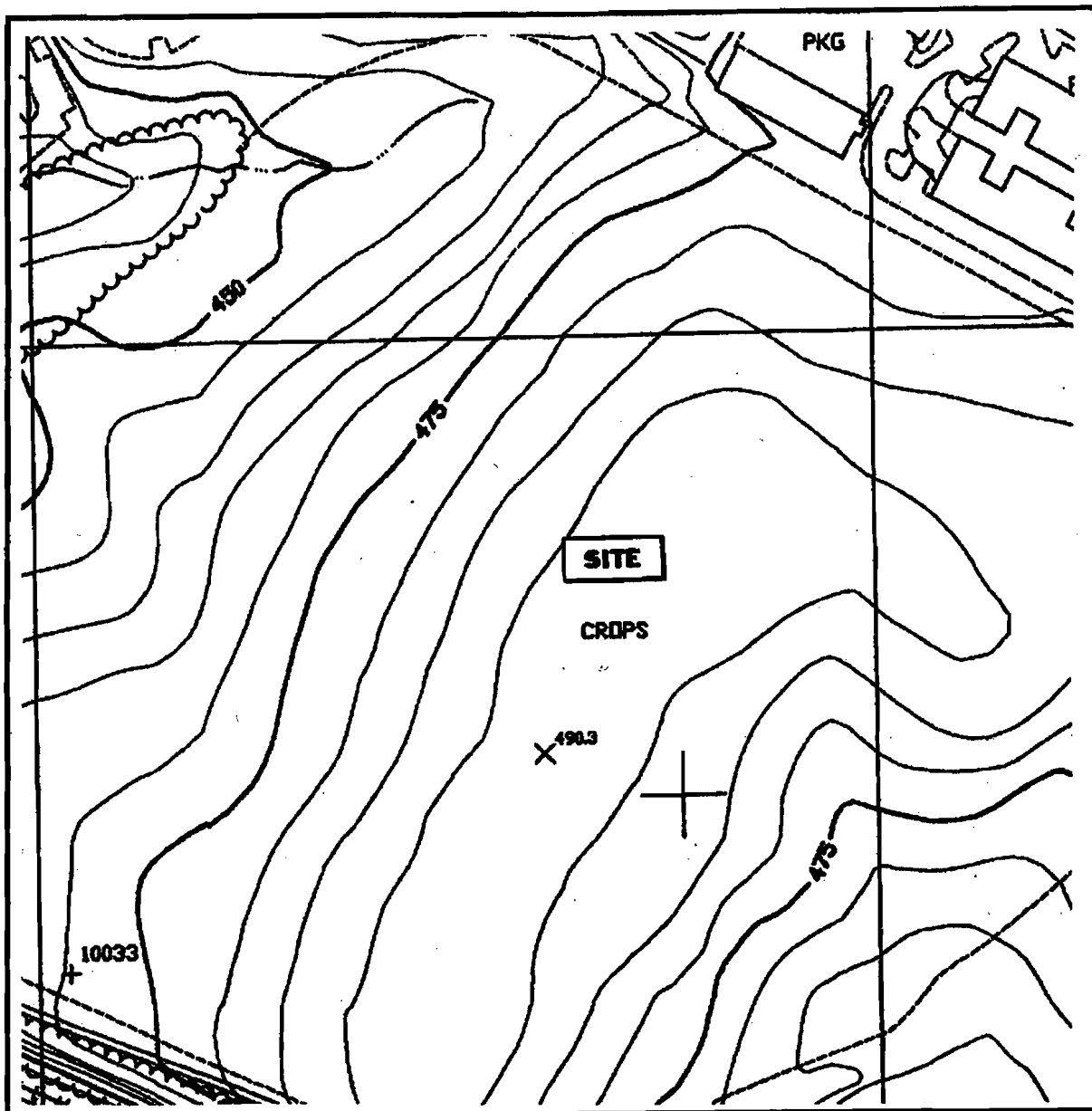
WATERFORD HILLS BOULEVARD

WATERFORD HILLS BOULEVARD

WATERFORD HILLS BOULEVARD

WATERFORD HILLS BOULEVARD





## M-NCPPC Topographic Map

Dated: April 7, 1994

1" = 200'

Ashmore at Germantown Condominiums

Germantown, Maryland 20874



North

Prepared by:

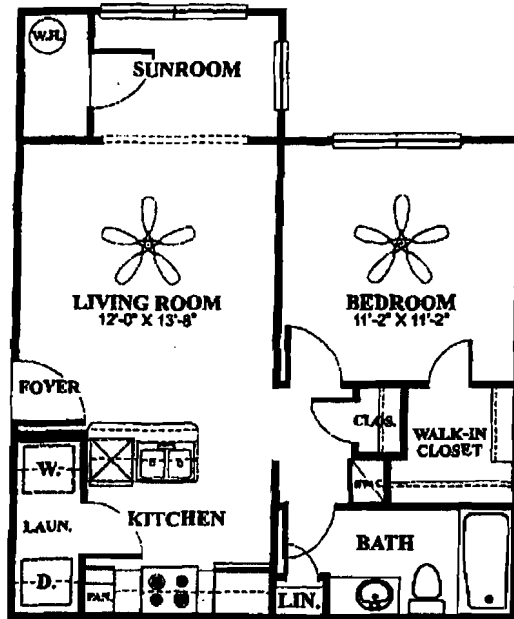
**ECO DYNAMICS CORPORATION**

8318 Forrest Street  
Historic Ellicott City, Maryland 21043





# Ashmore at germantown



## A1.1 Alt. 1 Bedroom/1 Bath

Interior.....631 SF  
Total.....631 SF

Please note: Due to continuing changes in products, building codes and availability of materials, the Developer reserves the right to incorporate new and improved design features at any time without notice or to use equivalent materials. All dimensions shown in this brochure are approximate and plans, specifications and standard features are subject to modification or improvement at any time without notice. Room dimensions may vary between the brochure, model homes and the individually built residences.

\_\_\_\_\_ Germantown, MD 20874  
sales@ashmorecondos.com . www.ashmorecondos.com



*Experience the Fairfield Difference!*

**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

**Montgomery County Department of Housing and Community Affairs**

**Statutory Checklist**

**Project Name:** Galway Bay

HOME Program

**Project Location:** ██████████ Germantown, Maryland 20874

**Grantee/Program Manager's Name:** Montgomery County

**Instructions:** Complete one (1) ERR No. 1 for each project or property where CDBG, HOME, or ESG and other federal funded activities are to be implemented, subject to 24 CFR Part 570, 604, and 24 CFR Part 58.

1. The Statutory Checklist is to be completed for site specific and non-site specific projects to determine compliance or non-compliance with the requirements of 24 CFR Part 58-5.
2. All completed Statutory Checklists are to be signed, dated, and placed in the Environmental Review Record.
3. No Contractual agreement may be finalized, nor funds expended, until receipt of a Notice of Removal of Grant Conditions.

Pursuant to 24 CFR Part 58.5 Environmental Review Procedures for the Community Development Block Grant Program, the environmental review process must also consider, where applicable, the criteria, standards, policies and regulations under the following:

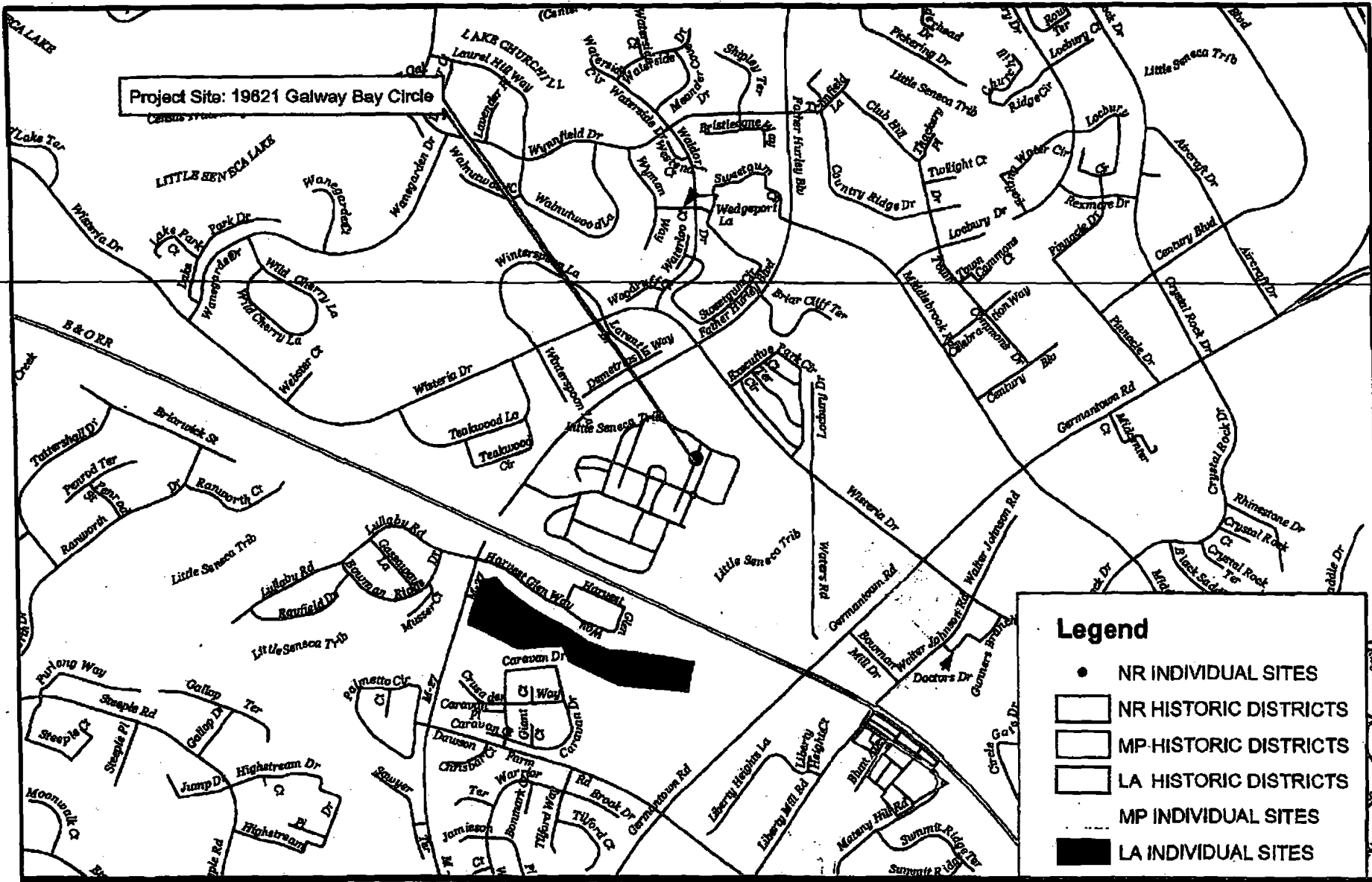
	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>Historic Properties</u></b>		
[1] The National Historic Preservation Act of 1966, Section 106 including those properties covered by Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971. [Procedures for Compliance found at 36 CFR Part 800.]	None	The property was built in 2006. Not in Historic District. See attached maps.
[2] Note: The Archeological and Historic Preservation Act of 1974 (PL93-29) applies in cases when an "appropriate historical or archaeological authority notifies a Grantee that its project may cause" harm to ... data.	None	See above Remarks
<b><u>Floodplain Management</u></b>		
[Executive Order 11988, 24 CFR part 55] Floodplain Management, May 24, 1977.	None	This property is not located in a 100 year floodplain Per FEMA Flood Ins Map No 240049 0125C June 16, 1992.
<b><u>Wetland Protection</u></b>		
[Executive Order 11990, Protection of Wetlands, May 24, 1977. 3 CFR, 2,5)	None	There is a piece of wetland located near the property but it does not seem to be disturbed.

**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

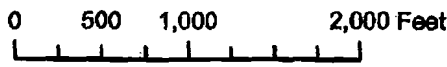
	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>Coastal Zone Management</u></b>		
Coastal Zone Management Act of 1972 as amended [16 U.S.C 1451, 307 (C),(D)]	None	No coastal zone in Montgomery County
<b><u>Source Aquifers</u></b>		
The Safe Drinking Water Act of 1974 as amended [40 CFR Part 149]	None	This property is served by public water and sewer See Remarks below *
Federal Water Pollution Control Act as amended, especially sole source Aquifers (EPA 40 CFR Part 149).	None	See note below.
*See note to ERR regarding the single aquifer in Montgomery County. In summary, there are no sole sources Aquifers in the County. The only aquifer is locally recharged, and the area it serves is planned for public water.		
<b><u>Endangered Species</u></b>		
The Endangered Species Act of 1973 as amended [50 CFR Part 402]	None	The project involves the acquisition of a newly constructed property. No endangered Species near the property.
<b><u>Wild and Scenic Rivers</u></b>		
The Wild and Scenic Rivers Act [Section 7 (b),(c)]	None	No wild or scenic rives in Montgomery County.
<b><u>Clean Air Act</u></b>		
The Clean Air Act, Sections 176 (c) and [40 CFR Parts 6, 51,93] General Conformance with EPA required State Implementation Plan (non-attainment area for ozone only)	None	County is in basic compliance.
<b><u>Farmland Protection</u></b>		
Farmland Protection Policy Act of 1981 and Farmland Protection Policy [7 CFR Part 658]	None	The project involves the acquisition of a newly constructed property.
<b><u>Environmental Justice</u></b>		
Executive Order No. 12898 with emphasis on preventing further environmental degradation in low-to-moderate income areas and reducing lead-based	None	The project will not result in minority and /or low-income people being disproportionately, adversely affected by negative environmental consequences from past and present industrial, municipal, and commercial operation

**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

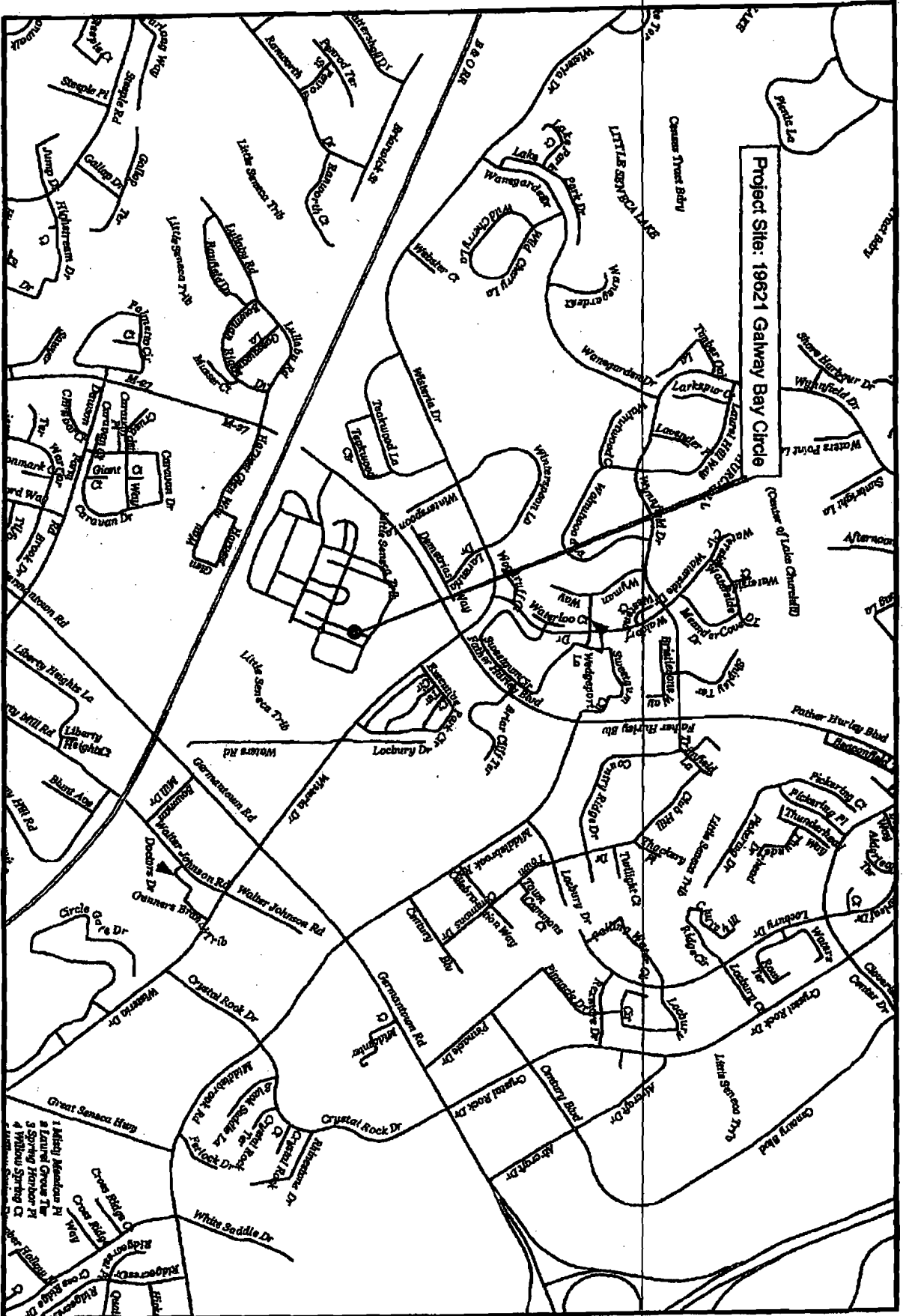
	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>HUD Environmental Standards</u></b>		
<b>Noise Abatement and Control</b> [24 CFR Part 51, Subpart, B] Environmental Criteria and Standards, July 12, 1979)	None	The project site is located near a major highway and railway. * See Remarks Below
<b>Explosive and Flammable Operations</b> (24 CFR Part 51 Subpart C) Citing of HUD-Assisted projects Near Hazardous Facilities.	None	The property is not located near hazardous sites
<b>Toxic Chemicals and Radio Active Materials</b> [24 CFR Part 58, &5(i)(2)]	None	No toxic chemical and radioactive materials have been identified on site or adjacent to the project.
<b>Airport Clear Zones and Accident Potential Zones</b> [24 CFR 51, Subpart D]	None	No runway clear zones have been established in Montgomery County.
<b><u>State and Local Statutes</u></b> Specify: (Compliance with local fire, electrical and building codes.)	None	Permit process insures compliance.
<b>Note:</b> If any question has been answered "yes," forward this form to the Federal Programs Section of DHCA along with Form ERR No. 2 and specified documentation.		
<b>Determination:</b>  <input checked="" type="checkbox"/> This project is in compliance with the requirements of 24 CFR 58.5. <input type="checkbox"/> This project is <u>not</u> in compliance with the requirements of 24 CFR 58.5. <input type="checkbox"/> Cannot be fully determined. Requires site specific supplement.		
<b>Remarks:</b> * The Developer's Consultant performed noise assessment and recommended the installation of Windows, Doors and Walls that are rated according to HUD guidelines(i.e Interior noise levels should not exceed 45 decibels or lower.		
Prepared by: _____ Date: <u>December 8 2006</u>		



MAP DESIGNED BY : TRIVENS KARGBO  
 DHCA- COMMUNITY DEVELOPMENT  
 MONTGOMERY COUNTY



SOURCE: DTS-GIS AND MC PARK AND PLANNING



Project Site: 19621 Galway Bay Circle

Map Designed by Trivens Kargbo  
DHCA

0 460 920 1,840 Feet



EXHIBIT D

DETERMINATION OF CATEGORICAL EXCLUSION/EXEMPTION  
24 CFR PARTS 58.35(a) AND 58.34(a) (12)  
SUBJECT TO PART 58.5

PROJECT IDENTIFIER (GRANT # etc.): Home

PROJECT DESCRIPTION (INCLUDE MAP(S):

Acquisition of a newly constructed property.

THE ABOVE DESCRIBED PROJECT IS DETERMINED TO BE CATEGORICALLY EXCLUDED PER 58.35 (a). ATTACHED IS THE STATUTORY CHECKLIST TO INDICATE COMPLIANCE WITH PARTS 58.5 AND 58.6. AS NO FURTHER COMPLIANCE WAS REQUIRED FOR 58.5 AND NONE OF THE PART 58.5 FACTORS APPLIED TO THE PROJECT, THE DETERMINATION REVERTS TO AN EXEMPTION, PER 58.34 (a) (12) FOR THE ABOVE DESCRIBED PROJECT.

AS A RESULT OF THE STATUTORY CHECKLIST ADDRESSING 58.6 ITEMS, THE FOLLOWING MITIGATION MEASURES ARE REQUIRED (IF APPLICABLE)

Installation of windows, doors and walls that are rated according to HUD guidelines.

AS OF THE DATE OF SIGNATURE BELOW, ENVIRONMENTAL CLEARANCE HAS BEEN ACHIEVED FOR THE PROJECT

  
SIGNATURE

December 8, 2006  
DATE

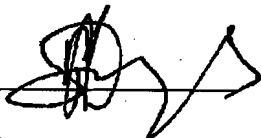
**CATEGORICAL EXCLUSION (subject to 58.5)**  
**24 CFR 58.35 (a)**

I hereby certify that the following activities comprising the HOMES Program have been reviewed and determined Categorical Excluded Activity per 24 CFR 58.35 (b) as follows:

- (1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
- (2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- (3) Rehabilitation of buildings and improvements when the following conditions are met:
  - (i) In the case of a building for residential use (with one to four units),
    - (A) the density is not increased beyond four units,
    - (B) the land use is not changed, and
    - (C) the footprint of the building is not increased in a Floodplain or in a wetland;
  - (ii) In the case of multifamily residential buildings:
    - (A) Unit density is not changed more than 20 percent;
    - (B) The project does not involve changes in land use from residential to non-residential; and
    - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
  - (iii) In the case of non-residential structures, including commercial, industrial, and public buildings:
    - (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
    - (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
- (4) An individual action on one-to four family dwelling or an individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
- (5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
- (6) Combinations of the above activities.

(Statutory Checklist Attached)

Signature



Date

December 8, 2006



**COMPLIANCE DOCUMENTATION CHECKLIST**  
**24 CFR Part 58.6**  
**"Other Requirements"**

For "exempt" and "categorically excluded not subject to" projects/activities, compliance with the related laws and authorities listed in 58.5 is not required. However, recipients remain responsible for addressing and carrying out any applicable compliance measures for the requirements listed in 58.6. These requirements include:

**(1) The Flood Disaster Protection Act of 1973 - Federal financial assistance for acquisition or construction purposes (including rehab) may not be used in a special flood hazard area as identified by FEMA unless:**

- (i) The community in which the area is situated is participating in the National Flood Insurance Program and;
- (ii) Flood insurance protection is to be obtained as a condition of the approval of financial assistance to the property owner.

Is the project located within a special flood hazard area as designated on a current FEMA flood map? Identify FEMA map used to make your finding.      Yes \_\_\_\_\_ No

If so, has flood insurance been obtained?      Yes \_\_\_\_\_ No \_\_\_\_\_

**(2) The Coastal Barrier Resources Act - HUD assistance may not be used for most activities proposed in the Coastal Barrier Resources System.**

Is the project located within a coastal barrier designated on a current FEMA flood map? Identify FEMA map used to make your finding.      Yes \_\_\_\_\_ No

**NOTE:** If your answer is yes, the law prohibits Federal funding of projects in designated coastal barriers unless it is a functionally dependent use.

**(3) Runway Clear Zones and Clear Zones - In all cases involving HUD assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone, the responsible entity shall advise the buyer that the property is in a runway clear zone or clear zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport. The buyer must sign a statement acknowledging receipt of this information.**

Is the project located in a Runway Clear Zone/Clear Zone?      Yes \_\_\_\_\_ No

If so, has the buyer signed a statement of acknowledgment?      Yes \_\_\_\_\_ No \_\_\_\_\_



**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

Montgomery County Department of Housing and Community Affairs

**Statutory Checklist**

**Project Name:** Derry Glen **HOME Program**

**Project Location:** [REDACTED] Germantown, Maryland 20874

**Grantee/Program Manager's Name:** Montgomery County

**Instructions:** Complete one (1) ERR No. 1 for each project or property where CDBG, HOME, or BSG and other federal funded activities are to be implemented, subject to 24 CFR Part 570, 604, and 24 CFR Part 58.

1. The Statutory Checklist is to be completed for site specific and non-site specific projects to determine compliance or non-compliance with the requirements of 24 CFR Part 58-5.
2. All completed Statutory Checklists are to be signed, dated, and placed in the Environmental Review Record.
3. No Contractual agreement may be finalized, nor funds expended, until receipt of a Notice of Removal of Grant Conditions.

Pursuant to 24 CFR Part 58.5 Environmental Review Procedures for the Community Development Block Grant Program, the environmental review process must also consider, where applicable, the criteria, standards, policies and regulations under the following:

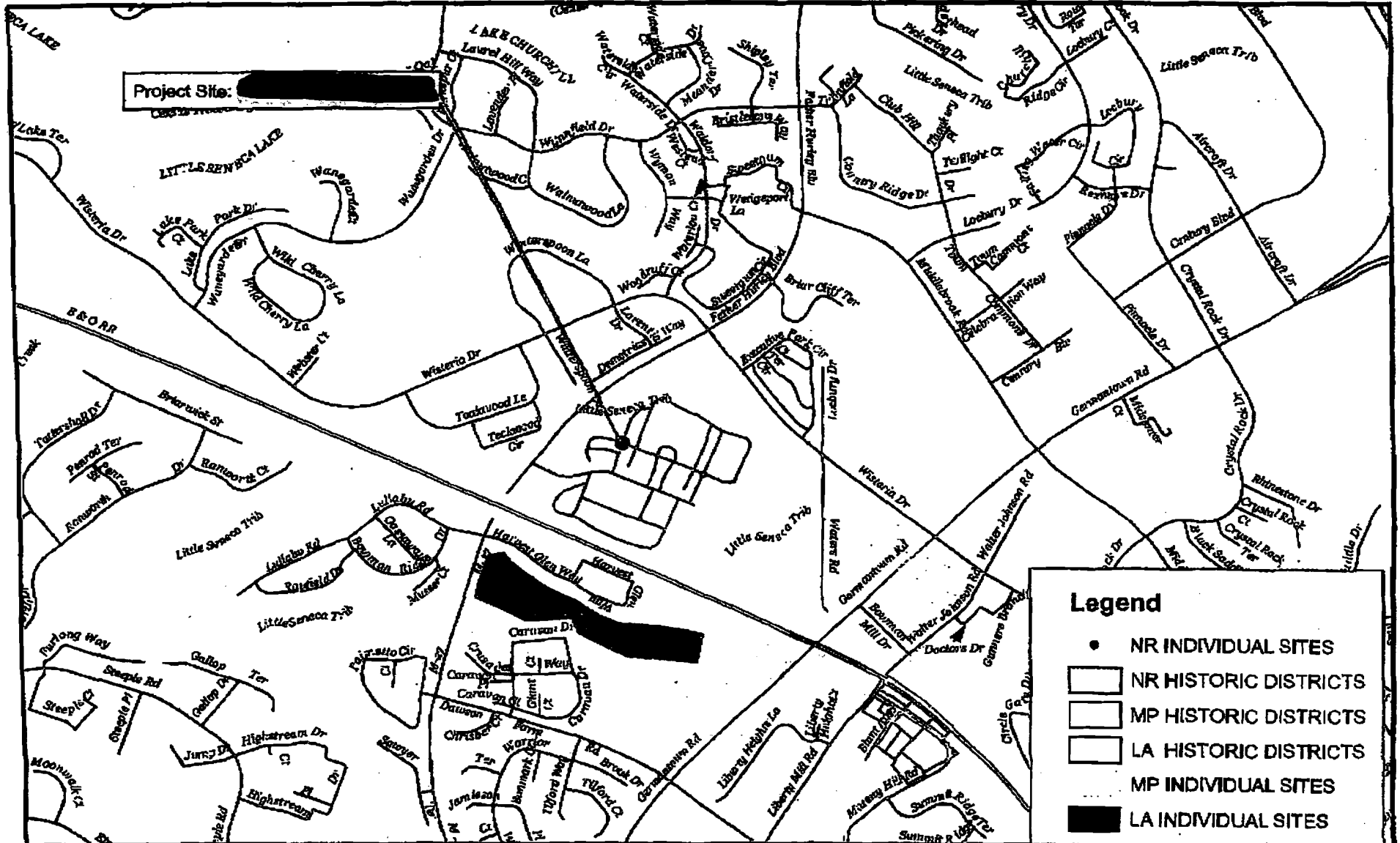
	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>Historic Properties</u></b>		
[1] The National Historic Preservation Act of 1966, Section 106 including those properties covered by Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971. [Procedures for Compliance found at 36 CFR Part 800.]	None	The property was built in 2006. Not in Historic District. See attached maps.
[2] Note: The Archeological and Historic Preservation Act of 1974 (PL93-29) applies in cases when an "appropriate historical or archaeological authority notifies a Grantee that its project may cause" harm to ... data.	None	See above Remarks
<b><u>Floodplain Management</u></b>		
[Executive Order 11988, 24 CFR part 55] Floodplain Management, May 24, 1977.	None	This property is not located in a 100 year floodplain Per FEMA Flood Ins Map No 240049 0125C June 16, 1992.
<b><u>Wetland Protection</u></b>		
[Executive Order 11990, Protection of Wetlands, May 24, 1977. 3 CFR, 2,5)	None	There is a piece of wetland located near the property but it does not seem to be disturbed.

**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

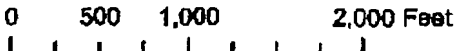
	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>Coastal Zone Management</u></b>		
Coastal Zone Management Act of 1972 as amended [16 U.S.C 1451, 307 (C),(D)]	None	No coastal zone in Montgomery County
<b><u>Source Aquifers</u></b>		
The Safe Drinking Water Act of 1974 as amended [40 CFR Part 149]	None	This property is served by public water and sewer See Remarks below *
Federal Water Pollution Control Act as amended, especially sole source Aquifers (EPA 40 CFR Part 149).	None	See note below.
*See note to ERR regarding the single aquifer in Montgomery County. In summary, there are no sole sources Aquifers in the County. The only aquifer is locally recharged, and the area it serves is planned for public water.		
<b><u>Endangered Species</u></b>		
The Endangered Species Act of 1973 as amended [50 CFR Part 402]	None	The project involves the acquisition of a newly constructed property. No endangered Species near the property.
<b><u>Wild and Scenic Rivers</u></b>		
The Wild and Scenic Rivers Act [Section 7 (b),(c)]	None	No wild or scenic rivers in Montgomery County.
<b><u>Clean Air Act</u></b>		
The Clean Air Act, Sections 176 (c) and [40 CFR Parts 6, 51, 93] General Conformance with EPA required State Implementation Plan (non-attainment area for ozone only)	None	County is in basic compliance.
<b><u>Farmland Protection</u></b>		
Farmland Protection Policy Act of 1981 and Farmland Protection Policy [7 CFR Part 658]	None	The project involves the acquisition of a newly constructed property.
<b><u>Environmental Justice</u></b>		
Executive Order No. 12898 with emphasis on preventing further environmental degradation in low-to-moderate income areas and reducing lead-based	None	The project will not result in minority and /or low-income people being disproportionately, adversely affected by negative environmental consequences from past and present industrial, municipal, and commercial operation

**ENVIRONMENTAL REVIEW RECORD (ERR) FORM NO. 1**

	<u>Environmental Impact</u>	<u>Comments</u>
<b><u>HUD Environmental Standards</u></b>  <b>Noise Abatement and Control</b>  [24 CFR Part 51, Subpart B] Environmental Criteria and Standards, July 12, 1979)	None	The project site is located near a major highway and railway. * See Remarks below
<b>Explosive and Flammable Operations</b>  (24 CFR Part 51 Subpart C) Citing of HUD-Assisted projects Near Hazardous Facilities.	None	The property is not located near hazardous sites
<b>Toxic Chemicals and Radio Active Materials</b> [24 CFR Part 58, &5(i)(2)]	None	No toxic chemical and radioactive materials have been identified on site or adjacent to the project.
<b>Airport Clear Zones and Accident Potential Zones</b> [24 CFR 51, Subpart D]	None	No runway clear zones have been established in Montgomery County.
<b><u>State and Local Statutes</u></b>  Specify: (Compliance with local fire, electrical and building codes.)	None	Permit process insures compliance.
<b>Note:</b> If any question has been answered "yes," forward this form to the Federal Programs Section of DHCA along with Form ERR No. 2 and specified documentation.		
<b>Determination:</b>  <input checked="" type="checkbox"/> This project is in compliance with the requirements of 24 CFR 58.5. <input type="checkbox"/> This project is <u>not</u> in compliance with the requirements of 24 CFR 58.5. <input type="checkbox"/> Cannot be fully determined. Requires site specific supplement.		
<b>Remarks:</b> * The Developer's Consultant performed noise assessment and recommended the installation of Windows, Doors and Walls that are rated according to HUD guidelines(i.e Interior noise levels should not exceed 45 decibels or lower).		
Prepared by: _____ Date: <u>December 8, 2006</u>		



MAP DESIGNED BY : TRIVENS KARGBO  
 DHCA- COMMUNITY DEVELOPMENT  
 MONTGOMERY COUNTY



SOURCE: DTS-OIS AND MC PARK AND PLANNING



Map Designed by Trivens Kargbo  
DHCA

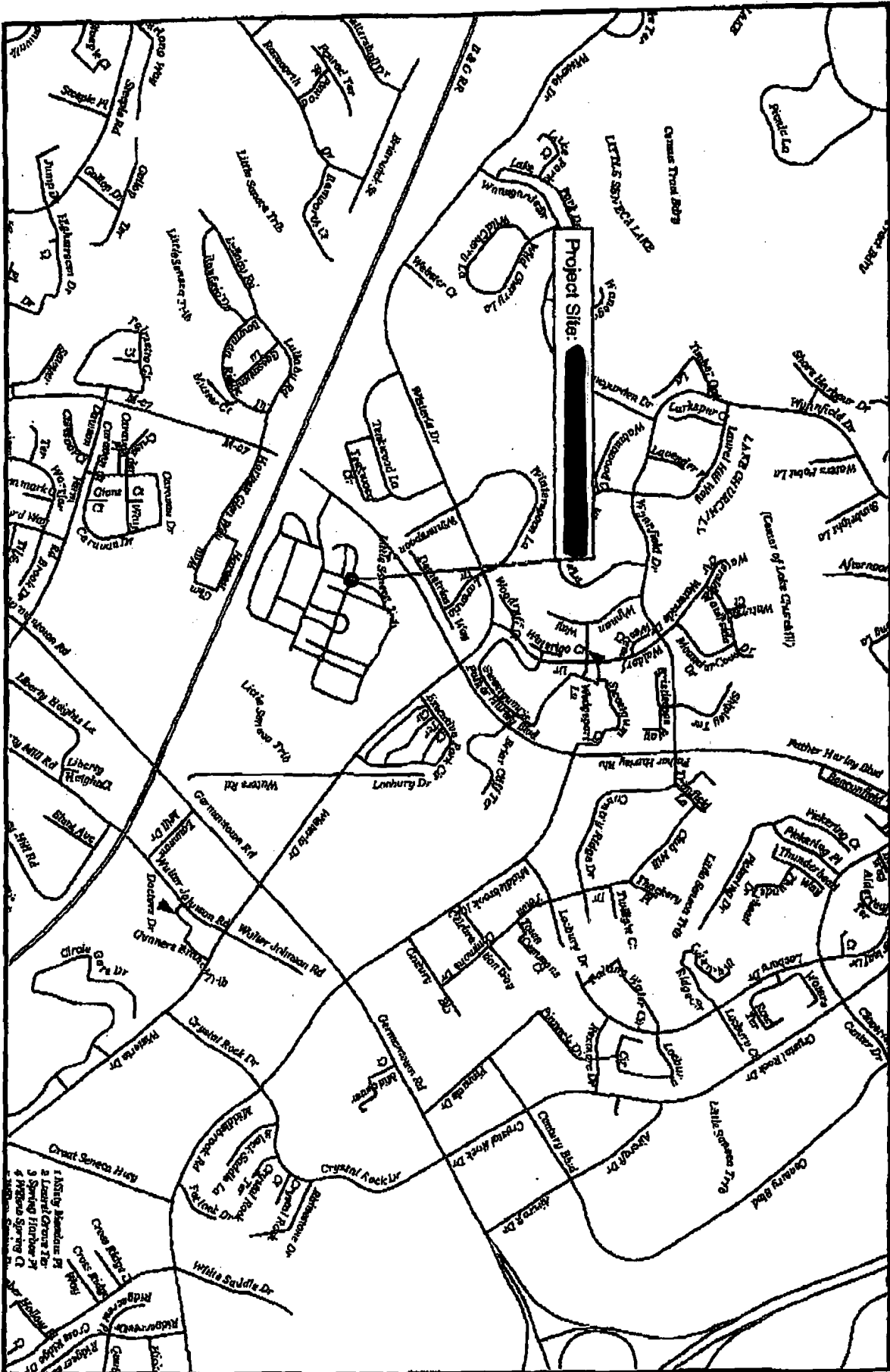


EXHIBIT D

DETERMINATION OF CATEGORICAL EXCLUSION/EXEMPTION  
24 CFR PARTS 58.35(a) AND 58.34(a) (12)  
SUBJECT TO PART 58.5

PROJECT IDENTIFIER (GRANT # etc.): HOME

PROJECT DESCRIPTION (INCLUDE MAP(S):

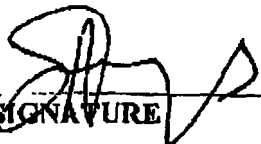
Acquisition of a newly constructed property.

THE ABOVE DESCRIBED PROJECT IS DETERMINED TO BE CATEGORICALLY EXCLUDED PER 58.35 (a). ATTACHED IS THE STATUTORY CHECKLIST TO INDICATE COMPLIANCE WITH PARTS 58.5 AND 58.6. AS NO FURTHER COMPLIANCE WAS REQUIRED FOR 58.5 AND NONE OF THE PART 58.5 FACTORS APPLIED TO THE PROJECT, THE DETERMINATION REVERTS TO AN EXEMPTION, PER 58.34 (a) (12) FOR THE ABOVE DESCRIBED PROJECT.

AS A RESULT OF THE STATUTORY CHECKLIST ADDRESSING 58.6 ITEMS, THE FOLLOWING MITIGATION MEASURES ARE REQUIRED (IF APPLICABLE)

Installation of windows, doors and walls that are rated according to HUD guidelines.

AS OF THE DATE OF SIGNATURE BELOW, ENVIRONMENTAL CLEARANCE HAS BEEN ACHIEVED FOR THE PROJECT

SIGNATURE 

DATE December 8, 2006

**COMPLIANCE DOCUMENTATION CHECKLIST**  
**24 CFR Part 58.6**  
**"Other Requirements"**

For "exempt" and "categorically excluded not subject to" projects/activities, compliance with the related laws and authorities listed in 58.5 is not required. However, recipients remain responsible for addressing and carrying out any applicable compliance measures for the requirements listed in 58.6. These requirements include:

(1) The Flood Disaster Protection Act of 1973 - Federal financial assistance for acquisition or construction purposes (including rehab) may not be used in a special flood hazard area as identified by FEMA unless:

- (i) The community in which the area is situated is participating in the National Flood Insurance Program and;
- (ii) Flood insurance protection is to be obtained as a condition of the approval of financial assistance to the property owner.

Is the project located within a special flood hazard area as designated on a current FEMA flood map? Identify FEMA map used to make your finding. Yes \_\_\_ No

If so, has flood insurance been obtained? Yes \_\_\_ No \_\_\_

(2) The Coastal Barrier Resources Act - HUD assistance may not be used for most activities proposed in the Coastal Barrier Resources System.

Is the project located within a coastal barrier designated on a current FEMA flood map? Identify FEMA map used to make your finding. Yes \_\_\_ No

NOTE: If your answer is yes, the law prohibits Federal funding of projects in designated coastal barriers unless it is a functionally dependent use.

(3) Runway Clear Zones and Clear Zones - In all cases involving HUD assistance, subsidy, or insurance for the purchase or sale of an existing property in a Runway Clear Zone or Clear Zone, the responsible entity shall advise the buyer that the property is in a runway clear zone or clear zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport. The buyer must sign a statement acknowledging receipt of this information.

Is the project located in a Runway Clear Zone/Clear Zone? Yes \_\_\_ No

If so, has the buyer signed a statement of acknowledgment? Yes \_\_\_ No \_\_\_



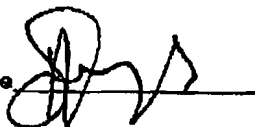
**CATEGORICAL EXCLUSION(subject to 58.5)  
24 CFR 58.35 (a)**

I hereby certify that the following activities comprising the HOME Program have been reviewed and determined Categorical Excluded Activity per 24 CFR 58.35 (b) as follows:

- \_\_\_ (1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
- \_\_\_ (2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- \_\_\_ (3) Rehabilitation of buildings and improvements when the following conditions are met:
  - (i) In the case of a building for residential use (with one to four units),
    - (A) the density is not increased beyond four units,
    - (B) the land use is not changed, and
    - (C) the footprint of the building is not increased in a Floodplain or in a wetland;
  - (ii) In the case of multifamily residential buildings:
    - (A) Unit density is not changed more than 20 percent;
    - (B) The project does not involve changes in land use from residential to non-residential; and
    - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
  - (iii) In the case of non-residential structures, including commercial, industrial, and public buildings:
    - (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
    - (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
- \_\_\_ (4) An individual action on one-to four family dwelling or an individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
- (5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
- \_\_\_ (6) Combinations of the above activities.

(Statutory Checklist Attached)

Signature



Date

December 3, 2006



**EDR° Environmental  
Data Resources Inc**

## **The EDR Radius Map™ Report**

**Ashmore at Germantown Condominiums**

**Germantown, MD 20874**

**Inquiry Number: [REDACTED]**

**April 13, 2007**

### **The Standard in Environmental Risk Information**

**440 Wheelers Farms Road  
Milford, Connecticut 06461**

#### **Nationwide Customer Service**

**Telephone: 1-800-352-0050  
Fax: 1-800-231-6802  
Internet: [www.edrnet.com](http://www.edrnet.com)**

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### GEOCHECK ADDENDUM

GeoCheck - Not Requested

*Thank you for your business.*  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

[REDACTED]  
GERMANTOWN, MD 20874

#### COORDINATES

Latitude (North): 39.179200 - 39° 10' 45.1"  
Longitude (West): 77.279600 - 77° 16' 46.6"  
Universal Transverse Mercator: Zone 18  
UTM X (Meters): 303088.7  
UTM Y (Meters): 4338930.0  
Elevation: 437 ft. above sea level

#### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: [REDACTED] GERMANTOWN, MD  
Most Recent Revision: 1979

#### TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

#### DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable") government records either on the target property or within the search radius around the target property for the following databases:

#### FEDERAL RECORDS

NPL ..... National Priority List  
Proposed NPL ..... Proposed National Priority List Sites  
Dellisted NPL ..... National Priority List Deletions  
NPL RECOVERY ..... Federal Superfund Liens  
CERCLIS ..... Comprehensive Environmental Response, Compensation, and Liability Information System  
CERC-NFRAP ..... CERCLIS No Further Remedial Action Planned  
CORRACTS ..... Corrective Action Report  
RCRA-TSDF ..... Resource Conservation and Recovery Act Information  
RCRA-LQG ..... Resource Conservation and Recovery Act Information

## EXECUTIVE SUMMARY

<b>ERNS</b> .....	Emergency Response Notification System
<b>HMIRS</b> .....	Hazardous Materials Information Reporting System
<b>US ENG CONTROLS</b> .....	Engineering Controls Sites List
<b>US INST CONTROL</b> .....	Sites with Institutional Controls
<b>DOD</b> .....	Department of Defense Sites
<b>FUDS</b> .....	Formerly Used Defense Sites
<b>US BROWNFIELDS</b> .....	A Listing of Brownfields Sites
<b>CONSENT</b> .....	Superfund (CERCLA) Consent Decrees
<b>ROD</b> .....	Records Of Decision
<b>UMTRA</b> .....	Uranium Mill Tailings Sites
<b>ODI</b> .....	Open Dump Inventory
<b>TRIS</b> .....	Toxic Chemical Release Inventory System
<b>TSCA</b> .....	Toxic Substances Control Act
<b>FTTS</b> .....	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
<b>SSTS</b> .....	Section 7 Tracking Systems
<b>ICIS</b> .....	Integrated Compliance Information System
<b>HIST FTTS</b> .....	FIFRA/TSCA Tracking System Administrative Case Listing
<b>US CDL</b> .....	Clandestine Drug Labs
<b>LUCIS</b> .....	Land Use Control Information System
<b>RADINFO</b> .....	Radiation Information Database
<b>DOT OPS</b> .....	Incident and Accident Data
<b>PADS</b> .....	PCB Activity Database System
<b>MLTS</b> .....	Material Licensing Tracking System
<b>MINES</b> .....	Mines Master Index File
<b>FINDS</b> .....	Facility Index System/Facility Registry System
<b>RAATS</b> .....	RCRA Administrative Action Tracking System

### STATE AND LOCAL RECORDS

<b>SHWS</b> .....	Notice of Potential Hazardous Waste Sites
<b>SWF/LF</b> .....	Permitted Solid Waste Disposal Facilities
<b>SWRCY</b> .....	Recycling Directory
<b>HIST LUST</b> .....	Recovery Sites
<b>UST</b> .....	Registered Underground Storage Tank List
<b>Historical UST</b> .....	Historical UST Registered Database
<b>AST</b> .....	Permitted Aboveground Storage Tanks
<b>DRYCLEANERS</b> .....	Registered Drycleaning Facilities
<b>BROWNFIELDS</b> .....	Eligible Brownfields Properties
<b>NPDES</b> .....	Wastewater Permit Listing
<b>AIRS</b> .....	Permit and Facility Information Listing
<b>LEAD</b> .....	Lead Inspection Database

### TRIBAL RECORDS

<b>INDIAN RESERV</b> .....	Indian Reservations
<b>INDIAN LUST</b> .....	Leaking Underground Storage Tanks on Indian Land
<b>INDIAN UST</b> .....	Underground Storage Tanks on Indian Land

### EDR PROPRIETARY RECORDS

<b>Manufactured Gas Plants</b> ...	EDR Proprietary Manufactured Gas Plants
------------------------------------	---

### SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

## EXECUTIVE SUMMARY

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property. Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in *bold italics* are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

### FEDERAL RECORDS

**RCRAInfo:** RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act ( RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System(RCRIS). The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

A review of the RCRA-SQG list, as provided by EDR, and dated 06/13/2006 has revealed that there are 2 RCRA-SQG sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>DIAMOND CLEANERS</b>	[REDACTED]	1/8 - 1/4 NNE	A1	6
<b>KENWOOD AUTO BODY WISTERIA DRI</b>	[REDACTED]	1/8 - 1/4 NNE	A2	6

### STATE AND LOCAL RECORDS

**MD OCPCASES:** Cases monitored by the Oil Control Program.

A review of the OCPCASES list, as provided by EDR, and dated 01/16/2007 has revealed that there are 10 OCPCASES sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>KENWOOD AUTO BODY WISTERIA DRI</b> Facility Status: CLOSED	[REDACTED]	1/8 - 1/4 NNE	A2	6
GERMANTOWN MINI STORAGE Facility Status: OPEN	[REDACTED]	1/4 - 1/2 ESE	B4	8
GRIFFITH SPILL/CLEARWATER CONS Facility Status: CLOSED	[REDACTED]	1/4 - 1/2 ESE	B5	8
WSSC SITE CHURCHILL SEWAGE PUM Facility Status: CLOSED	[REDACTED]	1/4 - 1/2 WNW	6	9
GERMANTOWN ELEM. SCHOOL Facility Status: CLOSED	[REDACTED]	1/4 - 1/2 SSE	7	9
TRUCK ACCIDENT SPILL Facility Status: CLOSED	[REDACTED]	1/4 - 1/2 ESE	C8	9

## EXECUTIVE SUMMARY

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
SHELL Facility Status: CLOSED Facility Status: CLOSED	[REDACTED]	1/4 - 1/2ESE	C9	9
GERMANTOWN SHELL Facility Status: CLOSED	[REDACTED]	1/4 - 1/2ESE	C10	10
LAKE SENECA ELEMENTARY SCHOOL Facility Status: CLOSED	[REDACTED]	1/4 - 1/2NNW	D11	10
LAKE SENECA ELEMENTARY SCHOOL Facility Status: CLOSED	[REDACTED]	1/4 - 1/2NNW	D12	11

**INST CONTROL:** Sites included in the Voluntary Cleanup Program Applicants/Participants listing that have Deed Restrictions.

A review of the INST CONTROL list, as provided by EDR, and dated 12/20/2006 has revealed that there is 1 INST CONTROL site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
SUGARLOAF SHOPPING CENTER	[REDACTED]	1/4 - 1/2E	3	8

**VCP:** The Voluntary Cleanup Program, administrated by the Dept. of the Environment, streamlines the environmental cleanup process for sites, usually industrial or commercial properties that are contaminated, or perceived to be contaminated, by hazardous substances. Developers and lenders are provided with certain limitations on liability and participants in the program are provided certainty in the process by knowing exactly what will be required.

A review of the VCP list, as provided by EDR, and dated 12/20/2006 has revealed that there is 1 VCP site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
SUGARLOAF SHOPPING CENTER	[REDACTED]	1/4 - 1/2E	3	8

## EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped:

Site Name

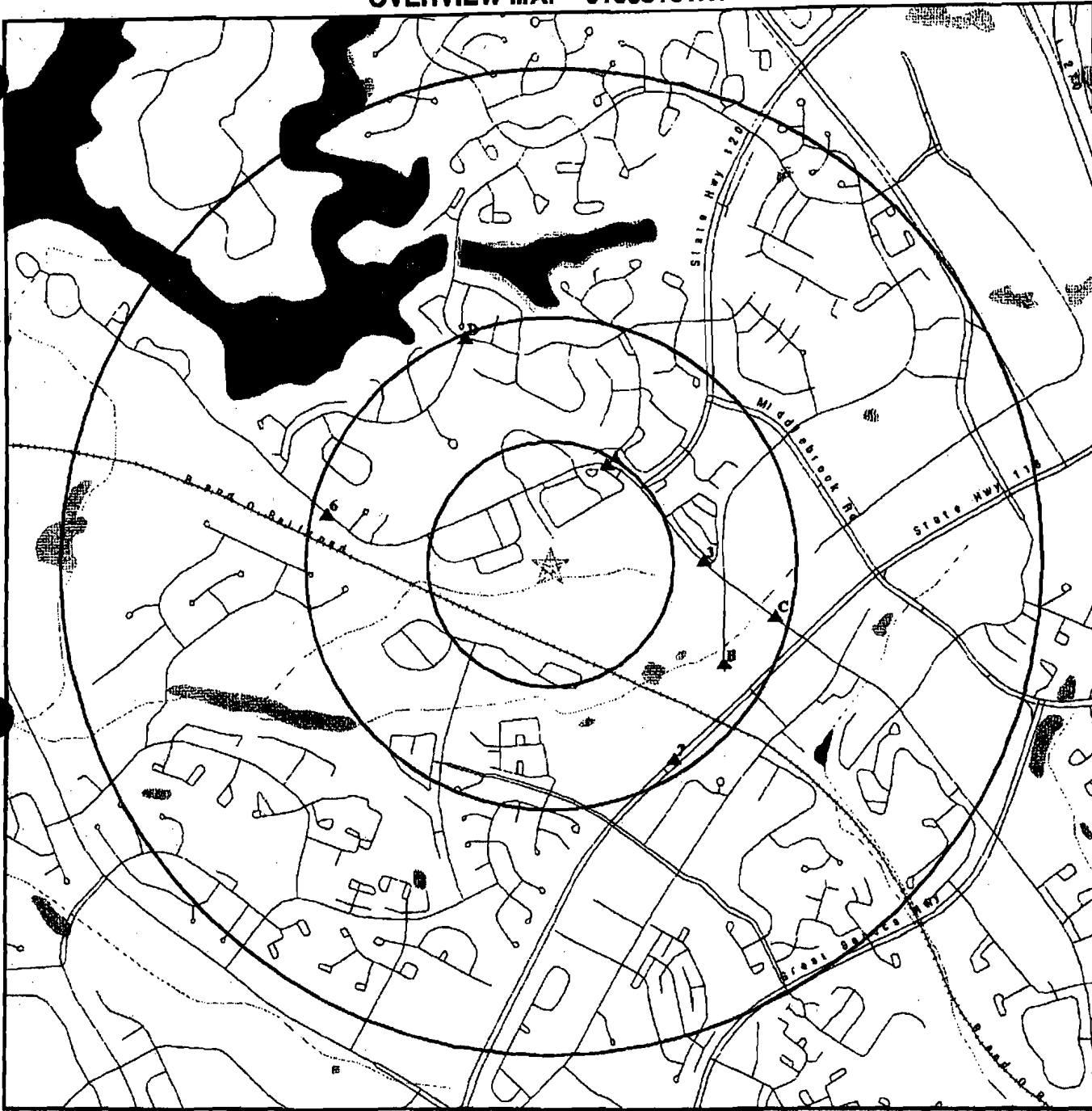
MONTGOMERY CO. SITE 2 MFW  
GERMANTOWN VOL FIRE DEPT # 29  
STATE ROAD COMMISSION

Database(s)

SWF/LF  
OCPCASES  
UST

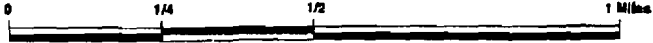


**OVERVIEW MAP - 01903101.1r**



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

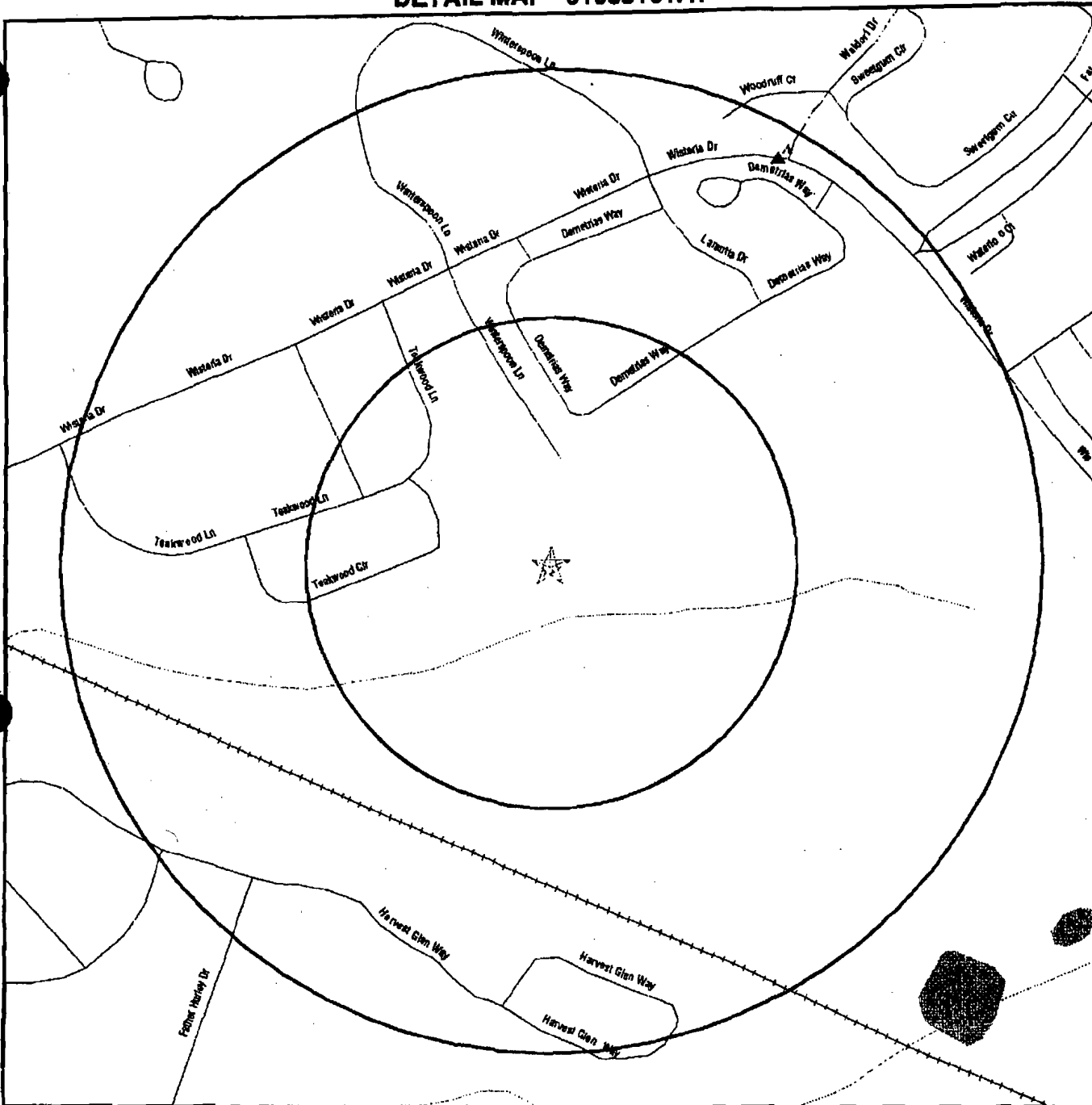
- Indian Reservations BIA
- Oil & Gas pipelines
- National Wetland Inventory



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<p><b>SITE NAME:</b> Ashmore at Germantown Condominiums  <b>ADDRESS:</b> [REDACTED]                  Germantown MD 20874  <b>LAT/LONG:</b> 39.1792 / 77.2786</p>	<p><b>CLIENT:</b> Eco Dynamics Corp.  <b>CONTACT:</b> [REDACTED]  <b>INQUIRY #:</b> [REDACTED]  <b>DATE:</b> April 13, 2007 6:32 pm</p>
--	---

# DETAIL MAP - 01903101.1r



- ☆ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- △ Sensitive Receptors
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

- Indian Reservations BIA
- Oil & Gas pipelines
- National Wetland Inventory



SITE NAME: Ashmore at Germantown Condominiums  
 ADDRESS: [REDACTED]  
 Germantown MD 20874  
 LAT/LONG: 39.1792 / 77.2796

CLIENT: Eco Dynamics Corp.  
 CONTACT: [REDACTED]  
 INQUIRY #: [REDACTED]  
 DATE: April 13, 2007 6:32 pm

## MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b><u>FEDERAL RECORDS</u></b>								
NPL		1.000	0	0	0	0	NR	0
Proposed NPL		1.000	0	0	0	0	NR	0
Delisted NPL		1.000	0	0	0	0	NR	0
NPL RECOVERY	TP		NR	NR	NR	NR	NR	0
CERCLIS		0.500	0	0	0	NR	NR	0
CERC-NFRAP		0.500	0	0	0	NR	NR	0
CORRACTS		1.000	0	0	0	0	NR	0
RCRA TSD		0.500	0	0	0	NR	NR	0
RCRA Lg. Quan. Gen.		0.250	0	0	NR	NR	NR	0
RCRA Sm. Quan. Gen.		0.250	0	2	NR	NR	NR	2
ERNS	TP		NR	NR	NR	NR	NR	0
HMIRS	TP		NR	NR	NR	NR	NR	0
US ENG CONTROLS		0.500	0	0	0	NR	NR	0
US INST CONTROL		0.500	0	0	0	NR	NR	0
DOD		1.000	0	0	0	0	NR	0
FUDS		1.000	0	0	0	0	NR	0
US BROWNFIELDS		0.500	0	0	0	NR	NR	0
CONSENT		1.000	0	0	0	0	NR	0
ROD		1.000	0	0	0	0	NR	0
UMTRA		0.500	0	0	0	NR	NR	0
ODI		0.500	0	0	0	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
LUCIS		0.500	0	0	0	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
MINES		0.250	0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
<b><u>STATE AND LOCAL RECORDS</u></b>								
State Haz. Waste		1.000	0	0	0	0	NR	0
State Landfill		0.500	0	0	0	NR	NR	0
SWRCY		0.500	0	0	0	NR	NR	0
OCPCASES		0.500	0	1	9	NR	NR	10
HIST LUST		0.500	0	0	0	NR	NR	0
UST		0.250	0	0	NR	NR	NR	0
Historical UST		0.250	0	0	NR	NR	NR	0
AST		0.250	0	0	NR	NR	NR	0
INST CONTROL		0.500	0	0	1	NR	NR	1

## MAP FINDINGS SUMMARY

<u>Database</u>	<u>Target Property</u>	<u>Search Distance (Miles)</u>	<u>&lt; 1/8</u>	<u>1/8 - 1/4</u>	<u>1/4 - 1/2</u>	<u>1/2 - 1</u>	<u>&gt; 1</u>	<u>Total Plotted</u>
VCP		0.500	0	0	1	NR	NR	1
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
BROWNFIELDS		0.500	0	0	0	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
LEAD	TP		NR	NR	NR	NR	NR	0
<b><u>TRIBAL RECORDS</u></b>								
INDIAN RESERV		1.000	0	0	0	0	NR	0
INDIAN LUST		0.500	0	0	0	NR	NR	0
INDIAN UST		0.250	0	0	NR	NR	NR	0
<b><u>EDR PROPRIETARY RECORDS</u></b>								
Manufactured Gas Plants		1.000	0	0	0	0	NR	0

**NOTES:**

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

**MAP FINDINGS**

Map ID  
Direction  
Distance  
Distance (ft.)  
Elevation Site

Database(s) EDR ID Number  
EPA ID Number

**A1**  
**NNE**  
**1/8-1/4**  
**1236 ft.**  
**DIAMOND CLEANERS**  
**GERMANTOWN, MD 20874**

**RCRA-SQG**  
**FINDS** [REDACTED]

**Relative:**  
**Higher**  
**RCRAInfo:**

**Actual:**  
**481 ft.**  
**Owner:** [REDACTED]  
**EPA ID:** [REDACTED]  
**Contact:** [REDACTED]

**Site 1 of 2 in cluster A**  
**Classification:** Small Quantity Generator  
**TSDF Activities:** Not reported  
**Violation Status:** No violations found

**FINDS:**  
**Other Pertinent Environmental Activity Identified at Site**

MD-RCRA (Maryland - Resource Conservation And Recovery Act Information System) houses state information relating to the Resource Conservation and Recovery Act (RCRA).

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

**A2**  
**NNE**  
**1/8-1/4**  
**1240 ft.**  
**KENWOOD AUTO BODY WISTERIA DRIVE**  
**GERMANTOWN, MD 20874**

**RCRA-SQG**  
**FINDS** [REDACTED]  
**OCCPCASES**

**Relative:**  
**Higher**  
**RCRAInfo:**  
**Owner:** [REDACTED]  
**EPA ID:** [REDACTED]  
**Contact:** [REDACTED]

**Site 2 of 2 in cluster A**  
**Classification:** Small Quantity Generator  
**TSDF Activities:** Not reported

Map ID  
Direction  
Distance  
Distance (ft.)  
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number  
EPA ID Number

**KENWOOD AUTO BODY WISTERIA DRIVE (Continued)**

Violation Status: No violations found

**FINDS:**

Other Pertinent Environmental Activity Identified at Site

AFS (Aerometric Information Retrieval System (AIRS) Facility Subsystem) replaces the former Compliance Data System (CDS), the National Emission Data System (NEDS), and the Storage and Retrieval of Aerometric Data (SAROAD). AIRS is the national repository for information concerning airborne pollution in the United States. AFS is used to track emissions and compliance data from industrial plants. AFS data are utilized by states to prepare State Implementation Plans to comply with regulatory programs and by EPA as an input for the estimation of total national emissions. AFS is undergoing a major redesign to support facility operating permits required under Title V of the Clean Air Act.

MD-PEMIS (Maryland - Permanent (Air) Emission) database houses data related to Air Emissions. Also known to the EPA as National Emissions Inventory (NEI).

MD-RCRA (Maryland - Resource Conservation And Recovery Act Information System) houses state information relating to the Resource Conservation and Recovery Act (RCRA).

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

**OCP:**

Facility ID: [REDACTED]  
Facility Status: **CLOSED**  
Date Open: Not reported  
Date Closed: Not reported  
Release: Not reported  
Cleanup: Not reported  
Facility Code: Not reported  
Missing in Action: False

MAP FINDINGS

Map ID  
 Direction  
 Distance  
 Distance (ft.)  
 Elevation Site

Database(s) EDR ID Number  
 EPA ID Number

**3**  
 East  
 1/4-1/2  
 1851 ft.

**SUGARLOAF SHOPPING CENTER**  
 GERMANTOWN, MD 20874

VCP  
 INST CONTROL N/A

Relative: Higher  
 Actual: 495 ft.

VCP:  
 Applicant name: Sugarloaf Partnership LLC  
 Application received: August 18, 2003  
 Acreage: 9.0  
 Action sought: No Further Requirements Determination  
 Status sought: Responsible Person  
 Application approved: April 19, 2004  
 NF Requirements Determination issued: April 19, 2004  
 Responsible Action Plan Received: N/A  
 Public Meeting: N/A  
 RA Plan Approved: N/A  
 Cert of Completion Issued: N/A

INST CONTROL:

**B4**  
 ESE  
 1/4-1/2  
 2153 ft.

**GERMANTOWN MINI STORAGE**  
 GERMANTOWN, MD

OCPCASES  
 N/A

Relative: Higher  
 Actual: 484 ft.

Site 1 of 2 in cluster B

OCP:  
 Facility ID: [REDACTED]  
 Facility Status: OPEN  
 Date Open: Not reported  
 Date Closed: Not reported  
 Release: NO  
 Cleanup: Not reported  
 Facility Code: Other - Motor/Lube Oil  
 Missing in Action: False

**B5**  
 ESE  
 1/4-1/2  
 2171 ft.

**GRIFFITH SPILL/CLEARWATER CONST.**  
 GERMANTOWN, MD 20874

OCPCASES  
 N/A

Relative: Higher  
 Actual: 483 ft.

Site 2 of 2 in cluster B

OCP:  
 Facility ID: [REDACTED]  
 Facility Status: CLOSED  
 Date Open: Not reported  
 Date Closed: Not reported  
 Release: YES  
 Cleanup: YES  
 Facility Code: Dumping - Emergency  
 Missing in Action: False

**MAP FINDINGS**

Map ID  
Direction  
Distance  
Distance (ft.)  
Elevation

Site

Database(s)

EDR ID Number  
EPA ID Number

**6**  
**WNW**  
**1/4-1/2**  
**2468 ft.**  
**WSSC SITE CHURCHILL SEWAGE PUMPING STATI**  
**GERMANTOWN, MD 20874**

**OCPCASES** [REDACTED]  
**N/A**

Relative:  
Higher

OCP:

Facility ID: [REDACTED]  
Facility Status: **CLOSED**  
Date Open: Not reported  
Date Closed: Not reported  
Release: Not reported  
Cleanup: Not reported  
Facility Code: Not reported  
Missing in Action: False

Actual:  
458 ft.

**7**  
**SSE**  
**1/4-1/2**  
**2476 ft.**  
**GERMANTOWN ELEM. SCHOOL**  
**GERMANTOWN, MD 20874**

**OCPCASES** [REDACTED]  
**N/A**

Relative:  
Higher

OCP:

Facility ID: [REDACTED]  
Facility Status: **CLOSED**  
Date Open: Not reported  
Date Closed: Not reported  
Release: Not reported  
Cleanup: Not reported  
Facility Code: Not reported  
Missing in Action: False

Actual:  
481 ft.

**C8**  
**ESE**  
**1/4-1/2**  
**2478 ft.**  
**TRUCK ACCIDENT SPILL**  
**GERMANTOWN, MD 20874**

**OCPCASES** [REDACTED]  
**N/A**

Site 1 of 3 in cluster C

Relative:  
Higher

OCP:

Facility ID: [REDACTED]  
Facility Status: **CLOSED**  
Date Open: Not reported  
Date Closed: Not reported  
Release: **YES**  
Cleanup: **YES**  
Facility Code: **Vehicle Accident**  
Missing in Action: False

Actual:  
495 ft.

**C9**  
**ESE**  
**1/4-1/2**  
**2496 ft.**  
**SHELL**  
**GERMANTOWN, MD 20874**

**OCPCASES** [REDACTED]  
**N/A**

Site 2 of 3 in cluster C

Relative:  
Higher

OCP:

Facility ID: [REDACTED]  
Facility Status: **CLOSED**  
Date Open: Not reported  
Date Closed: Not reported

Actual:  
494 ft.



Map ID  
Direction  
Distance  
Distance (ft.)  
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number  
EPA ID Number

SHELL (Continued)

Release: YES  
Cleanup: YES  
Facility Code: Tank Closure - Motor/Lube Oil  
Missing in Action: False

Facility ID: [REDACTED]  
Facility Status: CLOSED  
Date Open: Not reported  
Date Closed: Not reported  
Release: YES  
Cleanup: YES  
Facility Code: Well/GW Contamination - Motor/Lube Oil  
Missing in Action: False

C10  
ESE  
1/4-1/2  
2496 ft.

GERMANTOWN SHELL  
[REDACTED]  
GERMANTOWN, MD 20874

OCPCASES [REDACTED]  
N/A

Relative:  
Higher

Site 3 of 3 in cluster C

Actual:  
494 ft.

OCP:  
Facility ID: [REDACTED]  
Facility Status: CLOSED  
Date Open: Not reported  
Date Closed: Not reported  
Release: NO  
Cleanup: NO  
Facility Code: Compliance Inspections (C3, 4, 4A, 5, 9, 10, 11)  
Missing in Action: False

D11  
NNW  
1/4-1/2  
2597 ft.

LAKE SENECA ELEMENTARY SCHOOL  
[REDACTED]  
GERMANTOWN, MD 20874

OCPCASES [REDACTED]  
Historical UST N/A

Relative:  
Higher

Site 1 of 2 in cluster D

Actual:  
465 ft.

OCP:  
Facility ID: [REDACTED]  
Facility Status: CLOSED  
Date Open: Not reported  
Date Closed: Not reported  
Release: NO  
Cleanup: NO  
Facility Code: Tank Closure - Commercial Heating Oil  
Missing in Action: False

Historical UST:  
Facility ID: [REDACTED]  
Tank ID: 001  
Age: 10  
Capacity: 10000  
Tank Status: Currently in use  
Product: Heating Oil

Map ID  
Direction  
Distance  
Distance (ft.)  
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number  
EPA ID Number

D12 LAKE SENECA ELEMENTARY SCHOOL  
NNW [REDACTED]  
1/4-1/2 GERMANTOWN, MD 20874  
2597 ft.

OCPCASES [REDACTED]  
UST N/A

Relative:  
Higher

Site 2 of 2 in cluster D

Actual:  
465 ft.

OCP:  
Facility ID: [REDACTED]  
Facility Status: CLOSED  
Date Open: Not reported  
Date Closed: Not reported  
Release: NO  
Cleanup: NO  
Facility Code: Tank Test Failure - Heating Oil  
Missing in Action: False

UST:

Facility ID: [REDACTED]  
Owner Id: 1580  
Owner Name: Montgomery County Public Schools  
Owner Contact: [REDACTED]  
Owner Address: [REDACTED]  
Owner City,St,Zip: Rockville, MD 20855  
Owner Phone: [REDACTED]  
Operator: [REDACTED]  
Tank ID: 1  
Authorized Representative: [REDACTED]  
Title: Environmental Health Specialist  
Date: 7/23/2003  
Date Installed: 1/1/1985  
Substance Description: Heating Oil  
Tank Material: Cathodically Protected Steel  
Pipe Material: Copper  
Tank Status: Permanently Out of Use  
Capacity: 10000

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
DARNESTOWN	[REDACTED]	STATE ROAD COMMISSION	[REDACTED]	[REDACTED]	UST
GERMANTOWN	[REDACTED]	GERMANTOWN VOL FIRE DEPT # 29	[REDACTED]	[REDACTED]	OCPCASES
MONTGOMERY COUNTY	[REDACTED]	MONTGOMERY CO. SITE 2 MFW	[REDACTED]	[REDACTED]	SWF/LF

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

### FEDERAL RECORDS

#### **NPL: National Priority List**

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 01/25/2007	Source: EPA
Date Data Arrived at EDR: 01/31/2007	Telephone: N/A
Date Made Active in Reports: 03/12/2007	Last EDR Contact: 01/31/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 04/30/2007
	Data Release Frequency: Quarterly

#### **NPL Site Boundaries**

##### Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)  
Telephone: 202-564-7333

EPA Region 1  
Telephone 817-918-1143

EPA Region 3  
Telephone 215-814-5418

EPA Region 4  
Telephone 404-562-8033

EPA Region 5  
Telephone 312-886-6686

EPA Region 10  
Telephone 206-553-8665

EPA Region 6  
Telephone: 214-655-6659

EPA Region 7  
Telephone: 913-551-7247

EPA Region 8  
Telephone: 303-312-6774

EPA Region 9  
Telephone: 415-947-4246

#### **Proposed NPL: Proposed National Priority List Sites**

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 09/27/2006	Source: EPA
Date Data Arrived at EDR: 11/01/2006	Telephone: N/A
Date Made Active in Reports: 11/22/2006	Last EDR Contact: 02/23/2007
Number of Days to Update: 21	Next Scheduled EDR Contact: 04/30/2007
	Data Release Frequency: Quarterly

#### **DELISTED NPL: National Priority List Deletions**

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/28/2006	Source: EPA
Date Data Arrived at EDR: 01/31/2007	Telephone: N/A
Date Made Active in Reports: 03/12/2007	Last EDR Contact: 01/31/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 04/30/2007
	Data Release Frequency: Quarterly

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### **NPL RECOVERY: Federal Superfund Liens**

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: [REDACTED]
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 03/26/2007
Number of Days to Update: 56	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: No Update Planned

### **CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System**

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 11/28/2006	Source: EPA
Date Data Arrived at EDR: 12/18/2006	Telephone: [REDACTED]
Date Made Active in Reports: 01/29/2007	Last EDR Contact: 03/21/2007
Number of Days to Update: 41	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Quarterly

### **CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned**

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 12/20/2006	Source: EPA
Date Data Arrived at EDR: 01/29/2007	Telephone: [REDACTED]
Date Made Active in Reports: 02/27/2007	Last EDR Contact: 03/19/2007
Number of Days to Update: 29	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Quarterly

### **CORRACTS: Corrective Action Report**

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 01/04/2007	Source: EPA
Date Data Arrived at EDR: 01/18/2007	Telephone: [REDACTED]
Date Made Active in Reports: 02/27/2007	Last EDR Contact: 03/05/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 06/04/2007
	Data Release Frequency: Quarterly

### **RCRA: Resource Conservation and Recovery Act Information**

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS). The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Transporters are individuals or entities that move hazardous waste from the generator off-site to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 06/13/2006  
Date Data Arrived at EDR: 06/28/2006  
Date Made Active in Reports: 08/23/2006  
Number of Days to Update: 56

Source: EPA  
Telephone: [REDACTED]  
Last EDR Contact: 02/27/2007  
Next Scheduled EDR Contact: 04/16/2007  
Data Release Frequency: Quarterly

### ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/2006  
Date Data Arrived at EDR: 01/24/2007  
Date Made Active in Reports: 03/12/2007  
Number of Days to Update: 47

Source: National Response Center, United States Coast Guard  
Telephone: [REDACTED]  
Last EDR Contact: 01/24/2007  
Next Scheduled EDR Contact: 04/23/2007  
Data Release Frequency: Annually

### HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 11/28/2006  
Date Data Arrived at EDR: 01/17/2007  
Date Made Active in Reports: 02/27/2007  
Number of Days to Update: 41

Source: U.S. Department of Transportation  
Telephone: 202-366-4555  
Last EDR Contact: 01/17/2007  
Next Scheduled EDR Contact: 04/16/2007  
Data Release Frequency: Annually

### US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 01/24/2007  
Date Data Arrived at EDR: 01/31/2007  
Date Made Active in Reports: 04/04/2007  
Number of Days to Update: 63

Source: Environmental Protection Agency  
Telephone: 703-603-8905  
Last EDR Contact: 04/02/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Varies

### US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 01/24/2007  
Date Data Arrived at EDR: 01/31/2007  
Date Made Active in Reports: 02/27/2007  
Number of Days to Update: 27

Source: Environmental Protection Agency  
Telephone: 703-603-8905  
Last EDR Contact: 04/02/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Varies

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### **DOD: Department of Defense Sites**

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 11/10/2006	Telephone: 703-692-8801
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 02/08/2007
Number of Days to Update: 62	Next Scheduled EDR Contact: 05/07/2007
	Data Release Frequency: Semi-Annually

### **FUDS: Formerly Used Defense Sites**

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/2005	Source: U.S. Army Corps of Engineers
Date Data Arrived at EDR: 09/20/2006	Telephone: 202-528-4285
Date Made Active in Reports: 11/22/2006	Last EDR Contact: 04/02/2007
Number of Days to Update: 63	Next Scheduled EDR Contact: 07/02/2007
	Data Release Frequency: Varies

### **US BROWNFIELDS: A Listing of Brownfields Sites**

Included in the listing are brownfields properties addresses by Cooperative Agreement Recipients and brownfields properties addressed by Targeted Brownfields Assessments. Targeted Brownfields Assessments-EPA's Targeted Brownfields Assessments (TBA) program is designed to help states, tribes, and municipalities—especially those without EPA Brownfields Assessment Demonstration Pilots—minimize the uncertainties of contamination often associated with brownfields. Under the TBA program, EPA provides funding and/or technical assistance for environmental assessments at brownfields sites throughout the country. Targeted Brownfields Assessments supplement and work with other efforts under EPA's Brownfields Initiative to promote cleanup and redevelopment of brownfields. Cooperative Agreement Recipients—States, political subdivisions, territories, and Indian tribes become Brownfields Cleanup Revolving Loan Fund (BCRLF) cooperative agreement recipients when they enter into BCRLF cooperative agreements with the U.S. EPA. EPA selects BCRLF cooperative agreement recipients based on a proposal and application process. BCRLF cooperative agreement recipients must use EPA funds provided through BCRLF cooperative agreement for specified brownfields-related cleanup activities.

Date of Government Version: 01/29/2007	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/31/2007	Telephone: 202-566-2777
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 03/12/2007
Number of Days to Update: 63	Next Scheduled EDR Contact: 06/11/2007
	Data Release Frequency: Semi-Annually

### **CONSENT: Superfund (CERCLA) Consent Decrees**

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 08/23/2006	Source: Department of Justice, Consent Decree Library
Date Data Arrived at EDR: 03/06/2007	Telephone: Varies
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 02/06/2007
Number of Days to Update: 35	Next Scheduled EDR Contact: 04/23/2007
	Data Release Frequency: Varies

### **ROD: Records Of Decision**

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 01/10/2007	Source: EPA
Date Data Arrived at EDR: 01/24/2007	Telephone: 703-416-0223
Date Made Active in Reports: 02/27/2007	Last EDR Contact: 03/27/2007
Number of Days to Update: 34	Next Scheduled EDR Contact: 07/02/2007
	Data Release Frequency: Annually

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 12/31/2005	Source: Department of Energy
Date Data Arrived at EDR: 11/08/2006	Telephone: 505-845-0011
Date Made Active in Reports: 01/29/2007	Last EDR Contact: 03/20/2007
Number of Days to Update: 82	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Varies

### ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985	Source: Environmental Protection Agency
Date Data Arrived at EDR: 08/08/2004	Telephone: 800-424-9346
Date Made Active in Reports: 09/17/2004	Last EDR Contact: 08/09/2004
Number of Days to Update: 39	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

### TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2004	Source: EPA
Date Data Arrived at EDR: 06/22/2006	Telephone: 202-566-0250
Date Made Active in Reports: 08/23/2006	Last EDR Contact: 03/20/2007
Number of Days to Update: 82	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Annually

### TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2002	Source: EPA
Date Data Arrived at EDR: 04/14/2006	Telephone: 202-260-5521
Date Made Active in Reports: 05/30/2006	Last EDR Contact: 01/15/2007
Number of Days to Update: 46	Next Scheduled EDR Contact: 04/16/2007
	Data Release Frequency: Every 4 Years

**FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)**  
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 02/26/2007	Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-566-1667
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 03/19/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Quarterly

**FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)**  
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 02/26/2007	Source: EPA
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-566-1667
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 03/19/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 06/18/2007
	Data Release Frequency: Quarterly



## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### **SSTS: Section 7 Tracking Systems**

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2004	Source: EPA
Date Data Arrived at EDR: 05/11/2006	Telephone: 202-564-4203
Date Made Active in Reports: 05/22/2006	Last EDR Contact: 04/12/2007
Number of Days to Update: 11	Next Scheduled EDR Contact: 07/16/2007
	Data Release Frequency: Annually

### **ICIS: Integrated Compliance Information System**

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/06/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/02/2007	Telephone: 202-564-5088
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 01/15/2007
Number of Days to Update: 61	Next Scheduled EDR Contact: 04/16/2007
	Data Release Frequency: Quarterly

### **LUCIS: Land Use Control Information System**

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/09/2005	Source: Department of the Navy
Date Data Arrived at EDR: 12/11/2006	Telephone: 843-820-7328
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 03/26/2007
Number of Days to Update: 31	Next Scheduled EDR Contact: 06/11/2007
	Data Release Frequency: Varies

### **DOT OPS: Incident and Accident Data**

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 02/14/2007	Source: Department of Transportation, Office of Pipeline Safety
Date Data Arrived at EDR: 02/28/2007	Telephone: 202-366-4595
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 02/28/2007
Number of Days to Update: 41	Next Scheduled EDR Contact: 05/28/2007
	Data Release Frequency: Varies

### **RADINFO: Radiation Information Database**

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 01/30/2007	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/31/2007	Telephone: 202-343-9775
Date Made Active in Reports: 02/27/2007	Last EDR Contact: 01/31/2007
Number of Days to Update: 27	Next Scheduled EDR Contact: 04/30/2007
	Data Release Frequency: Quarterly

### **HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing**

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/19/2006  
Date Data Arrived at EDR: 03/01/2007  
Date Made Active in Reports: 04/10/2007  
Number of Days to Update: 40

Source: Environmental Protection Agency  
Telephone: 202-564-2501  
Last EDR Contact: 03/19/2007  
Next Scheduled EDR Contact: 06/18/2007  
Data Release Frequency: No Update Planned

### CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 12/01/2006  
Date Data Arrived at EDR: 01/08/2007  
Date Made Active in Reports: 01/11/2007  
Number of Days to Update: 3

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 03/29/2007  
Next Scheduled EDR Contact: 06/25/2007  
Data Release Frequency: Quarterly

### PADS: PCB Activity Database System

PCB Activity Database. PADS identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 10/17/2006  
Date Data Arrived at EDR: 11/29/2006  
Date Made Active in Reports: 01/11/2007  
Number of Days to Update: 43

Source: EPA  
Telephone: 202-566-0500  
Last EDR Contact: 03/02/2007  
Next Scheduled EDR Contact: 05/07/2007  
Data Release Frequency: Annually

### MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 01/11/2007  
Date Data Arrived at EDR: 01/26/2007  
Date Made Active in Reports: 02/27/2007  
Number of Days to Update: 32

Source: Nuclear Regulatory Commission  
Telephone: 301-415-7189  
Last EDR Contact: 04/02/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Quarterly

### MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/15/2006  
Date Data Arrived at EDR: 12/28/2006  
Date Made Active in Reports: 01/29/2007  
Number of Days to Update: 32

Source: Department of Labor, Mine Safety and Health Administration  
Telephone: 303-231-5959  
Last EDR Contact: 03/28/2007  
Next Scheduled EDR Contact: 06/25/2007  
Data Release Frequency: Semi-Annually

### FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/18/2007  
Date Data Arrived at EDR: 01/23/2007  
Date Made Active in Reports: 02/27/2007  
Number of Days to Update: 35

Source: EPA  
Telephone: (215) 814-5000  
Last EDR Contact: 04/02/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Quarterly

### **RAATS: RCRA Administrative Action Tracking System**

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995  
Date Data Arrived at EDR: 07/03/1995  
Date Made Active in Reports: 08/07/1995  
Number of Days to Update: 35

Source: EPA  
Telephone: 202-564-4104  
Last EDR Contact: 03/05/2007  
Next Scheduled EDR Contact: 06/04/2007  
Data Release Frequency: No Update Planned

### **BRS: Biennial Reporting System**

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2005  
Date Data Arrived at EDR: 03/06/2007  
Date Made Active in Reports: 04/13/2007  
Number of Days to Update: 38

Source: EPA/NTIS  
Telephone: 800-424-9346  
Last EDR Contact: 03/06/2007  
Next Scheduled EDR Contact: 06/11/2007  
Data Release Frequency: Biennially

### **STATE AND LOCAL RECORDS**

#### **SHWS: Notice of Potential Hazardous Waste Sites**

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 08/01/2006  
Date Data Arrived at EDR: 09/26/2006  
Date Made Active in Reports: 10/26/2006  
Number of Days to Update: 30

Source: Department of the Environment  
Telephone: 410-537-3000  
Last EDR Contact: 03/05/2007  
Next Scheduled EDR Contact: 06/04/2007  
Data Release Frequency: Semi-Annually

#### **SWF/LF: Permitted Solid Waste Disposal Facilities**

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 01/16/2007  
Date Data Arrived at EDR: 01/17/2007  
Date Made Active in Reports: 01/31/2007  
Number of Days to Update: 14

Source: Department of the Environment  
Telephone: 410-537-3375  
Last EDR Contact: 01/15/2007  
Next Scheduled EDR Contact: 04/16/2007  
Data Release Frequency: Annually

#### **SWRCY: Recycling Directory**

A listing of recycling facilities.

Date of Government Version: 01/18/2007  
Date Data Arrived at EDR: 02/15/2007  
Date Made Active in Reports: 03/29/2007  
Number of Days to Update: 42

Source: Department of the Environment  
Telephone: 410-631-3314  
Last EDR Contact: 01/18/2007  
Next Scheduled EDR Contact: 04/16/2007  
Data Release Frequency: Varies

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### **OCPCASES: Oil Control Program Cases**

Cases monitored by the Oil Control Program. These cases can be leaking underground storage tanks and other belowground releases, leaking aboveground storage tanks, spills and inspections.

Date of Government Version: 01/16/2007	Source: Department of Environment
Date Data Arrived at EDR: 01/17/2007	Telephone: 410-537-3433
Date Made Active in Reports: 01/31/2007	Last EDR Contact: 01/15/2007
Number of Days to Update: 14	Next Scheduled EDR Contact: 04/16/2007
	Data Release Frequency: Semi-Annually

### **HIST LUST: Recovery Sites**

In 1999, the Department of the Environment stopped adding new sites to its Recovery Sites Database. Current leaking underground storage tank information maybe found in the OCPCASES database.

Date of Government Version: 03/01/1999	Source: Department of the Environment
Date Data Arrived at EDR: 03/22/1999	Telephone: 410-537-3433
Date Made Active in Reports: 04/16/1999	Last EDR Contact: 02/19/2001
Number of Days to Update: 25	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

### **UST: Registered Underground Storage Tank List**

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 02/22/2007	Source: Department of the Environment
Date Data Arrived at EDR: 02/22/2007	Telephone: 410-537-3433
Date Made Active in Reports: 03/23/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 29	Next Scheduled EDR Contact: 05/07/2007
	Data Release Frequency: Varies

### **Historical UST: Historical UST Registered Database**

In 1997 the Department of the Environment sent out registration forms to all the owners listed in the UST database. Once they got the registration forms back they entered the information into a new UST database we call this database HIST UST. Because not all owners returned their forms, we kept the old UST database and labeled it HIST UST so that we would not be missing any past UST records. This listing is no longer updated or maintained by the agency. It is current through November 1996.

Date of Government Version: 11/21/1996	Source: Department of Environment
Date Data Arrived at EDR: 09/10/1997	Telephone: 410-537-3433
Date Made Active in Reports: 10/22/1997	Last EDR Contact: 05/15/2000
Number of Days to Update: 42	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

### **AST: Permitted Aboveground Storage Tanks Registered Aboveground Storage Tanks.**

Date of Government Version: 11/08/2006	Source: Department of The Environment
Date Data Arrived at EDR: 11/10/2006	Telephone: 410-537-3000
Date Made Active in Reports: 12/21/2006	Last EDR Contact: 02/05/2007
Number of Days to Update: 41	Next Scheduled EDR Contact: 05/07/2007
	Data Release Frequency: Quarterly

### **INST CONTROL: Voluntary Cleanup Program Applicants/Participants**

Sites included in the Voluntary Cleanup Program Applicants/Participants listing that have Deed Restrictions.

Date of Government Version: 12/20/2006	Source: Department of the Environment
Date Data Arrived at EDR: 01/29/2007	Telephone: 410-537-3493
Date Made Active in Reports: 01/31/2007	Last EDR Contact: 04/10/2007
Number of Days to Update: 2	Next Scheduled EDR Contact: 07/09/2007
	Data Release Frequency: Semi-Annually

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### VCP: Voluntary Cleanup Program Applicants/Participants

The Voluntary Cleanup Program, administered by the Dept. of the Environment, streamlines the environmental cleanup process for sites, usually industrial or commercial properties, that are contaminated, or perceived to be contaminated, by hazardous substances. Developers and lenders are provided with certain limitations on liability and participants in the program are provided certainty in the process by knowing exactly what will be required.

Date of Government Version: 12/20/2006  
Date Data Arrived at EDR: 01/29/2007  
Date Made Active in Reports: 01/31/2007  
Number of Days to Update: 2

Source: Dept. of the Environment  
Telephone: 410-537-3000  
Last EDR Contact: 04/10/2007  
Next Scheduled EDR Contact: 07/09/2007  
Data Release Frequency: Semi-Annually

### DRYCLEANERS: Registered Drycleaning Facilities

A listing of registered drycleaning facilities.

Date of Government Version: 01/19/2007  
Date Data Arrived at EDR: 02/15/2007  
Date Made Active in Reports: 03/29/2007  
Number of Days to Update: 42

Source: Department of the Environmental  
Telephone: 410-537-3220  
Last EDR Contact: 02/05/2007  
Next Scheduled EDR Contact: 05/07/2007  
Data Release Frequency: Varies

### BROWNFIELDS: Eligible Brownfields Properties

The Site Assessment Section of the State Superfund Division is responsible for conducting federally funded assessments of eligible brownfields properties. These assessments are undertaken to determine whether there are environmental cleanup requirements at these sites.

Date of Government Version: 01/08/2007  
Date Data Arrived at EDR: 01/08/2007  
Date Made Active in Reports: 01/31/2007  
Number of Days to Update: 23

Source: Department of Environment  
Telephone: 410-537-3000  
Last EDR Contact: 04/05/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Quarterly

### NPDES: Wastewater Permit Listing

A listing of wastewater permit locations.

Date of Government Version: 03/06/2007  
Date Data Arrived at EDR: 03/06/2007  
Date Made Active in Reports: 03/29/2007  
Number of Days to Update: 23

Source: Department of the Environment  
Telephone: 410-537-3507  
Last EDR Contact: 03/05/2007  
Next Scheduled EDR Contact: 06/04/2007  
Data Release Frequency: Varies

### AIRS: Permit and Facility Information Listing

A listing of permitted facilities and emissions information.

Date of Government Version: 03/16/2007  
Date Data Arrived at EDR: 03/19/2007  
Date Made Active in Reports: 03/29/2007  
Number of Days to Update: 10

Source: Department of the Environment  
Telephone: 410-537-3220  
Last EDR Contact: 02/05/2007  
Next Scheduled EDR Contact: 05/07/2007  
Data Release Frequency: Varies

### LEAD: Lead Inspection Database

The Childhood Lead Poisoning Prevention Program data of lead inspection for the state.

Date of Government Version: 01/02/2007  
Date Data Arrived at EDR: 01/03/2007  
Date Made Active in Reports: 01/31/2007  
Number of Days to Update: 28

Source: Department of Environment, Lead Poisoning Prevention Program  
Telephone: 410-537-3000  
Last EDR Contact: 03/19/2007  
Next Scheduled EDR Contact: 06/18/2007  
Data Release Frequency: Varies

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### TRIBAL RECORDS

#### **INDIAN RESERV:** Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 02/06/2006	Telephone: 202-208-3710
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 02/08/2007
Number of Days to Update: 339	Next Scheduled EDR Contact: 05/07/2007
	Data Release Frequency: Semi-Annually

#### **INDIAN LUST R1:** Leaking Underground Storage Tanks on Indian Land A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 12/01/2006	Source: EPA Region 1
Date Data Arrived at EDR: 12/01/2006	Telephone: 617-918-1313
Date Made Active in Reports: 01/29/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 59	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

#### **INDIAN LUST R6:** Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 01/04/2005	Source: EPA Region 6
Date Data Arrived at EDR: 01/21/2005	Telephone: 214-665-6597
Date Made Active in Reports: 02/28/2005	Last EDR Contact: 02/19/2007
Number of Days to Update: 38	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

#### **INDIAN LUST R4:** Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Florida, Minnesota, Mississippi and North Carolina.

Date of Government Version: 08/24/2006	Source: EPA Region 4
Date Data Arrived at EDR: 09/11/2006	Telephone: 404-562-8677
Date Made Active in Reports: 11/08/2006	Last EDR Contact: 02/19/2007
Number of Days to Update: 58	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Semi-Annually

#### **INDIAN LUST R8:** Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 02/19/2007	Source: EPA Region 8
Date Data Arrived at EDR: 02/27/2007	Telephone: 303-312-6271
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 36	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Quarterly

#### **INDIAN LUST R10:** Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 03/01/2007	Source: EPA Region 10
Date Data Arrived at EDR: 03/01/2007	Telephone: 206-553-2857
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 34	Next Scheduled EDR Contact: 02/21/2007
	Data Release Frequency: Quarterly

#### **INDIAN LUST R9:** Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 12/19/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/19/2006	Telephone: 415-972-3372
Date Made Active in Reports: 01/29/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 41	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Quarterly

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 09/06/2006	Source: EPA Region 7
Date Data Arrived at EDR: 10/04/2006	Telephone: 913-551-7003
Date Made Active in Reports: 11/08/2006	Last EDR Contact: 02/19/2007
Number of Days to Update: 35	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

### INDIAN UST R4: Underground Storage Tanks on Indian Land

Date of Government Version: 08/24/2006	Source: EPA Region 4
Date Data Arrived at EDR: 09/11/2006	Telephone: 404-562-9424
Date Made Active in Reports: 11/08/2006	Last EDR Contact: 02/19/2007
Number of Days to Update: 58	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Semi-Annually

### INDIAN UST R7: Underground Storage Tanks on Indian Land

Date of Government Version: 09/06/2006	Source: EPA Region 7
Date Data Arrived at EDR: 10/04/2006	Telephone: 913-551-7003
Date Made Active in Reports: 11/08/2006	Last EDR Contact: 02/19/2007
Number of Days to Update: 35	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

### INDIAN UST R8: Underground Storage Tanks on Indian Land

Date of Government Version: 02/19/2007	Source: EPA Region 8
Date Data Arrived at EDR: 02/27/2007	Telephone: 303-312-6137
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 38	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Quarterly

### INDIAN UST R5: Underground Storage Tanks on Indian Land

Date of Government Version: 12/02/2004	Source: EPA Region 5
Date Data Arrived at EDR: 12/29/2004	Telephone: 312-886-6136
Date Made Active in Reports: 02/04/2005	Last EDR Contact: 02/19/2007
Number of Days to Update: 37	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

### INDIAN UST R10: Underground Storage Tanks on Indian Land

Date of Government Version: 03/01/2007	Source: EPA Region 10
Date Data Arrived at EDR: 03/01/2007	Telephone: 206-553-2857
Date Made Active in Reports: 04/04/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 34	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Quarterly

### INDIAN UST R1: Underground Storage Tanks on Indian Land

A listing of underground storage tank locations on Indian Land.

Date of Government Version: 12/01/2006	Source: EPA, Region 1
Date Data Arrived at EDR: 12/01/2006	Telephone: 617-918-1313
Date Made Active in Reports: 01/29/2007	Last EDR Contact: 02/19/2007
Number of Days to Update: 59	Next Scheduled EDR Contact: 05/21/2007
	Data Release Frequency: Varies

### INDIAN UST R6: Underground Storage Tanks on Indian Land

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/11/2007  
Date Data Arrived at EDR: 01/12/2007  
Date Made Active in Reports: 01/29/2007  
Number of Days to Update: 17

Source: EPA Region 6  
Telephone: 214-685-7591  
Last EDR Contact: 02/19/2007  
Next Scheduled EDR Contact: 05/21/2007  
Data Release Frequency: Semi-Annually

### INDIAN UST R9: Underground Storage Tanks on Indian Land

Date of Government Version: 12/19/2006  
Date Data Arrived at EDR: 12/19/2006  
Date Made Active in Reports: 01/29/2007  
Number of Days to Update: 41

Source: EPA Region 9  
Telephone: 415-972-3368  
Last EDR Contact: 02/19/2007  
Next Scheduled EDR Contact: 05/21/2007  
Data Release Frequency: Quarterly

### EDR PROPRIETARY RECORDS

#### Manufactured Gas Plants: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oil waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

#### CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 12/31/2004  
Date Data Arrived at EDR: 02/17/2006  
Date Made Active in Reports: 04/07/2006  
Number of Days to Update: 49

Source: Department of Environmental Protection  
Telephone: 860-424-3375  
Last EDR Contact: 03/16/2007  
Next Scheduled EDR Contact: 06/11/2007  
Data Release Frequency: Annually

#### NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 01/01/2007  
Date Data Arrived at EDR: 01/04/2007  
Date Made Active in Reports: 02/13/2007  
Number of Days to Update: 40

Source: Department of Environmental Protection  
Telephone: N/A  
Last EDR Contact: 04/05/2007  
Next Scheduled EDR Contact: 07/02/2007  
Data Release Frequency: Annually



## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 10/26/2006  
Date Data Arrived at EDR: 11/29/2006  
Date Made Active in Reports: 01/05/2007  
Number of Days to Update: 37

Source: Department of Environmental Conservation  
Telephone: 518-402-8651  
Last EDR Contact: 03/02/2007  
Next Scheduled EDR Contact: 05/28/2007  
Data Release Frequency: Annually

### PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2005  
Date Data Arrived at EDR: 03/17/2006  
Date Made Active in Reports: 06/06/2006  
Number of Days to Update: 81

Source: Department of Environmental Protection  
Telephone: N/A  
Last EDR Contact: 03/12/2007  
Next Scheduled EDR Contact: 06/11/2007  
Data Release Frequency: Annually

### RI MANIFEST: Manifest Information

Hazardous waste manifest information

Date of Government Version: 04/11/2006  
Date Data Arrived at EDR: 10/31/2006  
Date Made Active in Reports: 12/18/2006  
Number of Days to Update: 48

Source: Department of Environmental Management  
Telephone: 401-222-2797  
Last EDR Contact: 03/18/2007  
Next Scheduled EDR Contact: 06/18/2007  
Data Release Frequency: Annually

### WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2005  
Date Data Arrived at EDR: 03/17/2006  
Date Made Active in Reports: 05/02/2006  
Number of Days to Update: 46

Source: Department of Natural Resources  
Telephone: N/A  
Last EDR Contact: 04/09/2007  
Next Scheduled EDR Contact: 07/09/2007  
Data Release Frequency: Annually

**Oil/Gas Pipelines:** This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

### Electric Power Transmission Line Data

Source: PennWell Corporation  
Telephone: (800) 823-6277

This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

**Sensitive Receptors:** There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

### AHA Hospitals:

Source: American Hospital Association, Inc.  
Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

### Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services  
Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### **Nursing Homes**

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

### **Public Schools**

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

### **Private Schools**

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

### **Daycare Centers: Child Care Providers**

Source: Department of Human Resources

Telephone: 410-767-7805

**Flood Zone Data:** This data, available in select counties across the country, was obtained by EDR in 1999 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

**NWI:** National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

### **STREET AND ADDRESS INFORMATION**

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April 4, 2007

**Maria Stephens**  
**Maryland Department of the Environment**  
**Waste Management Administration**  
1800 Washington Boulevard  
Baltimore, Maryland 21230

Re: Phase I ESA  
**Ashmore at Germantown Condominiums**  
[REDACTED]  
Montgomery County  
Germantown, Maryland 20874

Dear Ms. Stephens:

Eco Dynamics Corporation (EDC) is performing an environmental site assessment of the above-referenced property, to fulfill due diligence requirements under Superfund.

This letter is a request for information or knowledge of recognized environmental conditions that could result in environmental impairment of the subject property.

This request is made under the Freedom of Information Act. Thank you for your cooperation.

Sincerely,  
**ECO DYNAMICS CORPORATION**

A handwritten signature in black ink, appearing to be "J. Mornini", is written over the typed name.

John W. Mornini  
Division Manager

JWM/jhg

7. Findings, Data Gaps, and Conclusions

The subject site consists of ten residential condominium units at Ashmore at Germantown, owned by Fairfield Germantown Farms, L.P. The Ashmore at Germantown complex reportedly has 404 total units, and the interior of the following ten, one-bedroom, units were inspected as part of this Phase I ESA:

[REDACTED] The property is listed in tax records as 4.93 acres, and each one-bedroom unit is approximately 630 s.f. in size. Tax records indicate that the complex was constructed in 2006. Each dwelling is heated with an electric forced air system. There is also natural gas service, which is used for the hot water tanks and the stoves. There were no aboveground storage tanks (ASTs) observed on site. There was no evidence of USTs observed, such as vent pipes or grade level openings. Based on the date of construction of the complex, there were no building materials observed which were suspected of being asbestos containing material (ACM).

Based on the date of construction of the complex, it is assumed that there is no Lead-based paint (LBP) on site, and no dust wipe samples were taken. According to the HUD "Guidelines For the Evaluation and Control of Lead-Based Paint Hazards in Housing", lead was first regulated in residential paint in 1972, when it was reduced to 0.5 percent lead by dry weight. Lead was completely banned as a paint additive in 1978, meaning paint could contain no more than 0.06 percent lead by dry weight (Reich, 1992; Rabin, 1989).

There was no evidence discovered of past industrial use of the property. The adjoining property to the north of the complex is the Churchill Business Center, off Wisteria Drive. The adjoining property to the south is a Centex Homes condominium construction site. The adjoining property to the east is an open field, the remainder of the Martens property. The adjoining properties to the west, across Father Hurley Boulevard, are residential townhouses. Based on visual observation there were no adjoining properties observed which appear to pose an environmental risk to the subject property. The area is served by public water and sewer.

Data failure occurs when all of the reasonably ascertainable standard historical sources which are likely to be useful are reviewed and do not identify the uses of the property at five year intervals back to first use or 1940 (whichever is earlier). Data failure is not uncommon, and should be documented. If the data failure represents a significant data gap, the report shall comment on the impact of the data gap on the ability of the environmental professional to identify recognized environmental conditions. The standard historical sources did not identify uses of the property at five year intervals. This may be considered a data gap; however, it does not prevent the identification of recognized environmental conditions.

We have performed a Phase I ESA of the subject property in conformance with the scope and limitations of ASTM Practice E 1527 - 05. There was no evidence discovered of recognized environmental conditions in connection with the Ashmore at Germantown condominiums at [REDACTED]

**Ashmore at Germantown Condominiums  
PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**1. Summary**

Eco Dynamics Corporation (EDC) of Ellicott City, Maryland conducted a Phase I Environmental Site Assessment (ESA) of ten residential condominium units at the Ashmore at Germantown complex owned by Fairfield Germantown Farms, L.P. The ESA was performed using American Society for Testing and Materials (ASTM) Standard E 1527 - 05, entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." The site is located on the southeast side of Father Hurley Boulevard, southwest of Wisteria Drive, in Germantown, Maryland. The subject property was inspected by John Mornini, Division Manager, on April 12, 2007.

The Ashmore at Germantown complex reportedly has 404 total units, and the interior of the following ten, one-bedroom, units were inspected as part of this ESA: [REDACTED]

[REDACTED]. The property is listed in tax records as 4.93 acres, and each one-bedroom unit is approximately 630 s.f. in size. Tax records indicate that the complex was constructed in 2006. Each dwelling is heated with an electric forced air system. There is also natural gas service, which is used for the hot water tanks and the stoves. There were no aboveground storage tanks (ASTs) observed on site. There was no evidence of USTs observed, such as vent pipes or grade level openings. Based on the date of construction of the complex, there were no building materials observed which were suspected of being asbestos containing material (ACM).

Based on the date of construction of the complex, it is assumed that there is no Lead-based paint (LBP) on site, and no dust wipe samples were taken. According to the HUD "Guidelines For the Evaluation and Control of Lead-Based Paint Hazards in Housing", lead was first regulated in residential paint in 1972, when it was reduced to 0.5 percent lead by dry weight. Lead was completely banned as a paint additive in 1978, meaning that paint could contain no more than 0.06 percent lead by dry weight (Reich, 1992; Rabin, 1989).

There was no evidence discovered of past industrial use of the property. The adjoining property to the north of the complex is the Churchill Business Center, off Wisteria Drive. The adjoining property to the south is a Centex Homes condominium construction site. The adjoining property to the east is an open field, the remainder of the Martens property. The adjoining properties to the west, across Father Hurley Boulevard, are residential townhouses. Based on visual observation there were no adjoining properties observed which appear to pose an environmental risk to the subject property. The area is served by public water and sewer. There was no evidence discovered of recognized environmental conditions in connection with the Ashmore at Germantown condominiums at [REDACTED]

RECEIVED  
APR 02 2007

**HOUSING INVESTMENT ASSOCIATES, INC.**

101 CHESTNUT STREET • GAITHERSBURG, MARYLAND • 20877 • 301-948-3128 fax 301-868-545

SENT BY FEDEX

March 31, 2007

Mr. J. Rodney Little  
**MARYLAND HISTORICAL TRUST**  
Project Review & Compliance  
100 Community Place  
Crownsville MD 21032-2023

F  
HUD

JES  
ENR 4(d) (ix)

**RE: APPLICANT: Montgomery County Coalition for the Homeless  
DUNSF [REDACTED]**

**SITE ADDRESSES: All are at the New Ashmore Condo. Complex in  
Germantown, MD 20874**

[REDACTED] ← 1. [REDACTED]  
[REDACTED] ← 2. [REDACTED]  
[REDACTED] ← 3. [REDACTED]  
[REDACTED] ← 4. [REDACTED]

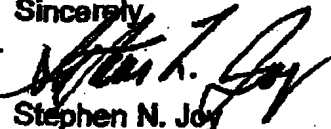
Dear Mr. Little:

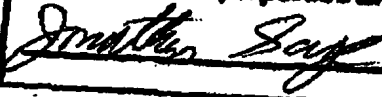
I am the Housing Consultant for the above referenced Applicant who is applying to the US Department of Housing & Urban Development (HUD) for Section 811 funding for Supportive Housing for Persons with Disabilities. HUD is requiring each Applicant to obtain a letter from your office indicating whether or not the proposed site(s) has any historical significance. Your letter must be included and submitted with the HUD Application. I would appreciate receiving your letter by April 25, 2007.

I have enclosed the following items for your review:

1. Location Maps.
2. Photographs of Exterior (Interior photos are included if the building is more than 50 years old).
3. Exhibit 1 - Application Form HUD 92016-CA (which provides a description of the project).

If you need anything in addition to the above, please contact me. We greatly appreciate your cooperation with the HUD requirements.

Sincerely,  
  
Stephen N. Joy  
Housing Consultant

The Maryland Historical Trust has determined that there are no historic properties affected by this undertaking.  
 Date 4/16/07

10  
JES  
4/16/07

MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.

HUD SECTION 811 APPLICATION

DUNS # [REDACTED]

EXHIBIT 5 - SUPPORTIVE SERVICES PLAN

**MONTGOMERY COUNTY COALITION FOR THE HOMELESS, INC.**  
**SECTION 811 APPLICATION**  
**DUNS# [REDACTED]**

✓  
EXHIBITS 3(a),(b),(c),(d),(e) & 5(f)

LEVERAGING RESOURCES  
RATING FACTOR 4

Attached please find letter/s/ which illustrate our ability to secure other funding sources and community resources that can be combined with HUD's program resources to achieve program purposes.

These letters contain written evidence of firm commitments towards the development and operation of the proposed project from other funding sources totaling over 25% of the capital advance amount of the proposed project.

Therefore, this project qualifies for 5 rating points in accordance with Federal Register, Vol. 72, No.48, Tuesday, March 13, 2007, page 11738, Rating Factor 4.f., a copy of which is attached to this statement.





DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

April 20, 2007

Richard Y. Nelson, Jr.  
Director

Ms. Sharan London, Executive Director  
Montgomery County Coalition for the Homeless  
600B East Gude Drive  
Rockville, Maryland 20850

Dear Ms. London:

The Department of Housing and Community Affairs reviewed your application for funding for an 811 project at the Ashmore at Germantown Condominiums. I am pleased to provide this commitment letter for a loan of up to \$300,000 in permanent financing, as needed, for the Ashmore 811 project, contingent upon the following conditions:

- This commitment is to the Montgomery County Coalition for the Homeless, and can be transferred to one of the organization's assigns.
- This loan will be secured by deeds of trust on the properties. The loan will bear no interest. This loan will mature in forty years, with no payments and no interest accruing. It is our intent that, as long as the same or similar population is being served throughout the term of the loan, any balance remaining on this loan will be forgiven at the end of the term.
- For a period of at least forty years, or as long as the Montgomery County Coalition for the Homeless or an affiliated entity owns the units, all of the units will be affordable to persons with special needs at or below forty percent of the area median income.
- If Montgomery County Coalition for the Homeless or an affiliated entity decides to sell any of the units, it must give the County the first opportunity to purchase the units.
- Once the property is occupied, and for the term of the loan, by July 30 of each year, you are to submit to the Division of Housing and Code Enforcement a report that includes information on the residents of each affordable unit, including household size and income.
- Montgomery County's model lease and the HUD 811 model lease are to be the basis for the lease used at this property. A copy of the Montgomery County model lease can be obtained from the Office of Landlord-Tenant Affairs. You must submit the lease that you will use to this Department for approval.

Office of the Director

5/1/07

Ms. Sharan London  
April 20, 2007  
Page 2

To complete our loan processing, please instruct your attorney to prepare the necessary loan documents. Your attorney can contact [REDACTED] Office of the County Attorney, at [REDACTED] obtain sample loan documents.

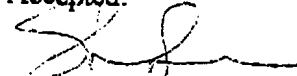
Thank you for your interest in Montgomery County's housing finance programs. We are looking forward to working with you as you develop this important housing resource. If you have any questions, please contact [REDACTED] Multifamily Housing Loan Analyst, Multifamily Housing Program Section, at [REDACTED]

Sincerely,



Richard Y. Nelson, Jr.  
Director

Accepted:



---

Sharan London  
Executive Director

RYN:mtb

affordable housing. (Note: This is an optional requirement, but to receive up to 2 points, the applicant must have submitted the Form HUD-27300, Questionnaire for HUD's Initiative on Removal of Regulatory Barriers, AND provided some form of documentation where requested, including point of contact and URL references or submitted the required documentary evidence.) Refer to the General Section for further information.

k. (1 point) The extent to which you will promote energy efficiency in the design and operation of the proposed housing. (Note: Optional, but to receive the 1 point, the applicant must have adequately addressed their plans to promote energy efficiency in the design and operation of the proposed project.) Refer to Section III.C.4 of this NOFA.

l. (2 points). The extent to which you have described your plans for expanding economic opportunities for low and very low-income persons (provisions of Section 3). Note: This is an optional requirement, but to receive up to 2 points, the applicant must have adequately addressed the following in Exhibit 3(m) of the application. Refer to the General Section for further information.

(1) (1 point). Provide opportunities to train and employ low and very low-income residents of the project area.

(2) (1 point). Award substantial contracts to persons residing in the project area.

#### 4. Rating Factor 4: Leveraging Resources (5 Points)

This factor addresses your ability to secure other funding sources and community resources that can be combined with HUD's program resources to achieve program purposes. Submit information responding to this factor in accordance with Application Submission Requirements in Exhibits 3(a), 3(b), 3(c), 3(d), 3(e), and 5(f) of Section IV.B. of this NOFA.

a. (0 point). The application contains general support and/or written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other funding sources (e.g., private, local community, and government sources) where the dollar value totals 5% or less of the capital advance amount as determined by HUD.

b. (1 point). The application contains written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other

funding sources (e.g., private local community and government sources) where the dollar value totals between 6% and 10% of the capital advance amount as determined by HUD.

c. (2 points). The application contains written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other funding sources (e.g., private local community and government sources) where the dollar value totals between 11% and 15% of the capital advance amount as determined by HUD.

d. (3 points). The application contains written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other funding sources (e.g., private, local community, and government sources) where the dollar value totals between 16% and 20% of the capital advance amount as determined by HUD.

e. (4 points). The application contains written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other funding sources (e.g., private, local community, and government sources) where the dollar value totals between 21% and 25% of the capital advance amount as determined by HUD.

f. (5 points). The application contains written evidence of firm commitments towards the development and operation of the proposed project (including, financial assistance, donation of land, provision of services, etc.) from other funding sources (e.g., private, local community, and government sources) where the dollar value totals over 25% of the capital advance amount as determined by HUD.

#### 5. Rating Factor 5: Achieving Results and Program Evaluation (12 Points)

This factor reflects HUD's goal to embrace high standards of ethics, management and accountability and, as such, emphasizes HUD's commitment to ensuring that you keep the promises made in your application. This factor requires that you clearly identify the benefits or outcomes of your project and develop an evaluation plan to measure performance, which includes what you are going to measure, how you are going to measure it, and the steps you will have in place to make adjustments to your project development timeline should you not be able to achieve any of the major milestones. Completion of Exhibit 8(j), Program Outcome Logic

Model (HUD-96010), will assist you in completing your response to this rating factor. This rating factor also addresses the extent to which your project will implement practical solutions that result in residents achieving independent living, economic empowerment, educational opportunities and improved living environments. Finally, this factor addresses the extent to which the long-term viability of your project will be sustained for the duration of the 40-year capital advance period. Submit information responding to this factor in accordance with Application Submission Requirements in Exhibits 3(e), 3(g), 3(h), 3(i), 6(b), and 8(j) of Section IV.B. of this NOFA.

a. (5 points) The extent to which your project development timeline is indicative of your full understanding of the development process and will, therefore, result in the timely development of your project.

b. (2 points) The extent to which your past performance evidences that the proposed project will result in the timely development of the project. Evidence of your past performances could include the development of previous construction projects, including but not limited to Section 202 or Section 811 projects.

c. (2 points) The extent to which your project will implement practical solutions that will result in assisting residents in achieving independent living, economic empowerment, educational opportunities, and improved living environments (e.g., activities that will improve computer access, literacy and employment opportunities).

d. (3 points) The extent to which you demonstrated that your project will remain viable as housing with the availability of supportive services for very low income persons with disabilities for the 40-year capital advance period.

6. Bonus Points (2 bonus points) Location of proposed site in an RC/EZ/EC-II area, as described in the General Section. Submit the information responding to the bonus points in accordance with the Application Submission Requirements in Exhibit 8(h) of Section IV.B. of this NOFA.

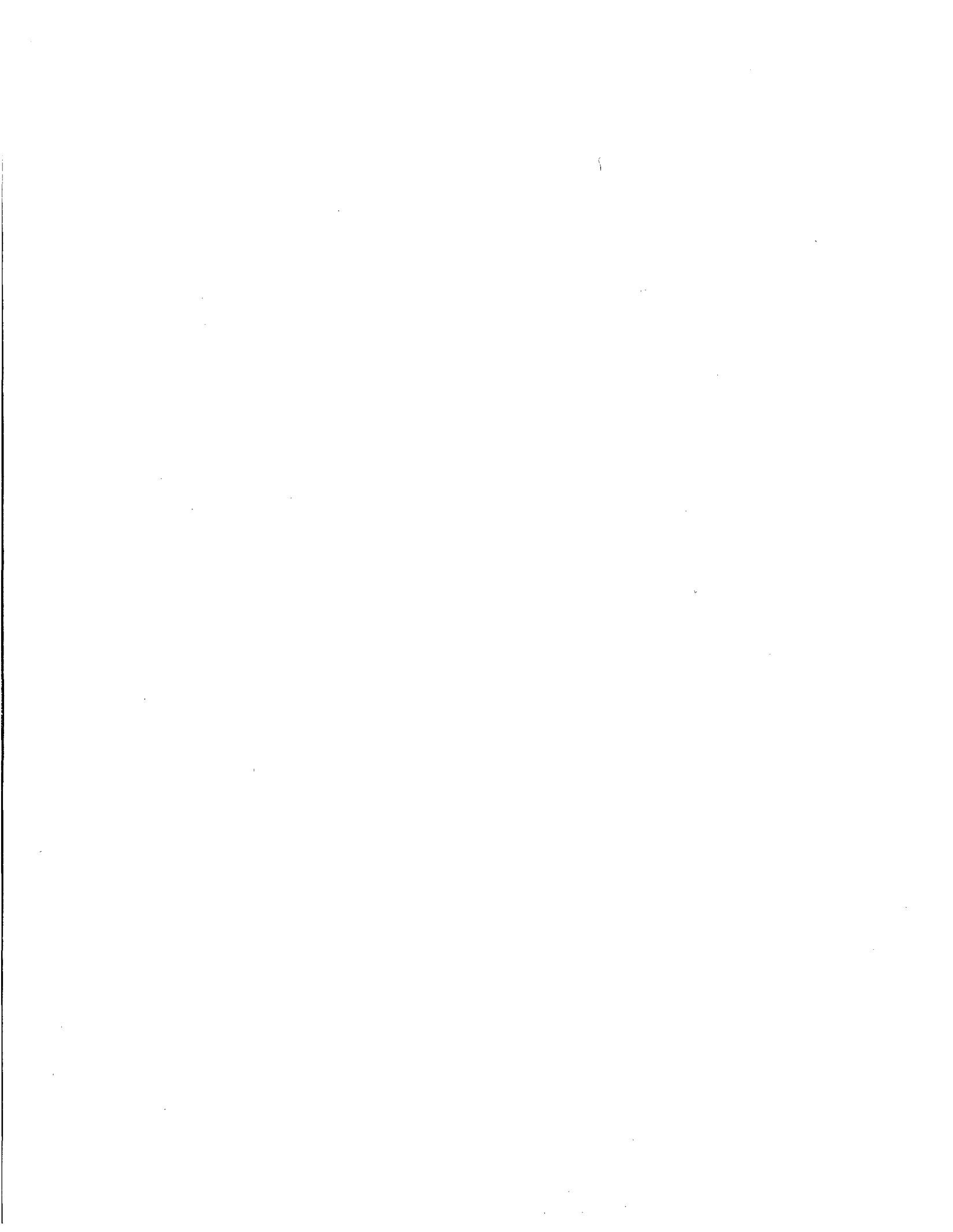
#### B. Reviews and Selection Process

1. Review for Curable Deficiencies. Upon receipt of the application by HUD staff, HUD will screen all applications to determine if there are any curable deficiencies. For applicants receiving a waiver to submit a paper application, submitting fewer than the required original and four copies of the









## **Exhibit 5**

### **Exhibit 5(a): Description of Occupancy**

#### **Population Served:**

The sponsor anticipates that all units will be occupied by homeless persons with severe and persistent mental illness, including minorities with disabilities. All residents will be exiting homelessness. All residents will be 18 years of age and older. Residents may also have physical or developmental disabilities and/or chronic somatic health problems. Eligible individuals ready to live independently and meeting the HUD definition of chronically homeless will receive priority when filling vacant units.

All ten (10) units will provide permanent housing for a single person or a couple in an individual apartment in a condominium apartment building. Each unit is a one bedroom apartment with 556 square feet of interior space and a balcony. One unit is handicap accessible.

Consistent with the sponsor's philosophy that community living should be fully integrated into the community, these ten units are distributed on four floors of four different buildings in the condominium complex. Units are indistinguishable from their neighbors in every way, and would have been offered on the market for sale at \$199,900.

#### **Referral and Admissions Process:**

Referrals for tenancy at the Ashmore will be made by service providers in the community including members of the Adult Homeless Team Meeting. The Adult Homeless Team is a bi-monthly gathering of providers who work to facilitate movement for people experiencing homelessness through and out of the homeless system. The providers at the meeting include homeless emergency, transitional and permanent housing providers; behavioral and somatic health public and private service providers; providers from the disabilities community; and representatives of the criminal justice community. This pool of providers will make referrals of their clients for tenancy at the Ashmore.

MCCH clinical staff will do a preliminary phone screening of all applicants to ensure eligibility based on disability status (per 811 grant). After completion of a written application, the potential tenants will be interviewed by two clinical staff members who will use a objective rating scale to determine their readiness and appropriateness for this independent housing model. Based on scoring, MCCH will select the highest rated to be recommended for tenancy.