

# Opt Out Log Template

County:	Carver		
City:	Cologne		
Development Name:	Lakeside Villa Apartments		
Address	315 North Paul Avenue		
	Cologne, MN 55322		
Owner:	Lakeside Villa, LLC		
	5555 Sylvan Lane		
	Excelsior, MN 55331		
Remarks:			
Number of Federally Assisted Units:	12		
Number of Section 8 Units:	12		
Proposed Opt Out/Prepayment Date:	10/31/2020		
Type of Notice:	<input checked="" type="checkbox"/> Opt Out Only <input type="checkbox"/> Prepayment Only	<input type="checkbox"/> Both Opt Out and Prepayment <input type="checkbox"/> Manufactured Home Park Conversion	
MHFA First Mortgage:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Client Group:	<input checked="" type="checkbox"/> Family	<input type="checkbox"/> Wholly Developmentally Disabled <input type="checkbox"/> Wholly Elderly Congregate <input type="checkbox"/> Wholly Elderly Housekeeping <input type="checkbox"/> Wholly Physically Disabled <input type="checkbox"/> Wholly Physically Handicapped <input type="checkbox"/> Other	
	<input type="checkbox"/> Elderly		
	<input type="checkbox"/> Chronically Mentally Ill		
	<input type="checkbox"/> Human Acq. Immunodef		
	<input type="checkbox"/> Individual Families – not eld/handicapped		
	<input type="checkbox"/> Partially Elderly Handicapped		
	<input type="checkbox"/> Partially Physically Handicapped		
	<input type="checkbox"/> Partially Physically Handicapped		
Programs:	<input checked="" type="checkbox"/> Project Based Section 8	<input type="checkbox"/> Section 223 (a)(7)/236(j)(1) <input type="checkbox"/> Section 223(a)(7)/221(d)(3)MKT <input type="checkbox"/> Section 223(a)(7)/241(f)/236 <input type="checkbox"/> Section 223(a)(7)/241(f)/236 <input type="checkbox"/> Section 231 <input type="checkbox"/> Section 236(j)(1) <input type="checkbox"/> Section 236(j)(1)/202 <input checked="" type="checkbox"/> Section 515 Rural Rental Housing <input type="checkbox"/> Section 542 (c)	
	<input type="checkbox"/> Section 202		
	<input type="checkbox"/> Section 207		
	<input type="checkbox"/> Section 207/223(f)		
	<input type="checkbox"/> Section 207/223(f)/244		
	<input type="checkbox"/> Section 221 (d)(3) BMIR		
	<input type="checkbox"/> Section 221 (d)(3)MKT		
	<input type="checkbox"/> Section 221(d)(4)/244		
	<input type="checkbox"/> Section 221(d)(4)MKT		
	<input type="checkbox"/> Section 811		

**Lakeside Villa, LLC**  
5555 Sylvan Lane, Excelsior, MN 55331  
612-801-1483

10/4/2019

Minnesota Housing Finance Agency  
Attn: Rachel Boerger  
400 Wabasha St. N., #400  
Saint Paul, MN 55102

RE: Lakeside Villa Apartments

Dear Ms. Boerger,

As the Owner and Chief Manager of Lakeside Villa Apartments (Lakeside Villa, LLC), I have decided to opt out of the HUD Project-Based Section 8 at the end of the contract on 10/31/2020.

The residents of Lakeside Villa received the One-Year Notification Letter by both hand-delivery to each door and by US Mail. A copy of this letter is attached. In addition, I have also attached a copy of the Resident Impact Statement and the Opt Out Certification. Copies of all three items have also been sent to HUD, Metro HRA and City of Cologne.

If you have any questions, please contact me at 612-801-1483 or [billdani@usfamily.net](mailto:billdani@usfamily.net). Thank you.

Sincerely,



William Modell  
Chief Manager, Lakeside Villa, LLC

**Lakeside Villa, LLC**  
5555 Sylvan Lane, Excelsior, MN 55331  
612-801-1483

One-Year Notification Letter – *Owner Does Not Intend to Renew*

10/4/2019

Dear Tenant:

The Department of Housing and Urban Development subsidizes the rent of your apartment through the project-based Section 8 program. Federal law requires that owners provide tenants with a one-year notification before the expiration of a Section 8 contract. The Section 8 contract that pays the government's share of your apartment rent at Lakeside Villa Apartments expires on 10/31/2020.

Although there will be no immediate change in your rental assistance, we are required to inform you of our intended actions when the contract expires one year from now.

**THIS LETTER IS TO NOTIFY YOU THAT WE DO NOT INTEND TO RENEW THE CURRENT SECTION 8 CONTRACT WHEN IT EXPIRES**

Since we do not intend to renew this project-based contract upon its expiration, it is our understanding that, if Congress makes funds available (which it has in the past and is expected to be in the future), the Department of Housing and Urban Development will provide all eligible tenants currently residing in a Project-based Section 8 assisted unit with tenant-based assistance. Unlike the current project-based Section 8 contract, Section 8 vouchers are issued to the tenant and allow them to choose the place they wish to rent. The Section 8 voucher program is administered by the local Public Housing Authority. Federal law allows you to elect to continue living at this property provided that the unit, the rent, and we, the owners, meet the requirements of the Section 8 tenant-based assistance program. As an owner, we will honor your right as a tenant to remain at the property on this basis as long as it continues to be offered as rental housing, provided that there is no cause for eviction under Federal, State or local law.

You will also have the opportunity to choose another development or single family house in which to move provided that the new landlord will accept the voucher and the owner and the unit meets Section 8 tenant-based program requirements.

Please remember that project-based Section 8 rental assistance will continue to be provided on your behalf for one year. In addition, we may agree to a renewal of the project-based contract with HUD, thus avoiding contract termination altogether.

Approximately four months (120 days) before the expiration of the Section 8 contract, HUD requires that we confirm our final decision to not renew this contract. Following this confirmation, you will be contacted by the local Public Housing Authority (PHA) to determine your household's eligibility for tenant-based assistance. If you intend to apply for Section 8 tenant-based rental assistance, you should not move from your current unit until you have consulted with the local PHA about your eligibility for tenant-based assistance.

If you have any questions or would like information on the Section 8 Program, the following resources may be of assistance:

Contract Administrator

Name: MHFA – Rachel Boerger  
Telephone Number: 651-215-5643

HUD Regional Center

Name: Andrew Nichols  
Telephone Number: 612-370-3136

HUD Web

<http://www.hud.gov> – click on "I want to" and then on "Find Rental Assistance"

Sincerely,



William "Bill" Modell  
612-801-1483

cc: Local HUD Office / MHFA – Rachel Boerger / Metro HRA / City of Cologne



## RESIDENT IMPACT STATEMENT

Lakeside Villa, LLC (Owner name), the owner of  
Lakeside Villa Apartments (property), anticipates that on or after  
10/31/2020 (date), it will terminate participation in the following federally assisted housing  
programs for the following number of units, which apply to the project:

HUD Project-based Section 8 (Program) 12 number of units  
\_\_\_\_ (Program) \_\_\_\_\_ number of units

Minnesota law requires owner to submit to the residents of the project, the City of Cologne, Minnesota  
and the Minnesota Housing Finance Agency, and (if the property is located in the metropolitan area as defined in section 473.121,  
subdivision 2), the Metropolitan Council) a statement of the impact of such termination on the residents of the project. (At least  
12 months before termination of participation-MN Statutes 471.9997.) This document performs that purpose.

- (1) (#) 12 units within the project will no longer be subject to rent restriction imposed by the federal program(s)  
which applies (apply) to the project effective as the date of termination of the program which will be no earlier than  
twelve months after the date of this Impact Statement.

**(2) Current Rents:**

Owner estimates that the rents to be charged after termination will be:

(1) bedroom: \$ 750 as compared to current rents charged under the federal program of  
\$ 707 and (2) bedroom: \$ 900 as compared to current rents charged under the federal  
program of \$ 830 and (3) bedroom: \$ na as compared to current rents charged under the  
federal program of \$ na.

**(3) Rents effective November 1, 2019:**

Owner estimates that the rents to be charged after termination will be:

(1) bedroom: \$ 750 as compared to current rents charged under the federal program of  
\$ 728 and (2) bedroom: \$ 900 as compared to current rents charged under the federal  
program of \$ 855 and (3) bedroom: \$ na as compared to current rents charged under the  
federal program of \$ na.

- (4) Actions Owner will take to assist displaced tenants:

It is anticipated that the residents will be awarded a tenant-based voucher. If the  
household chooses, they may stay in their unit and Management will accept the terms  
of the tenant-based voucher.

Dated: 10/4/2019

(Owner) William Modell

By William Modell

Its Chief Manager of Lakeside Villa, LLC

cc: HUD - Attn: Andrew Nichols  
MHFA - Attn: Rachel Boerger  
City of Cologne  
Metro HRA

Lakeside Villa Apartments

Property Name

MN46R000063

MN Number

Opt Out Certifications

- ☒ 1. I certify that the subject property has no use restriction(s).
- ☐ 2. I certify that the subject property has the following use restriction(s). I have listed them, below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Limited English Proficiency Assistance** - Owners must make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) individuals. The housing provider is expected to comply with Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*. In providing owners with guidance on reasonable steps for providing language assistance to tenants, HUD issued on January 22, 2007, *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (See 72 CFR Part 2732)  
<http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf>

If the population of the project speaks a language other than English, owners must provide the notification letters in the appropriate language(s). The cost of the translation of the letter is an eligible project expense.

**Effective Communications** – When owners provide written or verbal information to applicants or tenants, they must take steps to ensure effective communication with applicants, residents, and members of the public. HUD's regulation on effective communication with persons with disabilities is found at 24CFR Part 8.6. Effective communications may include, but are not limited to, conducting outreach in a manner that will reach persons with disabilities, such as by working with State and local organizations that serve or represent persons with disabilities, and ensuring that information about their programs is disseminated in a manner that is accessible to persons with disabilities. For example, special communication systems (e.g. TTY for persons who are hearing or speech impaired, materials on tape or in Braille) can greatly increase the effectiveness of outreach and ongoing communication.

- ☒ 3. I certify that I have complied with Limited English Proficiency Assistance and Effective Communications as described above, if applicable.

By (Print Name) William Modell  
By (Signature) William Modell  
Title Chief Manager, Lakeside Villa, LLC  
Date 10/4/2019