Housing & Community Development

HOUSING INCENTIVE GUIDE TO INCOME DETERMINATION, RENTS, COMPLIANCE, AND MONITORING

Effective April 2026

HOUSING & COMMUNITY DEVELOPMENT DIVISION
150 NORTH CAPITOL BOULEVARD
BOISE, ID 83702-5920

cityofboise.org/hcd
(208) 570-6830

IDAHO RELAY SERVICE
DIAL 7-1-1
TOLL-FREE NUMBERS
1-800-377-3529 ASCII
1-866-252-0684 SPANISH
1-888-791-3004 SPEECH TO SPEECH
1-800-377-3529 TTY

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EQUAL HOUSING OPPORTUNITY

This document can be provided in a format accessible to persons with disabilities and/or persons with limited English proficiency upon request.

Anyone who requires an auxiliary aid, service, or translation for effective communication may contact the HCD Division by phone at 208-570-6830 or by email at Housing@cityofboise.org. Individuals who are deaf, hard of hearing, or have speech disabilities may use the Idaho Relay Service for the Hearing Impaired to make a request for accommodation by calling 1-800-377-1363 (voice) or 1-800-377-3529 (TTY).

SPANISH
Los miembros de la comunidad pueden solicitar traducción, interpretación y/o ajustes razonables para garantizar que puedan participar plenamente en este proceso. Para realizar una solicitud, comuníquese con la División de Vivienda y Desarrollo Comunitario por correo electrónico: housing@cityofboise.org, teléfono: 208-570-6830, TTY: 1-800-377-3529, fax: 208-384-4195, o en persona en 150 N. Capitol Blvd (segundo piso).

KISWAHILI
Wana jamii wanaeza omba huduma za utafsiri au zingine za kuhakikisha kwamba wanaeza shiriki kwa ukamilifu kwenye mchakato huu. Tafadhali wasiliana na Idara ya Makao na Maedeleo ya Jamii kupitia barua pepe: housing@cityofboise.org, simu: 208-570-6830, kuduma ya Simu ya Viziwi (TTY): 1-800-377-3529, Faksi: 208-384-4195, au ujifikishe kwa 150 N. Capitol Blvd (ghorofa ya pili)

BOSNIAN
Članovi zajednice mogu zatražiti prevodjenje, tumačenje i/ili razuman smještaj kako bi osigurali da mogu u potpunosti sudjelovati u ovom procesu.
Za podnošenje zahtjeva obratite se Odjelu za stanovanje i razvoj zajednice putem emaila: housing@cityofboise.org, telefon: 208-570-6830, TTY: 1-800-377-3529, fax: 208-384-4195, ili osobno na 150 N. Capitol Blvd (2. kat).

ARABIC
للمشاركة و تقديم الطلبات من خلال تحديد موعد مقابلة شخصية او مقابلة عن طريق الهاتف وللاستفسارات او لطلب خدمات الترجمة ولتحديد المواعيد ، يرجى الاتصال بقسم الإسكان وتنمية المجتمع عبر البريد الإلكتروني: Housing@cityofboise.org ، ، هاتف: 208-570-6830 TTY: 1-800-377-3529 ، فاكس: 208-384-4195 ، أو 150 N. Capitol Blvd (الطابق الثاني).

FARSI
اعضای انجمن می توانند برای اینکه قادر به مشارکت کامل در این فرآیند باشند، درخواست ترجمه، تفسیر، و/ یا کمک هی معقول دیگر کنند. برای درخواست، لطفاً از طریق ایمیل با بخش مسکن و توسعه جامعه تماس بگیرید:
housing@cityofboise.org
تلفن: ۲۰۸-۵۷۰-۶۸۳۰

تلفن ناتوانا□ گفتاری و/ یا ناشنوا: ۱-۸۰۰-۳۷۷-۳۵۲۹

شماره فکس: ۲۰۸-۳۸۴-۴۱۹۵
یا به صورت حظوری به ادرس
150 N. Capitol Blvd (2nd floor) (طبقه دوم)

INTRODUCTION

The City of Boise (City) is committed to promoting the development of affordable and sustainable housing. Boise's housing incentives provide developers with more flexibility in zoning requirements in exchange for the creation of affordable housing.

The purpose of this document is to provide an overview of the requirements for income qualification, rent limits, sale price, compliance, and monitoring for projects that have opted to participate in the Housing Incentive program.

Details on the housing incentive program can be found on the City's website, https://www.cityofboise.org/departments/planning-and-development-services/planning/housing-incentives/.

By choosing to utilize the housing incentives, the property owner agrees to provide affordable housing for 50 years, known as the Period of Affordability (POA). The project details submitted through the planning application process are formalized in an affordability covenant signed by the property owner and the City. The affordability covenant is recorded in the property records of Ada County and runs with the land upon which the affordable housing is located, remaining in effect even if the property changes ownership. The City of Boise's Housing and Community Development Division (HCD) monitors all properties with a recorded affordability covenant for the duration of the POA.

DEFINITIONS

Affordability Covenant: A legally binding agreement between the property owner and the City that outlines the terms of affordability for a specific property or project.

Affordable Housing: Housing restricted to households earning no more than 80% AMI in rental units and 120% AMI in for-sale units.

Area Median Income (AMI): The midpoint of a region's income distribution as determined by the U.S. Department of Housing and Urban Development (HUD) on an annual basis.

Certificate of Occupancy: Certificate issued by the City of Boise Building Division signifying the building meets applicable codes and is safe to occupy.

Comparable Unit: A unit which is similar in size, services, rental amount, and facilities to the residential unit being replaced.

Earned Income: Gross income from wages, tips, salaries, other employee compensation or net income from self-employment.

Effective Date: The date the covenant becomes enforceable. The latest date signed by either of the parties.

Fair Market Rent: Prevailing monthly rent in an area, as established by the U.S. Department of Housing and Urban Development.

Gross Annual Income: The sum of all sources of income received by all members of the household before any taxes or other deductions are removed, as described in the City's Income Calculation Guide.

Household: One or more people living together in the same unit. They may or may not be related by blood, marriage, or adoption.

Housing Incentives: Available options in the Boise Zoning Code that provide developers with flexibility in zoning requirements in exchange for the creation of sustainable or affordable housing.

Income from Assets: Actual or imputed income generated by items of value that the household owns and controls.

Income qualification: The process of determining if a household's income meets the requirements established in the zoning code. May also be referred to as income verification or income certification.

Income qualified: A household whose income does not exceed 80% of the Area Median Income for renters or 120% for homebuyers. May also be referred to as income verified or income certified.

Median Sales Price: The midpoint representing the sales price of all homes within a geographic area within a specified time frame.

Minor Land Division: City of Boise Planning application to create up to four (4) buildable parcels without being subject to the procedures for review and approval of a Preliminary Plat.

Over-Income: Household that exceeds the income restriction for the affordable unit.

Period of Affordability – The period of time in which the unit(s) must remain compliant with the terms of the Affordability Covenant.

Recertification: The income qualification process performed on an annual basis.

Record of Survey: A survey prepared in accord with Idaho Code 55-19 for a specific parcel of land that is recorded with Ada County Recorder's Office. A Record of Survey is required as a condition of the Minor Land Division.

Unearned Income: Income that is not included in the definition of earned income. Most common sources include social security, pension, retirement, disability, military benefits, child support, alimony, unemployment, or worker's compensation.

APPLICATION PROCESS

Pre-Application

The housing incentives offer developers and property owners flexibility in the zoning requirements for their projects. Projects utilizing the housing incentives go through the normal planning process, which can be found on the following website:

https://www.cityofboise.org/departments/planning-and-development-services/planning/planning-a-project/planning-process-overview/

During the concept review phase with planning staff, the housing incentives may be presented as an option, if appropriate for the project. Planning staff will coordinate with HCD to facilitate the affordability conversation. The developer may be directed to HCD staff for follow up questions, or HCD may be brought into the meeting(s) to answer any questions about the affordability program.

Application Submittal

Once the application is submitted to the Planning Department, planning staff will begin their official review. Part of that review process includes transmitting the application to other City departments and outside agencies for their comments. HCD staff will be included in the transmittal process and will respond with the affordability requirements to be included in the project's conditions of approval.

HCD staff will provide a draft affordability covenant to the developer outlining the terms of the agreement including, but not limited to:

- Property Owner
- Effective Date
- Period of Affordability
- Property Location
- Percent (%) of Affordable Units
- Income Limits/Area Median Income (AMI)
- Rent or Purchase Price Limits
- Monitoring and Compliance
- Defaults and Remedies
- Legal Description of Affordable Property
- Zoning Certificate

Timing of Recordation

The timing of when the affordability covenant gets recorded depends upon the type of planning application submitted.

A Minor Land Division application requires that the signed and notarized affordability covenant be submitted to the City prior to or with the signed record of survey mylar. Once proof that the record of survey has been recorded with the Ada County Recorder's Office and new parcel numbers have been assigned by the Ada County Assessor, HCD staff will schedule the affordability covenant to be signed by the Mayor following its approval at the next available City Council meeting . Staff will have the covenant recorded with Ada County within five (5) business days of the signing and will provide a copy of the recorded document to the property owner. The POA begins when the Record of Survey is recorded.

For all other development applications, a signed and notarized covenant must be submitted to the City and recorded with Ada County prior to the issuance of any building permits on the property. Once the signed and notarized covenant is received, HCD staff will schedule the affordability covenant to be signed by the Mayor following its approval at the next available City Council meeting . Staff will have the covenant recorded with Ada County within five (5) business days and will provide a copy of the recorded document to the property owner. The POA begins on the date the Certificate of Occupancy is issued.

COMPLIANCE

Zoning Certificate

Projects utilizing the housing incentives will be required to obtain a Zoning Certificate that:

- Identifies the general location, type, and configuration of units on each lot;

- Establishes the total number of residential units to be constructed across all existing and created lots; and
- Establishes the minimum number of required affordable housing units.

The Zoning Certificate will be attached to the recorded affordability covenant as an exhibit and property owners or managers must ensure that the number of required affordable units is maintained throughout the POA.

Modifications

Modifications to the affordability covenant may be allowed only by written agreement between the property owner and the City if it is in conformance with the Boise City Zoning Code, including any further divisions of property. Modifications to the zoning certificate may require a planning application. Any property owner wishing to modify the affordability covenant and/or zoning certificate should reach out to both HCD and Planning staff to determine if the modification meets City code. Modified agreements will be signed by both parties and recorded with the Ada County Recorder's Office.

Income Qualification

Income qualification is required for both rental and for-sale projects and must include all members of the household[1]. Household gross annual income may not exceed the percent of Area Median Income established by the affordable housing community benefit in Section 11-04-03.7B(3) of City Code.

The U.S. Department of Housing and Urban Development (HUD) determines the Area Median Income (AMI), and it is updated annually on or around June 1st. This number represents the median income of the area, meaning half of the area residents make an income above that number and half of the area residents make below that number. The City of Boise publishes the AMI Income Guidelines on their website: https://www.cityofboise.org/departments/planning-and-development-services/housing-and-community-development/income-guidelines/.

It is the responsibility of the property owner and/or manager to be aware of the most current income limits in effect at the time a lease is signed or the home is purchased.

- Tenants of affordable rental housing shall be income qualified by the property owner or manager and verified by City of Boise HCD staff prior to the move-in date.
- Buyers of affordable housing shall be income qualified by the seller and verified by the City of Boise HCD staff prior to closing on the property.

Calculating Income

To qualify or verify the income of tenants or homebuyers, the property owner or manager must calculate the household income. Household income calculation shall follow the City of Boise Income Calculation Guide which follows HUD's Part 5 income calculation rules and is based on the federal guidelines found at 24 CFR § 5.609.

Income is calculated for all members of the household, including those under 18. Exceptions include: live-in aid workers and foster children or adults. Income can come

[1] Some exceptions apply. See Income Calculation Guide for details.

from common sources like wages or Social Security, or less common sources like income from assets or regular financial support from family outside the home.

There are three classifications of income: Earned Income, Unearned Income, and Income from Assets. Property owners or managers will qualify, calculate, and verify incomes by collecting documentation of income from all three types. The City looks at current circumstances to predict what will be earned in the next year.

The Income Calculation Guide provides detailed explanation of how to calculate income and what documentation is needed. Additionally, the City has developed an online income calculator that property owners or managers can use to help in the income verification process. Once all the necessary documentation has been gathered, property owners or managers can enter the information into the City's online income calculator. This tool will calculate the income and let the user know if the tenant or homebuyer qualifies. The information is then reviewed and verified by HCD staff. Access this tool at https://incomecalculator.cityofboise.org/

Documentation

The income verification process requires the property owner or manager to collect documentation from the tenant or homebuyer to determine the household's annual income. The City reserves the right to examine eligibility documents used in the income qualification of the tenants. If the property owner or manager uses the income calculator on the City's website, these documents can be uploaded to a secure server. Documents uploaded to the calculator will be kept for a period of two (2) years after which they will be securely removed from the system. The following documentation may be used:

Employment	At minimum, 2 months' worth of consecutive paystubs, employer notices of hire
Self-Employment (including rideshare and food delivery drivers)	Tax returns from the last two years for each business that the household owns.
Social Security or Supplemental Social Security (SSI)	Most recent award letter from Social Security showing what is received every month
Regular Pension/Retirement Benefits	Recent documentation from benefit provider stating the amount and payment frequency Recent documentation from financial entity stating the amount and payment frequency
Military Income	Recent payments or documentation stating the amount and payment frequency
Military Benefits	Recent documentation from benefit provider stating the amount and payment frequency
Spousal or Child Support	Child support payment stubs. Spousal support payment stubs
Unemployment	Recent payments, dates benefits will be received, and amount remaining

Regular Cash Contributions or Gifts (from persons not living in the household)	Documentation of amount and frequency
Overtime, Tips, Bonuses, and Commissions	Documentation of amounts if not included in paystubs
Federal Tax Refunds	Most recent tax return
Public Assistance Income	Recent payments or documentation stating the amount and payment frequency
Checking/Saving Accounts	Most recent bank statement
Digital Payment Apps (Venmo, PayPal, Apple Cash)	Screenshots of current balances
Certificate of Deposit	Documents showing start dates, initial deposit, term length, and Annual Percentage Yield
Money Market Accounts, Stocks, Bonds, and Other Investments	Recent documents showing account information
Trusts	Documentation that indicate the type of trust and whether it can be accessed by household members
Non-Account Possessions (RVs, collectibles, etc)	Recent documents showing market value
Real Property	Cash on hand, documentation of disposed assets, and documentation of real estate

Rent Limits

Rents shall not exceed the maximum rent, based on the unit's size, as outlined in the City of Boise's rent limit table. The table is available on the City's housing incentive website and updated on or around June 1st of every year. The rent limits are based on the assumed occupancy and number of bedrooms or the Fair Market Rent, whichever is less, as determined by HUD. Regardless of changes in fair market rents and median income over time, the rents for a project are not required to be less than the Affordable rates established as of the Effective Date.

Sale Price Limits

The sales price of affordable homes shall not exceed 95% of the Median Sales Price for the type of home in Ada County for the month prior to when the home is listed for sale. A Market Report press release is published on the Boise Regional Realtors' website every month to reference: https://www.boirealtors.com/market-report-press-releases/

MONITORING

Projects are monitored for compliance during the total POA as outlined in the recorded affordability covenant. HCD staff will be monitoring both the unit rent and the income of the tenant(s) for rental projects or the sales price, initial income qualification, and continued occupancy of the buyer of for-sale projects.

Rental Projects

Rent must be at or below the maximum rent limits set by the City and the combined income of all members of the household shall not exceed 80% AMI, as established in the recorded affordability agreement and Boise City Code. There are also lease and annual reporting requirements described below.

Lease Requirements

A copy of the lease shall be submitted to HCD for review as part of the initial verification process. Lease agreements between the property owner and tenants shall be for a minimum of one (1) year in length. The lease should identify which, if any, utilities will be covered in the rent. The tenant shall not pay more than the published rent limit – including essential utilities water, sewer, trash, electricity, and gas – as described in the section above. Any essential utilities that are paid for by the tenant shall result in a lower rent equal to the amount identified in the Boise City/Ada County Housing Authority (BCACHA) Utility Allowance Schedule. For example, a unit with $1,000/month rent with the tenant paying electricity separately would have their rent reduced by $142/month to $858.

Other items to be addressed in the lease:

- If the unit is sub-leased, the sub-leasing tenant shall also be income qualified.
- The lease shall establish a complaint procedure for the tenant and provide at least 30 days' notice of any rent increases.
- Rent may not increase by more than 5% annually.
- On-site inspection of the affordable unit(s) by HCD staff will occur at least once every three (3) years.
- Finally, the lease must ensure that the tenant can only be evicted for good cause, which must be described in the lease. Going over income does not qualify as a good-cause justification. What to do when a tenant is over-income is described further below.

Annual Report and Recertification

Annual reports for rentals are required to be submitted by March 1st. These reports will include information on the current rent being charged and the most recent income recertification for the tenant to ensure compliance with the affordability covenant. Recertification of tenant income is required to be completed annually and is limited to once per year.

Recertification is the same process that was completed for the initial verification, with the same required documentation. Property owners or managers can use the [Income Calculator] on the City of Boise website to verify that the tenant(s) qualifies.

Every January, HCD staff will reach out to the property owner or manager and provide a template for the annual report (Appendix A: Housing Incentive Rental Monitoring Report). If the most recent recertification was completed outside of the January – March annual report window, it can be included in the annual report as long as it less than a year old. It is crucial to keep the city updated with the most up-to-date contact information, especially if the property has been sold or is under different management, so that the reporting process can stay on track.

Over-Income Tenants

If a tenant's income increases above the AMI level established in the recorded affordability covenant, that is not grounds for eviction. Rather, the property owner shall designate another comparable unit as affordable. If no such unit is available at the time, the next available unit must be designated as an affordable unit and rented as such. For single unit properties where no other unit exists, this can be the same unit currently occupied by the over-income tenant.

Additionally, if a tenant's income exceeds 100% AMI, rent may be increased to 30% of the tenants' actual income or Fair Market Rent as determined by HUD, whichever is less.

Renting an affordable unit to an over-income tenant will result in a letter of Non-Compliance from the HCD staff when the project is monitored. See section below on Non-Compliance for further information.

For-Sale Projects

Property owners of for-sale affordable homes covered by an affordability covenant do not need to submit an annual report; however, the home does need to be owner-occupied. As such, every year the homeowner must complete an annual verification of occupancy letter provided by the City certifying that the property is their primary residence (Appendix B: Housing Incentive Verification of Occupancy Letter). The letter will be provided to the homeowner by HCD staff every October and is due by November 30th.

Follow-Up Letter

Once the annual report or the annual verification of occupancy letter has been received, HCD staff will review the information submitted and determine if it complies with the applicable affordability covenant. Staff will reach out if there are any questions or additional documentation is needed, most likely via email if available. After the review is complete, a letter summarizing staff's findings will be sent to the property owner or manager. If the property complies, no further action is required. If the property is in default, the letter will identify which sections of the affordability covenant are not being met and will lay out corrective actions to bring the property into compliance.

Change of Use

The property owner shall provide the City a minimum 60-day written notification if they intend to change the use from a rental unit to a for-sale unit or vice-versa. A change in use does not negate the terms outlined in the recorded affordability covenant. The requirements will remain in effect and the new tenants or homeowners, whichever is the case, must be income-qualified, verified by the City, and the property will be subject to the applicable rent limits or purchase price as discussed in previous sections of this document. A change of use does not affect the POA as long as the property remains affordable and in compliance with the affordability covenant.

Non-Compliance

Whether as a result of the annual report, or through another method, if HCD staff determines the property is not in compliance with the affordability covenant, the property owner and/or manager will be provided with written notice of Non-Compliance that identifies the specific violations. Property owners will have 30 days after receipt of the written notice to bring the property back into compliance. If 30 days is not enough time, the property owner must notify the City in writing and begin the process to bring the property back into compliance.

If the property is determined to be non-compliant and the property owner takes no action to bring the property into compliance, the property owner will be in default of the affordability covenant and the City may proceed with the remedies outlined in the agreement. These remedies can include:

- Extension of the POA in a duration equal to the amount of time the property was out of compliance.
- Monetary damages as described in the Affordability Covenant
- Other equitable relief, if monetary damages are not an adequate remedy, as described in the Affordability Covenant.

These remedies may be in addition to any enforcement actions or penalties for any zoning violations of Boise City Code, Title 11.

For additional information on the housing incentives, contact the Housing and Community Development division at HousingIncentives@cityofboise.org.

APPENDICES

APPENDIX A: HOUSING INCENTIVE RENTAL MONITORING REPORT

Rental Project Monitoring Report - Boise Housing Incentives

Property Address	
Owner	
Propery Manager (if any)	
Brief description of property/units being rented. Include any changes in tenants	

Instructions: Please complete all Yellow Cells.
You can use the online Income Calculator or the Tenant Income Certification - Housing Incentives form
https://incomecalculator.cityofboise.org/
NOTE: Income and rent limits are updated annually by HUD.

Household income is required to be at or below 80% AMI

Occupancy Report | Report Date: | Report Period:

Address	Unit #	# of Bedrooms	Rent Limit for Unit	Current Gross Rent	Tenant Last Name, First Initial	Move-In Date	HH Size at Move-In	Annual (Gross) Income at Move-In	% AMI Qualification Level at Move-In	Most Recent Lease Renewal	Current HH Size	Date of Most Recent Income Certification	Annual (Gross) Income at Recertification	Current % AMI Qualification Level

Over Income	
Are any households over income?	
If so, are you able to designate another unit at this time?	
Indicate which unit(s) will be designated as affordable	
What is the anticipated move-in date?	

2026 Boise Rent Limits	
# Bedrooms	***Max Monthly Rent***
0/Studio	$ 1,170
1	$ 1,381
2	$ 1,655
3	$ 2,318
5	$ 2,569
5	$ 2,923
6	$ 3,099

2026 Boise Income Limits	*80% Limits*	*100% Limits*	*120% Limits*
1 Person HH	$ 62,000	$ 77,509	$ 93,011
2 Person HH	$ 70,960	$ 88,710	$ 106,452
3 Person HH	$ 79,700	$ 99,636	$ 119,564
4 Person HH	$ 88,550	$ 110,700	$ 132,840
5 Person HH	$ 95,650	$ 119,576	$ 143,491
6 Person HH	$ 102,750	$ 128,452	$ 154,142
7 Person HH	$ 109,850	$ 137,328	$ 164,794
8 Person HH	$ 116,900	$ 146,142	$ 175,370

APPENDIX B: HOUSING INCENTIVE VERIFICATION OF OCCUPANCY

PLANNING AND DEVELOPMENT SERVICES

MAYOR: Lauren McLean | DIRECTOR: Maureen Brewer

01/11/2023

ADDRESS BLOCK

Verification of Occupancy (VOC)

Property Address:

Dear Homeowner Name,

The City of Boise's Housing and Community Development Division is required to conduct a review of all properties with affordability covenants as part of our Housing Incentive program. This review is required by local program guidelines to ensure that each occupant is residing in their house, as is required by the terms of the agreement with the City of Boise.

Please pick an option below, sign this page, fill out the attached contact information page, and return in the enclosed pre-paid envelope.

☐ BORROWER NAME no longer resides at the above referenced property.	☐ BORROWER NAME still resides at the above referenced property.

Homeowner Signature **Date**

BOISE CITY HALL: 150 N. Capitol Boulevard | MAIL: P.O. Box 500, Boise, Idaho 83701-0500 | P: 208-608-7100 | TTY: 711
BOISE CITY COUNCIL: Meredith Stead (President), Kathy Corless (President Pro Tem), Jimmy Hallyburton, Jordan Morales, Colin Nash, Luci Willits
CITYOFBOISE.ORG/PDS