



BMR Good Faith Marketing Efforts

Owners of Below Market Rate (BMR) for-sale units within the City of Dublin must comply with certain procedures when reselling an ownership BMR Unit as further set forth in either the “Resale Restriction Agreement and Option to Purchase” (RRA) or “Loan, Occupancy, Refinancing and Resale Restriction Agreement” (LORRA) entered into between the BMR Owner and the City, as applicable.

BMR Unit Owners are required to undertake “good faith marketing efforts” in the marketing of their BMR Units, as specified in the “City of Dublin Guidelines to the Inclusionary Zoning Regulations Ordinance” at Section 4.7.1.1 (BMR Unit Marketing) as adopted by the City of Dublin City Council and found at the City’s website at www.dublin.ca.gov/housing/guidelines.

BMR Unit Marketing

BMR Unit Owners shall follow current best practices for home marketing. Compliance with the following provisions constitutes a good faith marketing effort:

1. **BMR Unit condition** – The BMR Unit shall be offered for sale in a condition similar to or better than at the time of the BMR Unit Owner’s purchase. The BMR Unit shall be kept and maintained in decent, safe, and sanitary conditions (e.g., ensuring carpets are professionally cleaned, facilities such as bathroom and kitchen are in proper operating condition, illumination and lighting of the unit are adequate, the unit is free of vermin and rodent infestation, the unit is structurally sound). Alterations that may result in a reduction in value (such as removal of walls, bedrooms, or bathrooms, or downgrades to appliances, flooring, or finishes) or poorly maintained or inoperable items will be corrected before the initiation of BMR Unit marketing at the expense of the existing homeowner/seller. A home inspection must be conducted for all BMR home sales; any significant repairs needed to the home or included appliances shall be the responsibility of the seller prior to the close of escrow.
2. **Professional representation** – The BMR Unit Owner shall execute a listing agreement with an active realtor currently licensed by the California Bureau of Real Estate.
3. **City of Dublin website** – The BMR Unit Owner or Owner’s agent will submit a copy of the MLS listing prior to activation to the Housing Division to advertise the resale on the City of Dublin’s website at HousingInfo@dublin.ca.gov.
4. **Listing** – The BMR Unit shall be listed as active on the Multiple Listing Service (MLS) maintained by the Bay East Association of Realtors. The listing shall include the following:
 - **BMR Unit photographs** – at least one exterior photograph and at least three well-lit interior photographs of the BMR Unit in keeping with current industry practices.



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- **Property data** – pertinent data including, but not limited to, asking price (at or below the maximum restricted resale price), location, square footage, number of bedrooms, number of bathrooms, unit features and amenities, development features and amenities, current amount of homeowner's association dues (if applicable), and information about parking spaces and restrictions.
- **BMR Unit statement** – a clear statement that the home is a BMR Unit subject to resale controls, monitoring, and other restrictions. The statement must state that potential buyers must meet income and other requirements and include the correct income levels, eligible household sizes, and the requirement that the buyer must be a first-time homebuyer, obtain a loan pre-approval, and obtain a homebuyer education certificate. **The listing must note the [City prequalification application](#) and loan pre-approval deadline.**

Sample MLS Language:

One-Bedroom:

Below Market Rate home subject to resale controls, monitoring & other restrictions. The unit must be owner-occupied by a 1-2 person household; must be 1st-time homebuyer/income-eligible. No Investors. Max income: 1= \$134,250; 2= \$153,400; Open houses 12/10 (12-4 pm); 12/13 (7-9 pm); City prequalification application and loan pre-approval deadline 12/19 at 5:00 PM to the City of Dublin Housing Division at HousingInfo@dublin.ca.gov.

Two-Bedroom:

Below Market Rate home subject to resale controls, monitoring & other restrictions. The unit must be owner-occupied by a 2-4 person household; must be 1st-time homebuyer/income-eligible. No Investors. Max income: 2=\$153,400, 3=\$172,600, 4=\$191,750; Open houses 12/10 (12-4 pm); 12/13 (7-9 pm); City prequalification application and loan pre-approval deadline 12/19 at 5:00 PM to the City of Dublin Housing Division at HousingInfo@dublin.ca.gov.

5. **Professional showings** – The BMR Unit Owner and agent shall make the home available for showings, including a broker's open, weekend open houses, and individual showings with interested buyers and agents representing interested buyers. At least two open houses must be held, one on a weekday evening and one on a weekend day.
6. **Due Date** – The BMR Unit Owner and agent shall set a City prequalification application and Lender Preapproval due date at least five (5) days after the date of the second unit showing.