The 6th Annual Hudson Valley Affordable Housing Summit **COMPACTS AND CRISES -**Practical plans to address the Housing Shortage Thursday, May 11, 2023 PRESENTED BY 8:00 АМ - 12:15 РМ LAND NYS JUDICIAL INSTITUTE AT PACE LAW 78 North Broadway, White Plains NY GoldsteinHall 8:00-8:45 AM Light Breakfast & Networking HOUSING ACTION COUNCIL 9:00 AM Program will begin For more information and to register visit: https://law.pace.edu/affordable-housing-summit-2023

AGENDA

9:00 – 9:15 WELCOME & INTRODUCTION

Jason Labate, Esq., Partner, Goldstein Hall PLLC Tiffany Zezula, Esq., Deputy Director, Land Use Law Center

9:15 – 9:45 SESSION 1: SITE IDENTIFICATION AND ADAPTATIVE REUSE

John Fry, AIA, LEED AP bd+c, Principal, Nexus Creative Design Patrick Love, Vice President and Chief of Staff, Multifamily Finance and Development Group, New York State Homes and Community Renewal Jaclyn Tyler, AIA, LEED AP bd+c, NCARB, Principal, Nexus Creative Design Brian Pugh, Esq., Mayor, Croton-on-Hudson

MODERATOR Jason Labate, Esq., Partner, Goldstein Hall PLLC

9:50 – 10:50 SESSION 2: UNLOCKING HOUSING ACCESS: TRANSIT ORIENTATED DEVELOPMENT TO CREATING HOUSING

Karen D'Attore, Village Manager, Village of Ossining Raju Mann, Associate Principal, ARUP Kate VanTassel, Director of Special Projects, New York State Homes & Community Renewal James R. Wendling, Chief Operating Officer, WBP Development LLC

MODERATOR Tiffany B. Zezula, Esq., Deputy Director, Land Use Law Center

11:00 – 12:00 SESSION 3: ACCESSORY DWELLING UNITS TO CREATE HOUSING

Christina Griffin, AIA LEED AP CPHC, Principal, CGA Studio Architects **Michael Patino**, *Owner, Michael Patino Architecture and Village Trustee, Village of Dobbs Ferry* Edua McCarthy, Assessor, Town of Creanburgh

Edye McCarthy, Assessor, Town of Greenburgh

Rachel Wieder, *Chief of Staff for Homeownership and Community Development, New York State Homes and Community Renewal*

MODERATOR **Jessica Bacher, Esq.**, Staff Consultant, Housing Action Council and Executive Director, Land Use Law Center

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UNLOCKING HOUSING ACCESS: TRANSIT ORIENTED DEVELOPMENT TO CREATING HOUSING

PANELISTS





Raju Mann Associate Principal, ARUP

Kate VanTassel

Director of Special Projects, New York State Homes & Community Renewal



James Wendling Chief Operating Officer, WBP Development LLC

Unlocking HousingAccess:

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NEW YORK.

HOUSINGCONFERENCE

Transit Oriented Development and the New York Housing Compact

Outline

1

Policy

What is the "New York Housing Compact"?

- Growth Targets
- Transit Oriented Development zoning
- Tax exemptions and infrastructure funding
- Fast-track approval process

2

Context

Why is TransitOriented Development Needed?

- Housing supply shortage
- Many New Yorkers are rent burdened
- Of these New Yorkers, people of color are disproportionately at a disadvantage

3

Case Studies

What are other States doing about housing affordability and Transit Oriented Development?

- Preemption of local zoning to limit future single family home development
- Incentives to developers to construct multifamily TOD

4

Policy in Practice

Who will benefit the most from higher density development and TOD?

What might TOD look like in New York's suburbs?

"New York Housing Compact" key elements

800k homes over 10 years

- 3-year production targets for all local jurisdictions: 1% Upstate / 3% Downstate (region served by the MTA and a portion by NJT in NY)
- \$250m State assistance for infrastructure unlocking growth, including sewer/water, new structured parking, public realm improvements, and potentially schools

TOD Rezoning

- Municipalities must rezone ½ mile area from MTA stations for minimum average densities, with distributions within that area up to local discretion
- Density requirements based on distance from NYC, and range from 15 50 dwelling units per acre

Tax Incentives

- \$5m in Low Income Housing Tax Credits
- New tax incentives for affordable multifamily housing outside NYC
- Expanded incentives for homeowners who build ADUs
- Work with legislature to develop a new tax incentive program for rental housing to replace 421(a)

New Options for Development in NYC

- Removes State imposed cap of 12 FAR for development in NYC
- Expands the number of commercial buildings eligible for residential conversion, and creates tax exemptions to incentive inclusion of affordable housing
- Legalizing basement apartments meeting health and safety requirements

Fast-track approvals

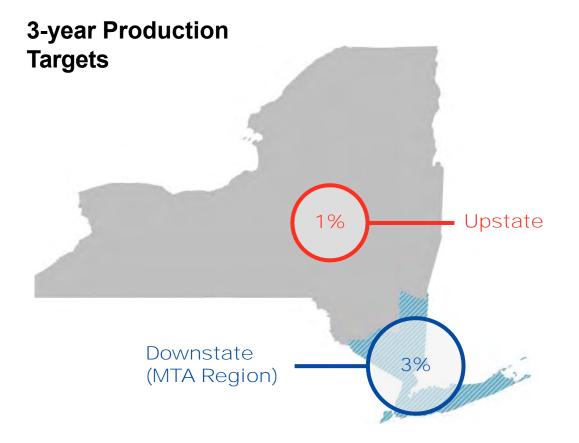
- Creates a builder's remedy for multifamily/mixed income property developments
- Applies only to municipalities that fail to meet permitting targets and fail to adopt pro-housing policies
- Developers would be able to receive expedited reviewand approval from State, even when a proposal would not comply with local zoning

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Targeting growth

Contextual local growth targets

- Percentage-based targets
- While most localities in New York State are permitting housing at or near their target rates, many are lagging behind
- More growth is directed for the transit-rich, economically booming NYC region – where housing is needed the most
- In communities which do not meet the housing targets, builders will be able to take advantage of a "fast track" approval process



Promoting transit-oriented development

Creating denser, vibrant, mixed-use communities around rail

Municipalities will need to zone for *minimum average densities* within ½ mile of a train station with regular service

- Local land use policy can still determine the distribution of that density
- Applies to areas within New York served by MTA agencies and New JerseyTransit

Density requirements are a function of distance from NYC:

- Tier 1 (15 miles): 50 du / acre
- Tier 2 (30 miles): 30 du / acre
- Tier 3 (50 miles): 20 du / acre
- Tier 4 (>50 miles): 15 du / acre

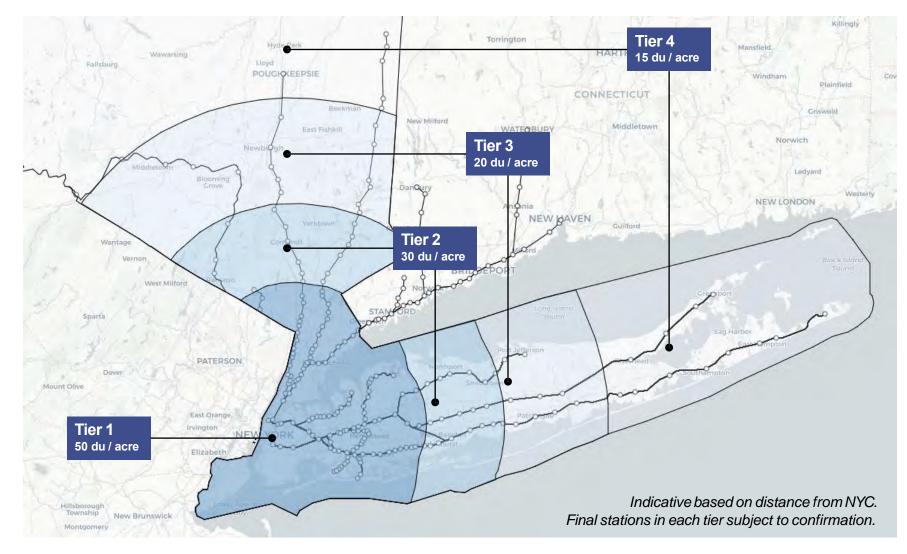
Proposes expedited environmental reviews for rezonings, recognizing the clear environmental benefits of smart growth promoting low-emissions mobility

1. Policy

6

Proposed density allowances within the region

Locations and density requirements



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Linking housing to ongoing transit investment

Large investment in suburban rail infrastructure demands action on housing to fully realize the benefits of transit spending

- Tens of billions of dollars have been invested over the past decades in the MTA's regional rail systems to accommodate this growth
- High profile, big-budget projects like East Side Access and Penn Access mean commuter rail riders have better access than ever
- Long Island has the slowest housing growth in the region despite this extraordinary transit investment

Cost of the LIRR Modernization project: **\$17.7 billion**

That's more than *\$6,000 per Long Island resident.*

Source: MTA Capital Program 2015-2019, 2020-2024, All Aboard: Governor Hochul Celebrates Completion of LIRR Main Line Third Track on Time and Under Budget (2022)

Includes total costs for all modernization projects, including the Mainline 3rd Track, Double 7 Track, East Side Access, Penn Station concourse improvements, and other associated projects

1. Policy

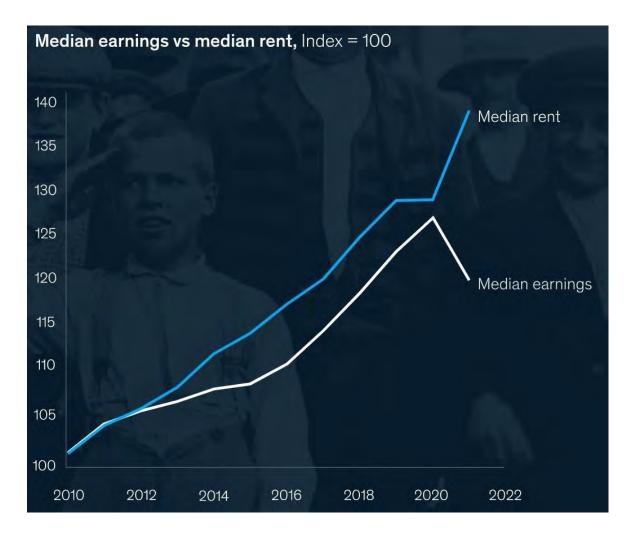
Housing activists march to City Hall to demand more affordable housing options for the homeless and poor on Sept. 17 (NPR, 2017)

A Home or Every New Yoker? 2 Context

Housing costs continue to increase

Wages have not kept pace with rents

- Even as the regional economy booms, wage growth lags behind housing costs
- New Yorkers are spending more of their income on rent each year
- Covid has helped to create an even more urgent housing crisis



Lagging the country in housing production

New York's suburbs are especially behind

New York has added more than 1.2 million jobs over the past decade, but just 400,000 new homes.

• Long Island and the Lower Hudson Valley are adding fewer homes per resident compared to both New York City as well as peer growth regions.

Alack of new of new housing is exacerbating the already high cost of living in the NYC Metro Area:

- Home prices have increased 50% since 2015
- Rents have increased by 30% since 2015

More housing is needed to allow the New York City metro region to grow and prosper.



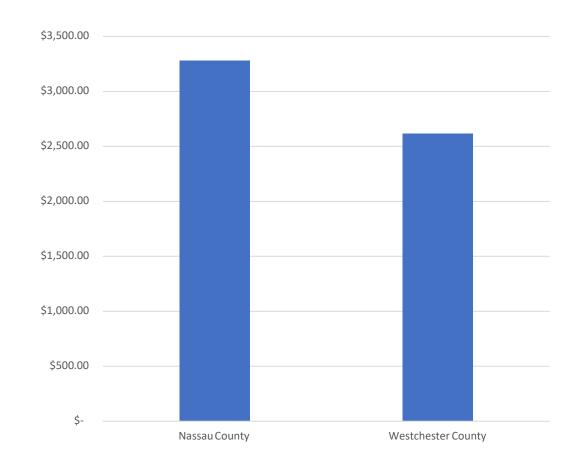
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Market rents are soaring

Rents are out of reach for renters

- Zillow data from January 2023 provides an updated picture of recent markets
- Toafford a typical rental, households would need to earn:
 - Over \$135k per year in Nassau County
 - Over \$108k per year in Westchester County
- Median income for household that rent is just \$60-70k annually
- To pay less than 30% of income on rent, you'd need to make nearly double that amount

Zillow Observed Rent Index



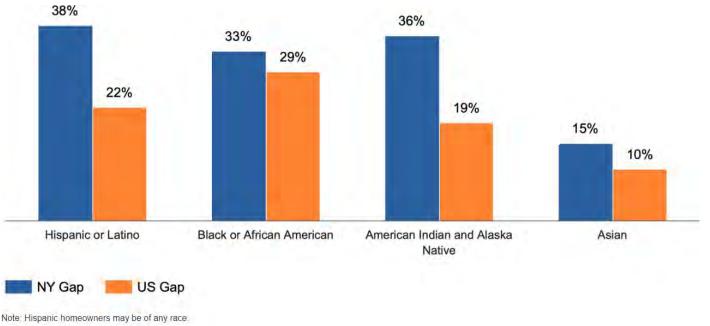
Based on most recent ZORI data provided by Zillow. Data for Suffolk County unavailable due to large number of listings for vacation rentals

Racial disparities in home ownership have persisted

Across the US, white households are much more likely to own than non-white households.

- Chart indicates gap by race compared to white homeownership in NY State and the US. Egin NY, 38% morewhites own homes than Latinos
- New York's racial and ethnic homeownership gaps are larger than the nation's.
- In 2021, homeownership rates in NY were:
 - 67% for White households
 - 52% for Asian households
 - 34% for Black households, and 29% for Latino/Hispanic households.

Gap in Homeownership Rates by Race, NY & US



Source: US Census Bureau

There are plenty of single-family homes

Single vs. multifamily housing opportunities

Policy in Practice

Case Studies

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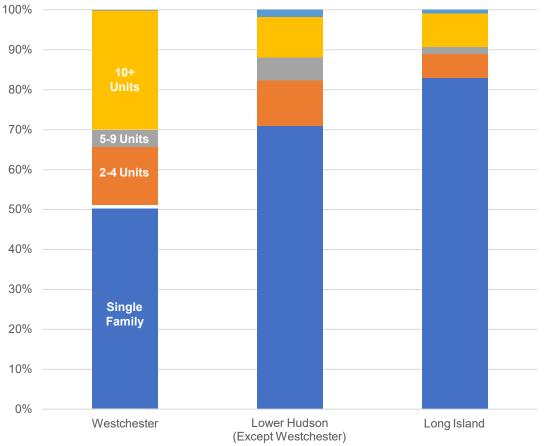
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Context

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- Low density, single-family homes are by far the dominant typology in the New York suburbs
- Westchester County is an exception, with half of all units in multifamily buildings
- In Long Island, 83% of housing is single family
- More multifamily home options are needed to effectively increase the housing supply and provide the choice and economic stability that New Yorkers need.



Parking over housing

Too much parking and low-density housing

Many rail stations lack transitfriendly development patterns

- Surface parking lots (shown in orange)
- Low density, detached housing

TOD can improve neighborhood design while maximizing ridership potential while also addressing parking needs



Cottage Clusters

Legalizes cottage clusters, with the same building size and unit count constraints.

Accessory Dwelling Units

Allows up to two secondary cottages per lot.

Reduced Maximum Building Sizes

3 & 4 plexes:	Duplexes:	1-plexes:
Up to 3,500	Up to 3,000	Up to 2,500
square feet	square feet	square feet

Previous maximum house size: 6.750 square teet

Parking

Makes off-street parking optional.

Accessibility

For 3 & 4 plexes, at least one home must be "visitable": no-step entry, wide doorways, ground-floor bed & bath. Affordable projects need two such units.

3 Case Studies Family-size 4&6 plexes with affordability requirement

A rendering of the housing options Portland's residential infill project would legalize (Sightline Institute, 2020)

Allowed if held the units are contained and allowed his here and allow with income that is

Oregon's preemption of local zoning

Residential Infill Project – requirement of housing type

- Oregon abolished single-family zoning in all cities of more than 10,000 people and in the Portland metropolitan area, and on every parcel of residentially-zoned land, it now must be permissible to build a two-unit building.
- In cities of more than 25,000 people and in the Portland region, up to four-unit buildings must be allowed in residential zones in which the min. lot area and other requirements (utilities, setbacks, parking, etc.) are met. Min. lot area ranges from 1500 sf – 12000 sf.
- A fourplex on a 5,000 sf lot (0.11 acre) is equivalent to a density of 36 units per acre, which is comparable to the Housing Compact for Tiers 2 and 3.
- Other pro-housing zoning reform includes increased maximum building size and reduced parking requirements

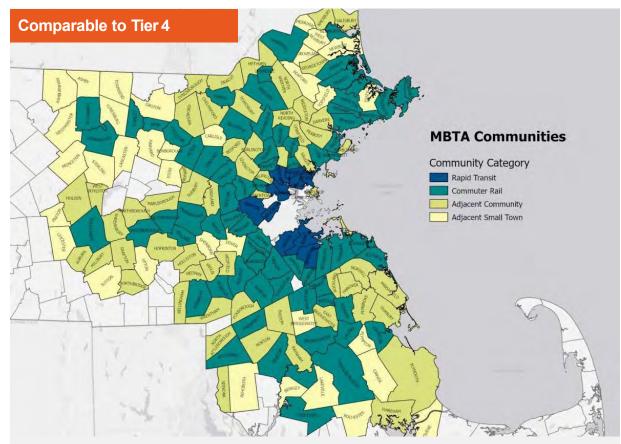


A four-plex on a 5.014 square-foot lot on 9426 N Edison St in Portland, OR.

Massachusetts' preemption of local zoning

Section 3A – requirement of density

- Section 3A of MGL c. 40A is a law passed in 2022 that requires a community with MBTA service to have at least one zoning district of reasonable size in which multi-family housing is permitted as of right: minimum gross density of 15 units per acre and located no more than 0.5 miles from a transit station
- This is comparable to the Housing Compact for Tier 4.
- MBTA communities that are not compliant are ineligible for funding from certain funding sources provided by the Commonwealth. There are two forms of compliance: full and interim. Deadlines for compliance essentially depends on how urbanized the community is, and range from December 2023 to December 2025, the latter being for adjacent small towns.



Map showing communities with MBTA service that are subject to the new law. All areas shaded yellow, green, and teal are suburban in form.

California's preemption of local zoning & TOD incentives

SB9-requirement of housing type

- Allows lots to be split and as of right have a duplex on them. Lot splits create two parcels of similar size that are at least 1,200 square feet.
- A2,400 sf lot could be subdivided into two 1200 sf lots. Each lot could have a duplex (that fits into a building envelope created by setback and height requirements of the municipality). 4 units/1200 sf is equivalent to 72 units/acre, which is similar to the Housing Compact for Tier1.
- The state's Housing and Community Development Department administers the TOD Housing Program, which is intended to encourage higher density affordable housing within 1/4 mile of transit stations. Low-interest loans are available as gap financing for rental housing developments near transit that include affordable units, or infrastructure improvements necessary for housing development



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4 Policy in Practice

Sketch of TOD districts (Arup, 2023)

Single family homes are less affordable

Condos and Co-Ops offer more value

- Compared with single family homes, down payments and monthly costs for condos/coops are significantly lower
- Monthly payments are 15-40% less in these types of units, more typically found in multifamily developments
- Condo/coop savings over singlefamily housing on a monthlybasis:
 - Nassau County approximately \$500 permonth
 - Suffolk County approximately \$600 permonth
 - Westchester County approximately \$1,400per month

Estimated Monthly Mortgage Payments for Typical New Home Purchases, Zillow



Most recent data provided by Zillow for each county. Monthly payments based on Zillow Home Value Index and assume 20% down payment 6.27% interest 20%

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Case Studies

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History

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Context

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Policy

What could growth look like?

Communities will have different approaches based on local conditions.

The illustrative scenarios, are based on the new policy and the proximity to NYC.

Ascenarios is provided for each of the following:

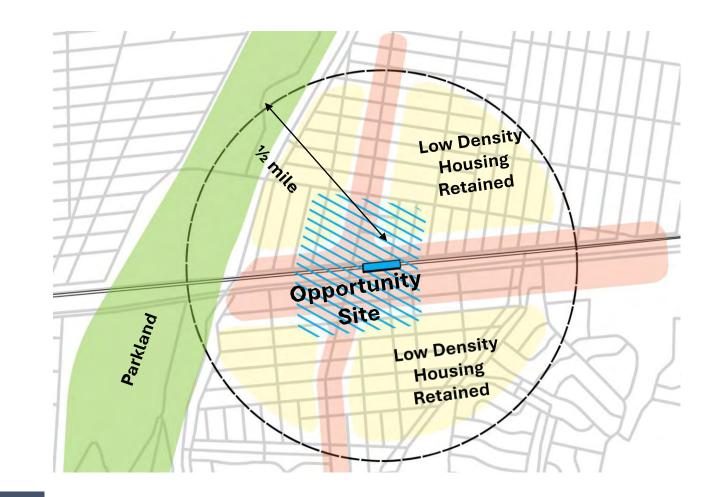
- 50 units peracre
- 30 units peracre
- 20 units peracre
- 15 units peracre

15 - 30 miles 30 - 50 miles 50 miles Scenario 15 miles from Location **NYC 50** from NYC from NYC from NYC Typology units/acre 30 units/acre 20 units/acre 15 units/acre Scenario 1: Tier 1 Downtow n Station Scenario 2: Commuter Tier 2 Station Scenario 3: Park & Ride Tier 3 Station Scenario 4: **End-of-the-Line** Tier 4 Station

 The intention of the following illustrative scenarios, is to help communities understand the size and scale of new buildings that could be constructed under this proposal.

What could growth look like in Tier 1?

- In this scenario, 50 units per acre is met by focusing growth around the train station in the "opportunity" area.
- The remaining areas are lower scale housing which would be preserved and still meet the Tier 1 requirements.



"Tier 1- Downtown Station"

1/2 Mile Framework

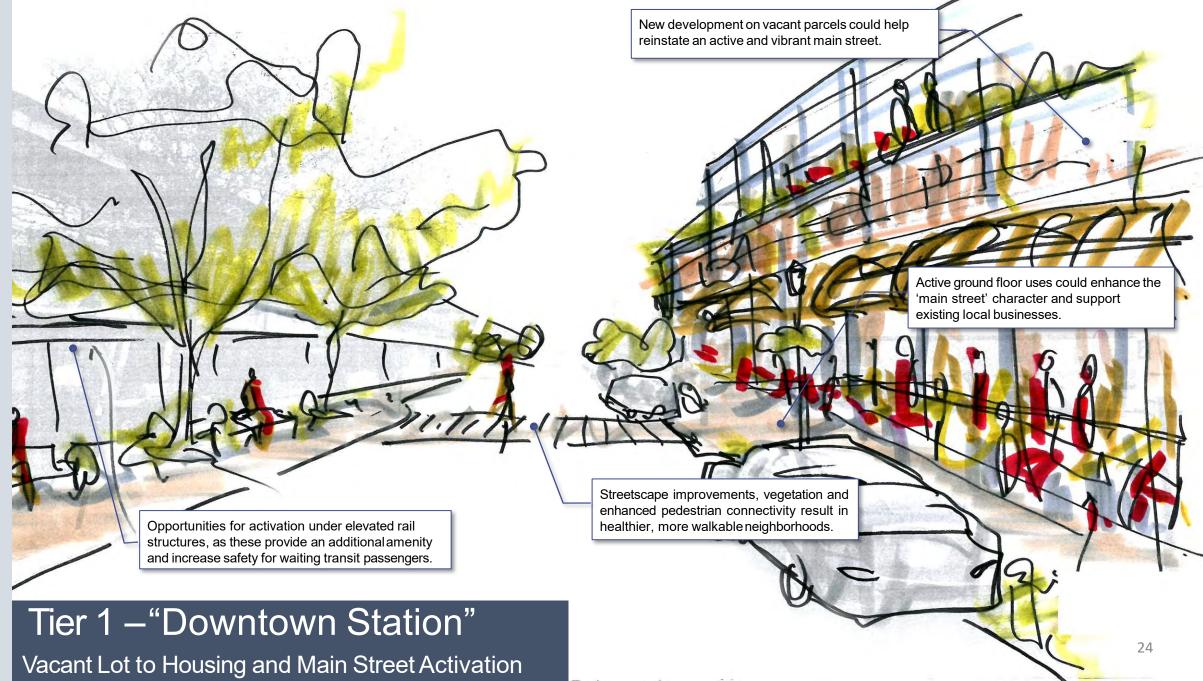
History

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Context

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Tier 1 - "Downtown Station" Vacant Lot to Housing and Main Street Activation

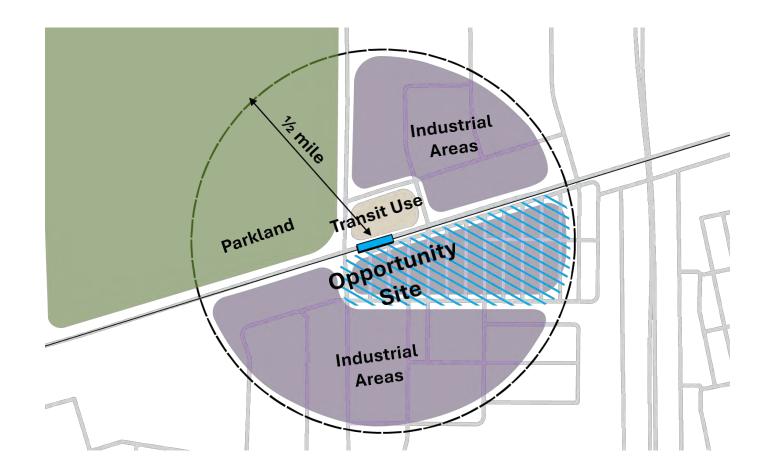


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What could growth look like in Tier 2?

- In this scenario, 30 units per acre is achieved with growth to the south of the station on a large, not fully occupied, commercial stretch/parking area.
- The remaining areas are active industrial areas which could remain.



Tier 2 – "Commuter Station"

¹/₂ Mile Framework

History



Industrial to Mixed Use and Livable Streets



Industrial to Mixed Use and Livable Streets



Industrial to Mixed Use and Livable Streets

Policy Benefits Summary

- 1. Provides workforce housing the current housing market makes it very difficult to attract and retain staff, across a range of essential workers from retail, to childcare, to healthcare
- 2. Broadens the tax base denser development can increase the tax base taking the property tax burden off single family housing
- **3.** Supports local businesses small businesses need a critical mass of population to survive and grow
- 4. Grows the regional economy create new jobs from construction but also help attract/retain companies that need stable housing for their workforces (see #1)
- 5. Protects the environment lower carbon footprints for denser development near transit, denser development can also help to preserve farmland/open space elsewhere



Unlocking HousingAccess:

Transit Oriented Development and the New York Housing Compact

Prepared by ARUP

CASE STUDY

STELLA, 10 LE COUNT New Rochelle, NY

In partnership with L+M Development Partners, Inc., Stella is a 380-unit mixed use and mixed income rental community in the City of New Rochelle, New York. It is comprised of 75% market rate rental apartment homes and 25% affordable rental apartment homes.

This property includes ground-floor retail facilities and extensive amenities, including an outdoor pool offering views of New York City. Centrally located in downtown New Rochelle, Stella is just off Main Street, and only a five-minute walk from the Metro North and Amtrak rail stop.

CO-DEVELOPER L+M Development Partners Inc

TOTAL DEVELOPMENT COSTS \$192m

UNITS 380, (95 Affordable)

SQUARE FOOTAGE 480,000 GSF

COMPLETION YEAR 2022

ARCHITECT(S) Beyer Blinder Belle, LLP





AMENITIES

Rooftop pool, in-unit laundry, full gym, billiards room, yoga studio, garden room, children's play room, work lounge, dog spa, mailroom, 24 hour concierge, live-in super, and coffee lounge.

FINANCIAL PARTNERS

Citi Community Capital Goldman Sachs Urban Investment Group

SOURCES OF FUNDING

Westchester County NHLA Low-Income Housing Tax Credits NYS Brownfield Credit Equity Interfaith Dwelling Corp





GENERAL CONTRACTOR L+M Builders Group

PROPERTY MANAGER WB Residential Communities, Inc.



WEBSITE https://rentstella.com/ https://www.lecountaffordableapts.com/



25 MAPLE New Rochelle, NY

WBP Development LLC, together with L+M Development Partners, Inc., is developing a mixed-use residential development in downtown New Rochelle. The building will consist of 184 residences in a 7 story building with rooftop amenities, structured parking and retail.

Centrally located in downtown New Rochelle, just off of Main Street, the building will be a 7 minute walk from the Metro North and Amtrak station. It is also in close proximity to I-95 and the Hutchinson River Parkway. Construction will be completed in 2022.



CO-DEVELOPER	SQUARE FOOTAGE
L+M Development Partners Inc	280,000
TOTAL DEVELOPMENT COSTS	COMPLETIONYEAR
\$74m	2022
UNITS	ARCHITECT(S)
184	Beyer Blinder Belle, LLP





AMENITIES

Luxury vinyl-plank flooring with premium carpeting in the bedrooms, stainless-steel finish appliances, dishwasher and washer/dryer hookups, individually-controlled heating and central air conditioning, large gym with a separate exercise room, club/multi-purpose room that includes kitchenette, and elegant reading library with dramatic views.

FINANCIAL PARTNERS

M&T Bank

SOURCES OF FUNDING

Sponsor Equity Empire State Development Grant City of New Rochelle



GENERAL CONTRACTOR Griffon Construction LLC

PROPERTY MANAGER WB Residential Communities, Inc.

WEBSITE COMING SOON













62 MAIN Tarrytown, NY

62 Main is a 109-unit affordable multifamily rental community for seniors aged 55 and over. Located in Tarrytown's historic downtown district, the project involves the redevelopment of the TarrytownYMCA site and will preserve the original 1911 façade on Main Street. A unit mix of 14 studios and 95 one-bedroom apartments will serve households at 30%-70% of area medium income.

On-site amenities include a lounge, library, exercise, computer, and laundry rooms, and a rooftop courtyard. A municipal garage to support Tarrytown's Downtown Business District has been incorporated into this project, 62 Main will be a fully electric, highly energy-efficient building with a comprehensive solar panel array and will be heated and cooled using geothermal technology. Construction commenced April 2021 with completion slated for 2023.



DEVELOPER WBP Development LLC

TOTAL DEVELOPMENT COSTS \$53m

UNITS

109

SOURCES OF FUNDING Citi Community Capital Raymond James Westchester County NYS Homes + Community Renewal Tarrytown Housing Fund

SQUARE FOOTAGE 170,000

ESTIMATED COMPLETIONYEAR 2023

ARCHITECT(S) L&M Design LLC Beyer Blinder Belle (Façade)



645 MAIN Peekskill, NY

645 Main Street Apartments will provide 82 apartments in an affordable multifamily residential community located in Peekskill, New York. The development will serve households with income levels ranging from 40-80% of Area Median Income.

On-site amenities include a fitness center, clubroom, central laundry facility, management office, and green roof courtyard. Construction commenced in July 2020. Completion is estimated for first quarter of 2023.

DEVELOPER WBP Development LLC

TOTAL DEVELOPMENT COSTS \$51m

UNITS

82

SOURCES OF FINANCING

Citi Community Capital Raymond James Westchester County NYS Homes + Community Renewal SQUARE FOOTAGE

ESTIMATED COMPLETION YEAR 2023

ARCHITECT(S) L + M Design, LLC Beyer Bilnder Belle (Façade)







STATION PLAZA

Ossining, NY

Station Plaza is a 109-unit affordable multifamily rental community that will consist of 1-, 2- and 3- bedroom apartments, retail and a community space that is accessible to the Village of Ossining. The building is located within walking distance from the Hudson River Waterfront, Ossining's historic Main Street, and the Metro North train station.

As part of this development, we will be extending the Sing Sing Kill Greenway trail into the development site that leads to our linear plaza. Construction is targeted to start in the fall of 2022.



DEVELOPER WBP Development LLC

TOTAL DEVELOPMENT COSTS TBD

UNITS 109

SQUARE FOOTAGE

ESTIMATED COMPLETIONYEAR 2025

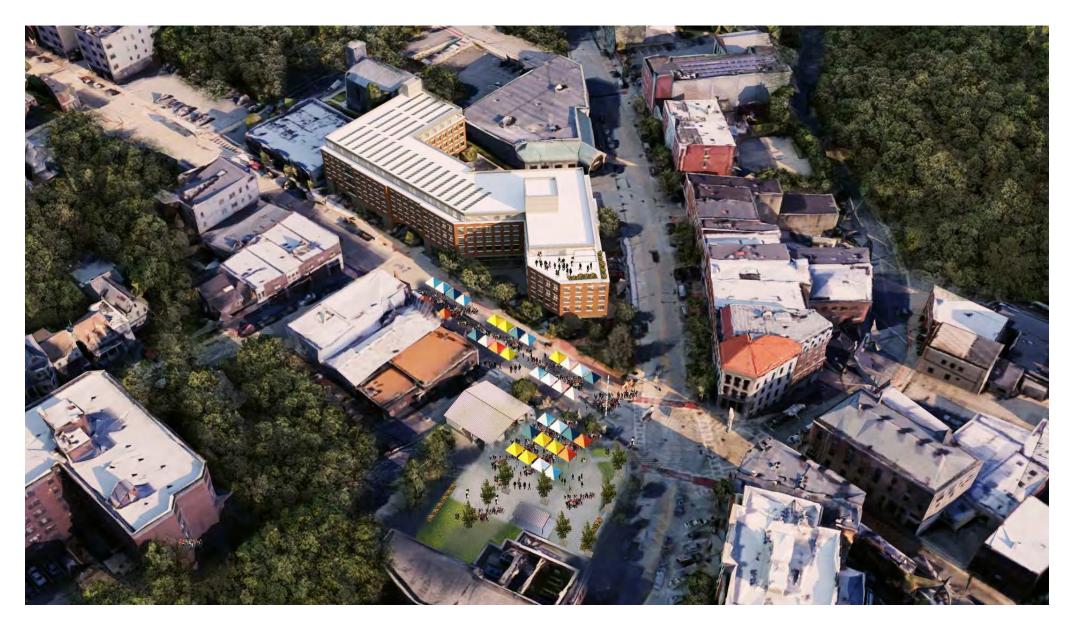
ARCHITECT(S) Beyer Blinder Belle (Façade)



MARKET SQ + MAIN STREET LOTS



THE PROJECT



STATION PLAZA AT 30 WATER STREET

COMMUNITY OBJECTIVES – DO YOUR 'HOME' WORK

 In 2019 the Village of Ossining selected WBP as the preferred developer for a Village owned organic waste yard located on the east side of the Metro North Railroad Station along the banks of the Hudson River, in response to a key policy strategy in Ossining's 2017 Housing Needs Assessment:

provide a deeper and broader level of affordability requirements for new housing development to ensure access to affordable housing by lower income households and that support mixed income housing

- Other Key development objectives included:
 - Space for commercial opportunities and community programming
 - Completion of Sing Sing Kill Greenway/Linear Park
 - Walkability and connectivity (Main Street Business District, Community Center, Train Station, Waterfront)



Proposed Mixed-Use Housing Development

 Remediation and Redevelopment of Village-Owned 3.4 Acre Brownfield Property

- Workforce and Affordable Housing
- Community Space Provided to the Village
- Neighborhood Retail
- Extension of Public Greenway from Central Avenue, Along Sing Sing Kill to Water Street
- Onsite Private/Public Parking





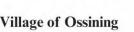
BOARD OF TRUSTEES/VILLAGE ADMINISTRATION SEND CORRESPONDENCE TO: plan@villageofossining.org

OFFICE OF THE VILLAGE MANAGER VILLAGE OF OSSINING, 16 CROTON AVENUI OSSINING, NY 10562

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For more information, please visit: www.ossiningdpwsite.com

STATION PLAZA COMMUNITY ENGAGEMENT – IT'S NEVER TOO MUCH

- In 2020 Village conducted six webinars to address community concerns and engage community input:
 - Why Here? Why This? Why Now? Rationale for all-affordable, mixed-use development
 - Show Me the Money

How will the project be financed; PILOT implications

- Greening of our Waterfront Building for flood resiliency and sustainability
- Dark Matter

The Brownfield Clean-up Program

School Me

Impact on an already overcrowded school district

 If You Lived Here, You'd Be Home By Now Building design and amenities



LEVERAGING PUBLIC INVESTMENT (DRI 2021) REVITALIZING THE MAIN STREET WATERFRONT DISTRICT

- Community engagement prioritized the development of a multi-site community-driven mixed-use development on Village owned surface parking lots at the heart of Main Street along with an outdoor 'Market Square and a Multi-Modal Transportation (Parking) Hub
 - DRI funding was allocated to develop a Market Square and the Multimodal Transportation Hub with the understanding that the Village would select a developer for the mixed-use project
 - WBP and St. Catherine Group were selected as the preferred developer based on the following objectives:
 - A project that strengthens the mixed-use nature of the downtown and increases foot traffic within the downtown
 - A project that is zoning compliant and employs architectural designs that complement the adjacent Main Street Historic District while considering streetscaping and the pedestrian experience
 - Community engagement to inform Mixed Use/Market Square development elements/design is now under way





BEYOND NIMBY THE PROCESS TAKES TIME AND PRESENTS CHALLENGES EVEN WHEN HOUSING'S WANTED

- Land Acquisition and Development Agreement (LADA)
- PILOT Negotiation
- Coordination of responsible entities for Brownfield Clean-up
- Socio-economically diverse communities typically have disproportionately higher density
- There is no one-size fits all approach to meeting community housing needs







CONTINUING EDUCATION CREDITS

CLE Credits 2.5 credits in Professional Practice

NYS Planning & Zoning Credits Email Ann Marie McCoy at <u>amccoy@law.pace.edu</u>.

AIA/HSW/PDH Credits

Email Valerie Brown at <u>vbrown@aiawhv.org</u>

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