# TRPA Residential Deed Restriction Program

## Fact Sheet

TRPA has three deed restriction categories – affordable, moderate, and achievable. This Fact Sheet lists the requirements for the achievable deed restriction category and the annual affordable and moderate area median income (AMI) limits by County, calculated using the methodology and requirements outlined in Chapter 90 of the TRPA Code of Ordinances. The area median income (AMI) and income limit data is generated on an annual basis by the Office of Policy Development and Research (PD&R) for each county in the United States (US) and provided by the US Department of Housing and Urban Development (HUD). The HUD dataset for each county within TRPAs jurisdiction has been utilized in creating this document.[1] This Fact Sheet consists of the following sections:

- Section 1: 2025 Affordable, Moderate, an Achievable Income Limits by County
    - El Dorado County, CA
    - Douglas County, NV
    - Placer County, CA
    - Washoe County, NV

- Section 2: Rental and Sale/Purchase Price Guidance
    - El Dorado County, CA
    - Douglas County, NV
    - Placer County, CA
    - Washoe County, NV

- Section 3: Other Requirements and Frequently Asked Questions

[1] The California Department of Housing and Community Development also maintains area median income limit data which may differ slightly from the HUD data.

## Section 1: 2025 Affordable-, Moderate-, and Achievable-Income Limits by County

The following income limits by county apply to residential units that have received a TRPA deed restriction to be permanently used for affordable, moderate, or achievable housing. In order to receive a bonus unit, the residential property must be within the bonus unit boundary, which is ½ mile from an existing transit stop, or a stop proposed with the housing project, within ½ mile of a Town Center, or within areas that allow multi-family housing[2]. The following tables show affordable and moderate-income limits by county, which are the same as those calculated by the United States Department of Housing and Urban Development (HUD). Housing units that are deed restricted as "achievable" require that they meet the definition for Achievable housing as described in Chapter 90 of the TRPA Code of Ordinances and listed below each income table in this fact sheet.

[2] For the areas that are eligible to receive bonus units, please refer to the "Residential Bonus Unit Boundary" layer, shown in green, on the TRPA Housing Resources Webmap.

**El Dorado County**

2025 Area Median Income (3-person household): $115,800

| Income Level | Annual Income | Bonus Unit Incentive Level |
|---|---|---|
| 80% of Area Median Income | $92,650 | AFFORDABLE |
| 120% of Area Median Income | $138,960 | MODERATE |
| Local Employment Requirement | *See requirements below | ACHIEVABLE |

Source: US Department of Housing and Urban Development (HUD)

***Achievable Housing Requirement:** Housing units that are deed restricted Achievable require at least one of the following criteria to be met:

1. Have a household income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below). If purchasing home, household assets must not exceed two times the annual household income for the respective AMI category and household size; or

2. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District, including but not limited to public agencies and not-for-profit employers, and which requires the employee's physical presence within the boundaries of the Tahoe region or TTUSD in order to complete the task or furnish the service for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work; or

3. Resident is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

**Douglas County**

2025 Area Median Income (3-person household): $98,000

| Income Level | Annual Income | Bonus Unit Incentive Level |
|---|---|---|
| 80% of Area Median Income | $78,350 | AFFORDABLE |
| 120% of Area Median Income | $117,600 | MODERATE |
| Local Employment Requirement | *See requirements below | ACHIEVABLE |

Source: U.S. Department of Housing and Development (HUD)

***Achievable Housing Requirement:** Housing units that are deed restricted Achievable require at least one of the following criteria to be met:

1. Have a household income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below). If purchasing home, household assets must not exceed two times the annual household income for the respective AMI category and household size; or

4. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District, including but not limited to public agencies and not-for-profit employers, and which requires the employee's physical presence within the boundaries of the Tahoe region or TTUSD in order to complete the task or furnish the service for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work; or

2. Resident is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

**Placer County**

2025 Area Median Income (3-person household): $115,800

| Income Level | Annual Income | Bonus Unit Incentive Level |
|---|---|---|
| 80% of Area Median Income | $92,650 | AFFORDABLE |
| 120% of Area Median Income | $138,960 | MODERATE |
| Local Employment Requirement | *See requirements below | ACHIEVABLE |

Source: California Department of Housing and Community Development (HCD)

***Achievable Housing Requirement:** Housing units that are deed restricted Achievable require at least one of the following criteria to be met:

1. Have a household income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below). If purchasing home, household assets must not exceed two times the annual household income for the respective AMI category and household size; or

5. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District, including but not limited to public agencies and not-for-profit employers, and which requires the employee's physical presence within the boundaries of the Tahoe region or TTUSD in order to complete the task or furnish the service for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work; or

2. Resident is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

**Washoe County**

2025 Area Median Income (3-person household): $99,500

| Income Level | Annual Income | Bonus Unit Incentive Level |
|---|---|---|
| 80% of Area Median Income | $79,600 | AFFORDABLE |
| 120% of Area Median Income | $119,400 | MODERATE |
| Local Employment Requirement | *See requirements below | ACHIEVABLE |

Source: U.S. Department of Housing and Development (HUD)

***Achievable Housing Requirement:** Housing units that are deed restricted Achievable require at least one of the following criteria to be met:

1. Have a household income not in excess of 120 percent of the respective county's area median income (AMI) (moderate income households and below). If purchasing home, household assets must not exceed two times the annual household income for the respective AMI category and household size; or

6. At least one occupant of the household works at least 30 hours per week or full-time equivalency for an employer with a business license or tax address within the Tahoe region or Tahoe-Truckee Unified School District, including but not limited to public agencies and not-for-profit employers, and which requires the employee's physical presence within the boundaries of the Tahoe region or TTUSD in order to complete the task or furnish the service for an average of at least 30 hours per week on an annual basis, or seasonal basis for seasonal work; or

2. Resident is a retired person who has lived in a deed-restricted unit in the Tahoe Basin for more than seven years.

## Section 2: Rental and Sale/Purchase Price Guidance

### Rental Price Guidance

TRPA requires that deed restricted units be rented and/or sold to a household that meets the income category restrictions of the deed-restriction; depending on the specific language of the deed-restriction, rental prices of these units are sometimes left to the discretion of the property owner and the lessee. In this case the rental price should be based on the area median income (AMI) and the requirements of applicable state and federal law, including the recommendation that a household not pay more than 30% of their monthly income in rent and utilities. Because homes may be occupied by households of varying sizes, federal guidance provides for rents to be set by number of bedrooms.

TRPA suggests using Fair Market Rents by number of bedrooms to develop rents, published by the US Department of Housing and Urban Development (HUD). Fair Market Rent is calculated by HUD annually using census estimates and can be found here. Other methodologies may also be appropriate.

### Sale/Purchase Price Guidance[3]

The values in the table below show what a household at a variety of income levels could afford using county income data. This information is intended to be used as *guidance*, as the individual circumstances of any particular sale vary. Unless the sales price is specifically dictated by a formula in the deed-restriction, the sale price of a deed restricted unit is calculated by a real estate appraiser, not by TRPA. Note that the achievable deed restriction does not have associated income limits, but income levels higher than moderate (>120%AMI) are provided in the tables below for reference.

[3] Source: Based on the Ownership Cost Assumptions Table from page 8 of the Achievable Local Housing Policy Brief, Mountain Housing Council, February 20, 2018. Ownership cost assumptions include down payment, interest rate, and other loan cost assumptions, which equate to 3.79 times the annual income of a household. For example, to afford the median single-family home sale price of $538,000, the household must earn $141,953. $141,953 x 3.79 = $538,000.

**El Dorado County**

| Income Level | Annual Income | Suggested Home Purchase Price | Bonus Unit Category |
|---|---|---|---|
| 80% | $92,650 | $351,144 | AFFORDABLE |
| 100% | $115,800 | $438,882 | MODERATE |
| 120% | $138,960 | $526,658 | MODERATE |
| 150% | $173,700 | $658,323 | ACHIEVABLE |
| 170% | $196,860 | $746,099 | ACHIEVABLE |
| 190% | $220,020 | $833,876 | ACHIEVABLE |

**Douglas County**

| Income Level | Annual Income | Suggested Home Purchase Price | Bonus Unit Category |
|---|---|---|---|
| 80% | $78,350 | $296,947 | AFFORDABLE |
| 100% | $98,000 | $371,420 | MODERATE |
| 120% | $117,600 | $445,704 | MODERATE |
| 150% | $147,000 | $557,130 | ACHIEVABLE |
| 170% | $166,600 | $631,414 | ACHIEVABLE |
| 190% | $186,200 | $705,698 | ACHIEVABLE |

**Placer County**

| Income Level | Annual Income | Suggested Home Purchase Price | Bonus Unit Category |
|---|---|---|---|
| 80% | $92,650 | $351,144 | AFFORDABLE |
| 100% | $115,800 | $438,882 | MODERATE |
| 120% | $138,960 | $526,658 | MODERATE |
| 150% | $173,700 | $658,323 | ACHIEVABLE |
| 170% | $196,860 | $746,099 | ACHIEVABLE |
| 190% | $220,020 | $833,876 | ACHIEVABLE |

**Washoe County**

| Income Level | Annual Income | Suggested Home Purchase Price | Bonus Unit Category |
|---|---|---|---|
| 80% | $79,600 | $301,684 | AFFORDABLE |
| 100% | $99,500 | $377,105 | MODERATE |
| 120% | $119,400 | $452,526 | MODERATE |
| 150% | $149,250 | $565,658 | ACHIEVABLE |
| 170% | $169,150 | $641,079 | ACHIEVABLE |
| 190% | $189,050 | $716,500 | ACHIEVABLE |

## Section 3: Other Requirements and Frequently Asked Questions (FAQ)

The Bonus Unit Affordable, Moderate, and Achievable Incentive Program is further described in Chapter 53, Section 52.3.4 of the TRPA Code of Ordinances.

1. **How does TRPA track and enforce units that have received bonus units under the Affordable, Moderate, and Achievable Bonus Unit Incentive Program?**
    - **A Deed Restriction** recorded against the property is required for any unit that receives TRPA bonus units. The purpose of the deed restriction is to clearly articulate the intent of the residential bonus unit program, limitations, and restrictions on the use of the property. The deed restriction will be provided by TRPA for the property owner to record against the property and is a condition of approval. View TRPA's standard deed-restriction under this program here.

    - **Annual Compliance Reports** are required for any units that have received TRPA bonus units. It is the responsibility of the property owner or their representative to submit the compliance report with specified income verification information to TRPA. This form may be submitted online through TRPA's Citizens Access database.

    - **A Real Estate Disclosure Form** is required to be filled out and submitted to TRPA when any units that have received residential bonus units transfer ownership. This form may be submitted online through TRPA's Citizens Access database.
2. **What other eligibility criteria does my property need to meet in order to be eligible for a bonus unit?**
   A bonus unit is awarded at no cost to the applicant if the home or homes meet the following criteria:
    - Tenants or the owner of the home meet the income or employer-based eligibility standards for affordable, moderate, or achievable-income, as stated above in this document.
    - The home must be located within ½ mile of an existing transit stop, ½ mile from a town center, or within areas zoned multi-family.
    - The home cannot be used as a vacation rental.
    - The unit must be used as a primary residence.
    - The unit is deed restricted to one of the categories listed above.

3. **How much can I sell my deed restricted home for?**

Unless a formula is specified in the deed-restriction, the sale price of deed restricted unit is calculated by a real estate appraiser based on the development's individual value, not TRPA. TRPA provides *suggested* sales prices.

4. **Can I rent out my deed restricted unit?**
   Yes, units that have received bonus units can be rented out long term but cannot be used as a short-term rental (vacation rental). The tenant(s) must meet the income requirements stated in the deed restriction, and an annual compliance report is still required to be submitted on the tenant(s) behalf. A vacation home is defined by TRPA Code of Ordinances as a residential unit rented for periods of 30 days or less.

5. **Are rent amounts subject to TRPA enforcement?**
   Unless specified by formula in the deed-restriction, the rental price is ultimately left to the discretion of the property owner (or their representative) and the purchaser or lessee and should be based on the income of the occupant and market demand. The occupant of the unit must be within the income level the unit is deed restricted at (i.e. achievable, moderate, or affordable). TRPA may enforce in the case of egregious rents not consistent with any guidance provided in this fact sheet.

6. **I received a bonus unit in 2018. Am I subject to 2018 income limits, or can I comply with later years?**
   Affordable and moderate-income limits are a percentage of Area Median Income, which changes every year. Thus, the eligible incomes may also change year-to-year, and a deed-restricted home must be occupied by a household that meets the income levels of the current year.

7. **I was income eligible when I received a deed restriction on my property or purchased my deed restricted home, but no longer am (i.e. my income increased while living in the home). Is my deed restriction compliant?**
   Yes. TRPA has provisions in place to protect tenants or owners who have received an increase in income. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement (TRPA Code of Ordinances Section 52.3.4). When the home is sold, any new owner-occupant will be required to comply with the income or employer-based requirements in place at the time of sale.

8. **Can my deed restricted unit be used as a vacation rental?**

No. Units that are deed restricted at any income level are prohibited from being used as a second home or vacation home. A vacation home is defined by TRPA Code of Ordinances as a residential unit rented for periods of 30 days or less.

9. **How do I get a Bonus Unit for my property?**
   If you are building a new multi-family project (i.e., multiple homes on the same parcel) or single-family home, use the Multi-Family Dwelling Application or Single-Family Dwelling Application to apply to TRPA. In the project description, note how many of the units will be deed-restricted affordable, moderate, or achievable. TRPA staff will work with you to assign Bonus Units and the associated deed-restrictions at the time of permit issuance. Note that Accessory Dwelling Units (ADUs, or Secondary Residences) are considered a single-family use.

   If you would like to receive a Bonus Unit for an existing home, see #10, below.

10. **If I meet the income and other eligibility criteria, can I receive a bonus unit for an existing home?**
    Yes. If you would like to deed-restrict an existing home for affordable, moderate, or achievable, and the home meets the criteria listed on the first page of this Fact Sheet, you may be eligible for a Bonus Unit. The bonus unit would likely be distributed at the income level the unit is being currently rented at. For example, if a unit is being rented at 75% of AMI, you would be eligible to receive a bonus unit at the affordable-level, but likely not the moderate- or achievable-income levels. Please contact TRPA if you are interested in this option.

    Once you have received the Bonus Unit, you may bank or sell the existing Residential Unit of Use. To bank development rights, use the Verification and Banking Information and Application. To receive a Bonus Unit in exchange for a deed-restriction, contact TRPA's front counter at 775-589-5333.

11. **Are there other ways to receive a Bonus Unit, that don't involve deed-restricting the parcel to affordable, moderate, or achievable?**
    Yes. TRPA Code of Ordinances Section 51.1, Transfer of Development Rights, and Section 52.3.5, Residential Bonus Unit Substitution describe other methods of obtaining Bonus Units.