

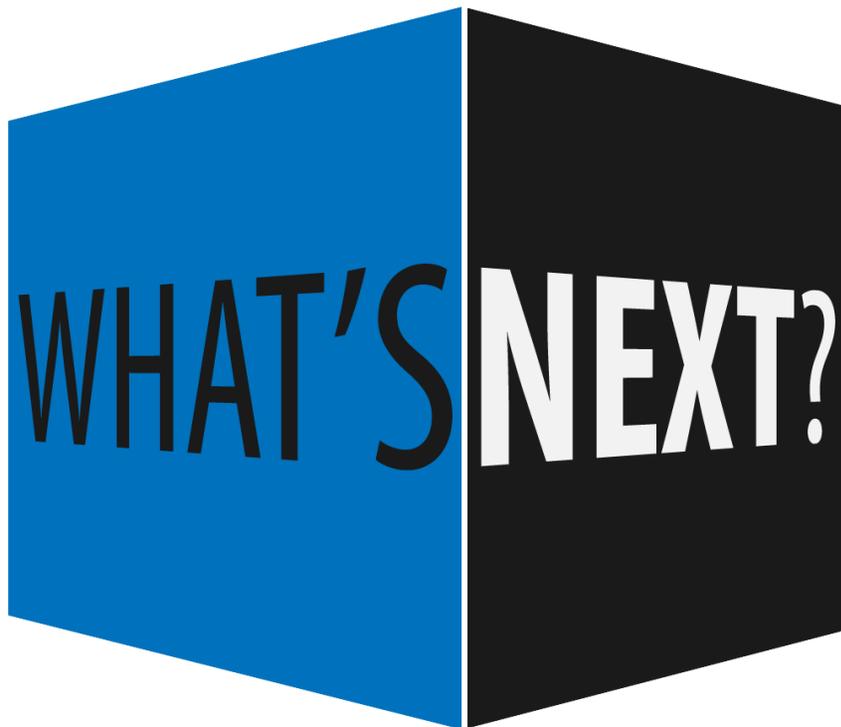
This presentation is best used in two-page view. Click on "View" on the header above, select "Page Display", then "Two-Page View".

# TDHCA

## 2017

# Application

# Uptick!!!



# Welcome to Part 2!

Welcome to Part 2 of the 2017 edition of the TDHCA Application Uptick. In the first part, we focused mainly on procedures. In this section, we get into the what, the why and a bit of the how, where it's needed. The "what" will of course be the full application, the "why" will include the rule changes, new sections and point items and the "how" will give you insight on evidence, what we're going to be looking for and common mistakes that we see.

The first thing we're going to talk about is bookmarks. Look at the left of your screen. See that grey vertical part? Click on the thing that looks like a ribbon folded over. You can now see the basic bookmarks that you can use for your full application. The first 10 you see there were produced automatically because of the way that I converted my copy of the Excel to PDF format. You can do that by going to the Acrobat Tab at the top of your Excel screen and select "Create PDF." That's the easy way to do it and I would definitely use that just to get them in and attached to something but you WILL have to target them correctly because they don't all land where they should. It will simply copy the names from the tabs in Excel and a most of them land in the right vicinity but not in exactly the right spot. Anyway, the names that this method produces CAN be good enough for us. But, we'd prefer that you shorten them to make them a bit more efficient to read. But whatever you do, don't delete them and don't break them. If you delete a page that is connected to one of these bookmarks and replace it with another, you will have to re-target the bookmark so that it connects to the new page. It's very easy and all done in the panel where the bookmarks themselves appear so don't neglect to do that if you swap out a few pages. See the 2017 Procedures Manual for more information.

Further, on bookmarks, do you see the page number at the top there? That number can range anywhere from 300 to 1000 pages in one application. When you're expected to look through between 300 and 1000 pages, let me tell you that it is impossible to navigate without bookmarks. That is why they are not just suggested and why failing to include them will get you terminated faster than most mistakes.

The 2017 Procedures Manual, when discussing each section, gives you a suggested name for your bookmarks. We'd like for you to use those names and we highly recommend it because it makes them quicker to read. If, after converting from Excel, your pdf already has bookmarks, they won't be named as the manual instructs, but that's not hard to change. If your conversion method does not create bookmarks for you, please remember to add them. It's a good idea to bookmark your document as soon as you convert it from Excel. And a good way to do that and reduce the risk of breaking them is...

*I Could Be Your Bookmark!!!! See???*

# Tab 1

# Application Certification

# 17121



...to use divider pages like this one. There are 47 sections again this year. You could:

1. Create 47 pages like this, in a separate pdf and then either drag and drop them into your converted Application's thumbnails and bookmark them there, or
2. Bookmark each of these pages and drag and drop the pages from your Full App behind the correct bookmarked page and use them as tabs that way.

Either way, your Application will have working bookmarks when you're finished and if you add pages, they'll still work. As long as you don't delete and replace the pages, your bookmarks should respond. You'll see a couple of examples of divider pages as we go along. Most that we see are plain but some people use them to show their logo or to remind them of which app they're in at the moment. You can be as plain or as fancy as you want but use divider pages to your advantage and ours.

If you decide to use them, and not everybody does, try to limit yourself to one divider per bookmark. The rest of what we need to know will be behind it so you don't need to give us any other sign posts. Keep efficiency in mind at all times.



2017 Multifamily Housing Application Certification  
Mailing Address: P.O. Box 13941, Austin, TX 78711-3941  
Physical Address: 221 East 11th Street, Austin, TX 78701

Development Name: What's the name of your Development???

The undersigned hereby makes an Application to Texas Department of Housing and Community Affairs. The Applicant affirms that they have read and understand the Uniform Multifamily Rules (Title 10, Texas Administrative Code, Chapter 10) and Qualified Allocation Plan (Title 10, Texas Administrative Code, Chapter 11). Specifically, the undersigned understands the requirements under 10 TAC §10.101 of the Uniform Multifamily Rules, Site and Development Requirements and Restrictions, as well as Internal Revenue Code Section 42. By signing this document, Applicant is affirming that all statements and representations made in this certification and application, including all supporting materials, are true and correct under penalty of law, including Chapter 37 of the Texas Penal Code titled Perjury and Other Falsification and subject to criminal penalties as defined by the State of Texas. Applicant is also affirming understanding of §10.2(e) of the Uniform Multifamily Rules, relating to Public Information Requests, specifically that the filing of an Application with Department is deemed as consent to release any and all information contained therein.

The undersigned further certifies that he/she has the authority to execute this certification.

What is your Owner Entity called?

**Applicant Entity Name**

By:

Signature of Authorized Representative

Chicken Scratch Translation

**Printed Name**

Signor's Title

**Title**

When was the form executed???

**Date**

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
by Chicken Scratch Translation.

(Personalized Seal)

Notary Public Signature

I.M. Notary

Notary Public, State of

Texas

County of

Dallas

My Commission Expires:

Will this date go past the award date?

**Date**

\*\*\*Bookmark 1, Tab 1\*\*\*

This is the first page that we'll look at in your application. This should be signed by the owner and notarized. The blanks on this form are self explanatory so this one won't take up much of your time but one thing we'd ask is, just provide the signed copy of this page. We don't need a blank one. Some people include this converted page unsigned, probably because it's a clearer copy, but the only one we want is the signed one, which we're aware will be scanned but that should still be legible.



**Required for Tax Exempt Bond Developments only**

4% Multifamily Housing Tax Credit Program Board Meeting Selection Form

Mailing Address: P.O. Box 13941, Austin, TX 78711-3941

Physical Address: 221 East 11th Street, Austin, TX 78701

**Development Name:** \_\_\_\_\_

Based on the expiration date of the bonds as reflected in the Certificate of Reservation issued by the Texas Bond Review Board, the above referenced Development must be scheduled for one of the TDHCA Board meetings noted below for consideration of the issuance of a Determination Notice. Therefore, as required in §10.201(2)(B) of the Uniform Multifamily Rules, all remaining Parts of the Application, including the ESA, the Market Study, Property Condition Assessment and Appraisal, if applicable, must be submitted at least 75 days prior to the Board meeting. It is important to note that submission of the documents 75 days in advance does not ensure that your Application will be placed on the meeting agenda as requested and changes to an Application (e.g. submission of new financing terms sheets) subsequent to submission may delay completion of Department staff's review or underwriting of the Application and presentation to the Board. Moreover, staff may choose to delay presentation to the Board in instances in which an Applicant is not reasonably expected to close within sixty (60) days of the issuance of a Determination Notice or may recommend the award be conditioned upon closing within a reasonable timeframe after Board approval. Further, the Applicant is encouraged to review §10.201(2)(B), the 2017 4% HTC and Tax Exempt Bond Process Manual and 2017 Multifamily Programs Procedures Manual for any requirements that need to be met prior to submission of the remaining Parts of the Application.

**I request to be on the Board agenda selected below and pursuant to §10.201(2)(B) of the Uniform Multifamily Rules I understand that I must provide the remaining parts of the Application by the applicable corresponding deadline:**

**Board Meeting Date:**

- January 26, 2017
- February 23, 2017
- March 23, 2017
- April 27, 2017
- May 25, 2017
- June 8, 2017
- June 29, 2017
- July 13, 2017
- July 27, 2017

**75 Day Deadline:**

- November 11, 2016
- December 9, 2016
- January 6, 2017
- February 10, 2017
- March 10, 2017
- March 24, 2017
- April 14, 2017
- April 28, 2017
- May 12, 2017

\*\*\*Bookmark 2, Tab 1\*\*\*

For 9% (competitive) applications, this page is not needed but if at some later time 4% becomes of interest to you, this form is where you'll tell us the board meeting at which you'd like your application to be discussed and approved. For 9% purposes, though, you can either delete it completely or mark it as not applicable, as you prefer.

August 17, 2017

September 7, 2017

October 12, 2017

November 9, 2017

December 14, 2017

June 2, 2017

June 23, 2017

July 28, 2017

August 25, 2017

September 29, 2017

An Inducement Resolution has been approved by the Bond Issuer and a copy has been provided behind Tab 8.

**Delete Me**

**I'm Not  
Needed**

\*\*\*Tab 1\*\*\*

Some conversion methods will create this form in two pages. If that happens to yours, be sure to delete at least this page, even if you keep the other.

**Stray blank pages,  
serving no purpose,  
should be deleted.**



**Stray dogs should  
be given a nice  
home.**

\*\*\*TAB 1\*\*\*

Each conversion will behave a little differently and blank pages may result. When I converted this one, I got about 6 blanks after that 4% form. Just delete those whenever you do get one. It's just a stray page and unless you're going to put something on it, it doesn't need to be there.



# **Tab 2: Owner Cert 17006**

\*\*\*Bookmark 3, Tab 2\*\*\*

On to our second tab, nice simple clean divider page telling us what's coming next.

And it's...

## Certification, Acknowledgement, and Consent of Development Owner- §10.204(1)

The *Certification, Acknowledgement, and Consent of Development Owner* is included behind this tab.

**\*\*The form should be executed, notarized, and included in the full application document.\*\***

The form for the certification will be posted to the Department's website at  
<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>.

**Please indicate whether any of the following required disclosure on the *Certification, Acknowledgement, and Consent of Development Owner* (to be used for data capture for application processing):**

§10.101(a)(3) - Undesirable Neighborhood Characteristics

§10.202(1)(M) - Termination of Relationship in an Affordable Housing Transaction

§10.901(18) - Unused Credit or Penalty Fee

**Note: If any disclosures are indicated regarding §10.101(a)(3) then submit the *Undesirable Neighborhood Characteristics Report Packet (UNCR)* located on the Department's website:**

<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>

\*\*\*Tab 2\*\*\*

...NOT the actual Owner Certification but a page that tells you what should appear behind this tab, including the Owner Certification. You'll see these pages throughout the full application and they not only remind you of what you should be inserting, they also give you a place for the items themselves. If you have doubts about the best place to put something, check these pages. They pretty much tell you exactly where and in what order we'll be looking for your evidence.

## ~~Development Owner Certification~~

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All defined terms used in this certification and not specifically defined herein have the meanings ascribed to them in Chapter 2306 of the Texas Government Code, §42 of the Internal Revenue Code, and §10.3 of the Uniform Multifamily Rules.

The undersigned, in each and all of the following capacities in which it may serve or exist -- Applicant, Development Owner, Developer, Guarantor of any obligation of the Applicant, and/or Principal of the Applicant and hereafter referred to as "Applicant" or "Development Owner," whether serving in one or more such capacities, is hereby submitting its Application to the Department for consideration of Department funding.

Applicant hereby represents, warrants, agrees, acknowledges and certifies to the Department and to the State of Texas that:

The Development will adhere to the Texas Property Code relating to security devices and other applicable requirements for residential tenancies, and will adhere to local building codes or, if no local building codes are in place, then to the most recent version of the International Building Code.

This Application and all materials submitted to the Department constitute records of the Department subject to Chapter 552, Texas Government Code, and the Texas Public Information Act.

The Application is in compliance with all requirements related to the eligibility of an Applicant, Application and Development as further defined in §§10.101 and 10.202 of the Uniform Multifamily Rules. Any issues of non-compliance have been disclosed.

All representations, undertakings and commitments made by Applicant in the Application process for Development assistance expressly constitute conditions to any Commitment, Determination Notice, Carryover Allocation, or Direct Loan Commitment for such Development which the Department may issue or award, and the violation of any such condition shall be sufficient cause for the cancellation and rescission of such Commitment, Determination Notice, Carryover Allocation, or Direct Loan Commitment by the Department. To the extent allowed under §2306.6720 Texas Government Code, if any such representations, undertakings and commitments concern or relate to the ongoing features or operation of the Development, they shall each and all be enforceable even if not reflected in the Land Use Restriction Agreement. All such representations, undertakings and commitments are also enforceable by the

\*\*\*Tab 2\*\*\*

Here's the 2016 Development Owner Certification. This certification gets a new name for 2017 and it will be called the Certification, Acknowledgement and Consent of Development Owner. Even though this form will be a little different this time, there are some similarities that I can still use the 2016 form to show you. These are things that I want you to be careful to look for so that we don't have to write deficiencies on them. First, don't try to use this 2016 form. You're going to be under 2017 rules, you MUST, it is not optional, you MUST use 2017 forms. That one was extra. Okay here we go.

## 2016 Development Owner Certification

The Development Owner will establish a reserve account consistent with §2306.186 of the Texas Government Code and as further described in §10.404 of the Uniform Multifamily Rules, relating to Replacement Reserve Account requirements.

The Development will operate in accordance with the requirements pertaining to rental assistance in Chapter 10, Subchapter F.

The Development Owner agrees to implement a plan to use Historically Underutilized Businesses (HUB) in the development process consistent with the Historically Underutilized Business Guidelines for contracting with the State of Texas. The Development Owner will be required to submit a report of the success of the plan as part of the cost certification documentation, in order to receive IRS Forms 8609 or, if the Development does not have Housing Tax Credits, release of retainage.

The Applicant will attempt to ensure that at least 30% of the construction and management businesses with which the Applicant contracts in connection with the Development are Minority Owned Businesses as further described in §2306.6734 of the Texas Government Code.

The Development Owner will affirmatively market to veterans through direct marketing or contracts with veteran's organizations. The Development Owner will be required to identify how they will affirmatively market to veterans and report to the Department in the annual housing report on the results of the marketing efforts to veterans. Exceptions to this requirement must be approved by the Department.

### **Unused Credit or Penalty Fee (select one box as applicable)**

The Applicant returned a full credit allocation after the Carryover Allocation deadline required for that allocation and is subject to the Unused Credit or Penalty Fee pursuant to §10.901(18) of the Uniform Multifamily Rules.

The Applicant certifies that no disclosure regarding §10.901(18) of the Uniform Multifamily Rules is necessary.

### **Termination of Relationship in an Affordable Housing Transaction (select one box as applicable)**

The Applicant has disclosed, in the Application, any Principal or any entity or Person in the Development ownership structure who was or is involved as a Principal in any other affordable housing transaction, that has terminated, voluntarily or involuntarily, within the past 10 years or plans to or is negotiating to terminate their relationship with any other affordable housing development. The disclosure identified the person or persons and

\*\*\*Tab 2\*\*\*

Please look out for blanks like this. There will be questions that you must either answer yes or no to. That means that we, as reviewers, will be looking for one of the two boxes to be checked. Please don't miss those. This year I'm even asking that of US. Last year WE missed putting blanks in for one of the questions and it was a rare applicant that didn't just pass over those spots. Some of you caught it but most didn't. That was technically our fault but if you missed it, it kind of threw us a hint that you didn't read this form. I'm not saying it was a trick question or anything, but it was "suggestive," let me just say it that way.

Pay attention to indentions, if you're prone to skimming and I don't blame you, stop at any indentions that you see. Those sometimes house a question that will need your attention and you don't want to miss those if you can help it. We want to believe that you read the thing.

\_\_\_\_\_ The Development Owner has disclosed in the Application that the Development is located in an area with the following undesirable neighborhood characteristic(s) and documentation, as appropriate, is submitted (select all that apply):

\_\_\_\_\_ in a census tract with a poverty rate above 40% for individuals (or 55% for Developments in regions 11 and 13);

\_\_\_\_\_ in a census tract or within 1,000 feet of any census tract in an Urban Area and the rate of Part I violent crimes is greater than 18 per 1,000 persons (annually) as reported on neighborhoodscout.com;

\_\_\_\_\_ is located within 1,000 feet of a blighted or abandoned area as further described in §10.101(a)(4)(B)(iii) of the Uniform Multifamily Rules.

\_\_\_\_\_ is located in the attendance zones of an elementary, middle, and high school that does not have a 2015 Met Standard rating by the Texas Education Agency, unless the Development Site is subject to an Elderly Limitation.

\_\_\_\_\_ the Environmental Site Assessment for the Development Site indicates any facilities listings within the ASTM-required search distances from the approximate site boundaries on any of the databases identified in §10.101(a)(4)(B)(v) of the Uniform Multifamily Rules.

The Development will include all of the mandatory Development amenities required in §10.101(b)(4) of the Uniform Multifamily Rules at no charge to the tenants and written notice of such amenities will be provided to the tenants.

The Development will satisfy the minimum point threshold for common amenities as further described in §10.101(b)(5) of the Uniform Multifamily Rules. These amenities must be for the benefit of all tenants, meet accessibility standards, be sized appropriately to serve the proposed Target Population, be made available throughout normal business hours, and be maintained throughout the Affordability Period. The tenant must be provided written notice of the elections made by the Development Owner.

The Development will meet the minimum size of Units as further described §10.101(b)(6)(A) of the Uniform Multifamily Rules.

The Development (excluding competitive Housing Tax Credit Applications) will include enough unit and development features to meet the minimum number of points as further described in §10.101(b)(6)(B) of the Uniform Multifamily Rules.

\*\*\*Tab 2\*\*\*

Some of you will have disclosures for Undesirable Neighborhood Characteristics. In 2016 you were required to use this section to disclose which characteristics affected your property and to supply information on what was being done to mitigate it for the future. You'll be making your disclosures for crime and schools at pre-app this time around. If you provided such disclosure at pre-app, also check the line here and include all necessary information regarding the disclosure. The Undesirable Site Features are provided in 10.101(a)(2) and Undesirable Neighborhood Characteristics are found in 10.101(a)(3).

There were enhancements in both of these sections that you should pay attention to. Under Features, If you have an undesirable feature, the rule now says that it MAY disqualify your site, where it used to say WILL. Historic developments and Rehabs with HUD, USDA or VA can receive an exemption from this rule but you must request it with your app or before you turn it in.

The distance between your site and the feature will be measured between the nearest boundaries and they must be further apart than the rule says. You can't be closer unless there's a local ordinance that regulates the proximity of that feature to a multifamily development and provides for a shorter distance. We're going to respect the local rules if there are any. You will have to provide a copy of the ordinance to use a shorter distance than we prescribe. Some of the features and their distances changed this year so be sure to read through them and ask for waivers if you need one.

Undesirable Characteristics was changed quite a lot too. This gets into your crime stats, school quality, poverty rate and blight prevalence. A lot of this changed to include instructions on how to show mitigation for any of these things that affect you. Gentrification can be a good thing for your site, depending on what your characteristic is. The section presents you with several options and the board will decide whether sites having these characteristics are eligible.

2016 Development Owner Certification

By:

\_\_\_\_\_

Signature

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Title

\_\_\_\_\_

Date

THE STATE OF \_\_\_\_\_ §

§

COUNTY OF \_\_\_\_\_ §

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

(Seal)

\_\_\_\_\_

Notary Public Signature

\*\*\*Tab 2\*\*\*

And finally, be sure that this form is properly executed and notarized by the authorized representative of the Owner and that your notary's commission is good throughout the review period.



| Making Super Homes For Super Families |

Modern Multifamily SuperBuilders | Houston, Texas | TDHCA No. 17101

## **Tab 3**

# **Applicant Eligibility Certification**

\*\*\*Bookmark 4, Tab 3\*\*\*

Here's another bookmark that acts as a tab and...

## Applicant Eligibility Certification-§10.204(2)

The *Applicant Eligibility Certification(s)* are included behind this tab.

**§10.202 of the Uniform Multifamily Rules identifies situations in which an Application or Applicant may be ineligible for Department funding. Applicants must provide disclosure of all potential instances of ineligibility, along with evidence of appropriate corrective action taken and accepted by the Department or mitigating factors to be considered. Documentation should be attached behind this tab.**

Disclosure of all potential instances of ineligibility, along with evidence of appropriate corrective action are included behind this tab.

\*\*\*Tab 3\*\*\*

...right behind it, your checklist page, courtesy of TDHCA, telling you what comes next and creating a home for your next document, the Applicant Eligibility Certification.

# Give us ONE full copy of the certification.

2016 Applicant Eligibility Certification

## Applicant Eligibility Certification

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All defined terms used in this certification and not specifically defined herein have the meanings ascribed to them in Chapter 2306 of the Texas Government Code, §42 of the Internal Revenue Code, and §10.3 of the Uniform Multifamily Rules.

The undersigned, in each and all of the following capacities in which it may serve or exist -- Applicant, Development Owner, Developer, Guarantor of any obligation of the Applicant, and/or Principal of the Applicant and hereafter referred to as "Applicant," whether serving in one or more such capacities, is hereby submitting its Application to the Department for consideration of multifamily funding.

Applicant hereby represents, warrants, agrees, acknowledges and certifies to the Department and to the State of Texas that:

This Application and all materials submitted to the Department constitute records of the Department subject to Chapter 552, Texas Government Code, the Texas Public Information Act.

All representations, undertakings and commitments made by Applicant in the Application process for a Development, whether with respect to Threshold Criteria, selection criteria or otherwise, expressly constitute conditions to any Commitment, Determination Notice, Carryover Allocation, or Direct Loan Commitment for such Development which the Department may issue or award, and the violation of any such condition shall be sufficient cause for the cancellation and rescission of such Commitment, Determination Notice, Carryover Allocation, or Direct Loan Commitment by the Department. To the extent allowed under §2306.6720 Texas Government Code, if any such representations, undertakings and commitments concern or relate to the ongoing features or operation of the Development, they shall each and all shall be enforceable even if not reflected in the Land Use Restriction Agreement. All such representations, undertakings and commitments are also enforceable by the Department and the tenants of the Development, including enforcement by administrative penalties for failure to perform, in accordance with the Land Use Restriction Agreement.

Applicant or any other member of the Development Team has not been or is not barred, suspended, or terminated from procurement in a state or Federal program or listed in HUD's System for Award Management (SAM).

Applicant or any other member of the Development Team has not been convicted of a state or federal felony crime involving fraud, bribery, theft, misrepresentation of material fact, misappropriation of funds, or other similar criminal offenses within fifteen (15) years preceding the Application submission.

\*\*\*Tab 3\*\*\*

This form did NOT change names but you still can't use the old version, you must use the 2017 form. This form will be submitted for most of the persons listed on the Organizational Chart. The next page discusses exceptions to this.

We do NOT need this form for entities. It is a "persons only" form. You already know that this is a long form and because of that I will say here that while we do want you to include the full document, we really only want one copy of the full document.



\*\*\*Tab 3\*\*\*

After that, you can just give us the signature pages for each of your persons and you're done. The exception is with members of boards of directors, councils, or other governing bodies. Simply being a member of such a body does not mean that an individual can affect the actions of the entity. This might be different for members of the executive committee or any other member that has the ability to make decisions on behalf of the body. Those individuals are the ones that should be included when you submit the Applicant Eligibility Certification and Previous Participation documents. All of the Persons who have the ability to exercise control over any of the entities in your owner and developer structure will sign this form. So if you've got a manager somewhere, who's going to run one of the companies under the Owner, Developer or Guarantor, we need a form from them as well. That's what 10.204(2)(A-D) is basically laying out for you. It describes certain controlling persons, who have to execute this form, even if they're not on the org charts.

The definition of control was enhanced this year to basically explain what "Acting in Concert" means. And it means that to be considered "acting in concert" you need more of a connection than just sitting on the same board. For Application purposes, your persons who act in concert are those who vote their shares as a group or who can make decisions on behalf of a board representing a single interest. For purposes of this form, we need one signed by everybody that exercises Control. Not every board member exercises Control.

# Tab 4



# Multifamily Direct Loan Certification

\*\*\*Bookmark 5, Tab 4\*\*\*

For those of you applying for funding under the Multifamily Direct Loan NOFA , Tab 4 is where the Direct Loan certification goes. It's important to keep in mind that the NOFA imposes additional requirements, so you should read it carefully and make sure you understand what you're signing up for. And new for 2017, the Direct Loan Rules are separate from the QAP and Multifamily Rules, so there is another document that you will need to consult if you plan to make Direct Loan funds part of your financing.

## Multifamily Direct Loan Certification



*Multifamily Direct Loan Certification* is included behind this tab.

**\*\*The form should be executed, notarized, and included in the full application document.\*\***

The form for the certification will be posted to the Department's website at  
<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>.

#### \*\*\*Tab 4\*\*\*

You get a checklist page for this tab but there's only one thing on it really. And that's the certification itself. This page even tells you where to go and find the form on our website so if you're not sure when you get here, we've already helped you out.

## Multifamily Direct Loan Certification

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I (We) hereby make application to the Texas Department of Housing and Community Affairs (the "Department") for an award of Multifamily Direct Loan funds, which may be composed of HOME Investment Partnerships Program ("HOME") and/or Tax Credit Assistance Program Repayment Funds "TCAP RF." The undersigned hereby acknowledges that an award by the Department does not warrant that the Development is deemed qualified to receive such award. I (We) agree that the Department or any of its directors, officers, employees, and agents will not be held responsible or liable for any representations made to the undersigned or its investors relating to the Multifamily Direct Loan; therefore, I (We) assume the risk of all damages, losses, costs, and expenses related thereto and agree to indemnify and save harmless the Department and any of its officers, employees, and agents against any and all claims, suits, losses, damages, costs, and expenses of any kind and of any nature that the Department may hereinafter suffer, incur, or pay arising out of its decision concerning this application for Multifamily Direct Loan funds or the use of information concerning the Multifamily Direct Loan.

On behalf of the Applicant and all affiliates of the Applicant (hereinafter "Applicant"), I (We) hereby certify that the Applicant is familiar with the state Rules, as published in 10 TAC Chapters 1, 2, and 10. I (We) hereby acknowledge that this Application is subject to disclosure under Chapter 552, Texas Government Code, the Texas Public Information Act, unless a valid exception exists.

I (We) acknowledge all representations, undertakings, and commitments made by Applicant in the application process for a Development, whether with respect to threshold criteria, selection criteria or otherwise, shall be deemed to be a condition to any Commitment Notice, Determination Notice, Award Letter and Loan Term Sheet, Loan Commitment or Contract for such Development, the violation of which shall be cause for cancellation of such Commitment Notice, Determination Notice, Award Letter and Loan Term Sheet, Loan Commitment or Contract by the Department and if concerning the ongoing features or operation of the Development, shall be enforceable even if not reflected in the Land Use Restriction Agreement (LURA) and Contract. All such representations are enforceable by the Department and the tenants of the Development, including but not limited to enforcement by administrative penalties for failure to perform, in accordance with the LURA and Contract.

I (We) certify I (We) have disclosed in the Application all instances in which the Developer or Principal of the Applicant has been removed by a lender, equity provider, or limited partners in the past ten years for its failure to perform obligations under loan documents or limited partnership agreements. I (We) understand that if the Department learns at a later date that a removal did take place as described and was not disclosed, the Application may be terminated and any award made will be rescinded.

I (We) agree the Department may, at its discretion, request additional information and/or documentation in its evaluation of this Application and or is authorized but not obligated under this document to conduct its own investigation regarding any information required requested and or provided in relation to the application or the Development.

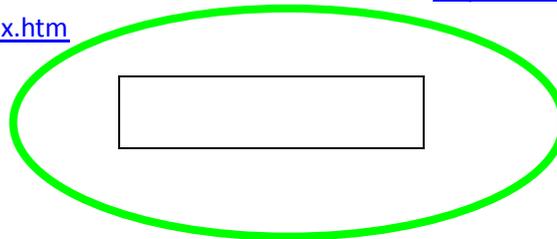
\*\*\*Tab 4\*\*\*

Again, this is part of the 2016 certification and it had some special blanks in it as well. This form may change a little but the main thing I want to show you, again, is the fact that you have more to do than just signing this form.

**All applicants applying under the 2016-1 Multifamily Direct Loan Notice of Funding Availability (NOFA) must read and initial after each of the following sections regarding federal cross cutting requirements.**

**HUD Section 3**

I (We) hereby agree that the work to be performed in connection with any award of HOME funds is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ("Section 3"). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing. I (We) agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. For more information about HUD Section 3, please reference the TDHCA website dedicated to Section 3 at: <http://www.tdhca.state.tx.us/program-services/hud-section-3/index.htm>



**Environmental**

I (We) understand that the environmental effects of each activity carried out with an award of HOME funds must be assessed in accordance with the provisions of National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. §4321 et seq.) and the related activities listed in HUD's implementing regulations at 24 C.F.R. parts 50, 51, 55 and 58 (NEPA regulations). Each such activity must have an environmental review completed and support documentation prepared complying with the NEPA and NEPA regulations. **No loan may close or funds be committed to an activity before the completion of the environmental review process, including the requirements of 24 C.F.R. Part 58, and the Department has provided written clearance.**

The Department as the Responsible Entity must ensure that environmental effects of the property are assessed in accordance with the provisions of the National Environmental Policy Act of 1969 and the related authorities listed in HUD's implementing regulations at 24 CFR Parts 50 and 58.

I (We) certify that I (we) have read and understand the requirements in 24 CFR §58.22, and I (we) understand *that acquisition of the site, even with non-HUD funds, prior to completion of the environmental review process will jeopardize all HOME funding.*

I (We) certify that all parties involved in any aspect of the development process began the project with no intention of using Federal assistance.

\*\*\*Tab 4\*\*\*

Boxes like this appear in a few places and initials were expected to be in them. Please, don't miss any of the blanks that required your initials, a check or several checks plus evidence. You will receive a deficiency for this and that's definitely one that can be avoided. This form must also be signed and notarized by the authorized rep for the Owner, and we only need one of them for your application. Please review your certifications closely so that you make entries everywhere that you're supposed to.

Since we're speaking of Direct Loan, this is a good place to discuss Relocation Assistance. For those of you with occupied developments, intending to pursue rehab, if you're looking at Direct Loan funds and the funding source that you actually receive requires relocation; that would be any HUD funding; you will have to provide relocation assistance. You will also have to show documentation that confirms your compliance with the Uniform Relocation Assistance and Property Act and any other relocation requirements that may apply. That line is from the 2017 Direct Loan Rules so please be aware that you must provide relocation assistance if your development is occupied and your funding source requires it, you must account for the cost of relocation in your Cost Schedule and you must have a relocation plan and budget.

In addition, don't assume that you will receive TCAP funds, and that relocation won't apply. Even if that's what you're applying for, you may get HOME instead. So relocation must be accounted for in your documentation. It will be a deficiency if you don't. We see this often so remember, if you're pursuing Direct Loan funds and you don't have relocation factored in, you'll get a deficiency for it and your numbers will change.

## Applicant Information Page

Provide the contact information for the Applicant and any staff responsible for Administrative Deficiencies and/or clarifications to the Application.

### 1. Applicant Contact Information

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Office \_\_\_\_\_ Extension \_\_\_\_\_  
Email: \_\_\_\_\_  
Mobile \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### 2. Second Contact

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Office \_\_\_\_\_ Extension \_\_\_\_\_  
Email: \_\_\_\_\_  
Mobile \_\_\_\_\_

### 3. Consultant Contact (if applicable)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Office \_\_\_\_\_ Extension \_\_\_\_\_  
Email: \_\_\_\_\_  
Mobile \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\*\*\*Bookmark 6, Tab 5\*\*\*

Now this bookmark has no divider page so it takes you directly to the Applicant Information Page. You don't have to use tab pages if you don't want to, they're just an option to make putting your app together easier and less prone to having bookmarks that don't work or having none at all. A case can be made, however, for not having them; that being 47 fewer pages, direct access to the pertinent information, less clicking for the reviewer, things like that. So if you can bookmark your application successfully without using divider pages, feel free to do so. We support you either way.

This page is obviously where your contact information will go. We want you all to be sure that you put your responsible contact down as first contact. The first and second contact will receive your deficiencies and are the ones we will communicate primarily. If you are the boss BUT you don't tend to check your email, don't make yourself the first contact. Make the people you expect to respond to us the contacts. If you only have one, then feel free to put yourself as second contact. The important thing is that you give us your "action" people. You have 5 days to get an application deficiency cleared and you don't want 2 of those days lost because YOU don't check your email regularly.

## Competitive Housing Tax Credit Selection Self-Score

This form will self-populate based on scoring selections made throughout the Application. Applicant should refer to this form to ensure that scoring selections are accurate prior to submitting the Application. Corrections must be made in the applicable section(s) of the Application.

### Criteria Promoting Development of High Quality Housing

Point Item Description	QAP Reference	Points Selected
<a href="#">Unit Sizes</a>	§11.9(b)(1)(A)	0
<a href="#">Unit and Development Features</a>	§11.9(b)(1)(B)	0
<a href="#">Sponsor Characteristics</a>	§11.9(b)(2)	0
<b>High Quality Housing Total</b>		0

### Criteria to Serve and Support Texans Most In Need

Point Item Description	QAP Reference	Points Selected
<a href="#">Income Levels of Tenants</a>	§11.9(c)(1)	0
<a href="#">Rent Levels of Tenants</a>	§11.9(c)(2)	0
<a href="#">Tenant Services</a>	§11.9(c)(3)	0
<a href="#">Opportunity Index</a>	§11.9(c)(4)	0
<a href="#">Educational Quality</a>	§11.9(c)(5)	0
<a href="#">Underserved Area</a>	§11.9(c)(6)	0
<a href="#">Tenant Populations with Special Needs</a>	§11.9(c)(7)	0
<a href="#">Proximity to the Urban Core</a>	§11.9(c)(8)	0
<b>Serve and Support Texans Most in Need Total</b>		0

### Criteria Promoting Community Support and Engagement

Point Item Description	QAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	
<a href="#">Commitment of Development Funding by Local Political Subdivision</a>	§11.9(d)(2)	0
<a href="#">Declared Disaster Area</a>	§11.9(d)(3)	0
Quantifiable Community Participation	§11.9(d)(4)	
Community Support from State Representative	§11.9(d)(5)	
Input from Community Organizations	§11.9(d)(6)	
Concerted Revitalization Plan	§11.9(d)(7)	
<b>Community Support and Engagement Total</b>		0

### Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability

Point Item Description	QAP Reference	Points Selected
<a href="#">Financial Feasibility</a>	§11.9(e)(1)	0
<a href="#">Cost of Development per Square Foot</a>	§11.9(e)(2)	0
<a href="#">Pre-application Participation</a>	§11.9(e)(3)	0
<a href="#">Leveraging of Private, State, and Federal Resources</a>	§11.9(e)(4)	0
<a href="#">Extended Affordability</a>	§11.9(e)(5)	0
<a href="#">Historic Preservation</a>	§11.9(e)(6)	0
<a href="#">Right of First Refusal</a>	§11.9(e)(7)	0

\*\*\*Bookmark 7, Tab 6\*\*\*

Tab 6 is your Self Score form. Remember that using the Adobe conversion feature will create bookmarks for you but you may find that this one is out of order because of how the tabs appear in the Excel version. It creates the bookmarks in the same order as the Excel so this one you will probably have to move. Just drag it to the right place and make sure it still works once you do. It'll be fine.

Back to Self Score. As you work through the Excel version and select your points, Excel will populate this form for you. You'll see as you're using the Excel that the yellow blanks allow you to make entries. Those blanks populate other fields, which saves duplicate entries and the errors that those cause. As you enter information into your Excel version, there are links that allow you to jump to this page to check that your numbers are going in correctly and the links on this page get you to your source field, in case something is wrong.

The PDF version of this document should show the points that you intend to get and the correct total. Remember that if the points you want are not on this form, you won't get them. Once this particular document reaches us, it does not change. So be sure, before you convert from Excel to PDF, that the numbers you want to see appear on this page. The greyed out fields will stay blank but in the spaces that fill, make sure they show what you want to see. If not, hit the link to go back to the page where the yellow field has the wrong number is in and fix it there.

Note that there are a couple more lines on the bottom of this form that do not show up here.

# Site Information Form Part I

Self Score Total:

## 1. Development Address (All Programs)

<input type="text"/>			<input type="text"/>		
Address			City		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Participating Jurisdiction? <input type="checkbox"/>	
Region	Zip	County	Rural/Urban	(MF Direct Loan applicants only)	
<input type="text"/>					

## 2. Census Tract Information (All Programs)

<input type="text"/>	<input type="checkbox"/>	Median Household Income:	<input type="text"/>	Quartile:	<input type="text"/>	Poverty Rate:	<input type="text"/>
Census Tract Number (11 digits)	QCT?						

## 3. Resolutions (All Programs, if applicable) - §11.3

Check the boxes of true statements below. Resolutions must be provided to demonstrate eligibility for any **unchecked** item.

- Twice the State Average Per Capita.** The proposed Development is **NOT** located in a municipality or a county that has more than twice the state average of units per capita supported by Tax Credits or Private activity Bonds. (QAP §11.3(b))
- One Mile Three Year Rule.** The proposed Development is located outside an MSA or in a county with a population of less than one million **OR** is **NOT** a New Construction or Adaptive Reuse development that will be located one mile or less from a new construction or terminated/withdrawn HTC or Bond development serving the same type of household. (QAP §11.3(c))
- Limitations on Developments in Certain Census Tracts.** The proposed Development is **NOT** a New Construction or Adaptive Reuse development that will be located in a census tract that has more than 20% HTC units per total households. (QAP §11.3(d))

## 4. Zoning [§10.204(11)] and Flood Zone Designation [§10.101(a)(1)] (All Programs)

Development Site is appropriately zoned?	<input type="checkbox"/>	Zoning Designation:	<input type="text"/>
Flood Zone Designation:	<input type="text"/>	Development is outside the 100 year floodplain?	<input type="checkbox"/>

\*\*\*Bookmark 8, Tab 7\*\*\*

And now we get to the first Site Information form. These blanks are pretty self explanatory and most of them are yellow, which means YOU will be filling these in. You'll give us the address of your development or as close as you have to it, the city, region, zip, county, etc. Just fill every yellow blank out. There is only one census tract blank on this page but for those of you with multiple tracts to account for, you do have the "Multi Site form" which we'll cover in a few minutes, to give us any others tracts that your site falls into.

Below Census tracts, Mandatory Community Assets and its associated radius map is gone and section 3 now concerns your de-concentration resolutions. If you have an issue with one of these three de-concentration factors; your city or place has twice the state average of units per capita, your development is within one mile of an HTC development serving the same type of households awarded in the last three years or your census tract has more than 20% tax credit units per total households; then you know you need resolutions. We double check your declarations here using our Site Demographics Report, so if you miss identifying one of these, we'll very likely catch it and you can't correct a missing resolution through a deficiency. This can terminate you.

Your related resolutions belong behind this tab but since they're going to come from your cities and/or counties, if you put it with the Community Input stuff in Tab 47, we'll still find it. That's the second place we look. **There is no third place** so make sure it gets into one of those two spots or we'll have to ask you where you put them.

Section 4 at the bottom is zoning and here we're looking to see what kind of zoning and flood issues you may have. You'll enter information in the yellow fields. 10.204(11), related to zoning, received an enhancement this year. If you're a Rehab and you've got a non-conformance, your evidence of zoning needs to SAY that your particular nonconformance is allowed. Now whether you provide the part of the ordinance that specifically states that the nonconformance that you've got is acceptable or if you have the appropriate city official put it in the letter for you, we need something that clearly states as a part of your evidence. That's new. All else with zoning has pretty much stayed the same so please review that and submit the appropriate evidence for your site.

Another important point as you use these forms: the area of the rules or QAP is identified in the gray header, so you can easily find the actual rule text if you need it.

## Supporting Documentation for the Site Information Form Part I

Street Map with Site Drawn and Identified



Census Tract Map with Development Site Identified



Twice the State Average of Units Per Capita Resolution

*A Resolution must be attached to complete this item if Item 4 on Tab 7 is not checked.*

One Mile Three Year Resolution or evidence of other exception

*A Resolution must be attached to complete this item if Item 4 on Tab 7 is not checked.*

Housing Tax Credit Units per Total Household Resolution

*A Resolution must be attached to complete this item if Item 4 on Tab 7 is not checked.*

Evidence of Zoning and/or Evidence of Re-Zoning Process

Evidence of Flood Zone Designation



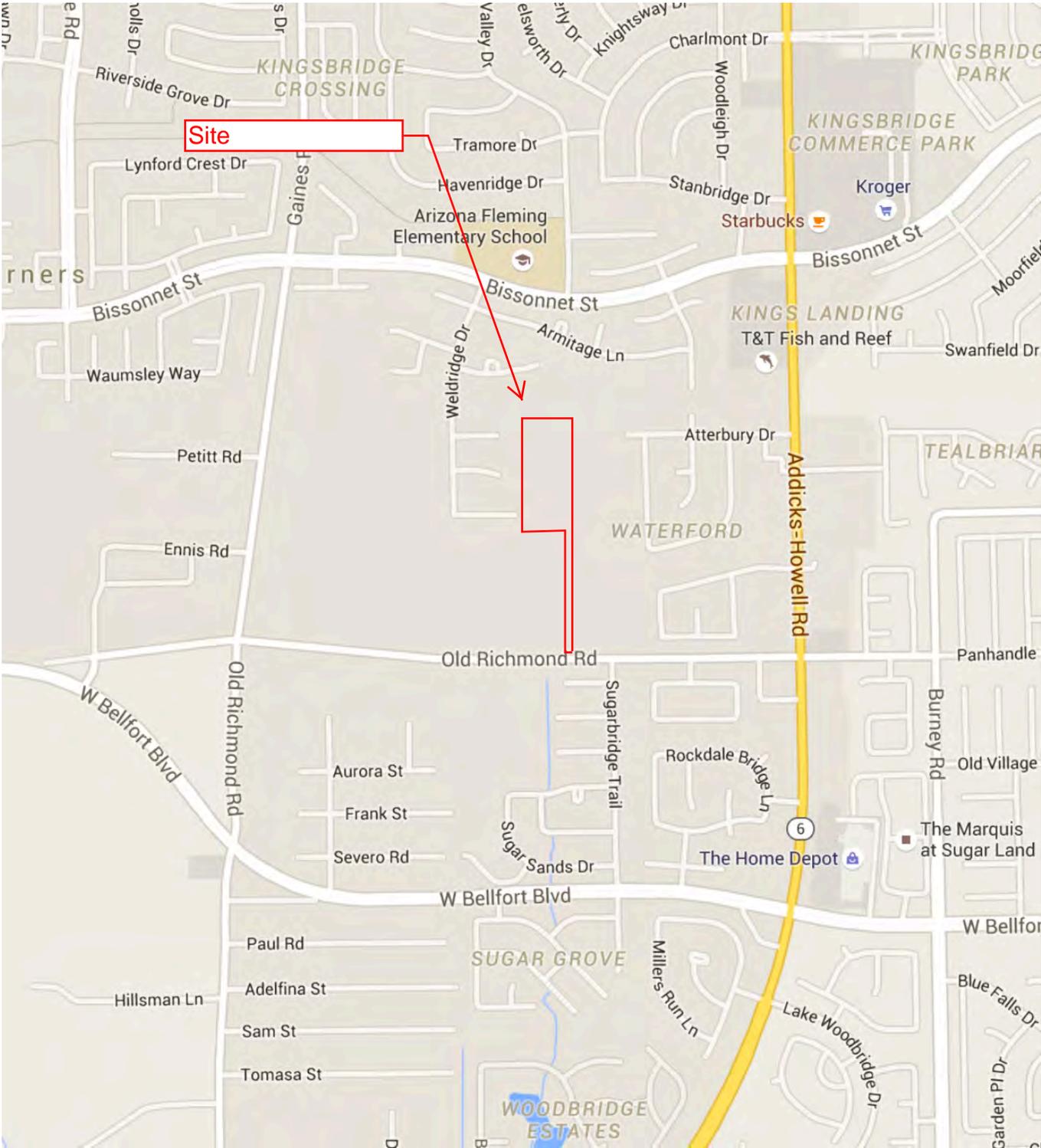
For Tax-Exempt Bond Applications the resolution of no objection to satisfy requirements of §10.204(4) of the Uniform Multifamily Rules is included

For Tax-Exempt Bond Applications the resolution of no objection to satisfy requirements of §10.204(4) of the Uniform Multifamily Rules is not included and will be provided under separate cover no later than 14 days prior to the Board meeting selected in Tab 1b

\*\*\*Bookmark 9, Tab 8\*\*\*

After this page comes your checklist page, which gives you reminders of what's needed as well as a good, logical place to put it all. Your street map, census tract map, your resolutions, etc. They all should go behind this page.

# Street Map



Source: Google Maps

\*\*\*Tab 8\*\*\*

Your street map, showing the location of your development and the street names if possible.

Enter an Address, city, state or tract

Go

Select a State

Select a County

Go

Map Options : Clear | Reset | Full Screen

QCT Legend:

Tract Outline

Qualified Census Tracts (2014 Only)

Qualified Census Tracts (2015 Only)

Qualified Census Tracts (2014 & 2015)

LIHTC Project

### QCT Options

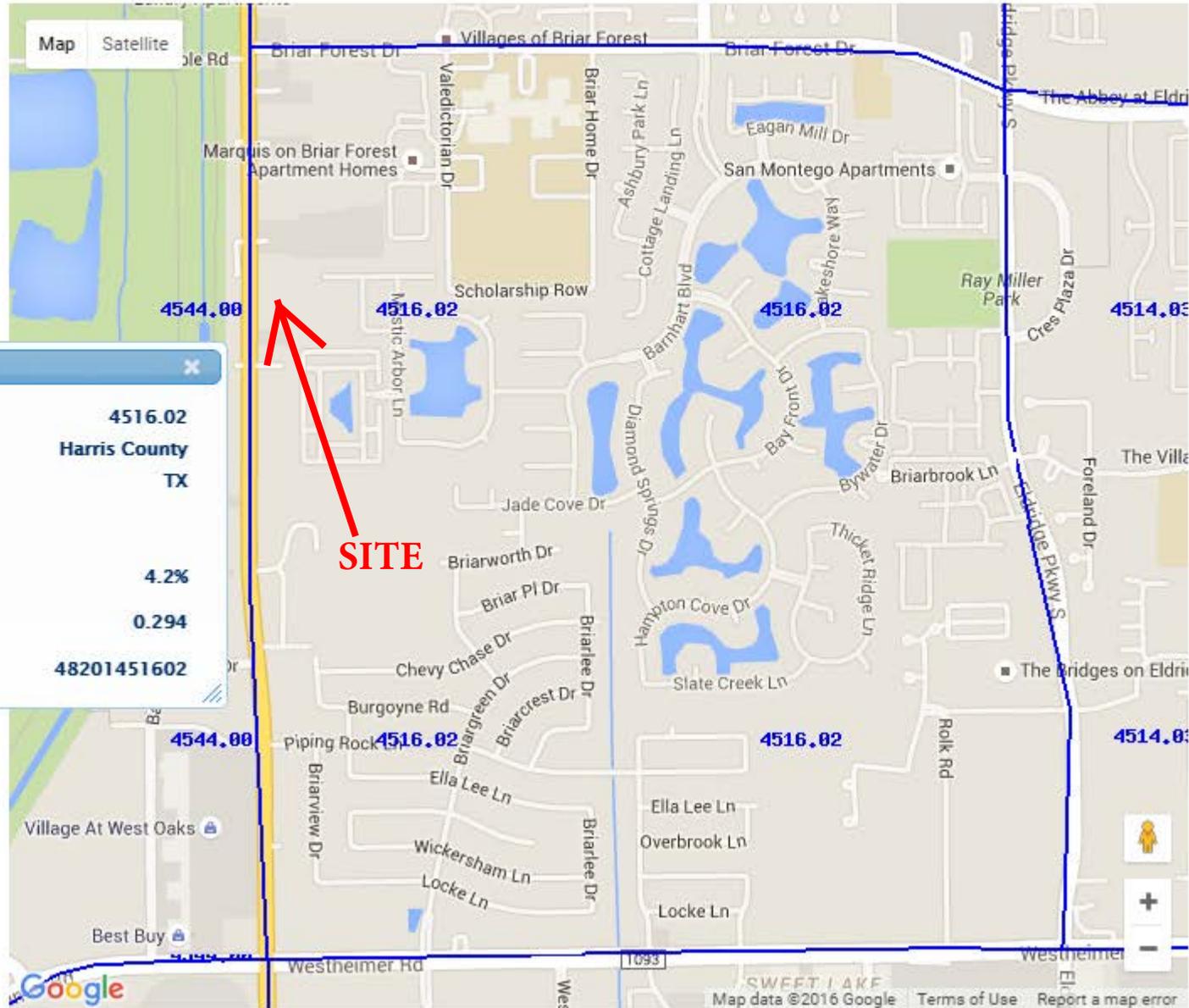
15 Current Zoom Level

- Show Tracts Outline (Zoom 11+)
- Show LIHTC Projects (Zoom 11+)
- Color Qualified Tracts (Zoom 7+)

[Click here for full screen map](#)

### Qualified Census Tract Information

Tract	4516.02
County	Harris County
State	TX
Status (2014)	
Status (2015)	
Poverty Rate	4.2%
Ratio of Tract Median Income to Tract Income Limit	0.294
Full Tract Number	48201451602



\*\*\*Tab 8\*\*\*

Your census tract map, showing the location and census tract number of your development site. We know not all of you will have real addresses to use but get as near as you can. The tract number shown on this map must match what's on your Site Info 1, or we'll ask you about it. And if you have multiple sites, we'll check your maps and tract numbers against the Multi-Site Form as well. This map also helps us to verify your QCT status, so make sure that the form jives with your map on that question as well.

***Amenities Map***

***complete with***

***1 or 2 mile Radius***



\*\*\*Tab 8\*\*\*

And the amenities map, is now no longer required. That item is now GONE.

# Site Information Form Part II

0

**1. §11.9(c)(5) - Educational Quality (Competitive HTC Applications Only)**

Residents of the proposed development will attend:

School Name	Grades X through X	Accountability Rating	Index 1 Score (e.g. 78)	Overall Rating
	through			
	through			Elementary
	through			
	through			Middle School
	through			
				High School

School district has no attendance zones and the closest schools are listed.

District Rating (if TEA never rated school):

Education Service Center Region Score (if applicable):

**Additional Scoring Item**

Educational Quality dropdowns for extra points.

Application is seeking points for Educational Quality.

Total Points Claimed:




If necessary, provide a brief summary of how the Development Site is justifying the points selected:

**2. §11.9(c)(4) - Opportunity Index (Competitive HTC Applications Only)**

Development Site is located in a census tract that has a poverty rate that is less than 20% or that is less than the median poverty rate for the region, whichever is higher.

AND

Development Site is located in a census tract with an income rate in the two highest quartiles within the region.

OR

Development Site is located in a census tract with income in the third quartile within the region, and is contiguous to a census tract in the first or second quartile, without physical barriers such as highways or rivers between, and the Development Site is no more than 2 miles from the boundary between the census tracts. A map showing the Development Site, location of the border, scale showing distance, and other evidence as applicable is included behind this tab.

Census Tract #

Contiguous Census Tract #  
(if applicable)

Development is Urban and Development Site is within the required radius of eligible amenities and/or services, pursuant to §11.9(c)(4)(B)(i) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.










\*\*\*Bookmark 10, Tab 9\*\*\*

Site Information II is the home of some important changes this year. First, Educational Excellence has become Educational Quality and here is what has changed in this section. In order to qualify for points, your elementary AND either the middle OR high school whose attendance zone contains the development site must have a Met Standard rating from TEA. When selecting your points for this item on the form, you'll enter your school names, their accountability rating and their Index 1 score and the overall rating.

Navigating the TEA website can be challenging, so here are your breadcrumbs: From the TEA homepage, click on "Student Testing and Accountability". On the right side of the screen, click on "Accountability". On the right, click on "State Accountability". Under the header, click on "academic accountability ratings". Click on "2016 Accountability Ratings".

To find out if your campus has a Met Standard Rating and a Distinction Designation, click on "campus", enter the campus name and hit search (use district instead of campus if it applies). Select the campus you are interested in. Note that a number of selections appear beneath the name of the campus. Select "Accountability Summary" then "View Report". You can find ESC information by selecting "ESC region" instead of campus. Likewise for the state.

To find the Index 1 first quartile, go to the "2016 Accountability Ratings" page and scroll to the bottom. Under "Other Information" you will find the "2016 Performance Indicator Frequency Distributions". Open that file and scroll down to the point where the frequency is over 75 (75-100 = first quartile). You will see that it takes an Index 1 score of at least 84 to be in the first quartile.

The schools may meet one of A-E for an additional point. So first, they have to meet this Met Standard criteria and then ONE of A-E. For your additional point, you'll have a dropdown menu to select from.

Right in the middle of the same Site Info II form, Opportunity Index begins and it begins with the threshold you have to meet in order to get any points at all. Your census tract must have a poverty rate of less than the greater of 20% OR the median for your service region, 1-13. For points under A, the census tract must have: i) income in quartiles 1 or 2, OR ii) income in quartile 3 and your tract is contiguous to a tract in quartiles 1 or 2, there's no physical barrier like a highway or a river between the development, and that tract and the development site is no more than 2 miles from the tract's border. Don't forget to include maps where indicated.

You can get more points, up to a maximum total of 7, for any of items listed in 11.9( c)(4) 1-13 for Urban and 1-12 for Rural, that your site qualifies for. You will make your selections from these dropdown boxes here, and there are two sets: one for Urban and one for Rural.

**IMPORTANT!!!!** If you are planning to use additional items for tie-breakers, do not select them here but DO include your evidence for those items.

Development is Rural and Development Site is within the required distance of eligible amenities and/or services pursuant to §11.9(c)(4)(B)(ii) of the QAP. A map showing the Development Site, scale showing radius, location of the amenities, and other evidence as applicable is included behind this tab.




Application is seeking points for Opportunity Index. Total Points Claimed:

If necessary, provide a brief summary of how the Development Site is justifying the points selected:

**3. §11.9(c)(8) - Proximity to the Urban Core (Competitive HTC Applications Only)**



- Development Site is located in a City with a population over 300,000 and is *not* in At-Risk Set-Aside.
- AND**
- Population of City is 300,000-500,000 and Development is located w/in 2 miles of City Hall facility.
- OR**
- Population of City is more than 500,000 and Development is located w/in 4 miles of City Hall facility.

Application is seeking points for Proximity to the Urban Core. Total Points Claimed:

**4. §11.9(c)(6) - Underserved Area (Competitive HTC Applications Only)**

Applications may qualify for up to five (5) points for proposed Developments located in one of the following areas:

- Colonia (*Note: Not eligible if application qualifies for Opportunity Index points*);
- Economically Distressed Area (*Note: Not eligible if application qualifies for Opportunity Index points*);
- A census tract within the boundaries of an incorporated area that has not received a competitive tax credit allocation or a 4% non-competitive tax credit allocation for a Development within the last 15 years; and continues to appear on Department's inventory
- If not the previous item, a census tract that does not have a Development subject to an active tax credit LURA, (or has received a tax credit award but not yet reached the point where its LURA must be recorded);
- A census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract within which the Development is located nor the contiguous census tracts have received an award or HTC allocation within the last 15 years and continues to appear on the Department's inventory (**only applies in cities with a population of ≥300,000 and will not apply in At-Risk**).

Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>
Contiguous Census Tract #	<input type="text"/>	Contiguous Census Tract #	<input type="text"/>

Application is seeking points for Underserved Area. Total Points Claimed:



\*\*\*Tab 9\*\*\*

And finally, there in the bottom of the section, a box has been provided should you need to explain any of your choices above.

As I said, we got rid of Proximity to Important Services and replaced that with Proximity to Urban Core. If you're applying under the At-Risk set aside, you can't get these points.

If your development is in a city with a population of over 300,000, you could get these points and there are 5 to be had. How to get them. You must be located within 4 miles of the main City Hall facility in a city of more than 500,000 people OR you must be within 2 miles of said facility if your city's population is between 300k and 500k. How do we know which is the main City Hall? This will be determined by the location of regularly scheduled City Council, City Commission or similar, meetings. And this is measured from property boundary to property boundary, leaving out non-contiguous parking areas. So if this description fits your developments site and city, these 5 points are waiting for you and all you need do is check the box pertaining to the correct description, there in the middle of the page.

After that comes Underserved Area. This section received a few enhancements. In fact over half of its point items are new for 2017. This item is worth up to 5 points now rather than 2 and the enhancements are as follows:

The first two, Colonia and EDA, remain from last year as A and B. C Is now a census tract within the boundaries of an incorporated area that has not received a 9% or a 4% allocation within the past 15 years and continues to appear on our inventory.

**D is the first place that the Governor's office made changes to the QAP.** The final version of the rule is: For areas not scoring under C, a census tract that does not have a Development with an active LURA (*or has received a tax credit award but not yet reached the point where its LURA must be recorded*).

Then E is a census tract within the boundaries of an incorporated area and all contiguous census tracts for which neither the census tract in which the Development is located nor the contiguous tracts have received an award or an allocation within the past 15 years and continues to appear on the Departments' inventory. This applies to cities with a population of 300,000 or more.

So if your census tract is within a city whose last tax credit development was 15 or more years ago and that one is still on the inventory, you can get 3 pts. If all the contiguous tracts around yours haven't had one in 15 years either and any of those are still on the inventory, it's worth 5pts. If you're At-Risk, you can't get these points at all. So we'll be looking at the latest version of our inventory to check these and the usual evidence from the Water Development Board will apply to colonias and the zip codes that HUD puts out will cover the EDAs. This won't be hard to check.

5. **§11.9(d)(7) - Concerted Revitalization Plan (Competitive HTC Applications Only)**



Region:

Development is in an Urban Area.

Concerted Revitalization Plan has been adopted by the municipality or county and resolution or certification is attached behind this tab.

Letter from appropriate local official, Target Area map, and supporting documentation are provided behind this tab.

Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; resolution stating such is provided behind this tab.

No points were claimed for Opportunity Index, but location would qualify for at least 4 points:

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

OR

Development is in a Rural Area.  Rehabilitation  Demolition/Reconstruction

Development is currently leased at 85% or more by low income households, and was constructed prior to 1985 as either public housing or as affordable housing with support from USDA, HUD, HOME, or CDBG.

AND

Demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

OR

Rehabilitation of units and the proposed location requires no disclosure of Undesirable Neighborhood Characteristics, or such characteristics are disclosed and found to be acceptable.

Development is explicitly identified by the city or county as contributing more than any other to the concerted revitalization efforts of the city or county; letter from Governing Body stating such is provided behind this tab.

No points were claimed for Opportunity Index, but location would qualify for at least 4 points under §11.9(c)(4)(B):

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application is seeking points for Concerted Revitalization.

Total Points Claimed:



6. **§11.9(d)(3) - Declared Disaster Area Scoring (Competitive HTC Applications ONLY)**

Development is located in an area that qualifies as a Declared Disaster Area as defined in §11.9(d)(3).

Application is seeking points for Declared Disaster Area.

Total Points Claimed:

\*\*\*TAB 9\*\*\*

11.9(d)(7)(A)(i) is your section if your site is in an Urban area. Your city or county's revitalization plan will have to meet the following criteria in order to qualify for points.

- 1) It must have been adopted and if the development of the plan and its budget has been delegated, the resolution that evidences that delegation must be provided. So this goes to your evidence. We need to see that the plan was adopted, and the resolution that did that plus any that proves that the responsibility to put this thing together was outsourced, must be provided to us.
- 2) It must define the problems in the revitalization area by gathering input directly from the residents of the revitalization area. The priorities of the plan itself must come from the community, not from the council members or the county commissioners as representatives of their voters, but from the residents themselves. So your evidence must include something that verifies how public input was collected. That is very important. The rule gives you a list of items that COULD be cited by the community but this is just there to give you the kind of things that may come up. The residents of that community know what they want to see changed, and that's what the plan should reflect.
- 3) The target area will be reviewed to confirm the presence of the cited issues and for targeted efforts within the plan to address them. That could include a site visit, gathering information from local sources, or something I can't think of, to confirm that what's mentioned in the plan exists and does in fact need an upgrade. Also in this section, your plan can, in addition to addressing neighborhood conditions, include efforts that focus on revitalizing the local economy and creating a more desirable neighborhood. So in your plan you can include things like a-f:  
a-creating needed affordable housing by building or rehabbing.  
b-attracting private sector development of housing and/or business.  
c- developing healthcare facilities  
d- providing public transportation  
e- developing significant recreational facilities, and/or  
f- improving under-performing schools  
These are just add-ons. They can't be the only focus of the plan but they CAN be part of it because criteria 3 makes room for them.
- 4) The adopted plan must have sufficient, documented and committed funding that has been flowing. Revitalization should be proceeding according to the plan's timetable and monies should have already been released and spent. So something in your evidence should confirm what has been already accomplished and what money has been spent. Your development cannot be the first thing in and we want to be able to reasonably expect that some of the problems that the residents have identified COULD be solved before your development places in service. Your evidence has to convince us of that.

These are the features of a successful Concerted Revitalization Plan in an Urban area but we haven't said anything about points yet have we?

11.9(d)(7)(A)(ii) discusses points.

Section 6 down there, Disaster Area hasn't changed on this form, but refer to the 2017 list on the website because the list has changed. You'll still check the box if you're located in a qualifying county. It's still worth 10 pts. If your site is in an area that has been declared a disaster area within the last two years, you qualify for the points but you MUST ask for them. If you don't see your county on the list and have evidence that you think proves your county's eligibility, submit it behind this page.

## Supporting Documentation for the Site Information Form Part II

### n/a Educational Quality (Competitive HTC Only)

n/a School Attendance Zone Map with Development labeled and TEA information 

n/a TEA information

### n/a Opportunity Index (Competitive HTC Only)

n/a Map of Community Assets with Development, radius, and each asset labeled. 

n/a Map with Development, census tract boundaries, and distance labeled. 

 Print-out from DFPS website confirming daycare licensed to serve relevant age groups.

 Miscellaneous information regarding health-related facility, museum, and/or full service grocery.

 Crime rate information for census tract from Neighborhood Scout or local data source  
(<https://www.neighborhoodscout.com>)

 Tabulation from 2010-2014 American Community Survey

### n/a Proximity to Urban Core (Competitive HTC Only)

n/a Map with the appropriate radius, City Hall location, and evidence of meetings regularly scheduled for City Council, City Commission, or similar. 

### n/a Evidence of Underserved Area (Competitive HTC Only)

n/a For Colonia:

Evidence from Attorney General of boundaries and map showing distance from Rio Grande river border; *and*

letter from the appropriate local government official or other evidence that the colonia lacks infrastructure and the Development will enable the current dwellings to connect to such infrastructure.

n/a For Economically Distressed Areas: A letter or correspondence from Texas Water Development Board.

### n/a Concerted Revitalization Plan (Competitive HTC Only)

Urban:

n/a Map of target area(s) with location of Development Site clearly identified. 

n/a Resolution adopting the Concerted Revitalization Plan or certification

n/a Letter from appropriate local official providing documentation of measurable improvements.

Rural:

n/a Current rent roll

n/a Evidence Development constructed prior to 1985

n/a Evidence Development is public housing or affordable housing supported by USDA, HUD, HOME or CDBG

n/a Evidence demolition and relocation of units has been determined locally to be necessary to comply with Affirmatively Furthering Fair Housing Rule or to create acceptable distance from Undesirable Neighborhood Characteristics.

n/a Letter from appropriate Governing Body describing concerted revitalization effort and identifying Development as contruting more than any other to such effort.

\*\*\*Bookmark 11, Tab 10\*\*\*

And here is your evidence checklist, giving you the right place to put your items.

**Remember to put your evidence for your tie breakers in !!!!**

# Site Information Form Part III

Self Score Total:

## 1. Site Acreage

Please identify site acreage as listed in each of the following exhibits/documents.

Site Control:  Site Plan:  Appraisal:  ESA:

(\*) Should equal acreage indicated in site control documents less acreage intended to be dedicated, sold or used for public purpose and not to be encumbered by LURA (net acreage). The net acreage will be used for calculating density for all purposes.

Please provide an explanation of any discrepancies in site acreage below:

[A description of any reductions except as a result of dedication of land for roadways, easements or other changes that may occur during development may help the Applicant avoid future amendments.]

## 2. Site Control - §10.204(10)

The current owner of the Development Site is (If scattered site, & more than one owner, refer to Tab 13 Multi Site Info):

Entity Name  Contact Name

Address

City  State  Zip  Date of Last Sale

Is the seller affiliated with the Applicant, Principal, sponsor, or any Development Team member?

If "Yes," please explain:

Did the seller acquire the property through foreclosure or deed in lieu of foreclosure?

Identify all of the sellers of the proposed property for the 36 months prior to the first day of the Application Acceptance Period and their relationship, if any, to members of the Development Team:

Name:	Relationship:
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Site Control is in the form of:

- Contract for sale.
- Recorded Warranty Deed with corresponding executed closing/settlement statement.
- Contract for lease.

Expiration of Contract or Option:  Anticipated Closing Date:

Title Commitment or Title Policy is included behind this tab ( as requested in the Multifamily Rules §10.204(12)).

## 3. 30% increase in Eligible Basis "Boost" (9% and 4% HTC Only) - §11.4(c)

Development qualifies for the boost for:

- Qualified Census tract that has less than 20% HTC Units per household
- Development is located in a Small Area Difficult Development Area (SADDA)
- Rural Development (Competitive HTC only)
- Development is Supportive Housing (Competitive HTC Only)
- Development meets the criteria for the Opportunity Index as identified in §11.9(c)(4) of the Qualified Allocation Plan (Competitive HTC only)
- Development is not Elderly and is not located in a QCT that is covered under a Concerted Revitalization Plan. (Competitive HTC only)
- Development includes an additional 10% of units at 30% AMI. Must be in addition to the number of units needed for scoring item or any other funding source from MF Direct Loan requirements. (Competitive HTC only)
- Development is in a QCT with 20% or greater Housing Tax Credit Units per household, and a resolution from the Governing Body of the appropriate municipality or county allowing the construction of the Development is included behind Tab 8\*\*

\*\* Resolution not due until Resolutions Delivery Date for Tax-Exempt Bond Developments

\*\*\*Bookmark 12, Tab 11\*\*\*

Site Info III is our Site Information Form and this is where you'll tell us all about the land you're going to be building or rehabbing on. Section 1 gives you the opportunity to show that the size of your site is the same among certain documents in the Application. We go to each of these documents to see how the measurement of your site is given. If the documents don't match, we're going to see that. Please don't just put the site size that you plan to use here. Put the one that appears on each of these documents and THEN if necessary explain why they don't match. Whether it's because of timing, the survey came late, the ESA was done before the survey so the size changed after the ESA was done. We need to know why the site is presented with differing acreage among these particular documents so please be prepared to tell us in the description box provided there.

Next is Section 2, Site Control and it's basically the same. There was a line added to the rule that clarifies that if you're using a warranty deed to verify site control, it has to vest indefeasible title in the Owner or an Affiliate but the thing to be sure of with site control is basically that you HAVE IT. That's what we'll be reviewing for so make sure your site control is clear and that your escrow receipts are included. We have to write up escrow receipts way too often so please don't leave those out. If your contract requires earnest money and other deposits, we have to see those receipts to know that you've paid those. Checks aren't desirable because they just prove that a check was cut. I don't mind the wire transfer documentation because they usually show a sent and received date but checks force us to assume something that isn't documented and we'd like to avoid that. Anyway, everything that was adjusted in the Site Control section, goes to making sure that your ability to compel title is active and not encumbered by something unreasonable. The short version of that is, make sure you have site control.

Section 3, The Boost is basically the same, it was enhanced a little to require that if you're going to do the additional 10% of 30% units, this number must be in excess of any 30% units required by Direct Loan. The box there has that written out for you too.

**Support Documentation from Site Information Part III Should be Included Behind this Tab.**

- Site Control Documentation
- Title Commitment or Policy
- Each of the Direct Loan exhibits identified below (as applicable)

**Increase in Eligible Basis (30% Boost)**

- SADDA map clearly showing the Development is located within the boundaries of a SADDA, if applicable. 

**Site & Neighborhood Standards (New Construction Direct Loan only)**

Confirm the following supporting documents are provided behind this tab.

- Letters on company letterhead from local utility providers confirming the site has access to the following services: water and wastewater, sewer, electricity, garbage disposal and natural gas, if applicable.
- Statement explaining how the Development will promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
- DP-1 Profile of General Demographic Characteristics (2010) Census data for the census tract and city (and county if proposed site is located in a rural area) where the proposed site will be located. DP-1 Census data can be accessed using the Advanced Search option at [www.census.gov](http://www.census.gov).
- A statement confirming that travel time and cost via public transportation or private automobile, from the neighborhood to places of employment providing a range of jobs for lower-income workers, is not excessive. This is not applicable for Developments proposing to serve Elderly.



\*\*\*Bookmark 13, Tab12\*\*\*

And that gets us to our evidence checklist and here I want to look at the Direct loan statements that you need to provide. The utility provider letters are usually okay, although the letter from the trash provider is often left out. Then you have a couple of narratives that you have to write and that first one on explaining HOW the development will promote greater housing choice is usually a problem. You do need to explain HOW your development will promote greater choice, not just THAT it will. Most of these that I've read only state that the development will promote choice but they don't say anything about HOW that will be done. There is a difference there. "I will go to the store" tells you what I'm going to do. "I will go to the store by walking there" tells you HOW I will do it. Do not send in a THAT letter that does not include your HOW. The HOW is stated specifically and as such we'll be looking for it in the letter.

Next, you need demographic profiles for your census tract and your CITY. City is left out far too often. I usually get the tract and county, but the city is usually not there. The report shows the tract by number, the city by name, or the county by name at the top so we will know what we have. Don't leave the city out.



\*\*\*Bookmark 14, Tab 13\*\*\*

Remember long ago when I mentioned a Multi Site form to put any extra tracts on? Well this is what it looks like. The form is the same. If you're building on non-contiguous sites or your site falls into more than one census tract, list them here.

If you need more spaces than are shown on the Excel page, there are more hidden in the spreadsheet that you can reveal for use. And if you don't need this document at all, you can always delete it from the PDF.

Also, delete any extra pages that you don't need.

# Elected Officials

Elected officials were identified in the **Pre-Application** , and there have been no changes.  
 (If box above is checked, these forms may be left **BLANK** .)

Please identify all elected officials which represent the Development Site.

<b>** US Representative</b>	<b>District</b>

<b>State Senator</b>	<b>District</b>
<b>Support Letter</b>	
<b>City Mayor</b>	

<b>State Representative</b>	<b>District</b>
<b>Support Letter</b>	
<b>County Judge</b>	

<b>School Superintendent</b>	<b>District Name</b>	<b>Email</b>
<b>Address</b>	<b>City</b>	<b>Zip</b>

<b>Presiding officer of Board of Trustees</b>	<b>Email</b>
<b>Address</b>	<b>Zip</b>

**\*\*** While Applicants are not required to notify US Representatives, the Department is required to notify these elected officials. Therefore, Applicant must identify the appropriate US Representative of the district containing the Development.

\*\*\*Bookmark 15, Tab 14\*\*\*

Elected officials hasn't changed, keep doing what you're doing there. For you new ones, this tells us those to whom you provided notifications. And if your elected officials have NOT changed since pre-app and there was no need to re-notify them, just check the box at the top and forego the rest. If your officials DID change, you didn't submit a pre-app or you had a development change that requires re-notification, fill in all of the boxes informing us of who you notified. Yellow fields mean you will make entries...



\*\*\*Tab 14\*\*\*

...and continue that on the next page. You have dropdowns here to select which type of official you're entering, council member, county commissioner, etc. List them all. If we need to see proof that your notifications were done appropriately, you must be prepared to provide that so keep copies of your notification and your certified mail receipts or proof of however you sent them. We have requested this before so keep up with it.

Again, delete any extra pages you don't need.

## Neighborhood Organizations

Identify all Neighborhood Organizations on record with the county or Texas Secretary of State as of the beginning of the Application Acceptance Period whose boundaries include the Development Site.

Organizations were identified in the Pre-Application, and there have been no changes.  
 (If above is checked, these forms may be left **BLANK**)

1.

Name of Organization		Contact Name	
Address		City	
Zip	Phone	Fax or Email	

2.

Name of Organization		Contact Name	
Address		City	
Zip	Phone	Fax or Email	

3.

Name of Organization		Contact Name	
Address		City	
Zip	Phone	Fax or Email	

4.

Name of Organization		Contact Name	
Address		City	
Zip	Phone	Fax or Email	

5.

Name of Organization		Contact Name	
Address		City	
Zip	Phone	Fax or Email	

\*\*\*Bookmark 16, Tab 15\*\*\*

This form is still the same as well and gives you the same opportunity to say, “No Changes” there at the top or to the make entries if there have been changes. If there were no organizations at pre-app and there are still none at full, check the “No Changes” box to tell us that.

People are confused here when there are no organizations and don't really know how to account for that on this form. The “No Changes” box is the way to tell us that you STILL have no Neighborhood Organizations. If one pops up between pre and full app, that counts as a change so you'll make entries in that case. Whatever you do, don't leave this form blank. We need either need a check or filled in boxes.

And of course, delete any extra pages you don't need.

# CERTIFICATION OF NOTIFICATIONS (ALL PROGRAMS)

Pursuant to §10.203 of the Uniform Multifamily Rules, evidence of notifications includes this sworn affidavit, and the Elected Officials and Neighborhood Organizations Forms. All Applicants, or persons with signing authority, must complete either Part 1 or Part 2 below:

**Part 1. Notifications made at Pre-Application (Competitive HTC only) :**

I (We) certify that The pre-application included evidence of these notifications pursuant to §10.203 of the Uniform Multifamily Rules, the pre-application met all threshold requirements, and no additional notifications were required with this full application.

**Part 2. Notifications or Re-notifications made at Application**

The pre-application for this full Application met all threshold requirements, but all required entities were re-notified as required by §10.203 of the Uniform Multifamily Rules. As applicable, all changes in the Application have been made on the *Elected Officials and/or Neighborhood Organizations Form(s)*.

I (we) certify that the notifications are not older than 3 months from the first day of the Application Acceptance Period for Competitive HTC Applications and not older than three (3) months prior to the date Parts 5 and 6 of the Application are submitted for Tax Exempt Bond Developments, and not older than three (3) months prior to the date the Application is submitted for all other Applications.

I (We) certify that, in addition to all of the required neighborhood organizations, the following entities were notified in accordance with §10.203 of the Multifamily Uniform Rules. The notifications were in the format provided in the *Application Notification Template*. All of the following entities were notified and are correctly listed on the *Elected Officials Form* and *Neighborhood Organizations Form* :

- Superintendent of the school district containing the Development;
- Presiding officer of the board of trustees of the school district containing the Development;
- Mayor of any municipality containing the Development;
- All elected members of the Governing Body of any municipality containing the Development;
- Presiding officer of the Governing Body of the county containing the Development;
- All elected members of the Governing Body of the county containing the Development;
- State senator of the district containing the Development; and
- State representative of the district containing the Development.

While not required to be submitted in this Application, I have kept evidence of all notifications made and this evidence may be requested by the Department at any time during the Application review.

**Part 3. No Neighborhood Organizations exist (competitive HTC only) :**

I (We) certify that no Neighborhood Organizations exist for which this Application would be eligible to receive points under §11.9(d)(4) of the QAP or for which notification is required.

By:

\_\_\_\_\_  
**Signature of Applicant/Development Owner**  
\_\_\_\_\_  
**Printed Name**  
\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Notary Public, State of**  
\_\_\_\_\_  
**County of**  
\_\_\_\_\_  
**My Commission expires**

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that name is signed to the foregoing statement, and who is known to be one in the same, has acknowledged before me on this date, that being informed of the contents of this statement, executed the same voluntarily on the date same foregoing statement bears.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
*Notary Public Signature*

\*\*\*Bookmark 17, Tab 16\*\*\*

The Certification of Notifications is the same and here is where you'll certify to having done your notifications on time and correctly. At the bottom there, remember if you don't have any neighborhood orgs to notify, you may be eligible for Community Input points. As far as Neighborhood Organizations are concerned, 10.203(1) now clarifies that the "State" in county or state refers to the Secretary of State's office. So you can check the SOS records to see if an organization that's in your site's area is registered with them and notify them as appropriate. Some Home Owner Associations have registered themselves with the Sec of State but if their boundaries don't include the site they still do not require notification.

We did get a lot of opposition from HOAs in 2016, however, because they felt that they should have been notified. Our rules don't require HOAs be notified specifically but engaging with them early on could be helpful to you. At worst it can alert you to the opposition that may come your way and at best it could get them on your side.

You guys know more about that than I do, but from the calls I've taken from these people, a good number of them are simply mad because they weren't consulted. But do, as always, make your own choice about engaging with them. I know what I think but you know what your experience tells you.

## Public Notification Template

Pursuant to §11.8(b)(2)(B) and (C) of the QAP, §12.5 of the Multifamily Housing Revenue Bond Rule and §10.203(2) and (3) of the Uniform Multifamily Rule the following template may be used to create a letter to notify individuals and/or entities identified in the above referenced rules.

Public Notification letters must be sent no later than the date the pre-application (if submitted) for competitive HTC Applications, or full Application (for all applications) is submitted. For Tax-Exempt Bond Developments, notifications must not be older than three months prior to the date Parts 5 and 6 of the Application are submitted.

[Date]

[Appropriate Individual/entity pursuant to §§11.8(b)(2)(B)(i) through (viii) of the QAP and 10.203(2)(A) through (H) of the Uniform Multifamily Rules]

[Address]

[City, State, ZIP]

Dear [xxxxxx],

[Applicant Name] is making an application for [Name all TDHCA Programs for which Applicant is applying] with the Texas Department of Housing and Community Affairs for [Development name, address, city, and county]. This [New Construction/Reconstruction/Adaptive Reuse/Rehabilitation] is a(n) [apartment/single family/townhome/high rise/duplex] community [if applicable, on # sites], and comprised of approximately [#] units of which [#] will be for low-income tenants.

There will be a public hearing to receive public comment on the proposed development. Information regarding the date, time, and location of that hearing will be disseminated at least 30 days prior to the hearing date on the Department's website (<http://www.tdhca.state.tx.us/multifamily/communities.htm>) for competitive HTC applications and Tax-Exempt Bond applications where the Department is the issuer. For Tax-Exempt Bond applications that utilize a local issuer interested individuals are encouraged to contact the local issuer for information regarding the public hearing.

Sincerely,

Representative of [the Applicant Name]

[Title]

[Name, Address, email, and telephone number if not on letterhead]

\*\*\*Tab 16\*\*\*

On the TDHCA website, you'll find templates, one of which is for the notification letter. It gives you blanks to input all of the information required by the rules in 10.203 and other rules related to notifications. You don't have to use it, but it's there for your benefit, as well as templates for the resolutions that you need and the legal opinion letter, if that applies to you.

You don't need to send your notification documents to us in the application, but you must be prepared to provide them should we ask.

## Development Narrative

### 1. The proposed Development is: (Check all that apply)

and/or:

Previous TDHCA #  If Acquisition/Rehab or Rehab, original construction year:

If Reconstruction,  Units Demolished  Units Reconstructed

If Adaptive Reuse, Additional Phase, or Scattered Site, include detailed information in the Narrative (4.) below.

### 2. The Target Population will be:

**§10.3(47) If Elderly Preference, complete the statement below and submit supporting documentation behind this tab.**

My property receives funding from:   
program that requires an Elderly Preference.

### 3. Staff Determinations regarding definitions of development activity obtained?

If a determination under §10.3(b) of the Uniform Multifamily Rules was made prior to Application submission, provide a copy of such determination behind this tab.

### 4. Narrative

Briefly describe the proposed Development, including any relevant information not already identified above.

\*\*\*Bookmark 18, Tab 17\*\*\*

Here is the Development Narrative tab and this is where you will give us some insight into who you're targeting with your development and a little description, in the big yellow box there, of what you aspire to create. You'll tell us whether you are New Construction, Rehab, Adaptive Reuse or Reconstruction. Then you will tell us who you're building for. Those choices are General, Elderly Limitation, Elderly Preference and Supportive Housing. Remember that whether you're Elderly Limitation or Elderly Preference will depend upon the funding that you're using and whether it allows for non-elderly residents on the property. If it does, then you're Preference, if it doesn't, you're Limitation. Either way, the population is Elderly.

Also remember that your target population can't change between Elderly, General and Supportive Housing or it will affect your pre-app points.

Staff Determinations will still be available this year and request for those must be received prior to Application submission. If you have received a Staff Determination, check this box and provide a copy of your letter behind this tab.

Your narrative goes in section 4...

**5. Funding Request:**

Complete the table below to describe this Application's funding request.

Department Funds applying for with this Application	Requested Amount	If funds will be in the form of a Direct Loan by the Department or for Private Activity Bonds, the terms will be:		
		Interest Rate (%)	Amortization (Years)	Term (Years)
<a href="#">TDHCA Multifamily Direct Loan (Repayable)</a>			30	
<a href="#">TDHCA Multifamily Direct Loan (Deferred Forgivable)</a>		0.00%		
<b>CHDO Operating Expense</b>				
<a href="#">Housing Tax Credits</a>				
<a href="#">Private Activity Mortgage Revenue</a>				

**6. §11.5 - Set-Aside (For Competitive HTC & Multifamily Direct Loan Applications Only)**

Identify any and all set-asides the application will be applying under.  
Set-Asides can not be added or dropped from pre-application to full Application for Competitive HTC Applications.

Competitive HTC Only				Multifamily Direct Loan Only					
At-Risk		Nonprofit		USDA		CHDO		Deferred Forgivable	

By selecting the set-aside above, I, individually or as the general partner(s) or officers of the Applicant entity, confirm that I (we) are applying for the above-stated Set-Aside(s) and Allocations. To the best of my (our) knowledge and belief, the Applicant entity has met the requirements that make this Application eligible for this (these) Set-Aside(s) and Allocations and will adhere to all requirements and eligibility standards for the selected Set-Aside(s) and Allocations.

**7. Previously Awarded State and Federal Funding**

Has this site/activity previously received or applied for TDHCA funds?

If "Yes" Enter Project Number:  and TDHCA funding source:

Has this site/activity previously received non-TDHCA federal funding?

Will this site/activity receive non-TDHCA federal funding for costs described in this Application?

**8. Qualified Low Income Housing Development Election (HTC Applications only)**

Pursuant to §42(g)(1)(A) & (B), the term "qualified low income housing development" means any project or residential rental property, if the Development meets one of the requirements below, whichever is elected by the taxpayer." Once an election is made, it is irrevocable. Select only one:

- At least 20% or more of the residential units in such development are both rent restricted and occupied by individuals whose income is 50% or less of the area median gross income, adjusted for family size.
- At least 40% or more of the residential units in such development are both rent restricted and occupied by individuals whose income is 60% or less of the median gross income, adjusted for family size.

\*\*\*Tab 17\*\*\*

...and section 5 is where you'll tell us about the amounts that you're applying for. No changes there and we talked about the maximums earlier. This page gets into set asides, and other things. They're self-explanatory and also the same as last year. Check the appropriate boxes.

# Development Activities

## 1. Common Amenities (ALL Multifamily Applications §10.101(b)(5))

# of Units must qualify for  Points

Development will provide sufficient common amenities to qualify for the number of points indicated above, pursuant to §10.101(b)(5) of the Uniform Multifamily Rules. Applications for scattered site developments should refer to §10.101(b)(5)(B) of the Uniform Multifamily Rules.

## 2. Unit Requirements (ALL Multifamily Applications §10.101(b)(6)(A) and (B))

### A. Unit Sizes

Development is New Construction or Reconstruction and will meet the minimum Unit Size requirements:

Bedroom Size	0	1	2	3	4
Square Footage	500	600	800	1,000	1,200

**OR:**

Development is proposing Rehabilitation (excluding Reconstruction) or Supportive Housing, and does not adhere to the size requirements above.

### B. Unit Amenities (For Competitive HTC Applications, see Tab 19 for Unit and Development Features)

Application is a Tax Exempt Bond Development and will meet a minimum of seven (7) points as outlined in §10.101(b)(6)(B) of the Uniform Multifamily Rules.

Application is HOME only or other Department Direct Loan and will meet a minimum of four (4) points as outlined in §10.101(b)(6)(B) of the Uniform Multifamily Rules.

**\*\* Rehabilitation Developments will start with a base score of three (3) points and Supportive Housing Developments will start with a base score of five (5) points.\*\***

## 3. Tenant Supportive Services (For Competitive HTC Applications see Tab 19 for Tenant Services elections)

Application is a **Tax Exempt Bond Development** and will meet a minimum of eight (8) points as outlined in §10.101(b)(7) of the Uniform Multifamily Rules.

Application is **HOME only or other TDHCA Direct Loan** and will meet a minimum four (4) points as outlined in §10.101(b)(7) of the Uniform Multifamily Rules.

## 4. Development Accessibility Requirements (ALL Multifamily Applications)

Development will meet all specifications and accessibility requirements reflected in the Certification of Development Owner form pursuant to §10.101(b)(8) of the Uniform Multifamily Rules.

If applicable, Development is designed so that a minimum of 20% of each Unit Type (i.e., one bedroom one bath, two bedroom one bath, two bedroom two bath, three bedroom two bath) of otherwise exempt units (i.e. single family residence, duplexes, triplexes, and townhomes) must provide an accessible entry level and all common-use facilities in compliance with the Fair Housing Guidelines, and include a minimum of one bedroom and one bathroom or powder room at the entry level.
▼

Yes

Not Applicable

If applicable, Development is designed so that a minimum of 20% of each Unit Type (i.e., one bedroom one bath, two bedroom one bath, two bedroom two bath, three bedroom two bath) of otherwise exempt units (i.e. single family residence, duplexes, triplexes, and townhomes) must provide an accessible entry level and all common-use facilities in compliance with the Fair Housing Guidelines, and include a minimum of one bedroom and one bathroom or powder room at the entry level.

Development will meet all specifications and accessibility requirements reflected in 10 TAC Chapter 1, Subchapter B, §1.207.

Development is built after July 11, 1988 and has a minimum of 5% of all units in the development set aside for the mobility impaired and an additional 2% set aside for the hearing and/or visually impaired.

\*\*\*Bookmark 19, Tab 18\*\*\*

Development Activities I is where you will address your Common Amenities, Unit Requirements and Tenant Supportive Services and all of these have had changes. With Common Amenities, all you have to give us on the form is the number of points that your development must get. The points are based upon the number of units you have. The choices that you'll use to get to this number, however, have been fleshed out a little more.

This involves B under 10.101(b)(5)(C). You have items 1-32 to select from and they're numbered using the little i's. Among those, here are the ones that changed:

- i) Perimeter Fencing must now surround all tenant parking.
- iii) The Gazebo choice is now Gazebo or Covered Pavilion
- vii) Covered pavilion with BBQ grills and tables for every 50 units is no longer a choice
- x) We no longer tell you how many printers you must have in your computer room

There are others that may not be quite as boring as these are so please go over to 10.101(b)(5)C and review the new and improved list.

Among the common amenities are the Limited Green Amenities selections and they have been enhanced as well. A few of those are:

- d) The 75% shade requirement for your HVAC condensers was taken out
- h) Your recycling service NOW must include a storage location and pick-up. That little instruction was added.
- n) To do with radiant barrier. NOW you must provide documentation that what is used is durable and that there are energy savings associated with it. So your radiant barrier materials have to have a history of creating savings, which is going to eliminate any experimental or new, untried materials being used. You must use proven materials now.
- p) I thought this was worth mentioning, Rehabs, you now are required to install Energy Star Certified insulation everywhere that it can be, whether the area is part of the scope of work or not.
- v) Solar Screens. This was added. You have to have them on all but the North facing operable windows as long as those have insect screens.

Again, read through these to see what all of your options are, as well as the requirements that come with any of the Green Features that you may select.

Section 2, Unit Requirements More enhancements here. These are the features that you choose to include so many points worth of based on your program. These go into your LURA and you can change them out, as long as you maintain the same number of points. If you pick out 5pts worth, then 5pts must be maintained in every unit for the full affordability period. This year's enhancements include:

- viii) Energy Star Laundry equipment is now worth 2 points, up from 1.5.
- x) R-15 walls and r-30 ceilings are gone from this section and this item states that if you're Rehab and you are NOT replacing your HVAC system, then you will have to provide radiant barrier in the attic. That's worth 1.5 points
- xii) You'll get half a point for a built-in recessed computer nook (**emphasis on "built-in"!**)
- xiii) **Built-in** recessed bookshelves are worth half a point as well.
- xiv) Recessed or track lighting in kitchens and living areas is worth a full point.

That's a handful of the changes that interested ME. The others may interest YOU so do look them over.

At the bottom of the page, Development Accessibility was enhanced as well with regard to the 20% rule. It clarifies that we require the accessible entry, common use facilities and at least 1 bedroom and one bathroom on the entry level, even for unit types that would be otherwise exempt from providing those things. Those exempt types are now named for you. So if you're building any one of these; Single family, duplex, triplex or townhome, you are subject to the accessibility requirements for those units too.

## Development Activities (Continued)

self score 0

### 1. Size and Quality of Units (Competitive HTC Applications only) [§11.9(b)]

Development is Rehabilitation and either Supportive Housing or USDA financed **OR** meets the minimum size requirements identified below: Points claimed: 0

Bedroom Size	0	1	2	3	4
Square Footage	550	650	850	1,050	1,250

Specific amenities and quality features will be provided in every Unit at no extra charge to the tenant; Development will maintain the points selected and associated with those amenities as outlined in §10.101(b)(6)(B) of the Uniform Multifamily Rules. Points claimed: 0

### 2. Income Levels of Tenants (Competitive HTC Applications only) [§11.9(c)(1)]

- 0 Total Number of Units at 50% or less of AMGI
- Number of 30% Units used to score points under §11.9(c)(2)\* CHECK YOUR MATH!
- Number of 30% Units used under §11.4(c)(3)(D) regarding an Increase in Eligible Basis (30% boost)
- 0 Number of Units at 50% or less of AMGI available to use for points under §11.9(c)(1)
- 0.00% Percentage used for calculation of eligible points under §11.9(c)(1)

Mark **only one** box below:

Development is located within a Non-Rural Area of the Dallas, Fort Worth, Houston, San Antonio or Austin MSA; or 0

Developments proposed in all other areas. 0

*\* Applicants electing the 30% boost for additional 30% units are advised to ensure the units used to support the boost are not included in the units needed to achieve the Application's scoring elections.*

Points Claimed: 0

### 3. Rent Levels of Tenants (Competitive HTC Applications only) [§11.9(c)(2)]

Mark **only one** box below:

At least 20% (less Units used for eligibility for boost) of all low-income Units are restricted at 30% or less of AMGI; development is Supportive Housing proposed by a Qualified Nonprofit Organization. 0

Development is urban and at least 10% (less Units used for eligibility for boost) of all low-income Units are restricted at 30% or less of AMGI; or 0

Development is located in a Rural Area and 7.5% (less Units used for eligibility for boost) of all low-income Units are restricted at 30% or less of AMGI; or 0

At least 5% of all low-income Units at 30% or less of AMGI 0

Points Claimed: 0

### 4. Tenant Services (Competitive HTC Applications only) [§11.9(c)(3)]

Development will provide a combination of supportive services as identified in §10.101(b)(7) and those services will be recorded in the Development's LURA.

Supportive Housing Development proposed by a Qualified Nonprofit 0

All other Developments. 0

0

The Applicant certifies that the Development will contact local service providers, and will make Development community space available to them on a regularly-scheduled basis to provide outreach services and education to the tenants.

Points Claimed: 0

Development Activities II holds more point items at the beginning and both the Size and Quality items and Income Levels of Tenants have remained the same. The main change under Rent Levels is that any mention of the Houston Permanent Supportive Housing Program has been removed. Beyond that, this part's the same too.

Tenant Supportive Services is next and here there were changes that I found interesting. First, it's still worth 10pts, or 11 if you're Supportive Housing, and if you are going to provide services, the rule is now more descriptive of the qualifications of your actual provider. Just like with the radiant barrier materials, your service provider should have a track record that confirms them as qualified providers with sufficient knowledge of the service they're providing. So you should be able to provide their credentials upon request and those should illustrate their history and what makes them qualified to be your provider.

Also interesting is the removal of the joint library and its replacement with "a partnership with local law enforcement for quarterly social activities" so that your local officers know your residents and your residents know them. Would anyone dare call it "The Po-Po Social"? Well, if you select that, it's worth three whole points all by itself. That's a very interesting option and I would love to see someone attempt that.

There is a little more description into what's expected of your Food Pantry and Tax Prep has been updated similarly.

Do look these over and select the best services for your development and your residents.

5. **Tenant Populations with Special Housing Needs (Competitive HTC Applications only) [§11.9(c)(7)]**

Applicant elects to set-aside at least 5 percent of the total Units for Persons with Special Needs. The units identified for this scoring item may not be the same units identified for Section 811 Project Rental Assistance Demonstration program. The Department will require an initial minimum twelve-month period during which Units must either be occupied by Persons with Special Needs or held vacant, unless the units receive HOME funds from any source.

Points Claimed:

6. **Pre-Application Participation (Competitive HTC Applications only) [§11.9(e)(3)]**

Development is requesting Pre-Application Points.

7. **Extended Affordability (Competitive HTC Applications only) [§11.9(e)(5)]**

Development will maintain a 35 year Affordability Period.

8. **Historic Preservation (Competitive HTC Applications only) [§11.9(e)(6)]**

Application requests points for Historic Preservation.

Application contains a letter from the Texas Historical Commission (THC) determining preliminary eligibility for federal or state historic (rehabilitation) tax credits.

Application includes documentation from the Texas Historical Commission that the property is currently a Certified Historic Structure or determining preliminary eligibility for status as a Certified Historic Structure.

Development will be able to document receipt of historic tax credits by the time Forms 8609 are issued.

At least 75% of the residential units will be within the Certified Historic Structure.

**Attached behind this tab are the THC letter and other documentation described above.**

Application is eligible for five (5) points. 

9. **Right of First Refusal (Competitive HTC Applications only) [§11.9(e)(7)]**

Development Owner agrees to provide a Right of First Refusal to purchase the Development upon or following the end of the Compliance Period.

10. **Funding Request Amount (Competitive HTC Applications only) [§11.9(e)(8)]**

Application reflects funding request for no more than 100% of the amount available in the subregion or set-aside as of 12/5/2016.

\*\*\*Tab 19\*\*\*

Now up, Tenant Populations with Special Housing Needs, 2 points. This is no longer the 811 section. 811 participation has been moved and is no longer a point item. It is now a threshold item. For Special Housing Needs points, you must set aside 5% of the total units for persons who have special needs and those persons are described in 11.9(c)(7). These units are not and cannot be your 811 units. This is a different 5%. So Special Housing Needs is back in its old incarnation.

You check the Pre-app box if you qualify for those points, and the Extended Affordability box if you agree to those terms.

Part 8 is Historic Preservation, no change there, but be aware that if you elect these points, you will have to provide further information at key points like commitment, carryover and 10% test. Don't chase these points and wind up losing your award...

This is followed by the Right of First Refusal and Funding Request points for not requesting over 100% of the amount available in your region OR set-aside as applicable.

## Section 811 Project Rental Assistance Program [§10.204(16)]

(9% HTC Applications or Direct Loan Only Applications and Tax-Exempt Bond Development Applications that are layered with Direct Loan Funds)

**A.** Application contains TDHCA approval for the participation of an Existing Development in the Section 811 PRA Program. The Existing Development must provide the Section 811 PRA Program with at least the lower of 10 units or 10% of the total number of Units in the Development in the Application; **or if the Applicant cannot provide this, Proceed to B.**

**Attached behind this tab is the TDHCA approval letter for the participation of an Existing Development.**

**Attached behind this tab is the executed Certification for Section 811 PRA Program Participation.**

**B.** Applicants that in the Department's determination cannot meet the requirements of option A. above can proceed, if the application applying for funds includes the items listed below and meets the criteria outlined in this section; or if the Application cannot provide this, indicate below.

**Attached behind this tab is a Self-Certification that the Applicant and any Affiliate do not have an ownership interest or control of any Existing Development that meets the criteria outlined in the Section 811 PRA Program Existing Development Criteria; or**

**Attached behind this tab is a Self-Certification that the Applicant and any Affiliate do not have an ownership interest or control of any Existing Development that meets the criteria outlined in the Section 811 PRA Program Existing Development Criteria except on which the Department, lender or investor will not approve; and Attached behind this tab is at least one of the following that allows the Applicant to select B. rather than A.**

**A copy of rejection letter(s) that has been provided by the Department in response to the applicant's submission of application(s) under the Existing Development Criteria; or**

**1) a copy of a letter(s) indicating that approval from either the lender or investor cannot be obtained for Existing Development(s). 2) a copy of the TDHCA approval letter(s) for the participation of the Existing Development referenced in the lender or investor letter.**

**Attached behind this tab is the executed Certification for Section 811 PRA Program Participation for the Development applying under this Application.**

**Attached behind this tab a Self-Certification that the Development applying for funding has a disqualifying factor named below:**

Mark **any** of the following factors that disqualify the development applying for funding from participating in the Section 811 PRA Program (some fields will auto-populate):

The Development is not proposing to use and previously did not use federal funding requiring lead based remediation (such as HOME or CDBG funds), and the Development was originally constructed before 1978;

Development only has units available that have other sources of project-based rental or long-term operating assistance that will be in effect when the property is operating or within six months of receiving Section 811 PRA Program assistance.

Development only has units that have an existing use restriction for Extremely Low-income households.

Development only has units available that are restricted for persons with disabilities.

Development is not located in Austin-Round Rock MSA, Brownsville-Harlingen MSA, Corpus Christi MSA, Dallas-Fort Worth-Arlington MSA, El Paso MSA, Houston-The Woodlands-Sugar Land MSA, McAllen-Edinburg-Mission MSA, or San Antonio-New Braunfels MSA.

The Development is a new construction project and located in the mapped 500-year floodplain or in the 100-year floodplain according to FEMA's most current Flood Insurance Rate Maps (FIRM).

The Development is located in a coastal high hazard area (V Zone) or regulatory floodway.

Other disqualifying factor [\(please explain\)](#)



\*\*\*Boomark 21, Tab 19a\*\*\*

When you do get to 811, there is a different form that you'll complete to tell us that you will supply those units and where. You will still need to get prior approval for participation and Spencer Duran is available to assist you with any 811 information.

**Support Documentation from Section 811 Should be Included Behind this Tab.**

- TDHCA approval letter for the participation of an Existing Development.
- Executed Certification for Section 811 PRA Program Participation.
- Self-Certification that the Applicant and any Affiliate do not have an ownership interest or control of any Existing Development that meets the criteria outlined in the Section 811 PRA Program Existing Development Criteria; or
- Self-Certification that the Applicant and any Affiliate do not have an ownership interest or control of any Existing Development that meets the criteria outlined in the Section 811 PRA Program Existing Development Criteria except on which the Department, lender or investor will not approve; and
- At least one of the following that allows the Applicant to select B rather than A:
  - A copy of rejection letter(s) that has been provided by the Department in response to the applicant's submission of application(s) under the Existing Development Criteria; or
  - 1) a copy of a letter(s) indicating that approval from either the lender or investor cannot be obtained for Existing Development(s). 2) a copy of the TDHCA approval letter(s) for the participation of the Existing Development referenced in the lender or investor letter.
- Executed Certification for Section 811 PRA Program Participation for the Development applying under this Application.
- Self-Certification that the Development applying for funding has a disqualifying factor.

\*\*\*Bookmoark 22, Tab 19b\*\*\*

Behind the 811 form there is also an evidence checklist, which will help you to present the correct information.

## EXISTING DEVELOPMENT INFORMATION

### 1. At-Risk Set-Aside (*Competitive HTC Applications Only*) [§11.5(3)]

**0** Qualification: Must meet the requirements of an At-Risk Development in §11.5(3) of the Qualified Allocation Plan.

Documentation must be submitted behind this tab showing that the Development meets the requirements of Texas Government Code §2306.6702(a)(5) and §11.5(3) of the 2017 Qualified Allocation Plan.

#### **PART A: | DOCUMENTATION MUST SHOW THAT THE SUBSIDY OR BENEFIT IS FROM ONE OF THE FOLLOWING APPROVED PROGRAMS (mark all that apply):**

- Sections 221(d)(3) and (5), National Housing Act (12 U.S.C. Section 1715I)
- Section 236, National Housing Act (12 U.S.C. Section 1715z-1)
- Section 202, Housing Act of 1959 (12 U.S.C. Section 1701q)
- Section 101, Housing and Urban Development Act of 1965 (12 U.S.C. Section 1701s)
- The Section 8 Additional Assistance Program for housing developments with HUD-Insured and HUD-Held Mortgages administered by the U.S. Department of Housing and Urban Development as specified in 24 CFR Part 886, Subpart A.
- The Section 8 Housing Assistance Program for the Disposition of HUD-Owned Projects administered by the U.S. Department of Housing and Urban Development as specified by 24 CFR Part 886, Subpart C.
- Sections 514, 515, and 516, Housing Act of 1949 (42 U.S.C. Sections 1484, 1485 and 1486)
- Section 42, of the Internal Revenue Code of 1986 (26 U.S.C. Section 42)

#### **IN ADDITION, THE SUBSIDY OR BENEFIT IS SUBJECT TO THE FOLLOWING CONDITIONS (mark all that apply):**

- The stipulation to maintain affordability in the contract granting the subsidy is nearing expiration (i.e. expiration will occur within two (2) calendar years of July 31, 2017). See §11.5(3)(E) and (F) of the 2016 QAP concerning At-Risk developments qualifying under Section 42 of the Internal Revenue Code.
- If the subsidy marked above is a HUD-insured or HUD-held mortgage eligible for prepayment or nearing the end of its mortgage term (the term will end within two (2) calendar years of July 31, 2017), the mortgage must be eligible for prepayment without penalty.
- If the application proposes demolition of existing units which have received a benefit described above,
  - the redevelopment will include a portion of the same site, **OR**
  - the applicant may propose relocation of the units in an otherwise qualifying At-Risk Development if:
    - the affordability restrictions and any At-Risk eligible subsidies are approved to be transferred to the Development Site (i.e. the site proposed in the tax credit Application) prior to the tax credit Commitment deadline;
    - the Applicant seeking tax credits must propose the same number of restricted units (e.g. the Applicant may add market rate units); and
    - the new Development Site must qualify for points on the Opportunity Index under §11.9(c)(4) of this chapter (relating to Competitive HTC Selection Criteria) except for the requirements of §11.9(c)(4)(A).

**OR** (See next page.)

\*\*\*Bookmark 23, Tab 20\*\*\*

The name of this TAB changed but it's still where At-Risk is handled. In Part 1, If you're claiming At-Risk, here's where you'll tell us how you qualify. Section A lets you tell us what program on this list you re currently using and expecting to renew. Please make the correct selection and be sure your evidence matches.

Or...

**PART B: DOCUMENTATION MUST SHOW THAT THE APPLICATION PROPOSES TO REHABILITATE OR RECONSTRUCT HOUSING UNITS THAT:**

- are owned by a Public Housing Authority **AND**
- receive assistance under Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g) **OR**
- 
- received assistance under Section 9, United States Housing Act of 1937 (42 U.S.C. Section 1437g) **AND**
- are proposed to be disposed of or demolished by a Public Housing Authority **OR**
- were disposed of or demolished by a Public Housing Authority in the 2 years preceding the application,  
**OR**
- receive assistance or will receive assistance through the Rental Assistance Demonstration (RAD) program of HUD as specified by the Consolidated and Further Continuing Appropriations Act of 2012 (Pub. L. No. 112-55) and its subsequent amendments, if the application for assistance through RAD is included in the applicable public housing authority's annual plan that was most recently approved by HUD as specified by 24 C.F.R. Section 903.23.
- For Developments qualifying under this Part B [i.e. §2306.6702(a)(5)(B)], evidence of the legal requirements that will unambiguously cause the loss of affordability must be included with the application.
- For Developments qualifying under this Part B [i.e. §2306.6702(a)(5)(B)], only a portion of the subsidy must be retained for the proposed Development, but no less than 25 percent of the proposed Units must be public housing units supported by public housing operating subsidy. (§2306.6714(a-1))
- For Developments qualifying under this Part B [i.e. §2306.6702(a)(5)(B)], if less than 100 percent of the public housing benefits are transferred, an explanation of the disposition of the remaining public housing benefits must be included in the application, as well as a copy of the HUD-approved plan for demolition and disposition.

**PART C: IF THE AT-RISK SET-ASIDE IS CLAIMED FOR BENEFITS UNDER SECTION 42, CERTIFY BY MARKING THE BOX BELOW THAT THE APPLICATION INCLUDES THE DOCUMENTATION DESCRIBED.**

- Nearing expiration on a requirement to maintain affordability includes Developments eligible to request a Qualified Contract under §42 of the Code. Evidence must be provided in the form of a copy of the recorded LURA, the first years' IRS Forms 8609 for all buildings showing Part II of the form completed and, if applicable, documentation from the original application regarding the right of first refusal.

\*\*\*Tab 20\*\*\*

On the next page, Part B allows you to tell us a little more about the property. If you're claiming At-Risk, part D received an enhancement that affects the evidence that you must provide behind the tab. 11.5 (3)(D) talks about the fact that if you can retain your affordability, you must UNLESS regulatory barriers prevent it. Items "i" and "ii" talk about the proof of that and what we will be looking for. This is the page where you'll tell us that your units are PHA units and what you're going to do with them.

Item "i" says that Evidence of the legal requirement itself must be included and the fact that loss of affordability will be caused by that rule must be unambiguously shown. So the evidence must be clear and conclusive, which I say applies to ALL evidence. Clear and conclusive.

Item "ii" says if it's public housing, and the units are being moved, if only a portion of the subsidy must be retained, no less than 25% of the proposed units must be PH housing units and if not all of the PH subsidy is to be transferred, you have to now explain what's happening to the rest of it AND provide a copy of your HUD-approved plan for demolition and disposition of the current units. So you're moving PH units to another area but not all are staying PH and not all of the PH subsidy is going with your new development, you now have to tell us what will happen with that other money and show that HUD has already approved your plan for getting the current units torn down.

The rest of AT-Risk was pretty much left as is.

2. Existing Development Assistance On Housing Rehabilitation Activities<sup>1</sup>

Part A.

The existing Property is expected to have or continue the following benefit:

Provide a brief description of the restrictions or subsidies the existing Property will have or continue in the space below:

[Redacted description area]

A copy of the contract or agreement securing the funds identified above is provided behind this form.

The source of funds is:

The annual amount of funds is:

The number of units receiving assistance:

The term of the contract or agreement is (date):

The expiration of the contract or agreement is (date):

Part B. Acquisition Of Existing Buildings (applicable only to HTC applications with Acquisition credits requested)

Date of the most recent sale or transfer of the building(s):

In the last ten years, did the previous owner perform rehabilitation work greater than 25% of the building's adjusted basis?

Was the building occupied at any time during the last ten years?

Was the building occupied or suitable for occupancy at the time of purchase?

Will the acquisition meet the requirements of §42(d)(2)(B)(ii) relating to the 10-year placed in service rule?

If "Yes", provide a copy of a title commitment that the Development meets the requirements of §42(d)(2)(B)(ii) as to the 10 year period.



If "No", does the property qualify for a waiver under §42(d)(6)?

If "Yes", provide the waiver and/or other documentation.

How many buildings will be acquired for the Development?

Are all the buildings currently under control by the Development Owner?

If "No", how many buildings are under control by the Development Owner?

When will the remaining buildings be under control?

<sup>1</sup>Per §2306.008, TDHCA shall support the preservation of affordable housing for individuals with special needs and individuals and families of low income at any location considered necessary by TDHCA.

\*\*\*Tab 20\*\*\*

Under Part 2, If your rehab already has existing assistance, this is where you'll tell us about that. Be very detailed here and give us information that will match the back up you're going to provide. You don't have an expansive space to type in, but there's enough. Be efficient with your wording and accurate with your dollar amounts.

**EXISTING DEVELOPMENT INFORMATION (Continued)**

**Part B. Acquisition Of Existing Buildings (continued)**

Identification or address(es) of Building(s) under Owner's Control	Type of Control (Ownership, Option, Purchase Contract)	Expiration Date	# of Units	Acquisition Cost of Building

Provide the information listed below concerning the acquisition of building(s) for the Development:

- 1. Building(s) acquired or to be acquired from:  Related Party  Unrelated Party
- 2. Building(s) acquired or to be acquired with Buyer's Basis:  Determined with reference to Seller's Basis  Not Determined with reference to Seller's Basis

List below by building address, the date the building was placed in service (PIS), the date the building was or is planned for acquisition, and the number of years between the date the building was placed in service and acquisition. Attach separate sheet(s) with additional information if necessary.

Building Address(es)	PIS date of building by most recent owner	Proposed Acquisition date by the Applicant	Years between PIS & Acquisition

**3. Lead Based Paint (Direct Loan Applications Only)**

Development constructed before January 1, 1978  (If "Yes", continue to next selections)

Check each of the following that applies [24 CFR 35.115]:

- Emergency repairs to the property are being performed to safeguard against imminent danger to human life, health or safety, or to protect the property from further structural damage due to natural disaster, fire or structural collapse. The exemption applies only to repairs necessary to respond to the emergency.
- The property will not be used for human residential habitation. This does not apply to common areas such as hallways and stairways of residential and mixed-use properties.
- Housing "exclusively" for the elderly or persons with disabilities, with the provision that children less than six years of age will not reside in the dwelling unit.
- An inspection performed according to HUD standards found the property contained no lead-based paint.
- According to documented methodologies, lead-based paint has been identified and removed; and the property has achieved clearance.
- The rehabilitation will not disturb any painted surface.
- The property has no bedrooms.
- The property is currently vacant and will remain vacant until demolition.

\*\*\*Tab 20\*\*\*

After this third page is a good place for your evidence.

## Occupied Rehabilitation Developments

Pursuant to §10.204(8)(G) of the Uniform Multifamily Rules, for any Application where any structure on the Development Site is occupied at any time after the beginning of the Application Acceptance Period, even if demolition is proposed, the following items must be provided.

**At least one of the following must be provided:**

- Historical monthly operating statements of the Development for twelve (12) consecutive months ending no more than three (3) months from the first day of the Application Acceptance Period;
- The two (2) most recent consecutive annual operating statement summaries;
- The most recent consecutive six (6) months of operating statements and the most recent available annual operating summary; or;
- All monthly or annual operating summaries available; and

**Each of the following items, as applicable, is provided behind this tab:**

- A rent roll not more than six (6) months old as of the first day of the Application Acceptance Period that discloses the terms and rate of the lease, rental rates offered at the date of the rent roll, Unit mix, and tenant names or vacancy.
- A written explanation of the process used to notify and consult with the tenants in preparing the Application; (§2306.6705(6))
- A relocation plan outlining relocation requirements and a budget with an identified funding source: (§2306.6705(6))
- Any documentation necessary for the Department to facilitate, or advise an Applicant with respect to or ensure compliance with the Uniform Relocation Act and any other relocation laws or regulations as may be applicable; and
- If applicable, evidence that the relocation plan has been submitted to the appropriate legal or governmental agency. (§2306.6705(6))
- The current property owner is unwilling to provide one or more of the required documents above, and a signed statement from the Applicant attesting to that fact is submitted behind this tab.



**If one or more the above is not applicable, based upon the type of occupied structures on the Development Site, please provide an explanation of such non-applicability below:**

\*\*\*Bookmark 24, Tab 21\*\*\*

When you get to Occupied Rehab information you get a checklist that also gives you room for a narrative about your claim that the evidence requirements don't apply to you. Nothing new there.

**Uniform Relocation Act (URA) Applicability (Direct Loan Applications Only)**

The proposed Development must be carried out in accordance with policies and procedures governing implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Section 104(d) of the Housing and Community Development Act of 1974, and the optional relocation policies adopted pursuant to 24 CFR 92.253(d).

A displaced person is covered under URA, regardless of the income of the person, if they are displaced by acquisition, rehabilitation, or demolition.

A displaced person is covered under Section 104(d) if they are a low-income person displaced by demolition OR conversion (if market rent of the dwelling did not exceed the fair market rent before conversion).

These requirements apply to any Development that utilizes Direct Loan funds if (check all that apply):

- The activity involves acquisition of property occupied by a tenant, homeowner, or business.
- The activity involves rehabilitation of property occupied by a tenant, homeowner, or business.
- The activity involves demolition of existing housing units.
- The activity involves conversion of occupied rental property occupied by any tenant.

**If ANY of the above boxes are checked, complete the Residential Anti-Displacement and Relocation Assistance Plan Certification below.**

Applicants for Direct Loan funds that plan to rehabilitate, demolish and/or reconstruct occupied developments must comply with the Uniform Relocation Act. By signing below, the Applicant certifies that they will comply with the Residential Anti-Displacement and Relocation Assistance Plan (RARAP) approved by the Department on June 1, 2012.

The RARAP, as approved follows the Housing and Community Development Act of 1974, and HUD regulations at 24 CFR §42.325. The Department, through its subgrantees, will offer relocation assistance for lower-income tenants who, in connection with an activity assisted under NSP or Direct Loan move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR §42.350.

A displaced person who is not a lower-income tenant will be offered relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("URA"), (Pub. L 91-645, 42 U.S.C. 4601 §§ et seq).

The purpose and goals of the RARAP is to:

- (1) Provide (through its subgrantees) Relocation Assistance
- (2) Minimize Displacement
- (3) Ensure a One-for-One Replacement of Lower-Income Dwelling Units (Direct Loan only)

I (we) certify that I (we) have read and understand the Department's approved Residential Anti-Displacement and Relocation Assistance Plan (RARAP), and I (we) will comply will all parts of the plan as they apply to this Application.

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**

\*\*\*Tab 21\*\*\*

We talked about Relocation a bit when we looked at the Direct Loan certification, but here's a checklist that will help you to determine whether relocation applies to you. This is a Direct Loan only form and right after it, you can put any evidence, like your relocation plan and budget.

## Architectural Drawings Must be Submitted Behind this Tab [§10.204(b)(9)]

(If development is scattered site, consult staff.)

- Site Plan which:
  - states the size of the site on its face
  - includes a unit and building type table matrix that is consistent with the Rent Schedule and Building/Unit Configuration forms in labeling the buildings, stating sizes, etc.
  - identifies all residential and common buildings and labels them consistently with the Building/Unit Type Configuration form
  - clearly delineates the flood plain boundary lines or states there is no floodplain
  - identifies all easements
  - indicates placement of detention/retention pond(s) or states there are no detention ponds
  - indicates the location of parking spaces, specifies accessible parking spaces, garages and carports
  - indicates the location and number of accessible parking spaces
  - includes information regarding local parking requirements
  - indicates compliant accessible routes to common use facilities
  - indicates the distribution of accessible Units
  - describes if applicable how flood mitigation or other required mitigation will be accomplished.
- Building floor plans
  - include a separate tabulation of each of the square footages of each of these areas: breezeways, corridors, utility closets, porches and patios, and any other square footage not included in NRA
  - indicate location of accessible units
- Unit floor plans for each type of Unit
  - 5% of each Unit type are accessible to tenants with a mobility impairment, and 2% are accessible to tenants with a vision or hearing impairment
  - at least 20% of any "otherwise exempt Units" (i.e., two-story units, and units in SFRs, duplexes and triplexes) have an entry level that is accessible and contains at least one bedroom and a bathroom or powder room
- Elevations for each side of each building type and must include:
  - a percentage estimate of the exterior composition of each elevation
  - roof pitch
- Photos of building elevations (for Rehab and Adaptive Reuse developments that will not alter the unit configuration)



\*\*\*Bookmark 25, Tab 22\*\*\*

Architectural Drawings is exactly what it sounds like, and again, your checklist gives you a list of what you should put behind it. This is where your site plan will go. We want to see floor plans for each building and unit type as well as elevations for your new or altered building exteriors. Rehabs with no exterior changes, we just want photos of the outside of your buildings for elevations rather than drawings.

And all of your drawings must be consistent with your Rent schedule, your Building/Unit Configuration Form and any other document that covers the same subject. Inconsistencies are most often found between the drawings and the Building/ Unit form so please be careful that these documents match.

# LIVE OAK APARTMENTS

4131-4239 Williams Dr, Georgetown, TX 78628

SITE ZONING DISTRICT: C1  
SITE ACREAGE IS 7.37 ACRES

**PROPOSED BUILDING INFORMATION 1:60 SCALE**

**BUILDING TYPE I**  
HEIGHT 35'-10 1/2"  
GROSS SF: 18,042 SF

**BUILDING TYPE II**  
HEIGHT 34'-6 3/4"  
GROSS SF: 19,982 SF

**BUILDING TYPE III**  
HEIGHT 34'-9"  
GROSS SF: 29,890 SF

**LEASING OFFICE / CLUBHOUSE**  
HEIGHT 18'-2 1/2"  
GROSS SF: 6,626 SF

**MAINTENANCE**  
HEIGHT 10'-11"  
GROSS SF: 1,050 SF

**MAIL**  
HEIGHT 10'-8"  
GROSS SF: 726 SF

**4 CAR GARAGE**  
HEIGHT 10'-11"  
GROSS SF: 1,050 SF

**PAVILION**  
HEIGHT 10'-9"  
GROSS SF: 800 SF

**NOTE:** ALL BUILDINGS SHOW ON THIS SITE ARE PROPOSED. SITE IS CURRENTLY VACANT

## UNIT TABULATIONS

(A/A1 = 1 BEDROOM, B/B1 = 2 BEDROOM)

BUILDING TYPE	STORIES	QTY	A1	B1	B2	C1	TOTAL
I	3	1	24				24
II	3	1	12	12			24
III	2-3-2	3		36	12	12	60
<b>TOTAL</b>		<b>5</b>	<b>36</b>	<b>48</b>	<b>12</b>	<b>12</b>	<b>108</b>

NOTE: THE B2 SITS ABOVE THE C1 AND IS A 2BR VARIATION OF THE C1

**CODE PARKING**

UNIT	TYPE	QTY	RATIO	SPACES
A1	1BR	36	1.5	54
B1	2BR	48	2	96
B2	2BR	12	2	24
C1	3BR	12	2.5	30
<b>TOTAL</b>		<b>108</b>		<b>204</b>
5% FOR VISITORS				11

**TOTAL CODE PARKING REQUIRED 215**

**PEDCOR PARKING**

IN ADDITION TO CODE PARKING:	SPACES
16 GARAGES	16
20 CARPORTS	20
<b>TOTAL PARKING REQUIRED: (code + pedcor)</b>	<b>251</b>

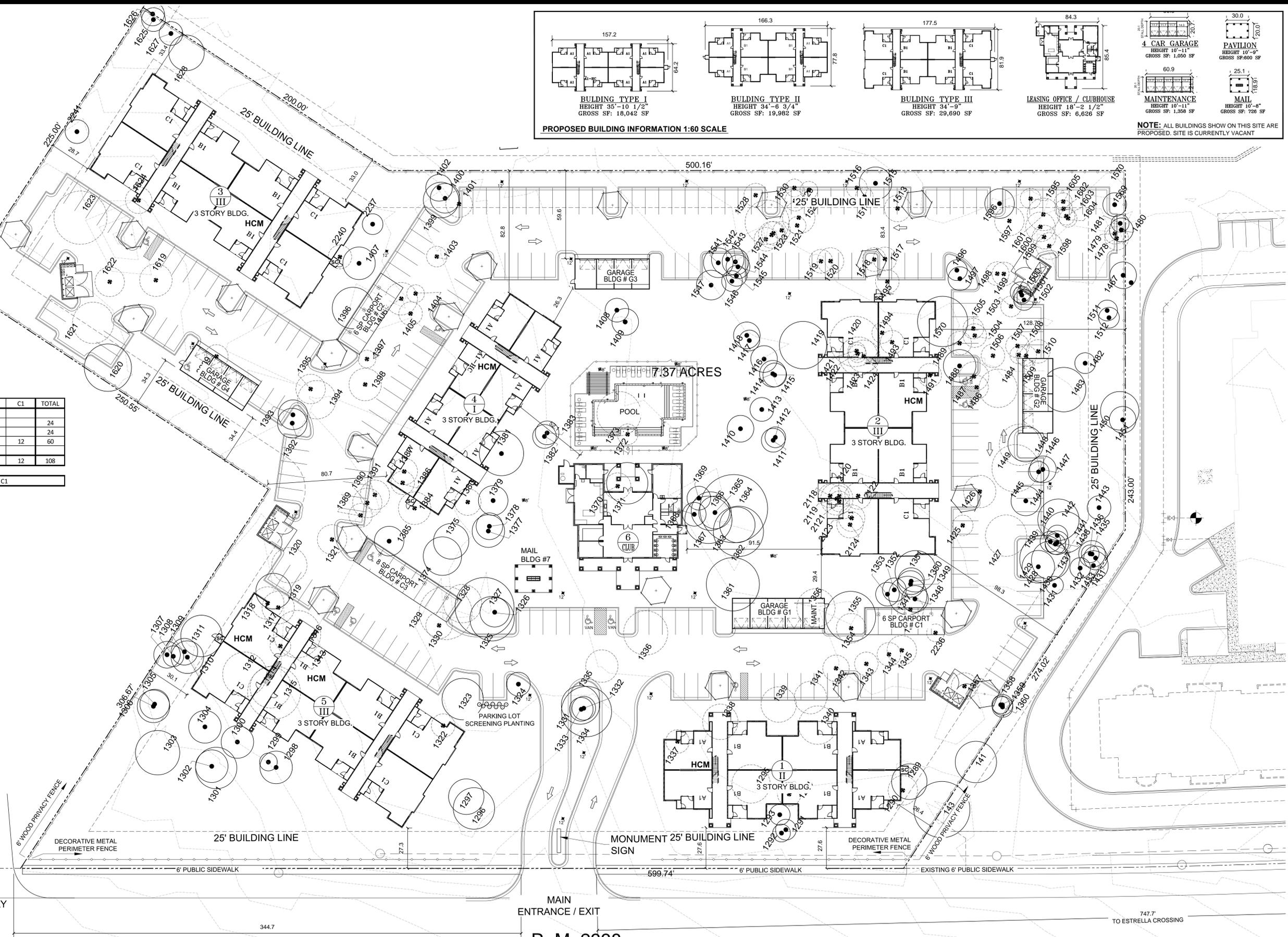
**TOTAL PARKING PROVIDED: \***

GARAGES	16
CARPORTS	20
SURFACE	219
<b>TOTAL</b>	<b>255</b>

\*ALL PROVIDED PARKING IS PROPOSED, THERE IS NO EXISTING PARKING

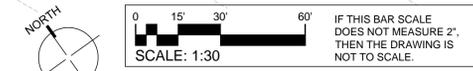
⚡ LIGHT POLE  
(# = HEIGHT OF POLE)

5 = BLDG #  
III = BLDG TYPE



**CITY REQUIRED LANDSCAPE PLANT LIST**

20	Shade tree from Georgetown preferred plant list 4" Cal. 10'-12' Ht.	Single Trunk, Dark Green, Full Canopy, Matched, B&B
9	Shrub from Georgetown preferred plant list: 3 Gal. (Min)	Full, Healthy, Dark Green, Plant as shown



## SITE PLAN

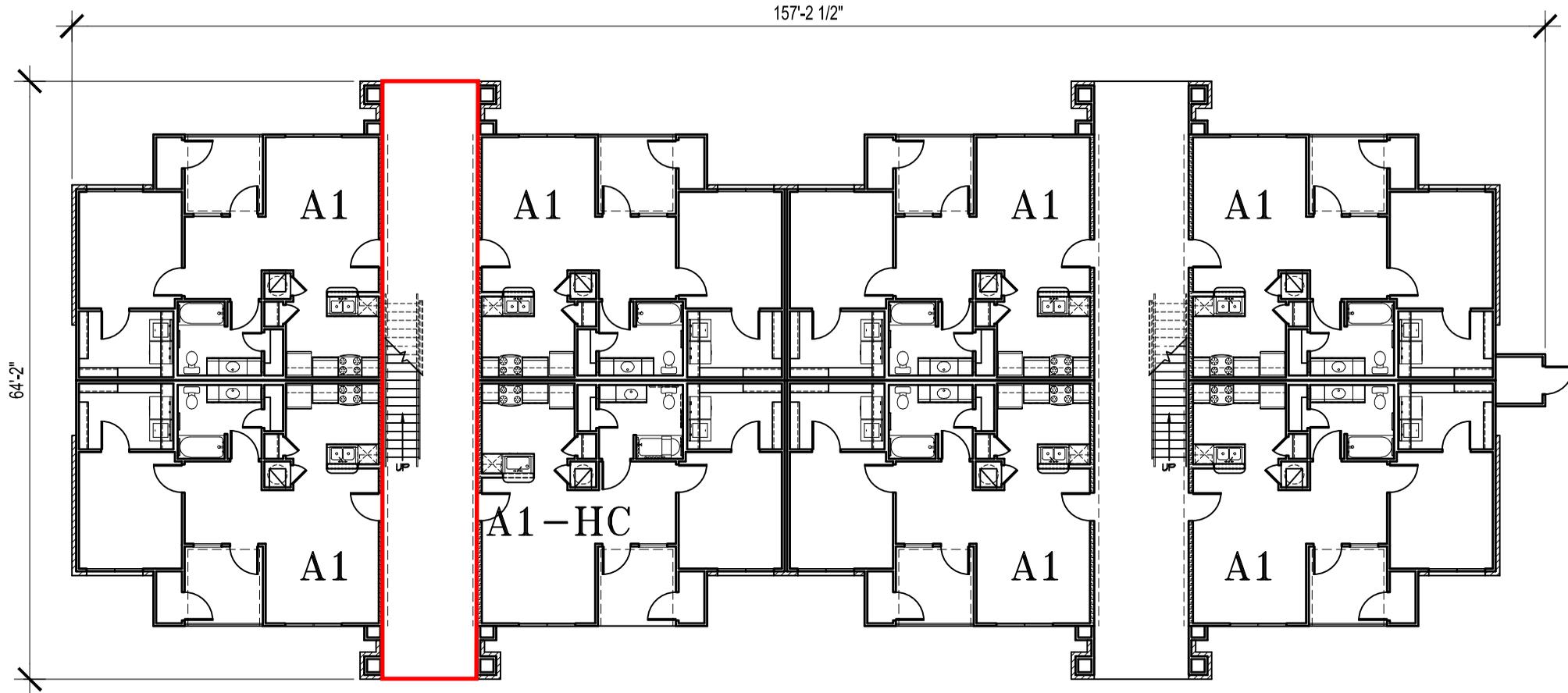
Here is a particularly good site plan in my opinion. It's clear to read, it shows the site acreage, it has the matrix on it, it has the parking spaces on it, the buildings are marked so that we know which is which and can compare the count to the building count on other forms. If I need to count the parking spaces I can but they tell me how many they've got.

It also has a lot of markings that I don't need, and these take up valuable space when you are trying to keep your document size small. Keep these as clean as possible. Tell your architect what you need and have them only include that information.

There are new things to account for in your site plans for 2017. As 10.204(9)(A) is laid out, if you are new construction, reconstruction or Adaptive Reuse, Under A, the first 5 apply to you. Rehab, all 9 apply to you. There have been 5 additions and 1 enhancement among these and here they are:

- v) Your site plan should show the location AND number of parking spaces. The "And number" was added here.
- vi) Rehabs, you must now provide the number and location of the accessible parking spaces.
- vii) Rehabs, your site plan must now describe your flood mitigation. How will that be handled?
- viii) Rehabs, Your site plan must now delineate the compliant accessible routes. Those will have to be identified so that we can find them on the site plan.
- ix. Rehabs, Your site plan must now indicate the distribution of your accessible units.

Now because the rules say these new items must be there, that means we will be reviewing for them on your plans. Please, please, please notify your architect of these new items and make sure they are included in your drawings before turning them in to us. These plans are now more detailed than ever so please don't incur a host of deficiencies by not discussing these things with your architects and those who will produce your site plans for you.



## FIRST FLOOR PLAN - BLDG. TYPE I

### LIVE OAK APARTMENTS

Georgetown, Texas

PEDCOR

1/16"

UNITS	5,936
BALCONIES	568
UTILITY CLOSET	30
CORRIDORS	1164
STAIRS	130
TOTAL	7,828
TOTAL BLDG	21,996

• ARCHITECTURE • LAND PLANNING • LANDSCAPE DESIGN • CONSTRUCTION ADMINISTRATION •

**KELLY GROSSMAN**  
ARCHITECTS, L.L.C.

260 ADDIE ROY ROAD, SUITE 210 AUSTIN, TEXAS 78746 ph: +1.512/327.3397

\*\*\*Tab 22\*\*\*

Their building plans were good too. They provided the measurements for the corridors, utility closets, and balconies. The unit types are marked and they match the designation given on the Building/Unit form, the dimensions are here, they gave me enough to count all of the units on all of the floors. These people did a great job. And here is why accuracy is important. We don't just look at these, when we're reviewing them we actually verify the building configuration is what you say it is. We do count units to verify that what you're telling us on one form and showing us in the drawings are the same thing. REA uses these drawings for costing and the Multifamily side tries to ensure that they're looking at the right stuff.

So when you turn in drawings, and other forms, be sure that your numbers match because we WILL check. Ask anybody who's been through this a few times and they'll tell you that if something is inconsistent, we flag it. Be sure that if you decide late in the game to change your unit count somehow but your drawings are already done. If you just go ahead and use them anyway because you think it won't matter, you'll find out it does. Be as consistent as you can.

ROOF PITCHES 5/12 & 7/12



# FRONT ELEVATION - BLDG. TYPE I

1/16"

## LIVE OAK APARTMENTS

Georgetown, Texas

PEDCOR

30% NATIVE TEXAS SANDSTONE  
70% STUCCO

• ARCHITECTURE • LAND PLANNING • LANDSCAPE DESIGN • CONSTRUCTION ADMINISTRATION •

### KELLY GROSSMAN

A R C H I T E C T S , L L C

5900 SOUTHWEST PARKWAY BUILDING FOUR SUITE 420 AUSTIN, TEXAS 78735 ph: +1.512/327.3397

\*\*\*Tab 22\*\*\*

Elevations. Your buildings will have at least 4 sides, we need to know about all those sides. Whether you give us drawings of each or state on the one drawing you do give us that the remaining sides are identical, we need to know about the exterior composition of all four sides for costing purposes. Again, these drawings gave us what we needed. Floor heights, roof pitches and exterior composition of the buildings are all here. These have been requirements for a long time now, so don't miss them.



\*\*\*Bookmark 26, Tab 23\*\*\*

And here's one of the things we compare your drawings to. This form is another oldie and it contains lots of construction-related information. At the top you'll tell us about your building, then about your parking plans and even about your floor coverings and then you'll give us your building and unit configurations. You should not complete a column for each building but for each building TYPE. The same for each unit type on the far left side.



\*\*\*Tab 23\*\*\*

Here's an example of how it should look.

This one is a good example of properly giving your units and your buildings. Each unit type that has a different square footage has a different label. Cross the grey column and your units are counted up into their respective buildings. In this example, buildings are named with Roman numerals. The site plan should have buildings marked with those same numerals. Below the building label is the number of stories the building will have and then the number of buildings of this type that will be on the site. No need to list building I, three times, just tell us there will be three of them. And as you enter these numbers in Excel, the sheet will add up your unit count for you as well as your total square footage and it will give you your net rentable area at the bottom. And at the very bottom, there is also space for your interior corridor space, common area and breezeways per building, which we also need. If you don't put them on your drawings, we'll look for them here.

You will notice that there's a blue header in the top right of the screen there. This was a replacement for the form that originally came in with a 2016 application. What you see NOW is correct, but it didn't start out that way. This was part of a deficiency response and that header tells me that. It also tells me when it arrived and who got it. We mark all deficiency responses this way and in one pdf it's easy. In 15 separate ones, it's not.

The totals we get on this form will match the ones that are produced on the Rent Schedule also.

# Added for 2017 to assist in calculating your Accessible Units

*This chart is not required in the PDF version of the application.*

Use this chart to figure out accessible unit requirements.

To the maximum extent feasible and subject to reasonable health and safety requirements, accessible units must be:

- (1) Distributed throughout the Development and site; and
- (2) Made available in a sufficient range of sizes and amenities so that the choice of living arrangements of qualified persons with Disabilities is, as a whole, comparable to that of other persons eligible for housing assistance under the same program.

Multifamily Housing Developments covered by 10 TAC Chapter 1, Subchapter B 1.207 and built after July 11, 1988 must have a minimum of 5% of all units in the development set aside for the mobility impaired **and an additional 2%** must be set aside for the hearing and/or visually impaired.

## Mobility

Unit Description	Total Units	Require	Rounded	Units	Units
		5%	0	0	0
A		5%	0	0	
B		5%	0	0	
C		5%	0	0	
D		5%	0	0	
E		5%	0	0	
If red, additional units required to meet 5% of total dev:			0		0

## Hearing/Visual

Unit Description	Total Units	Required %	Rounded	Units	Units
		2%	0	0	0
A		2%	0	0	
B		2%	0	0	
C		2%	0	0	
D		2%	0	0	
E		2%	0	0	
If red, additional units required to meet 2% of total dev:			0		0

## EXAMPLE:

### Mobility

Unit Description	Total Units	Require	Rounded	Units	Units
	68	5%	3.4	4	0
1/1 (874 sqft & 806 sqft)	28	5%	1.4	1	
2/2 (950 sqft & 1008 sqft)	36	5%	1.8	2	
3/2 (1120 sqft & 1190 sqft)	4	5%	0.2	0	
D		5%	0	0	
E		5%	0	0	
If red, additional units required to meet 5% of total dev:				1	0

### Hearing/Visual

Unit Description	Total Units	Required %	Rounded	Units	Units
total units	68	2%	1.36	2	2
same	24	2%	0.48	0	1
same	36	2%	0.72	1	1
same	4	2%	0.08	0	
D		2%	0	0	
E		2%	0	0	
If red, additional units required to meet 2% of total dev:				1	2

This tool, now in the Excel version, will calculate them FOR you

\*\*\*Tab 23\*\*\*

New for 2017, since there has been a lot of confusion about accessibility and how many mobility units you need and how many speech and hearing units you need. To help you to come up with that, this tool has been created. In the Excel, it's to the right of the Building/Unit Configuration form and you just plug in the number of units of each type and the form will calculate your 5% and 2% for you.

As you can see in the example below, the tool will give the actual number (3.4). Since you cannot have 3.4 units, you will need to have 4 units. The tool gives you the preferred placement of the three units, you have to decide where the fourth unit will go. That is what the red boxes are telling you: you have decisions to make. Looking at the numbers, it would make sense to place the fourth unit in the 1/1 column or the 3/2 column. Whatever you choose, have a good reason and be ready to provide an explanation if one is requested.



\*\*\*Bookmark 27, Tab 24\*\*\*

We also check your drawings and your B/U Config form against your rent schedule. All three must match one another. We don't know what's right, we only know what doesn't match. The rent schedule you'll complete yourself for the most part, but there are numerous dropdown boxes for you to choose your answers from. And then it adds up your net rentable area for you and...

## Rent Schedule (Continued)

		% of LI	% of Total	
<b>HOUSING TAX CREDITS</b>	TC30%			0
	TC40%			0
	TC50%			0
	TC60%			0
	<b>HTC LI Total</b>			<b>0</b>
	EO			0
	MR			0
	<b>MR Total</b>			<b>0</b>
	<b>Total Units</b>			<b>0</b>
	<b>MORTGAGE REVENUE BOND</b>	MRB30%		
MRB40%				0
MRB50%				0
MRB60%				0
<b>MRB LI Total</b>				<b>0</b>
MRBMR				0
<b>MRBMR Total</b>				<b>0</b>
<b>MRB Total</b>				<b>0</b>

		% of LI	% of Total	
<b>HOUSING TRUST FUND</b>	HTF30%			0
	HTF40%			0
	HTF50%			0
	HTF60%			0
	HTF80%			0
	<b>HTF LI Total</b>			<b>0</b>
	MR			0
	<b>MR Total</b>			<b>0</b>
	<b>HTF Total</b>			<b>0</b>
	<b>DIRECT LOAN</b>	30%		
LH/50%				0
HH/60%				0
HH/80%				0
<b>Direct Loan LI Total</b>				<b>0</b>
EO				0
MR				0
<b>MR Total</b>				<b>0</b>
<b>Direct Loan Total</b>			<b>0</b>	
<b>OTHER</b>	<b>Total OT Units</b>			<b>0</b>

<b>BEDROOMS</b>	0			0
	1			0
	2			0
	3			0
	4			0
	5			0

<b>ACQUISITION + HARD</b>			
Cost Per Sq Ft	#DIV/0!		
<b>HARD</b>			
Cost Per Sq Ft	#DIV/0!		
<b>BUILDING</b>			
Cost Per Sq Ft	#DIV/0!		
<b>Total Points claimed:</b>			0

Applicants are advised to ensure that figure is not rounding down to the maximum dollar figure to support the elected points.

\*\*\*Tab 24\*\*\*

...breaks out a few stats for you at the end. It also helps you see how your Cost per Square Foot chances are, but only after costs and other info are put in later in the application. No changes here.

## Utility Allowances [§10.614]

**Applicant must attach to this form documentation from the source of the "Utility Allowance" estimate used in completing the Rent Schedule provided in the Application Packet. Where the Applicant uses any method that requires Department review, such review must have been requested prior to submission of the Application. This exhibit must clearly indicate which utility costs are included in the estimate.**

*Note: If more than one entity (Sec. 8 administrator, public housing authority) is responsible for setting the utility allowance(s) in the area of the development location, then the selected utility allowance must be the one that most closely reflects the actual expenses.*

*If an independent utility cost evaluation is conducted, it must include confirming documentation from all the relevant utility providers.*

*If other reductions to the tenant rent are required, such as the cost of flood insurance for tenants' contents, documentation for these reductions to gross rent should also be attached.*

Utility	Who Pays	Energy Source	0BR	1BR	2BR	3BR	4BR	Source of Utility Allowance & Effective Date
Heating								
Cooking								
Other Electric								
Air Conditioning								
Water Heater								
Water								
Sewer								
Trash								
Flat Fee								
Other								
<b>Total Paid by Tenant</b>			\$ -	\$ -	\$ -	\$ -	\$ -	

Other (Describe)




\*\*\*Bookmark 28, Tab 25\*\*\*

There's nothing new about this form but we have lots of trouble with it each year when Applicants want to use their own utility allowances. To assist you in submitting the correct information, the Compliance Division has created a presentation that explains how to calculate your Utility Allowances. **YOU REALLY NEED TO REVIEW THAT PRESENTATION.** You can find it in the same place you found this one

Utility Allowances that come from anywhere other than HUD, USDA, or the appropriate PHA **MUST** be approved by Compliance. When you turn in your full application, it must include evidence that your chosen method has been approved by the Compliance division. That proof usually comes in the form of a letter or an email and we have to write this up A LOT. You must submit your allowances to Compliance **BEFORE** the Application deadline. I would recommend turning it in when you turn in your pre-app. Just email them over when you finish doing your pre-app so that Compliance can get started on them and put a copy of that email behind this page. Too often we have the alternative allowance information included in the Application and no indication that Compliance has even seen it. This documentation is supposed to be submitted to **THEM BEFORE** the Full App comes in. Utility allowances have gotten a lot more complicated too so be sure that you run yours by the Compliance division early.

As for the form that you see here, utility allowance information will be filled in here and there are dropdowns all over this form. Please do enter your energy sources and your information source; that being the PHA or alternative's name, and the effective date for the allowances in that last column. That's left blank very often. Place your evidence behind this page and if it's not a PHA utility allowance sheet, you need to have anything else pre-approved by the Compliance Division so submit any non-PHA allowances to Compliance **BEFORE** you submit the application.

## ANNUAL OPERATING EXPENSES

<u>General &amp; Administrative Expenses</u>			
Accounting	\$		
Advertising	\$		
Legal fees	\$		
Leased equipment	\$		
Postage & office supplies	\$		
Telephone	\$		
Other	\$	<i>describe</i>	
Other	\$	<i>describe</i>	
Total General & Administrative Expenses:			\$ -
Management Fee:	Percent of Effective Gross Income:	0.00%	
<u>Payroll, Payroll Tax &amp; Employee Benefits</u>			
Management	\$		
Maintenance	\$		
Other	\$	<i>describe</i>	
Other	\$	<i>describe</i>	
Total Payroll, Payroll Tax & Employee Benefits:			\$ -
<u>Repairs &amp; Maintenance</u>			
Elevator	\$		
Exterminating	\$		
Grounds	\$		
Make-ready	\$		
Repairs	\$		
Pool	\$		
Other	\$	<i>describe</i>	
Other	\$	<i>describe</i>	
Total Repairs & Maintenance:			\$ -
<u>Utilities (Enter Only Property Paid Expense)</u>			
Electric	\$		
Natural gas	\$		
Trash	\$		
Water/Sewer	\$		
Other	\$	<i>describe</i>	
Other	\$	<i>describe</i>	
Total Utilities:			\$ -
Annual Property Insurance:	Rate per net rentable square foot:	\$ 0.00	
<u>Property Taxes:</u>			
Published Capitalization Rate:		Source:	
Annual Property Taxes	\$		
Payments in Lieu of Taxes	\$		
Total Property Taxes:			\$ -
Reserve for Replacements:	Annual reserves per unit:	\$ -	\$ -
<u>Other Expenses</u>			
Cable TV	\$		
Supportive Services (Staffing/Contracted Services)	\$		
TDHCA Compliance fees	\$		
TDHCA Bond Administration Fees (TDHCA as Bond Issuer <u>Only</u> )	\$		
Security	\$		
Other	\$	<i>describe</i>	
Other	\$	<i>describe</i>	
Total Other Expenses:			\$ -
<b>TOTAL ANNUAL EXPENSES</b>		Expense per unit:	\$ 0
		Expense to Income Ratio:	<b>0.00%</b>
<b>NET OPERATING INCOME (before debt service)</b>			\$ -
<u>Annual Debt Service</u>			
	\$		
	\$		
	\$		
<b>TOTAL ANNUAL DEBT SERVICE</b>			\$ -
		Debt Coverage Ratio:	0.00
<b>NET CASH FLOW</b>			\$ -

\*\*\*Bookmark 29, Tab 26\*\*\*

Nothing new here. Complete all of the blanks that are relevant to you. Lines labeled "Other" have to have a description if a dollar amount is entered on the corresponding line. Do not use terms like "misc", "etc", or "fees". You must provide a full description.

Your operating expenses, as well as your building costs will be evaluated by the REA division and they are very good at what they do so be very thorough and very accurate when completing this information.

## 15 Year Rental Housing Operating Pro Forma

**All Programs Must Complete the following:**

*The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.*

INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Secondary Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
POTENTIAL GROSS ANNUAL INCOME	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Provision for Vacancy & Collection Loss	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$0	\$0	\$0	\$0	\$0	\$0	\$0
EXPENSES							
General & Administrative Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Management Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll, Payroll Tax & Employee Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Repairs & Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Electric & Gas Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water, Sewer & Trash Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Property Insurance Premiums	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Reserve for Replacements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL ANNUAL EXPENSES	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NET OPERATING INCOME	\$0	\$0	\$0	\$0	\$0	\$0	\$0
DEBT SERVICE							
First Deed of Trust Annual Loan Payment							
Second Deed of Trust Annual Loan Payment							
Third Deed of Trust Annual Loan Payment							
Other Annual Required Payment							
Other Annual Required Payment							
<b>ANNUAL NET CASH FLOW</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>CUMULATIVE NET CASH FLOW</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Coverage Ratio	#DIV/0!						
Other (Describe)							
Other (Describe)							

By signing below I (we) are certifying that the above 15 Year pro forma, is consistent with the unit rental rate assumptions, total operating expenses, net operating income, and debt service coverage based on the bank's current underwriting parameters and consistent with the loan terms indicated in the term sheet and preliminarily considered feasible pending further diligence review. The debt service for each year maintains no less than a 1.15 debt coverage ratio. (Signature only required if using this pro forma for points under §11.9(e)(1) relating to Financial Feasibility)

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_  
Signature, Authorized Representative, Construction or

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\*\*\*Bookmark 30, Tab 27\*\*\*

The pro forma is also the same. Remember your debt coverage can't be less than 1.15. Your assumptions about income and expense increases are at the top of this form but if you use different ones, note the assumptions somewhere on the form that you use. As you see, lots of this form auto fills based upon what you put in the rent schedule and your expense sheet. You'll enter your expected loan payments at the bottom and the DCR will calculate for you.

One thing to note here is that if you indicate there will be a property tax exemption then evidence that such exemption is reasonably achievable must be submitted at Commitment.



\*\*\*Bookmarks 31, 32, and 33; Tabs 28, 29, and 30\*\*\*

Offsite costs, Site Work and the Cost schedule all are completed primarily by you. They'll total everything up for you but these are heavy on input for you guys. And the cost schedule will compute your credits for you based upon your entries.

Each of these forms will need to be executed. The Offsite and Site Work forms should be completed or at least confirmed and signed by an engineer or architect and the cost schedule should be signed by your cost estimator, whose name should appear on the Development Team Members form as well.

Here is Bookmark 31, Tab 28, the Off-Site Cost Breakdown...



\*\*\*Tabs 28, 29, and 30\*\*\*

...and Bookmark 32, Tab 29, the Site Work Cost Breakdown...



\*\*\*Bookmarks 31, 32, and 33; Tabs 28, 29, and 30\*\*\*

...and Bookmark 33, Tab 30, the Development Cost Schedule.

Not all pages are included here.



\*\*\*Bookmark 33, Tab 30\*\*\*

If you have a contribution from a LPS for points that is in the form of reduced or waived fees (or something like that), you should indicate such on the DCS. Just put a note in the right-hand column; something simple like "fees reduced by LPS". And of course you have to reduce the fee.

## Financing Narrative and Summary of Sources and Uses

Describe all sources of funds. Information must be consistent with the information provided throughout the Application (i.e. Financing Narrative, Term Sheets and Development Cost Schedule).

Financing Participants	Funding Description	Construction Period		Lien Position	Permanent Period					Lien Position
		Loan/Equity Amount	Interest Rate (%)		Loan/Equity Amount	Interest Rate (%)	Amort - ization	Term (Yrs)	Syndication Rate	
<b>Debt</b>										
TDHCA	<a href="#">Multifamily Direct Loan (Repayable)</a>	\$0	0.00%		\$ -	0.00%	30	0		
TDHCA	<a href="#">Multifamily Direct Loan (Deferred Forgivable)</a>	\$0	0.00%		\$ -	0.00%	0	0		
TDHCA	<a href="#">Mortgage Revenue Bond</a>	\$0	0.00%		\$ -	0.00%	0	0		
<b>Third Party Equity</b>										
	<a href="#">HTC</a> \$ -									
<b>Grant</b>										
<b>Deferred Developer Fee</b>										
<b>Other</b>										
	<a href="#">Direct Loan Match</a>									
	<b>Total Sources of Funds</b>	\$ -			\$ -					
	<b>Total Uses of Funds</b>				\$ -					

\*\*\*Bookmark 34, Tab 31\*\*

The Sources and Uses should jive with your cost schedule and this is where you break down the funding that you're planning to use to do your development. Your funding sources, lenders, local governments, syndicators, all belong in the left-hand column by name, the type of funding, loan, grant, in-kind contribution, belongs in the second and the amounts, interest rates and terms fit into the others. This is another heavy-input form because these things vary among all of the deals that we'll see. Not much chance for dropdowns on this one.

If you received a loan or grant from a LPS for points, you should include it here.

And on the second page of the form...

**INSTRUCTIONS:** Describe the sources of funds that will finance Development. The description must include construction, permanent and bridge loans, and all other types of funds to be used for development. The information must be consistent with all other documentation in this section. Provide sufficient detail to identify the source and explain the use (in terms of the timing and any specific uses) of each type of funds to be contributed. In addition, describe/explain replacement reserves. Finally, describe/explain operating items. The narrative must include rents, operating subsidies, project based assistance, and all other sources of funds for operations. In the foregoing discussion of both development and operating funds, specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments.

**Describe the sources and uses of funds (specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments):**

**Describe the replacement reserves:**

**Describe the operating items (rents, operating subsidies, project based assistance, etc., and specify the status (dates and deadlines) for applications, approvals and closings, etc., associated with the commitments.:**

By signing below I acknowledge that the amounts and terms of all anticipated sources of funds as stated above are consistent with the assumptions of my institution as one of the providers of funds.

\_\_\_\_\_  
Signature, Authorized Representative, Construction or Permanent Lender

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

Telephone: \_\_\_\_\_

Email address: \_\_\_\_\_

\*\*\*Tab 31\*\*\*

...you have a chance to talk about your financing. 10.204(7)(E) talks about the Financing Narrative and this narrative gives REA a snapshot of your plans as it relates to financing. There were some small clarifications under E but it didn't change the sentiment of the rule. Your narrative should be descriptive and provide enough data for the reader to know what you're doing and it should be consistent with your Sources and Uses and your commitments letters and term sheets.

Since we're talking about financing, 10.204(7) covers the financing requirements and there was an important change made here, to do with term sheets. Your construction and permanent loan provider must, according to numeral 7, provide an acknowledgement of the other financing that will be involved, including the terms of that financing. So your lender will have to acknowledge that they know about your other financing and the terms thereof. We know that a lot of lenders use form letters but those letters, except for some of the syndicator ones, don't touch on what another lender may or may not be giving to your deal. Well, now they have to. Please make sure that you get your lenders to update their form letters to accommodate this new information. Discuss this with them so that your letters will contain the needed acknowledgements.

Another item under financing; For those USDA refiners among us, your USDA letter must now state that you've been provided with the Preliminary Assessment Tool. Be sure that your letter states this before you include that letter in your application.

## Financial Capacity (Multifamily Direct Loan Applications Only, if applicable)

[§10.307(a)(5)]

### Financial Capacity and Construction Oversight

If the Department's Direct Loan amounts to more than 50% of the Total Housing Development Cost, except for Developments also financed through the USDA §515 program, the Application **MUST** include:

- A letter from a Third Party CPA verifying the capacity of the Applicant, Developer or Development Owner to provide at least 10% of the Total Housing Development Cost as a short term loan for Development; **OR**
- Evidence of a line of credit or equivalent tool equal to at least 10% of the Total Housing Development Cost from a financial institution that is available for use during the proposed development activities.



\*\*\*Bookmark 35, Tab 32 \*\*\*

For those who will be applying for Direct Loan funds, your financial capacity information goes behind his page. Be sure that you provide a thorough explanation and that all of your evidence is sufficient because Andrew will be looking at this and he's not going to let you off easy. Check the list here. It's there to help you.

## Match Funds (Multifamily Direct Loan Applications Only) [§10.204(7)(E)]

Match in the amount of at least 5% of the Multifamily Direct Loan funds requested must be documented with a letter from the anticipated provider of Match indicating the provider's willingness and ability to make a financial commitment should the Development receive an award of Multifamily Direct Loan funds. The information provided must be consistent with all other documentation in the Application.

Indicate the amount and source of Match funds in the appropriate spaces in the table below.

Generally, a Related Party contribution to the Development is not considered eligible Match. Please contact the Department for specific examples that are not provided in the Match Guidance below.

Type of Match Pledged	Pledged Amount	Source of Funds
Non-Federal Grants		
Waived, foregone or deferred fees and charges (ex: debris removal and container fees, tap fees, building permits, other mandatory fees charged by the local municipality) <b>**CANNOT INCLUDE DEVELOPER FEES**</b>		
Below Market Financing		
Property Tax Abatement		
Donated Non-Professional Labor		
Non-Federally Funded Infrastructure		
Rental Value of Donated Use of Site Preparation or Construction Equipment		
Donated Construction Materials		
Donated Site Preparation		
Donated Demolition Services		
Donated Real Property		
Total Value of Match Pledged	\$ -	
Total Amount of MF Direct Loan funds Requested	\$ -	HOME or TCAP RF
Percentage of MF Direct Loan Funds to be Matched (Total Value of Match /MF Direct Loan Funds Requested)	#DIV/0!	

\*\*\*Bookmark 36, Tab 33\*\*\*

Also a Direct Loan only item, the 5% match funds. The MF Direct Loan NOFA has a scoring item that will also use the information you provide here, so make sure you're completing the page accurately. You must provide a letter from your Match funder and behind this page is the best place to put it. You could also put it with the Tab 35 documentation but I'd rather find it here.

# Finance Scoring (for Competitive HTC Applications ONLY)

Self Score Total:

## 1. Commitment of Development Funding by Local Political Subdivision (§11.9(d)(2))

Name of the Local Political Subdivision providing the funding:

A letter from an official of the political subdivision stating that the political subdivision will provide a loan, grant, reduced fees or contribution of other value is in the application.

The letter includes the dollar value of the contribution and the terms under which it will be provided.

The commitment of development funding is reflected in the Application as a financial benefit to the Development, i.e. reported as a source of funds on the Sources and Uses Form and/or reflected in a lower cost in the Development Cost Schedule, such as notation of a reduction in building permits and related costs.

Total Points Claimed:

## 2. Financial Feasibility (§11.9(e)(1))

Eligible Pro-Forma and letter stating the Development is financially feasible.

Eligible Pro-Forma and letter stating Development *and* Principals are acceptable.

Total Points Claimed:

## 3. Leveraging of Private, State, and Federal Resources (§2306.6725(a)(3); §11.9(e)(4))

Percent of Units restricted to serve households at or below 30% of AMGI

HTC funding request as a percent of Total Housing Development Cost

eligible for points:

Development Leverages CDBG Disaster Recovery, HOPE VI, RAD or Choice Neighborhood Funding

Housing Tax Credit Request 8% of Total Housing Development Cost

Housing Tax Credit Request 9% of Total Housing Development Cost

Housing Tax Credit Request 10% of Total Housing Development Cost

*\* Be sure no more than 50% of Developer fees are deferred.*

Total Points Claimed:

\*\*\* Bookmark 37, Tab 34\*\*\*

LPS still gets 1pt but this rule has had an addition that requires that your LPS funding be reflected in your Application as a financial benefit. Examples of how to do this include, having the cash contributions shown on the Sources and Uses or any fee waivers shown as a reduced cost on the Cost Schedule. The letter itself must describe the value of the contribution as well as the form that it will come in and any caveats to its being awarded. So there was a little enhancement there are well. The letter still can't be changed or withdrawn and if your development is within an ETJ the letter/funding can come from either the city or county but you don't have to get both.

Financial Feasibility is still worth 18 points and the evidence requirements for that haven't changed.

And Private, State and Federal is worth up to 3 points and the requirements for this are the same as well. Remember that this is still not a rounded item. Anything past the decimal in the calculation drops off. So 7.999 is 7, not 8. Remember that as you check your work because it makes a difference. Excel will calculate this for you but it may round your total, so you may want to double check it by hand. That's what WE do. Your form however, will tell us what to expect.

## Supporting Documents Should be Included Behind this Tab

- Executed Pro Forma from Permanent or Construction Lender
- Letter from lender regarding approval of Principals
- Evidence of Permanent and Construction Financing (term sheets, loan agreements)
- Evidence of any Gap Financing
- Evidence of any Owner Contributions
- Evidence of Equity Financing (HTC applications only)
- Letter from Texas Historical Commission (THC) indicating preliminary eligibility for historic (rehabilitation) tax credits and documentation of Certified Historic Structure status as detailed in QAP §11.9(e)(6) was submitted behind TAB 19.
- Letter from Local Political Subdivision evidencing a loan, grant, reduced fees or contribution of other value to benefit the Development. [QAP §11.9(d)(2)]
- Evidence of Rental Assistance/Subsidy



\*\*\*Bookmark 38, Tab 35\*\*\*

Tab 35 is where your financial documentation should go. Your commitment letters, syndication letters, any documentation pertaining to something on the Sources and Uses belongs here. This is where we're going to look for it so be sure to put it here. And if you happen to locate some part of it in a different section, like for instance your financing commitment is also your city support resolution, we'll probably see it but don't hesitate to give us a hint of some kind on or behind this page. That will save you inserting a duplicate and save us time looking for it.

If you have full Acrobat, you can create a text box to tell us where you've put a particular document, in the event that you don't put it behind this tab.

## Sponsor Characteristics (Competitive HTC Only)

Self Score Total:

Pursuant to §11.9(b)(2) of the Qualified Allocation Plan, an Application may qualify to receive up to one (1) point provided the ownership structure meets one of the following requirements in parts 1 or 2 below;

### 1. Application is attempting to score as a Qualified Nonprofit and meets the criteria below:

No Application is applying under the Nonprofit Set-Aside, and

No The Qualified Nonprofit has some combination of ownership interest, cash flow from operations, and developer fee which taken together equal at least 80% and no less than 5% for any category.

Ownership Interest:  CANNOT BE LESS THAN 5%

Cash flow from operations:  CANNOT BE LESS THAN 5%

Developer Fee:  CANNOT BE LESS THAN 5%

Total:

The Qualified Nonprofit will materially participate in the Development and the operation of the Development throughout the Compliance Period. 

The Qualified Nonprofit has experience directly related to the housing industry. (mark all that apply)

Property Management  Construction  Development  Financing  Compliance

No Principals of the Qualified Nonprofit are related Parties to any other Principals of the Applicant or Developer.

Evidence of experience in the housing industry and a statement regarding material participation are provided behind this tab.

Eligible Points:

### 2. Application is attempting to score as a HUB and meets the criteria below:

The ownership structure contains a HUB, and evidence from the Texas Comptroller of Accounts is provided behind this Tab.

No The HUB has some combination of ownership interest, cash flow from operations, and developer fee which taken together equal at least 80% and no less than 5% for any category.

Ownership Interest:  CANNOT BE LESS THAN 5%

Cash flow from operations:  CANNOT BE LESS THAN 5%

Developer Fee:  CANNOT BE LESS THAN 5%

Total:

The HUB will materially participate in the Development and the operation of the Development throughout the Compliance Period. 

The HUB has experience directly related to the housing industry. (mark all that apply)

Property Management  Construction  Development  Financing  Compliance

No Principals of the HUB are related Parties to any other Principal of the Applicant or Developer. 

Evidence of experience in the housing industry and a statement regarding material participation are provided behind this tab.

Eligible Points:

This page has not changed. It's still where you claim your Nonprofit or HUB points and it's still also your checklist. For those who make this selection, keep in mind that you must maintain this selection throughout the Compliance Period, You MUST keep either a HUB or a Nonprofit, depending on which you chose for points here, within your structure. You can't get rid of it before the Compliance Period is over without an amendment to your LURA. Next, your HUB or Nonprofit partner must have interests spanning across ownership, developer fee and cash flow that totals no less than 80% and no category can be below 5%. Most times this percentage will actually be more than 80%. Sometimes it's more than 100%, especially if the HUB or nonprofit owns the GP outright. So don't let 278% make you nervous here. On the org chart, yes but not here. As long as that total shows at least 80%, we don't really care how high it goes for purposes of this item.

In the areas below the percentage, you're going to tell us that your nonprofit or HUB will materially participate in the development. This goes beyond providing the supportive services at the site. The definition of material participation is found in 469(h) of the Internal Revenue Code, which speaks of material participation in the activity of the taxpayer. In your case, the taxpayer owns and operates an affordable housing development, therefore if the HUB or nonprofit is not involved in the activities germane to the running of the development, then they are not materially participating. When we read your narrative on what your HUB/NP partners will actually be doing, we have to judge whether 469(h) is being met. And I can tell you now, if they have no hand in the operation of the development, it won't qualify.

Then you will describe the housing-related experience of your HUB or nonprofit. This narrative should focus on what your partner has DONE. Did they design, build, manage, provide accounting services or bake cakes for a development somewhere? And I'll give you the Sesame Street warning here; One of those things is not like the others. Housing-related experience is just that. If they have none, they won't be acceptable. If they do, your narrative should tell us what that experience was. You can definitely say how great they were at what they did, just don't neglect to tell us what they did.

# Owner and Developer Organization Charts

**Applicants should note that subsequent changes to the Development Ownership structure presented in this section will require the written consent of the Department.**

Pursuant to §10.204(13)(A) of the Uniform Multifamily Rules, submit three separate charts. One showing the complete organizational structure of each of the following entities: Development Owner, Developer, and Guarantor.

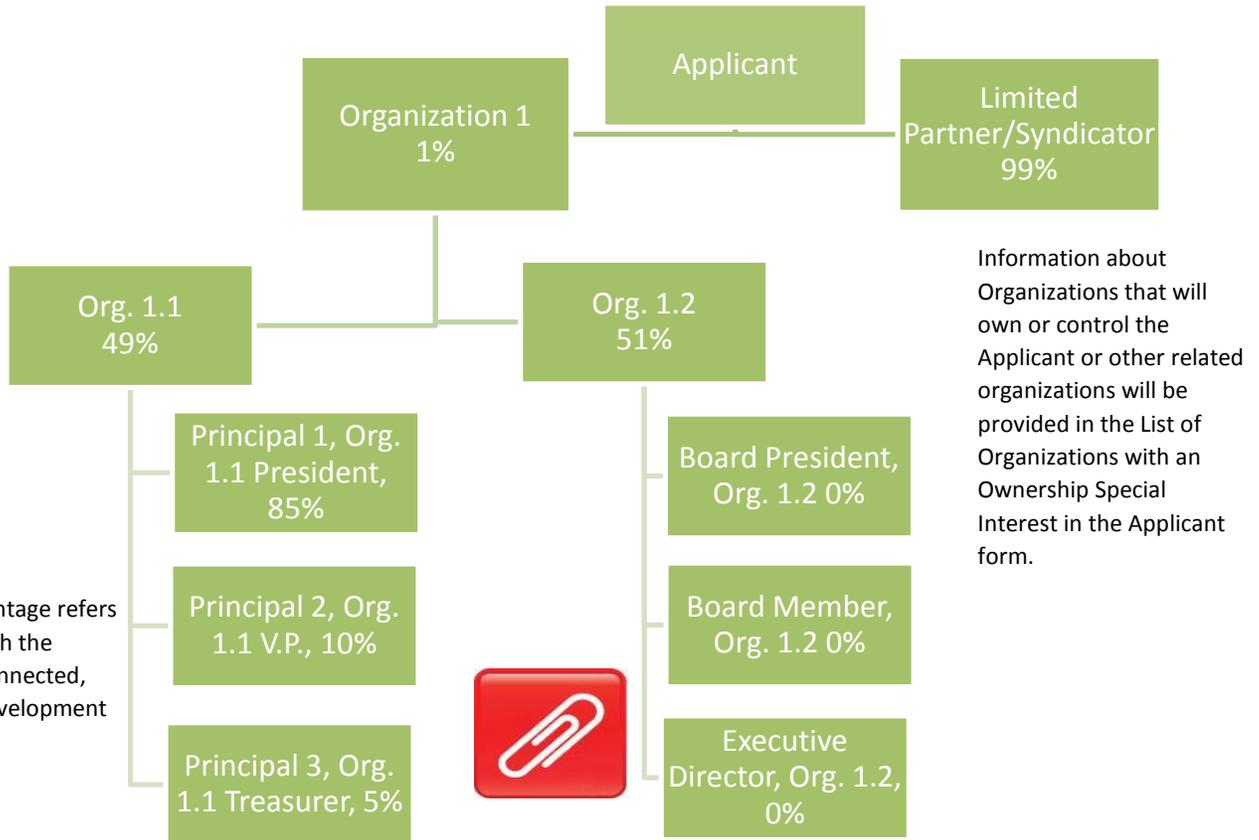
The organization charts must include:

- The names and ownership percentages of all Persons having an ownership interest in the Development Owner, Developer, and/or Guarantor.
- Nonprofit entities, public housing authorities, publicly traded corporations, individual board members and executive directors must be included in Organization charts.
- Any and all trusts must list all beneficiaries that have the legal ability to control or direct activities of the trust and are not just financial beneficiaries.

In the case of:

- (A) Partnerships - Principals include all general Partners and Special LPs (any LP that is not the Syndicator is a "Special LP");
- (B) Corporations - Principals include the executive director and all members of the board (shown with "0%" ownership as applicable). For to-be formed instrumentalities of PHAs, where the executive director and board remain to be determined, include the PHA, itself, and its members;
- (C) Limited liability companies - Principals include all the managing members and all other members.

**Org. Chart Example:**



Note that the percentage refers to the entity to which the Person is directly connected, not to the whole Development Owner.

\*\*\*Bookmark 40, Tab 37\*\*\*

And now to Org Charts. Please keep your charts simple and ensure that they illustrate the ownership of your owner, developer and guarantor down to the level of natural persons. Your charts are not finished until you get to that level. If you have an entity that does not show its human owners, you have an incomplete chart. Also make sure that your percentage of ownership equals 100% at every level.

The checklist for org charts shows a very simple example. The Applicant entity is the 100% owner of the development, below that, Organization 1, usually the GP and then the Investor own 100% of the owner. Below the GP, two entities own it. One with 49% and the other with 51%. The 51% owner is a nonprofit organization and their board members must be listed here.

NOTE that listing the members of a board, council, or other governing body here does not mean that each member has a controlling role. Simply being a member does not mean that an individual can affect the actions of the entity. This might be different for member of the executive committee or any other member that has the ability to make decisions on behalf of the body. In the example chart given, the Board President is identified. Any other members that have the ability to act on behalf of the board should be identified on the Organizational Chart as well. Those individuals are the ones that should be included when you submit the Development Owner Certification and Previous Participation documents.

In this example, we reach 100% with 49 and 51 but what if we didn't. Let's say the total is 99%. Who's missing? Is anyone missing? Are there really only two owners and this only a typo? The answer is, WE DON'T KNOW. What we DO know is that 1) 100% of the ownership is not accounted for and 2) we have a deficiency to write. This holds true for every entity that you place on your chart. We need all of their ownerships to total 100% or we have to ask you who's missing. Same thing with going over 100%. Who's percentage goes down? We don't know so we'll have to write a deficiency asking YOU. Honestly, everybody has been doing a substantially better job with the percentages so thank you for that. We don't get a whole lot that miss the 100% so for any new ones among us today, don't be the one to mess with our good trend, okay?

## List of Organizations and Principals

Provide the requested information for all partnerships, corporations, limited liability companies, trusts, or any other public or private entity and their Affiliates identified on the Owner and Developer Organization Charts. Organizations that own or control other organizations should also be identified until the only remaining sub-entity would be natural persons. Organizations that are Developers and/or Guarantors must also be listed on this form as must any organization (and natural person whose ownership interest in an applicable entity is direct instead of via membership in an organization) that will receive more than 10% of the developer fee. (Note - Entity Names, Principals, and ownership percentage should coincide with the Owner and Developer Organization Charts)

Applicant Legal Name: _____			
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	

**Org. 1**

Organization Legal Name: _____			Role/Title _____
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

**Org.**

Organization Legal Name: _____			Role/Title _____
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

**Org.**

Organization Legal Name: _____			Role/Title _____
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

\*\*\*Bookmark 41, Tab 38\*\*\*

Next, the List of Organizations form is checked against the org charts and it must follow the ownership in the same way that the org charts illustrate it, including the spelling of the names. The form wants the ownership one level at a time. Only the owners of the particular entity that you're working on should appear in the numbered lines.

Yellow boxes everywhere means you'll fill this in. There are some Yes/No drop boxes but for the most part you're typing. And what you enter should pertain to one entity at a time.

The top entity will be the Applicant so the Owner entity goes in that first unnumbered box at the very top. Box 1, generally people put the GP's name, fill in the other information and then in the numbered blanks, enter the owners of the GP, just one level down. So the 49 and 51% owners of the general partner, remember from the chart, they and they ONLY go onto lines one and two. No one else belongs in those numbered spaces.

Then each of those entities gets their own box with their direct ownership on the numbered lines below them. All we want to see in each entity's box is that entity's direct owners; none of the ones a step down. We check this list directly against the org charts so they must match or a deficiency will be issued.



\*\*\*Bookmark 42, Tab 39\*\*\*

The next form, checked against the org chart, is the Previous Participation form. This is another that you'll type in and we need this form for each entity and person (who holds a position of control, remember) on the owner, developer and guarantor charts.

No change to this form; just read one and two and complete accordingly. The form will fit on one page if your lists are short. If you have a very long list, feel free to create a separate page where your myriad developments can be listed. It is very important that the names on your org charts, List of Organizations and Previous Participation forms all MATCH. We will not assume that Robert and Bobby are the same person. We'll write a deficiency so that you can confirm whether this is the same person, and that's one that you could avoid by using the same name wherever a person's name is given.

## Nonprofit Participation

### # Nonprofit Set-Aside (Competitive HTC Applications Only)

**Qualification:** Must meet the definition of a Qualified Nonprofit Development pursuant to §10.3(a)(102) of the Uniform Multifamily Rules, §42(h)(5) of the code, and the requirements of §11.5(1) of the Qualified Allocation Plan.

**Documentation:** Eligibility will be confirmed based upon completion of the Nonprofit Participation and Additional Nonprofit Documentation requirements in this section.

By selecting this box the Applicant affirms the election to be included in the Nonprofit Set-Aside and certifies that they expect to receive a benefit in the allocation of tax credits as a result of being affiliated with a nonprofit.

By selecting this box the Applicant affirms the election to be excluded from the Nonprofit Set-Aside and certifies that they do not expect to receive a benefit in the allocation of tax credits as a result of being affiliated with a nonprofit.

### Nonprofit Information (ALL Applications)

Only nonprofit organizations will complete this section. All nonprofit Applicants or Principals must complete this form without regard to their level of ownership or the set-aside under which the Application was made.

Organization Name: \_\_\_\_\_

Is the Organization a 501(c)(3) or (4) as of the beginning of the Application Acceptance Period? \_\_\_\_\_

If no to the question above, what is its current legal status? \_\_\_\_\_

If "Other" please specify: \_\_\_\_\_

Date of legal formation of Nonprofit Organization: \_\_\_\_\_

1) Is Applicant comprised of a joint venture between a Nonprofit and for-profit entity? \_\_\_\_\_

If "Yes", will this nonprofit organization Control the Applicant? \_\_\_\_\_

What is the ownership percentage of this nonprofit organization? \_\_\_\_\_

2) Describe the nonprofit's participation: \_\_\_\_\_

3) Describe the nonprofit's participation in the operation of the Development throughout the Compliance and/or extended use period:

4) Will the nonprofit receive part of the development fees paid in connection with the development? \_\_\_\_\_

If "Yes," explain: \_\_\_\_\_

\*\*\*Bookmark 43, Tab 40\*\*\*

Do you have a nonprofit in your structure? This form is for you. And the first thing we want to know is whether you're interested in being a part of the nonprofit set-aside if we need you. Remember, that we have to allocate all of the money in that set-aside and if we don't have enough deals, we will reach back and pull deals with nonprofits into the set-aside to help us out. That is UNLESS you specifically elect here NOT to be included in that roundup. Nothing new about that but it's a bigger decision than it may seem. It can mean being skipped over for a lower scoring app with a nonprofit in its structure if they elect to participate and you don't, so decide carefully.



\*\*\*Tab 40\*\*\*

The rest of the form is just for you to complete. List ALL of your board members. Nonprofit Set-Aside people, when we're deciding whether your board lives close enough to the development, this is where we look. Don't put your organization's address, the home addresses of your members are what we need.

## Nonprofit Supporting Documents Should be Included Behind this Tab

Applications involving a Qualified Nonprofit Organization pursuant to Texas Government Code, §2306.6706 that have a 501(c)(3) or 501(c)(4) designation at the time of Application and competitive 9% HTC Applications electing to compete under the Nonprofit Set-aside must provide the following documentation behind this tab:

- IRS determination letter
- Third Party legal opinion (not applicable to Tax-Exempt Bond Developments)
- The Nonprofit's most recent financial statement as prepared by a Certified Public Accountant (not applicable to Tax-Exempt Bond Developments)
- Certification regarding Board member residence (not applicable to Tax-Exempt Bond Developments)



\*\*\*Bookmark 44, Tab 41\*\*\*

If you're planning to participate in the nonprofit set-aside, there's more information that we need from you. Behind this page we're going to be looking for your tax exempt status letter from the IRS, the legal opinion, your most recent financial statement and the residence certification. Your financial statement doesn't have to be from 2016 unless that's the latest one you have. If the most recent one is from 2009, we can accept it.

Please be sure that your attorney uses the CURRENT template for the legal opinion. There are certain statements that MUST be made in that letter and we often find that an old template has been used. Be sure and get the current template for 2017 especially because there HAS been a change to the declarations that are required. Particularly, #6 has been added to state that the nonprofit has the ability to do business as a nonprofit in Texas. So the old templates will serve to generate deficiencies only. Please instruct your attorneys to use the new version.

## Development Team Members

The requested information on all known Development Team members must be provided. In addition to the categories listed below, the "Other" category should be used to list all known Development Team members that are included in the "Development Cost Schedule." If the team member that will be utilized is not yet known, indicate "TBD." If it is anticipated that the Development Team category will not be utilized, indicate "N/A."

*\* If there is a direct or indirect, financial, or other interest with Applicant or other team members, provide an attachment behind this form in the Application that explains the relationship(s).*

**Developer:**

Contact Name	Phone	
Email	Proposed Fee	Tax ID Number (TIN)
Certified Texas HUB?		
This is a direct or indirect, financial, or other interest with Applicant or other team members*		

**Housing General Contractor:**

Contact Name	Phone	
Email	Proposed Fee	Tax ID Number (TIN)
Certified Texas HUB?		
This is a direct or indirect, financial, or other interest with Applicant or other team members*		

**Infrastructure General Contractor:**

Contact Name	Phone	
Email	Proposed Fee	Tax ID Number (TIN)
Certified Texas HUB?		
This is a direct or indirect, financial, or other interest with Applicant or other team members*		

**Cost Estimator:**

Contact Name	Phone	
Email	Proposed Fee	Tax ID Number (TIN)
Certified Texas HUB?		
This is a direct or indirect, financial, or other interest with Applicant or other team members*		

**Architect:**

Contact Name	Phone	
Email	Proposed Fee	Tax ID Number (TIN)
Certified Texas HUB?		
This is a direct or indirect, financial, or other interest with Applicant or other team members*		

\*\*\*Bookmark 45, Tab 42\*\*\*

The Development Team form is still the same. Be sure your entries are consistent with information elsewhere in the application and enter TBD if you haven't selected a partner for one of the listed roles. Your entry for Architect will need to match the company that completes your Architect Certification on the next tab so be sure you to have the correct names in both places.

## Architect Certification Form

 The Architect Certification is included behind this tab.

The form for the certification will be posted to the Department's website at  
<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>.

The form for the certification will be posted to the Department's website at  
<http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm>.

\*\*\* Bookmark 46, Tab 43\*\*\*

The certification for this item will need to go behind this page and please be sure to use the current form.

## Evidence of Experience Must be Provided Behind this Tab

Pursuant to §10.204(6) of the Uniform Multifamily Rules, a Principal of the Developer, Development Owner, or General Partner must establish that they have experience in the development of 150 units or more.

### Evidence of experience behind this tab includes:

- An Experience certificate issued by the Department under the 2014 or 2015 Uniform Multifamily Rules.
- An Application for experience and supporting documentation in accordance with §10.204(6)(A)(i) through (ix)
- Evidence from the Department that the application for experience was received and is being processed by the Department.



### DUNS Number AND CCR Documentation (Direct Loan Applications Only)

The Office of Management and Budget (OMB) requires grant applicants to provide a Dunn and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal grants, including Direct Loan funds, on or after October 1, 2003. The DUNS number will supplement other identifiers required by statute or regulation, such as tax identification numbers. Applicants must also register with the System for Award Management (SAM) database. See the website at <https://www.sam.gov/portal/public/SAM/>. To apply for a DUNS number applicants can go to the Dunn & Bradstreet website at: <https://iupdate.dnb.com/iUpdate/companylookup.htm>

DUNS Number

Registrant Name

- Evidence of SAM.gov registration is attached behind this tab.



### Davis Bacon Labor Standards (Direct Loan Applications Only)

24 CFR §92.354, Davis-Bacon Act (40 U.S.C. §§276(a)-276(a)(5), the Davis-Bacon Related Acts, the Contract Work Hours and Safety Standards Act, and the Copeland (Anti-Kickback) Act (40 U.S.C. §276(c)) apply to developments being assisted with Direct Loan funds if (Select all that apply):

- Twelve (12) or more Direct Loan assisted units will be rehabilitated or constructed under one construction contract.
- Community Development Block Grant (CDBG) funds are being used to support the Development, which requires a lower number of units (8) be used as a threshold.
- The construction includes commercial/community space and the cost for such space will exceed \$2,000.
- Mortgage insurance under §223(f) of the National Housing Act is obtained on the Development, and the construction costs exceed \$6,500 per dwelling unit.

### Affirmative Marketing Plan (Direct Loan Applications Only)

Complete and submit HUD's Affirmative Marketing Plan form (Form 935.2 or successors). This form may be found on the Department's website at <http://www.tdhca.state.tx.us/home-division/mf-home/index.htm>

The Affirmative Marketing Plan must comply with the Affirmative Marketing requirements in the Compliance Rules.

HUD approval is not necessary unless the property receives project-based Section 8 assistance.



\*\*\*Bookmark 47, Tab 44\*\*\*

This year, we will accept 2014, 2015, 2016 and 2017 experience certifications for this item. And they will go behind this form. If you haven't submitted your experience applications, do so as soon as possible and you could have a certification in time for full app submission. The application form is on the Apply for Funds page. Send the correct application, along with your backup and either your certification or an email discussing deficiencies will be forthcoming.

The documentation requirements haven't changed since 2014. A Principal of your owner or developer must show that they've developed and placed into service 150 or more units of housing. They must be residential units but they do not have to be assisted and there are three components to proving this up. They are, Role, Unit Count and Completion/Placement in Service. The evidence that you turn in should cover one of those things for each development that you plan to have counted.

Role refers to whether your person was a principal of the owner or developer for the units you want counted or if they were in a decision-making, document-signing role for the units that you want to have them credited with. Your documentation of this will be contracts, documents that they've signed, company agreements enumerating the needed power to your person specifically. Things like that. There is a list of documents on the Experience Application that can do that so refer to that list if you need ideas.

Unit Count is supported through evidence, not created for the experience app, that verifies how many units there are. A page from the LURA will do that. A G704 may do that too if it shows the total units completed. There are lots of ways. Online ads for the development showing the total units would work. It should be something that exists without regard for the Experience Application and shows the unit count.

And Completion/Placement in Service verifies that the development was finished and is operating. 8609s are good for this as well as COs. An online ad would do this too. I don't take certifications for proof. The rule calls for documentation, not certification, so you can't just write up a statement for any of this. If you don't have the documentation, we can't certify you so please be sure you cover all of the elements for each set of units that you submit.

If you need help with this, contact Elizabeth Henderson.

## Applicant Credit Limit Documentation and Certification (Competitive HTC Only)

Pursuant to §11.4(a) of the Qualified Allocation Plan, the Department shall not allocate more than \$3 million of Competitive Housing Tax Credits from the current Application Round to any Applicant, Developer, Affiliate or Guarantor (unless the Guarantor is also the General Contractor, and is not a Principal of the Applicant, Developer, or Affiliate of the Development Owner). All Applications must be identified herein to ensure that the Department is advised of all Applications, Applicants, Affiliates, Developers, General Partners or Guarantors involved to avoid any statutory violation of Texas Government Code, §2306.6711(b).

**Instructions:**

Complete Part I of this form. For each person or entity in Part I that answers "Yes" to Part I b., a Part II form must be submitted (i.e. if 4 persons/entities answer "Yes" to Part I b., then 4 separate Part II forms must be provided).

**Part I. Applicant Credit Limit Documentation**

a. Applicant, Developers, Affiliates, and Guarantors - List below all entities or Persons meeting the definition of Applicant, Affiliate, Developer or Guarantor.	b. Person/entity has at least one other application in the current Application Round.	
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29.		
30.		

Individually, or as the General Partner(s) of officer(s) of the Applicant entity, I (we) certify that we are submitting behind this tab one signed Credit Limit Certification form for each person and/or entity that answered "Yes" to Part b. above.

By: \_\_\_\_\_ Its: \_\_\_\_\_  
*Signature of Applicant*
*Date*

\*\*\*Bookmark 48, Tab 45\*\*\*

Next form is the credit limit certification. This is one you'll complete and how do we know that? Yellow boxes. You get Yes/No drop boxes too but that's all the help we give you.

On this form you will list every THING and every ONE on your organizational charts. Every item on your charts has to be accounted for on this form. We will check it against the org charts so if something appears here that doesn't appear there (and vice versa), we'll have a deficiency to write.

Within Excel as you enter the names in the part one, a form for the Part II is created for your potential use. Why? Because anyone for whom you answer "Yes" in the second column there, will need a Part II. And that asks whether they have another deal competing in this round? Sign and date this one and then, for each Yes, complete the Part II.

**Part II. Credit Limit Certification**

**Instructions:**

Each Person and/or Entity that answered "Yes" to Part 1 (b) must complete this form.

Name and role of Person or Entity completing this form:

Should be the same as listed in Part I.

Which is:  the Applicant (Entity that generally manages or controls the "Applicant," i.e. General Partner, Managing Partner, etc.)

a Special Limited Partner or Class B Limited Partner or equivalent of the Applicant

a Developer for the Applicant for this specific Application

an Affiliate to the Applicant

a Guarantor on the Application

Pursuant to §11.4(a) of the Qualified Allocation Plan, the Department shall not allocate more than \$3 million of tax credits from the current Application Round to any Applicant, Developer, Affiliate or Guarantor. The undersigned represents to the Department that the following is a list of all developments for which the Applicant, the Developer, Affiliate, or Guarantor, has applied for an allocation of tax credit authority from the Department in the current Application Round.

Development Name:	Region:	City:	% Ownership:	% of Dev. Fee:

I acknowledge that Should be same as signer of Development Owner Certification. is authorized to terminate the Application in the event of a conflict with §11.4(a) of the Qualified Allocation Plan.

I hereby certify that the foregoing is a complete list of Developments with respect to which I am seeking a current allocation of tax credit authority from the Department. I certify that, if the Department makes a recommendation to the Board or issues a commitment which may cause Applications for which I am the Applicant, the Developer, Affiliate or Guarantor, to receive credits in excess of \$3 million, I will notify the Department in writing within three business days of the recommendation or issuance of the Commitment.

I acknowledge that if the Department determines that an Applicant, Developer, Affiliate or Guarantor, has received (in the aggregate) allocations in the current Application Round from the Department exceeding \$3 million, the Department must refuse to issue one or more Commitments or Carryover Allocations, or must terminate one or more Commitments or Carryover Allocations.

Under penalty of perjury, I certify that this information and these statements are true, complete, and accurate:

By: \_\_\_\_\_  
*Signature of Applicant, Developer, Affiliate or Guarantor (as appropriate)*

Should be the same as listed in Part I.  
*Printed Name*

\_\_\_\_\_  
*Date*

\*\*\*Tab 45\*\*\*

Part II hasn't changed and it allows each person to give us their role in your structure and tell us what their other deals are. They'll also sign and date the form. Important, on this page, is the name of the person who can withdraw your application. One person must be appointed as the one we can accept withdrawal requests from and that name should appear on each part II, just below the section for competing deals. The same name should appear here on each form.

If your conversion method creates forms that run together, don't use them. Re-convert these forms so that the form is only one page like this one. In years past, the top of the next form would print on the bottom of the one ahead of it and it put the signature lines for one person on a different person's form. Keep this form to one page only and reconvert it if it does anything different.



\*\*\*Bookmark 49, Tab 46\*\*\*

And now we've reached Third Party Reports. As you know, you won't put your reports into your application pdf, they'll be submitted as separate files. This form, however, does remind you of which reports are required overall and provides a place where you CAN put your PMA map. Not all reports will apply to everyone equally. For example USDA deals don't need an ESA. PCAs only apply to rehabs. Appraisals apply to rehabs and CAN apply to new constructions with identities of interest. 10.205 gives you the details.

A quick mention here that now, the Primary Market Area map must include the definition of the area based on census tracts and site coordinates in decimal degrees, the area of PMA in square miles and have a list of census tracts that are included. So pass that along to your Market Analysts so that they include all of that with the map.

The Site Design and Development Feasibility report is still not considered a Third Party Report under the rules but it is still a separate document that you need to have for New Construction or Reconstruction developments. The details of the report are still given in 10.204(15) and they're the same as last year.

All of your reports are due with your full app EXCEPT the full market study. A very common deficiency is that reports often miss the required statements about material benefit, the rules that were followed in preparing the report and reliance. Look for these statements BEFORE you accept a report as final. Be sure to remind your report providers to include them. Their cover letter or introductory summary is a good place to put these statements. It makes them easy to find and check off. Also, ask your providers NOT to lock their reports, please. We make marks in them so that the second reviewer doesn't have to scour the whole report for what the first reviewer already found. We aren't re-writing them, we mark items and add notes to help our review process, so please don't lock the reports.

# Community Input Scoring Items

TDHCA#:

## 1. Local Government Support - §11.9(d)(1)

Resolution(s) of either no objection or support is included behind this tab.\*\*  
\*\* Note that resolutions are due March 1, 2016

## 2. Community Support from State Representative - §11.9(d)(5)

Letter of either support or opposition is included behind this tab.\*\*  
\*\* Note that resolutions are due March 1, 2016

## 3. Input from Community Organizations - §11.9(d)(6)

Applicant has included one or more letters of support or opposition behind this tab.

List information for each of the letters below:

A.

Name of Community Organization

Contact Name

Support

Opposition

B.

Name of Community Organization

Contact Name

Support

Opposition

C.

Name of Community Organization

Contact Name

Support

Opposition

D.

Name of Community Organization

Contact Name

Support

Opposition

E.

Name of Community Organization

Contact Name

Support

Opposition

F.

Name of Community Organization

Contact Name

Support

Opposition

\*\*\*Bookmark 50, Tab 47\*\*\*

Finally, Community Input Scoring is the last tab in the full application. This is where you're going to put your community organization support letters, your city support resolution and your rep letter. Churches, Meals on Wheels, Chambers of Commerce, community-created homeless outreach centers, any of these can write a letter to support your development. And those are still worth 2pts per letter for a maximum of 4 point total. Two letters can earn the full 4 points but it's advisable to include an extra or two, just in case one of your letters doesn't qualify.

Governmental entities and neighborhood organizations don't qualify for these points. If you submit a letter from an organization that falls into one of those categories you won't get points for it and you can't submit a replacement past March 1.

The organizations that I named are usually safe for points so tap into those types of organizations whenever you can. Remember that your organizations here must be nonprofits and have the betterment of their communities as their main purpose. Kiwanas, Optimist Clubs, Lions, & the YMCA are all popular, safe choices. The field is really broad and we will determine whether the organization you submit meets the rule through the literature that you include. IF they have a website, screenshots from that are very helpful. In addition to the support letter, proof of nonprofit status and support documentation that tells us what the organization does should be included. How they were formed is important and be sure the literature shows their address and the locations where they provide their services so that we can clearly see that they exist and / or operate in the area of your development and what they do in your city specifically.

THE END

The image features the words "THE END" in a bold, three-dimensional, metallic font. The letters are rendered in a silver or chrome color with a slight gradient and a beveled edge, giving them a solid, heavy appearance. They are positioned horizontally across the middle of the frame. Below the text is a bright blue, glowing horizon line that curves across the width of the image, suggesting the edge of a planet or a celestial body. The background is a deep, dark blue space filled with numerous small, white stars of varying brightness, creating a sense of vastness and depth. The overall composition is clean and dramatic, typical of a movie title card or a final screen.

\*\*\*Page 105\*\*\*

This slide is dedicated to all of you who have made it through our little presentation today. I hope that you feel better about what you're getting ready to tackle and if you need any help from us, just give us a call.