



## NEW FUNDING SOURCES: DEVELOPER REFERENCE CHART

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	Fed Cross-Cutting Requirements					Eligibility					
	Davis Bacon	Sec 3	URA	Environ Review	Other Fed reqts	uses	properties	who to contact	funding expiration	process	notes
<p><b>TCAP</b></p> <p>\$2.25 billion apportioned to State housing credit agencies based on the total FY 2008 HOME allocation</p> <p><a href="http://www.hud.gov/recovery/tax-credit.cfm">http://www.hud.gov/recovery/tax-credit.cfm</a></p>	yes	no	no	yes (NEPA)	<p>Fair Housing Act, Civil Rights Act, Age Discrimination Act, Sec 504 of Rehabilitation Act, Lead-Based Paint rules, and others.</p> <p>An Affirmative Fair Housing plan must be created.</p>	<p>Capital investments ("eligible basis") - not administrative costs.</p> <p>Uses are subject to normal LIHTC limitations (including rent, income, and use restrictions).</p> <p>Swimming pools are not an eligible use.</p>	<p>Projects awarded LIHTCs that will also receive bond financing.</p> <p>Any project awarded 42(h) credits Oct 1 2006 - Sept 30 2009. Projects awarded 2010 credits by 9/30/09 are eligible. GO zone and disaster credits do not qualify a property as eligible. Projects that have returned their awards are not eligible unless they receive new awards within the dates above.</p> <p>States must give priority to projects that are expected to be completed by 2/16/11.</p>	State HFA	<p>75 percent of TCAP grant funds must be committed by February 16, 2010.</p> <p>Project owners must expend 75 percent of the TCAP funds by February 16, 2011; 100 percent of TCAP grant funds must be expended by February 16, 2012.</p> <p>Failure by an owner to expend funds within the required timeframes shall result in redistribution.</p> <p>Once TCAP funds are disbursed to a state, they must be used for an eligible cost within three days.</p>	<p>States must provide a TCAP submission packet to HUD no later than 6/3/09 to receive an allocation.</p> <p>Funds must be awarded competitively in accordance with existing QAP.</p> <p>There must be a separate competitive process for TCAP projects.</p> <p>State must post a description of competitive process and projects selected.</p> <p>Projects that can be completed (have drawn down all funds) by 02/16/12 must receive priority.</p> <p>HUD encourages HFAs to consider whether or not Environmental Review process is complete.</p>	<p>Awards may be grants or loans (loans are subject to program income rules).</p> <p>States can define "award of LIHTCs"</p> <p>A written TCAP agreement between the state and project owner grantee is required.</p> <p>State grantee must record program income (fees, interest, and repayments of principal) received within 3 years.</p> <p>Reporting is required on jobs created.</p> <p>States may collect fees from subawardees to recover reasonable asset management costs, which may not be paid with TCAP funds.</p> <p>The eligible basis of a qualified low-income housing tax credit building receiving assistance shall not be reduced by the amount of any grant.</p>
<p><b>EXCHANGE</b></p> <p>\$3 billion is expected to be provided based on estimates of credits eligible for exchange.</p> <p><a href="http://www.treas.gov/recovery/LIH-grants.shtml">http://www.treas.gov/recovery/LIH-grants.shtml</a></p>	no	no	no	no		<p>Subawards are subject to normal LIHTC requirements (including rent, income, and use restrictions).</p> <p>Sub-awards cannot exceed the amount necessary to ensure financial feasibility.</p> <p>Must remain a "qualified low-income housing project" under Section 42 for at least 15 years.</p>	<p>Projects that exchange may also receive TCAP.</p> <p>States may make subawards to qualified low-income buildings without a LIHTC allocation if the State makes a determination that such use will increase the total funds available to the State to build and rehabilitate affordable housing.</p> <p>Subawardees must demonstrate a good faith effort to obtain investment commitments utilizing credits before the State agency may make an award.</p>	State HFA	<p>Must disburse by December 31, 2010.</p>	<p>State must establish a written process for determining good faith effort and recapture requirements.</p> <p>Developer must execute a legally binding agreement allowing for recapture of the sub-award during the 15-year compliance period. States must provide asset management functions to ensure 15 year compliance with tax credit rules and the long-term viability of properties.</p> <p>States must submit quarterly status reports due 10 days after the end of the quarter including details about each project that received a subaward during the quarter.</p>	<p>Treasury will send notice of funding 10 days after application received.</p> <p>No loans - only grants (not subject to repayment unless there is a recapture event).</p> <p>States may collect fees from subawardees to recover reasonable asset management costs.</p> <p>GO zone and disaster credits are not eligible for exchange.</p> <p>Only 1 grantee per state, but grantees may transfer a portion of an award to other housing agencies within the state.</p>
<p><b>NSP II</b></p> <p>\$2 billion distributed competitively to states, local governments, nonprofits, or consortia.</p> <p><a href="http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoods/pg/pdf/nsp2_nofa.pdf">http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoods/pg/pdf/nsp2_nofa.pdf</a></p>	yes, according to ARRA, but HUD may provide further guidance	yes	yes	yes	<p>non-profits v. state/local govt agencies have different Fed requirements under Fair Housing and NEPA</p>	<p>To redevelop foreclosed and abandoned single family and multifamily homes.</p> <p>No funds may be used to demolish any public housing. A grantee may not use more than 10 percent of its grant for demolition unless the Secretary determines that such use represents an appropriate response to local market conditions.</p>	<p>Abandoned property: when mortgage or tax foreclosure proceedings have been initiated for that property, no mortgage or tax payments have been made by the property owner for at least 90 days, AND the property has been vacant for at least 90 days.</p> <p>Blighted structure: when the structure exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.</p> <p>Foreclosed: when the title for the property has been transferred from the former homeowner under some type of foreclosure proceeding.</p>	HUD Office of Block Grant Assistance, 202-708-3587.	<p>Grantees shall expend at least 50 percent of allocated funds within 2 years of the date funds become available, and 100 percent of such funds within 3 years.</p>	<p>Now a competitive process: Applications due to HUD not later than 150 days after 2/17/09 - 07/17/09 at 5pm. The Secretary shall obligate all funding by 2/17/10. Must provide a 10 day comment period in local newspaper and on applicant's website.</p> <p>The Secretary shall ensure that selected grantees are in areas with the greatest number and percentage of foreclosures and can expend funding within the period allowed. Must use mapping tool to demonstrate Geographic Need by census tract.</p> <p>Additional award criteria shall include grantee capacity, leveraging potential, concentration of investment to achieve neighborhood stabilization, market conditions, soundness of approach, and any additional factors determined by the Secretary. Extensive reporting requirements. Min request = 100 units/ \$5 million.</p> <p>Technical Assistance for NSP I and NSPII (due June 8th).</p>	<p>Renter protections: No housing assisted with NSP funds can refuse to rent to someone with a Section 8 voucher. Any tenant in a home purchased after 2/17/09 must be provided with at least 90 days notice to vacate, and such tenants with leases in effect before foreclosure have the right to remain through the lease term unless the home will be occupied as a primary residence of the new owner.</p> <p>goals match CDBG: coordinated undertakings, rational use of land and energy efficiency (highlighted 3 goals).</p> <p>The Secretary may waive or specify alternative requirements for any provision of any statute or regulation except for requirements related to fair housing, non-discrimination, labor standards and the environment, if necessary to expedite or facilitate the use of funds.</p>



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<b>WAP</b>  \$5 billion for weatherization of low-income housing  <a href="http://apps1.eere.energy.gov/weatherization/doe_guidelines.cfm">http://apps1.eere.energy.gov/weatherization/doe_guidelines.cfm</a>	yes					Weatherization activities, up to \$6,500 per unit. Work is generally performed to specification by weatherization agencies or their contractors.	Low-income households. Multifamily properties are eligible if 2/3 of units are occupied by income eligible households (or 1/2 of households in 2-4 unit building).  State determines income eligibility at 60% of state median income or 200% of poverty.  Priority given to elderly, disabled, and families with children.  Vacant buildings are eligible but must be occupied consistent with requirements within 6 months.	State weatherization subawardees (often local community action agencies).	Funds must be expended within 3 years.	The most cost effective energy conservation measures are determined on the basis of an initial energy audit.  Subcontractors selected by the local weatherization agency complete work.	Program is administered through the Department of Energy (DOE) with cooperation from HUD.  HUD has pre-qualified most public housing and properties receiving project-based Section 8 assistance as eligible for the Weatherization Assistance Program (WAP). No duplicative income verification will be required for these properties.  States can require a financial match from multifamily owners.  States can encourage use of funding for specific priorities, including multifamily.
<b>HUD Green Retrofit</b>  \$250 million for energy retrofits of HUD-assisted properties  <a href="http://portal.hud.gov/portal/page?_pageid=153,7973195&amp;_dad=portal&amp;_schema=PORTAL">http://portal.hud.gov/portal/page?_pageid=153,7973195&amp;_dad=portal&amp;_schema=PORTAL</a>	yes	yes	no	yes (part of HUD internal review)	HUD may waive or specify alternative requirements if such a waiver is necessary to expedite or facilitate the use of funds.	Efficient products and appliances, heating and cooling systems, water heaters, and lighting; building envelope improvements; ventilation and indoor air quality improvements; other green features such as landscaping, changes to allow for integrated pest management, recycling, and hazardous waste disposal.  Optional Green Alternatives may include combined heat and power, green/renewable energy, fuel cells, green roofs, reflective/cool roofs, flooring, siding, CFL or LED fixtures, porous pavers, retention ponds, greywater recycling.  Up to \$15,000 per unit but averaging not more than \$10,000 per unit across all projects.	Section 202, Section 811, Rural Development Section 515, or other properties with HUD project-based Section 8 subsidy (with at least 72 units).  Owners must have at least a satisfactory management review rating, be in substantial compliance with applicable performance standards and legal requirements, and commit to at least 15 years of affordability.	HUD Office of Affordable Housing Preservation	Funding shall be expended within 2 years of the date owners received the funding.	Applications will be considered on a first-come, first-served basis beginning June 15, 2009.  Applications include an Initial Feasibility Assessment, and owner certifications and commitments. HUD will assign eligible projects to Participating Administrative Entities (PAEs) to conduct a tenant meeting, commission a GRP Physical Condition Assessment (GRPCA), an Energy Audit, and an Integrated Pest Management Inspection prior to proposing a Green Retrofit Plan.	All Section 202 and Section 811 projects, as well as other project-based Section 8 projects with nonprofit owners where tenants pay for lights and heat are eligible for grants or loans. All other eligible projects are eligible for loans only.  Owners are eligible for the following incentives: Predevelopment Incentive: Equal to 1% of retrofit costs (up to \$10k). Efficiency Incentive: Upon completion of rehab, owner is paid an incentive of 3% of costs, up to \$30k. Incentive Performance Fee: Ongoing incentive performance fee of 3% of revenue payable from surplus cash. Job Creation Incentive (Optional): Equal to 10% of any payments for labor or materials to eligible low-income and very low-income residents or business owned or staffed by eligible residents, up to \$25k.