



## Multifamily Finance Production Division

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### 2006 APPLICATION SUBMISSION PROCEDURES MANUAL (ASPM)

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## 2006 APPLICATION SUBMISSION PROCEDURES MANUAL

The Texas Department of Housing and Community Affairs' (the Department) Application Submission Procedures Manual (ASPM) sets forth the basic information needed for filing a Pre-Application or Application for all Department rental development programs. All portions of the ASPM must be followed when filing a Pre-Application or an Application for all programs. This document is meant to serve only as a brief complementary guide on how to put the Application together. Applicants are encouraged to familiarize themselves with all of the applicable state and federal rules that govern the programs they are applying for.

**Competitive 9% Tax Credits:** The Department's estimated available 2006 tax credit authority for competitive applications is approximately \$42 million. The Pre-Application and Application are based on the 2006 Qualified Allocation Plan and Rules (QAP), which were approved by the Board at the November 10, 2005, Board Meeting, and subsequently approved by the Governor November 16, 2005. For the 2006 HTC Application Round, a complete Pre-Application or Application must be submitted to the Department within the Pre-Application or Application Acceptance Periods, respectively.

**HOME CHDO or Rental Development Programs:** The Department will be releasing two Notices of Funding Availability (NOFAs) prior to the application workshops. One of those NOFAs will announce approximately \$10 million in funds for development of housing by Community Housing Development Organizations (CHDOs) and the other NOFA will announce approximately \$5 million in funds for rental development, of which \$2 million is reserved for preservation activities. Both of those NOFAs will operate on an open cycle which means that there is not a specific application deadline, but that applications will be accepted at any time during the majority of the calendar year as further specific in the NOFA.

**4% Tax Credits for Tax Exempt Bond Developments:** For Applications involving Tax Exempt Bonds – regardless of the entity serving as the issuer – an Application is also submitted for the 4% Tax Credits. There is not a cumulative ceiling to these types of Applications, however to the extent that there is a bond ceiling governed by the Texas Bond Review Board, the quantity of corresponding 4% Tax Credit Applications is limited. Application submission deadlines relating to this program are somewhat fluid and are dictated by the reservation date of the bonds as well as the intended Department Board meeting. Please note that forms which indicate HTC only, should also be included in the 4% HTC or Tax Exempt Bond Application.

Because of changes to all of the Department's programs and rules, and the competitive nature of some programs, attendance at the 2006 Application Workshops is strongly recommended. Information regarding the workshop registration is detailed on the Department's website ([www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)). The Pre-Application and Application Materials and Instructions are expected to be posted to the Department's website by November 21, 2005.

**PRE-APPLICATION AND APPLICATION SUBMISSION FOR COMPETITIVE 9% HOUSING TAX CREDITS**

A Pre-Application for a Housing Credit Allocation from the State Housing Credit Ceiling may be filed at any time during the Pre-Application Acceptance Period. An Application for a Housing Credit Allocation from the State Housing Credit Ceiling may be filed at any time during the Application Acceptance Period. For the 2006 Housing Credit Application Round the dates are:

Pre and Full Application Cycle Open:	Wednesday, December 9, 2005
Pre-Application Acceptance Period Closes:	Monday, January 9, 2006
Application Acceptance Period Closes:	Wednesday, March 1, 2006

Applications received after 5:00 P.M. on the last day of the Acceptance Period(s) **will not be accepted**. The deadline is **strictly** adhered to; therefore the Department strongly encourages you to consider traffic and travel delays when planning your submission.

The Department will be accepting Applications for the HOME program on an ongoing basis. Applications will be accepted from 8 a.m. to 5 p.m. each business day, excluding federal and state holidays, on an ongoing basis until such time as all funding has been committed, or until the current state fiscal year ends on August 31, 2006. Applications will be accepted, reviewed and recommended to the Department’s Board in accordance with Department’s process for handling Open Cycle Applications detailed at §53.58(b) of the HOME Rule.

**FORMAT FOR SUBMITTING THE HTC 9% COMPETITIVE PRE-APPLICATION**

If an Applicant for HTC chooses to submit a Pre-Application, the complete Pre-Application for each proposed development must be submitted as described in this document. **Incomplete Pre-Applications or improperly bound Pre-Applications will not be accepted.**

The Applicant should ensure that all sets of documentation are clearly labeled with the:

1. Development Name
2. Owner Name
3. Contact Name
4. Contact Address
5. Contact Phone and Fax Numbers

Note: Applicants are not required to submit a Pre-Application. However, pursuant to §50.7(a) of the 2006 QAP, Applicants who apply for the HTC competitive cycle under the At-Risk Set Aside or under the USDA allocation must either submit a pre-application or have filed an *Intent to Request 2006 Housing Tax Credits* form by January 9, 2006 to be considered for the 2006 Application Round. This form will be made available on the Department’s website along with all 2006 Application Materials.

**Bound Items.** The Pre-Application consists of only one volume, Tabs 1-3. The volume must be bound using yellow pressboard binders and tabs as further described in this document. Information on where to purchase binders and tabs is available in the *Reference Manual*. If a volume's required documentation exceeds the capacity of a binder, another binder may be used to subdivide the volume.

Pre-Application Threshold Criteria. The forms provided by the Department must be completed using the version available on the TDHCA web site. If you have difficulty downloading the files from the website, contact Jason Burr at 512.475.3986, or [Jason.burr@tdhca.state.tx.us](mailto:Jason.burr@tdhca.state.tx.us). If a question does not pertain to the Development, insert "N/A" in that space. **All questions and spaces must be completed.**

**Tab 1:** All forms included in the Pre-Application under *Tab 1* (Word Document).

*Part A: The HTC Pre-Application Submission Form.*

*Part B: The HTC Pre-Application Self-Scoring Form.*

**Note: Pursuant to §50.9(h)(15), an Applicant may not adjust the Self Score Form in an Administrative Deficiency without a specific request from TDHCA. Therefore, it is important that care is taken when requesting points.**

**Tab 2:** Evidence of Site Control through March 1, 2006, as further described in §50.9(h)(7)(A) of the QAP.

**Tab 3:** All forms included in the Pre-Application under *Tab 3* (Word Document)

*Relevant Development Information Form Parts I and II*

*Public Notification Information and Certification Form, Pages 1-6*

*Certification of Pre-Application Notification Form*

**Note: All notifications must be made in accordance with the language outlined in the *Neighborhood Organization Request* and *Public Notifications Format (Written)* templates available in the "Templates and Financials" document on the Department's website.**

A searchable electronic copy of the complete Pre-Application Volume must be submitted in one PDF file on a recordable compact disk (CD-R). This electronic copy must be submitted with the pre-application on January 9, 2006 in the following required format:

- The volumes tabs must be correctly bookmarked.
- Files should average less than 100 Kilobytes per page.
- Files must be readable with free PDF file viewers including Adobe Reader and be compatible with Adobe Reader 5.0 and above.
- Files should be saved so that "Fast Web View" (or page-at-a-time downloading) is enabled. Text within the PDF file should be searchable using the "Find" command in the PDF viewer.
- The PDF file should be named in the following format -- <file\_number>.pdf (e.g., 05125.pdf).

Complete the *Document and Payment Receipt* and submit it with the above referenced documentation. **Do not bind the receipt in the Pre-Application.**

**Do not forget your Pre-Application Fee as the Department is unable to accept a Pre-Application without the fee.**

### **FORMAT FOR PRE-CERTIFICATION AND ACKNOWLEDGEMENT**

All Applicants are required to submit an Experience Certificate as part of their Application that is issued by the Department. This form must be requested in advance of the Application deadline.


1. **Experience Certificate.** Individuals (a person or an entity) that will be utilizing their experience to meet the experience threshold requirement for 9% Housing Tax Credits must submit their evidence of experience to the Department to the attention of the Multifamily Finance Production Division staff no later than **Wednesday, February 15**. Individuals applying for the HOME program only, must submit evidence of experience to the Department along with their full application submission. The required documents are explained in detail in §50.9(g) of the QAP. After staff review of the documents, a Certificate of Experience will be issued by the Multifamily Finance Production Division and mailed back to the entity that requested the certificate. The Certificate must be included in the Application submission. Individuals applying for the HOME or HTF program only, must submit evidence of experience to the Department along with their Full Application submission. While a form requesting the experience certificate is not required, a form has been created for this purpose entitled *2006 Experience Certification* which will be available on the Department's website and facilitates the Department's prompt issuance of the requested document. **Note: 2004 and 2005 Experience Certificates are good for 2006 HTC competitive and HOME Open Cycle Application Rounds, and requests for recertification are not necessary.**

### **FORMAT FOR SUBMITTING THE APPLICATION (All programs unless specifically mentioned in this section)**

A complete Application for each proposed Development must be submitted as described in this section. **Incomplete Applications or improperly bound Applications will not be accepted.** Applications must be presented in the order provided below. The Applicant should ensure that all sets of documentation are clearly labeled with the:

1. Development Name
2. If a Pre-Application was submitted, include the assigned TDHCA Development Number
3. Owner Name
4. Contact Name
5. Contact Address
6. Contact Phone and Fax Numbers

**Bound Items.** Volumes 1 through 7 must be bound using the red pressboard binders and tabs. Information on where to purchase binders and tabs is available in the *Reference Manual*, or from the Department's website. If a volume's required documentation exceeds the capacity of a binder, then purchase a similar binder and use it to subdivide the volume.

1. Volume 1 - The application and exhibits provided the Department must be completed using the version available on the TDHCA web site. The Department may not accept Application materials from previous years, and will terminate Applications for this reason. If you have difficulty downloading the files from the website, staff will email you the documents. If a question does not pertain to the Development, insert "N/A" in that space. **All questions and spaces must be completed.**
2. Volume 2 - Site Inspection Package described in the "List of Required Exhibits" section of the ASPM.
3. Volume 3 – Supplemental Threshold Documentation  
**Note: The Appraisal (if applicable), Property Condition Assessment, Market Analysis and Environmental Site Assessment must not be submitted bound within this Volume.**
4. Volume 4 - Selection Documentation for Housing Tax Credit Program
5. Volume 5 - Selection Documentation for the Housing Trust Fund Program 
6. Volume 6 - Bond Submission Volume for Tax Exempt Bond Developments utilizing TDHCA as an Issuer
7. Volume 7 – Threshold and Selection Documentation for the HOME CHDO and Rental Development Programs.

**Any Social Security numbers appearing in any portion of the Application submission must be removed from the PDF copy prior to submission to the Department. The file will be posted to the Department's website and the Department will not be responsible for editing.**

**Unbound Items.** The following documents will not be bound in the pressboard covers provided by the Department. Please do not use three-ring binders for these unbound submissions.

1. Appraisal (if required) may be bound using the analyst's preferred format.
2. Phase I Environmental Site Assessment may be bound using the analyst's preferred format.
3. Market Analysis may be bound using the analyst's preferred format.
4. Property Condition Assessment (if required) may be used using the analyst's preferred format.
5. For items 1-4 (above), a searchable electronic copy in the format of a single file containing all information and exhibits in the hard copy report, presented in the order they appear in the hard copy report on a CD-R clearly labeled with the report type, Development name, and Development location are required.
6. An extra copy of unbound Tab 5 of Volume 1 bound with a clip or staple. If the Applicant is a non-profit, also include an extra copy of unbound Tab 7 of Volume 3, including the depiction of the Organizational Charts.
7. An extra copy of Volume II- Site Inspection Package.
8. An extra copy of Volume 7, Tab 6 and all attachments must be provided unbound from the Application materials for processing.
9. Financials as required by §50.9(h)(13) must be submitted unbound and clearly labeled (note: forms relating to this section are available on the Department's website under

“Templates and Financials.”). For questions relating to this requirement, contact Lisa Vecchietti at 512.475.3227.

10. If the Applicant has received support/opposition letters from elected officials and/ or neighborhood organizations, members of the public, or neighborhood organizations, those can be submitted at the time the Application is submitted. **Please staple such documents together with a brief letter of transmittal identifying them as such. DO NOT bind these documents in the Application, unless instructed to do so in the Application itself.**
11. Complete the *Document and Payment Receipt* and submit it with the above referenced documentation. **Do not bind the receipt in the Application. Don't forget your Application Fee as the Department is unable to accept an Application without the fee.**
12. A searchable electronic copy of complete Application Volumes 1-7 must be submitted in one PDF file on a recordable compact disk (CD-R). This electronic copy must be submitted with the Full-Application March 1, 2006 in the following required format:
  - All Volumes and tabs must be correctly bookmarked.
  - Files should average less than 100 Kilobytes per page.
  - Files must be readable with free PDF file viewers including Adobe Reader and be compatible with Adobe Reader 5.0 and above.
  - Files should be saved so that "Fast Web View" (or page-at-a-time downloading) is enabled. Text within the PDF file should be searchable using the "Find" command in the PDF viewer.
  - The PDF file should be named in the following format -- <file\_number>.pdf (e.g., 05125.pdf).

## LIST OF REQUIRED EXHIBITS FOR THE APPLICATION

This section describes the specific documents that should be placed behind each tab. **You must compile the Application based on the order provided in this document.** Note that this order does not necessarily follow the order that is used in the QAP! Exhibits shown in *italics* are forms or templates included in the Application and Reference Manual which will be available on the Department's website.

### Volume 1. Priority Review and Threshold Documentation

Include all of the following documents:

**Tab 1:** All forms included in the Uniform Application under *Volume 1 Tab 1* Parts A-C (Word document).

*Part A: Activity Overview*

*Part B: Applicant Information*

*Part C: Funding Request*

**Tab 2:** 1. The form *Part A, Populations Served* All forms included in the Uniform Application under *Volume 1 Tab 2* (Word Document)

2. All forms included in the Uniform Application under *Volume 1 Tab 2* Parts B-F (Excel)

*Part B: Rent Schedule*

*Part C: Utility Allowances*

*Part D: Annual Operating Expenses*

*Part E: 30 Year Rental Housing Operating Proforma*

*Part F: Building/ Unit Type Configuration*

*Part G: Areas Excluded From the Total Development Area*

**Tab 3:**

1. All forms included in the Uniform Application under *Volume 1 Tab 3* Parts A-B (Excel)

*Part A: Development Cost Schedule*

*Part B: Offsite Costs Breakdown*

*Part C: Site Work Costs*

2. As required by §50.9(h)(6)(G), if projected site work costs include unusual or extraordinary items or exceed \$7,500 per Unit, then the Applicant must provide a detailed cost breakdown prepared by a Third Party engineer or architect. Applicants for Housing Tax Credits must also submit a letter from a certified public accountant allocating which portions of those site costs should be included in Eligible Basis and which ones may be ineligible.

**Tab 4:**

1. The form *Part A. Summary of Sources and Uses* included in the Uniform Application under *Volume 1, Tab 4* (Excel)
2. The form *Part B, Financing Participants* included in the Uniform Application under *Volume 1, Tab 4* (Word Document).
3. **Financing Narrative:** The financing plan required under §50.9(h)(6)(A). This is required for all applicants.
4. **Commitment Letters:** Evidence of interim and permanent financing sufficient to fund the proposed Total Housing Development Cost less any other funds requested from the Department and any other sources documented in the Application as required in §50.9(h)(7)(C). Such evidence must be consistent with the sources and uses of funds represented in the Application and shall be provided in one or more of the following forms described in clauses (i) through (iv) of the subsection. This is required for all Applicants.
5. **Syndicator Letters:** As required by §50.9(h)(6)(C), provide a letter of commitment from a syndicator that, at a minimum, provides an estimate of the amount of equity dollars expected to be raised for the Development in conjunction with the amount of housing tax credits requested for allocation to the Development Owner, including pay-in schedules, syndicator consulting fees and other syndication costs. No syndication costs should be included in the Eligible Basis (HTC Only).

**Tab 5:**

1. All forms included in the Uniform Application under *Volume 1, Tab 5* Parts A-E (Word Document) **Note: Do not bind Part A.2 and do not provide in soft copy.**



*Part A.1: Applicant and Developer Ownership Chart (use form as template)*

*Part A.2: Applicant Unique Identifier Number (do not bind and do not provide in soft copy)*

*Part B: List of Organizations with an Ownership Interest in the Applicant*

*Part C: List of Principals of Organizations with an Ownership Interest in the Applicant*

*Part D: Certification of Principal*

*Part E: Previous Participation and Background Certification*

**Tab 6:** *Part A: Development Team Members* which is included the Uniform Application under *Volume 1, Tab 6* (Word Document)

**Tab 7:** **HTC Only: This tab is not required for HOME and HTF only applicants.** All forms included in the Uniform Application under *Volume 1, Tab 7* (Word Document)

*Part A: HTC Application Supplement*

*Part B: 9% HTC Confirmation of Set-Aside and Allocation Eligibility*

*Part C: HTC Development Owner Certification*

*Part D: HTC Consultant Certification*

*Part E: HTC Applicant Credit Limit Documentation and Certification*

**Tab 8:** All forms included in the Uniform Application under *Volume 1, Tab 8* (Word Document) (note: these forms are only required if a Pre-Application was not submitted or if re-notification was required pursuant to §50.9(h)(8).

*Relevant Development Information Form (Parts I and II)*

*Public Notification Information and Certification Form (Pages 1-6)*

**Note to applicants who submitted a pre-application: these forms are required at full application, even if a Pre-Application was submitted that passed threshold notification requirements.**


**Volume 2. Site Packet**

Include all of the following documentation:

- Tab 1:** Provide the current site address, project name, whether the project is existing or proposed, housing type, owner name, contact name and phone number.
- Tab 2:** A full, legible legal description of the site.
- Tab 3:** A fold-up city map or a copy of a map clearly indicating the location of the development in relation to the entire city or town in which it is located. The map should also indicate the location of the following facilities within 2 miles of the site:
  - Existing HTC or other affordable housing projects
  - Retail centers
  - Medical complexes
  - Recreational facilities
  - Educational facilities (elementary, secondary, high school, college or vocational) and libraries
  - Large scale employment centers
  - Public transportation stop closest to the site (if it falls within the two mile radius)
- Tab 4:** Copy of the site plan. Site plan must indicate adjacent street names, existing/proposed buildings, parking, ingress, egress, encroachments, flood plains, and easements.
- Tab 5:** Photographs of site features (street signs, billboards, existing structures etc.) that will help staff correctly identify the site during the site inspection.
- Tab 6:** Written instructions to the site from the nearest state or interstate highway.

**Volume 3. Supplemental Threshold Documentation.**

Provide all of the following documentation (Note: All items, unless indicated, are required for all Applications.

- Tab 1:** Development Certification and Design Items
  1. All forms included in the Uniform Application under *Volume 3, Tab 1* Parts A-C (Word Document)
    - Part A.1: Development Certification Form – HTC Only*
    - Part A.2: Architect Certification Form- HTC Only*
    - Part B: Specifications and Amenities – HTC Only*
    - Part C: Common Onsite Amenities – HTC Only*
  2. All of the architectural drawings identified in §50.9(h)(5)(A)(i) through (iii).
  3. A Boundary Survey of the proposed Development Site and of the property purchased as required in §50.9(h)(5)(B) of the QAP.
- Tab 2:**  1. *Site Information form* included in the Uniform Application under *Volume 3 Tab*

2 (Word Document)

2. **Tax Assessment:** Behind this tab also place the current tax assessment documentation from the taxing entities for the entire proposed site. (Required by all Applicants)
3. **Site Control:** Evidence of Readiness to Proceed as evidenced by at least one of the items under each of items (A) through (C):
  - A. **Evidence of site control** in the name of Development Owner as required in §50.9(h)(7)(A) of the QAP.
  - Note: Do not include required documentation for identity of interest transactions under §50.9(f)7(A)(I) through (II)**
  - B. **Evidence of zoning** or zoning application from the appropriate local municipal authority that satisfies one of clauses (i) through (iii) of §50.9(h)(7)(B). Include a web link or general description of the zoning designation.
  - C. **Legal Description and Title Commitment/ Policy:** Provide the documents required in §50.9(h)(7)(D)(i) - (iii).
4. **QCT Map (HTC Only):** If necessary, as described in §50.9(h)(6)(D), Applicants must submit a copy of the census map clearly showing that the proposed Development is located within a QCT. Census tract numbers must be clearly marked on the map and must be identical to the QCT number stated in the Department's Reference Manual.

**Tab 3:** Evidence of Notifications

1. The form *Certification of Notifications (Sections A-C)* included in the Uniform Application under *Volume 3 Tab 3* (Word Document) Note: Sample *Request for Neighborhood Organizations* and *Public Notification Format (Written)* Template available in “Templates and Financials” document available in the Application materials on the Department’s website.
2. Evidence of signage on the property or the alternative, as required in §50.9(h)(8)(B). Note: Sample signage and alternative template available in “Templates and Financials” document available in the Application materials on the Department’s website).

**Tab 4:** Organization Document

Each entity shown on an organizational chart provided in Volume 1, Tab 5 of the Uniform Application shall provide the following documentation as applicable:

1. For entities that are not yet formed but are to be formed either in or outside of the state of Texas, submit a certificate of reservation of the entity name from the Texas Secretary of State; as required in 50.9(h)(9)(B)(i).
2. For existing entities whether formed in or outside of the state of Texas, submit evidence that the entity has the authority to do business in Texas or has applied for such authority. as required in §50.9(h)(9)(B)(ii).

**Tab 5:** **Precertification Documents, Experience Certificate.**

For Housing Tax Credit applicants, a certificate from the Department that the required documents explained in detail in §50.9(e)(1) of the QAP were submitted. HOME or HTF only applicants, must submit evidence of experience to the Department along with their Full Application submission.

Note: 2004 or 2005 Experience Certificates are good for 2006 HTC and HTF competitive and HOME open cycle rounds, and requests for recertification are not necessary.

- Tab 6:**
1. The form *Acquisition Rehabilitation Form Parts A-C* included in the Uniform Application under *Volume 3, Tab 6* Parts A-C (Word Document)
  2. Occupied Developments undergoing rehabilitation must submit the items described in §50.9(h)(10)(D)(i) through (iv). Applicants for the HOME program must complete this section and all applicable relocation sections of Volume 7, Tab 3.
  3. Identity of Interest - Applicants affiliated with the seller that will be evaluated in accordance with 10 TAC §1.32(e)(1)(B), must provide all of the documentation described in §50.9(h)(12) in subparagraphs (i) through (ii).
  4. If rental assistance, an operating subsidy, an annuity, or an interest rate reduction payment is proposed to exist or continue for the Development, any related contract or other agreement securing those funds must be provided which at a minimum identifies the source and annual amount of the funds, the number of Units receiving the funds, and the term and expiration date of the contract or other agreement as required by §50.9(h)(10)(B).

- Tab 7:**
- This section must only be completed if the applicant is a Non profit.
1. All forms included in the Uniform Application under Volume 3, Tab 7 (Word Document) – Only required if Applicant is a Nonprofit Organization.
    - Part A: Evidence of Nonprofit Organization and CHDO Participation
    - Part B: List of the Nonprofit Organization’s Board Members, Directors and Officers
  2. Nonprofit Documentation - All Applications involving a nonprofit General Partner, regardless of the Housing Tax Credit Set-Aside applied under, must submit all of the documents described in §50.9(h)(11)(A)(i) and (ii).
  3. Additionally, all HTC Applications applying under the Nonprofit Set-Aside, established under §50.7(b)(1) of this title, must also provide the information with respect to the Qualified Nonprofit Organization as described in §50.9(h)(11)(B)(i) through (vi). Note: A sample Legal Opinion Letter for Nonprofit Set-Aside Applicants is available in the in “Templates and Financials” document available in the Application materials on the Department’s website.

- Tab 8:**
- Upon Application submission, Applicants for the 9% competitive Housing Tax Credit cycle must provide evidence in the form of an executed engagement letter with the party performing each of the individual reports (the ESA, Market Study, Appraisal or PCA) that the required exhibit has been commissioned to be performed and that the delivery date will be no later than April 1, 2006. Subsequently, the entire exhibit as described in §50.9(h)(14), (12)(A), 7(A)(iii)(11)(a), and (6)(E) respectively, must be

submitted on or before 5:00 p.m. CST, April 1, 2006.

If the entire exhibit is not received by that time, the Application will be terminated and will be removed from consideration. If the full report is provided unbound, then no documentation is needed behind this Tab.

A searchable soft copy in the format of a single file containing all information and exhibits in the hard copy report, presented in the order that they appear in the hard copy report on a CD-R clearly labeled with the report type, Development name and Development location are required to be submitted with these reports.

Applicants for the HOME CHDO or Rental Development open cycles must submit all required exhibits, as described in §50.9(h)(14), (12)(A), 7(A)(iii)(11)(a), and (6)(E) respectively, and an electronic copy along within 30 days of their Application submission. Failure to submit these documents within 30 days will cause the Applicant to lose their received by date and time.

Map of the qualified market analyst's intended market area as required by §50.9(h)(14)(G)(ii).

**Volume 4. Documentation for Housing Tax Credit Selection Criteria**

(Not Required for Tax Exempt Bond HTC Applications).

**Note:** If you do not wish to claim points for an item, then no documentation is needed. **Note:** For information regarding Quantifiable Community Participation and Level of Community Support from State Elected Officials, please see the Department’s website. Letters for points for these items should NOT be provided in Volume 4.

**Tab 1:** A completed and signed *Applicant Self Score* form included in the Uniform Application under *Volume 4, Tab 1* (Word Document)

**Note:** Pursuant to §50.9(h)(15), an Applicant may not adjust the Self Score Form in an Administrative Deficiency without a specific request from TDHCA. Therefore, it is important that care is taken when requesting points.

**Tab 2:** Evidence as required by §50.9(i)(1) of the QAP for Development Financial Feasibility.

The supporting financial data shall include a thirty year pro forma prepared by the permanent or construction lender specifically identifying each of the first ten years and every fifth year thereafter. The pro forma must indicate that the Development pro forma maintains a 1.10 debt coverage ratio throughout the initial thirty years proposed for all third party lenders that require scheduled repayment. In addition, the commitment letter must state that the lender’s assessment finds that the Development will be feasible for thirty years. Points will be awarded if these criteria are met. No partial points will be awarded. For Developments receiving financing from TX-USDA-RHS, the form entitled “Sources and Uses Comprehensive Evaluation for Multi-Family Housing Loans” or other form deemed acceptable by the Department shall meet the requirements of this section.

**Tab 3:** A completed *Income Levels of Tenants* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 3* (Word Document)

**Tab 4:** A completed *Size and Quality of the Units Part A and B* forms included in the Competitive HTC Application Supplement under *Volume 4, Tab 4* (Word Document)

**Tab 5:** A completed *Commitment of Development Funding by Local Political Subdivisions* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 5* (Word Document)

Evidence of Development funding by local political subdivisions must be provided as required by §50.9(i)(5).

**Tab 6:** The *Rent Levels of Units* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 6* (Word Document)

**Tab 7:** The *Cost of the Development by Square Foot* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 7* (Word Document)

**Tab 8:** The *Tenant Supportive Services Certification* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 8* (Word Document)

**Tab 9:** Evidence that the Development includes the use of existing housing as part of a

Community Revitalization Plan pursuant to §50.9(i)(11).

Evidence of the Community Revitalization Plan and a map showing its boundaries and the location of the Development site within the boundaries must be submitted.

**Tab 10:** The *Pre-Application Certification* form included in the Competitive HTC Application Supplement under *Volume, 4 Tab 10* (Word Document)

**Tab 11:** The *Development Location* form included in the Competitive HTC Application Supplement under *Volume, 4 Tab 11* (Word Document)

Evidence from not more than 6 months after the date of the close of the Application Acceptance Period that the Development is located within one of the geographic areas described in (A) through (H) of this section pursuant to §50.9(i)(13).

**Tab 12:** The *Tenant Populations with Special Needs* form included in the Competitive HTC Application Supplement under *Volume, 4 Tab 12* (Word Document)

**Tab 13:** The *Length of Affordability Period Selection Form* included in the Competitive HTC Application Supplement under *Volume 4, Tab 13* (Word Document)

**Tab 14:** All forms included in the Competitive HTC Application Supplement under *Volume 4, Tab 14* (Word Document)

*Part A: Proximity of Site to Amenities*

*Part B: Negative Site Amenities*

**Tab 15:** Development Size of not more than 36 units. Pursuant to §50.9(i)(18), evidence that the Development is not part of or contiguous to a larger existing Tax Credit Development.

**Tab 16:** Qualified Census Tracts with Revitalization. Pursuant to §50.9(i)(19), evidence of the census tract and Community Revitalization Plan with a map showing the boundaries of the Community Revitalization Plan and the location of the Development site within the boundaries submitted.

**Tab 17:** The *Sponsor Characteristics Certification Form (Part A and B)* form included in the Competitive HTC Application Supplement under *Volume 4, Tab 17* (Word Document)

**Tab 18:** The *Agreement to the Provision of the Right of First Refusal* form included in the Competitive HTC Application Supplement under *Volume 4 Tab 18* (Word Document)

**Tab 19:** The *Leveraging of Private, State, and Federal Resources* form included in the Competitive HTC Application Supplement under *Volume 4 Tab 19* (Word Document)

As required by §50.9(i)(22) for Leveraging of Private, State, and Federal Resources, evidence that the proposed Development has received an allocation of private, state or federal resources, including HOPE VI funds, that is equal to or greater than 2% of the Total Development Costs reflected in the Application.

**Tab 20:** The *Third-Party Funding Commitment Outside of Qualified Census Tracts* form included in the Competitive HTC Application Supplement under *Volume 4 Tab 20* (Word Document)

Evidence as required by §50.9(i)(23) for Third-Party Funding Commitment Outside of Qualified Census Tracts that the proposed Development has documented and committed third-party (not a Related Party to the Applicant or Developer) funding sources and the Development is located outside of a Qualified Census Tract.

**Tab 21:** Evidence as required by §50.9(i)(24) for Scoring Criteria Imposing Penalties (if applicable). All Applicants and Developers must include an affidavit certifying that they have not been removed as described in §50.9(i)(24)(B), or requiring that they disclose each instance of removal with a detailed description of the situation.

**Volume 5. Selection Documentation for the Housing Trust Fund Program.**

**(Not Required for Tax Exempt Bond/HTC Applications or HTC Applications).**

This section is left blank. The Department does not intend to release funding through HTF for rental development in fiscal year 2006. If the Department does release funding at a later date, an addendum to the ASPM will be published on the Department's website.

**Volume 6. Bond Submission Volume for Tax Exempt Bond Developments utilizing TDHCA as an Issuer.**

**(Not Required for HTC Applications – competitive or 4% with a local issuer - or HTF Applications).**

- Tab 1:** *Agreement to Comply with Department's Rules*
- Tab 2:** General Contractor's Contract
- Tab 3:** Evidence of Available Utilities
- Tab 4:** Marketing Plan
- Tab 5:** Management Plan
- Tab 6:** Tenant Services Program Plan and Budget
- Tab 7:** Tenant Selection Process and Requirements
- Tab 8:** *Statement that the Housing Sponsor will accept tenants with Section 8 or other governmental housing assistance*
- Tab 9:** Final Construction Plans and Specifications (*see critical path schedule for due date*)
- Tab 10:** Final Letters of Financing Commitment (*see critical path schedule for due date*)
- Tab 11:** Final Sources and Uses of Funds (*see critical path schedule for due date*)
- Tab 12:** Debt Service Schedules (*see critical path schedule for due date*)



## Volume 7. HOME Submission

**This volume of the Uniform Application is required for all Applicants applying for HOME CHDO or Rental Development Funds. Failure to submit this volume along with all other applicable volumes of the Uniform Application may result in termination of the Application.**

- Tab 1** Certifications: All Applicants must submit the following information and forms to ensure the validity of its Application and intent to fulfill the requirements of the HOME Investment Partnership Program:
1. Selection of Program Activity
  2. Corporate Resolution and Title Block
  3. IRS Determination Letter (only for nonprofit applicants)
  4. Certification for Assistance Form
- Tab 2** Federal Requirements: All of the necessary documentation, (i.e. letters, forms and certifications) must be submitted behind this tab as instructed in the Application. Applicants must also insert Local Government Support Letters as instructed in this section.
1. Davis-Bacon Act
  2. Local Government Support Letters
  3. DUNS Number
  4. Form 424
  5. Lead-Based Paint Certification
- Tab 3** Uniform Relocation Act Requirements: *This portion of the Application is required of all Applicants. Applicants must submit a copy of all documentation required behind this tab.*
- Tab 4** Program Design: All Applicants must submit the information requested in the Application and certify by signing that they have or will meet the minimum Program Design requirements of the HOME program. Applicants should check each box that applies to their proposed Development and attach the necessary forms, narratives and documents.
- Tab 5** Management Plan: All Applicants for HOME funds must provide a narrative Management Plan that includes, at a minimum, the information listed in the Application.. The Management Plan must be organized and subtitled in a manner consistent with the list in the Application, and signed by the Applicant.
- Tab 6** Site and Neighborhood Standards: All Applicants requesting HOME funds for **new construction** or **reconstruction** activities must be approved by the regional HUD field office for compliance with Site and Neighborhood Standards. Applicants proposing acquisition or rehabilitation activities are not required to complete this tab.
- Tab 7** Affirmative Marketing Policy: All Applicants for HOME funds must establish an Affirmative Marketing Policy and show through a corporate resolution that the policy will be enforced by the applicant. Applicants must follow the instructions for completing this section as described in the Application.
- Tab 8** CHDO Requirements: This tab is only required for Applicants applying under the HOME CHDO set-aside.
1. CHDO Application - To be considered under the CHDO Set-Aside each Applicant must submit, bound separately from this volume, an Application

for CHDO Certification. Applicants must file a new and separate Application with each HOME Application. CHDO certification is not guaranteed to previously certified organizations.

2. Tenant Participation Plan
3. CHDO Participation

**Tab 9** CHDO Operating Support: This tab is only required for Applicants applying for HOME CHDO Operating Expense Funds. Statement of Need. All of the documentation listed in the Application including, but not limited to:

1. Statement of Need
2. Audited Financial Statements
3. Approved Annual Budget
4. Funding Agreements and Contracts

**Tab 10** Accessibility and Special Needs Populations: Each section of this Tab should be completed as detailed in the Application.

1. Integrated Housing Standard Certification (required of all applicants)
2. Accessible Program Certification (required by all applicants)
3. Special Needs Populations

**Tab 11** Support Services Plan: In accordance with §51.63(2) of the Department's HOME rules, Applicants must affirm their commitment to providing support services to tenants of the proposed Development. This tab is required of all Applicants.

**Tab 12** Additional State Requirements: In accordance with §2306.111(c) of the Texas Government Code, Applicants requesting funding under HOME for proposed Developments in local Participating Jurisdictions may only receive funding for units specifically reserved for persons with disabilities. Applicants must read and submit the necessary documentation as instructed in the Application.

## **PUBLIC VIEWING OF PRE-APPLICATIONS AND APPLICATIONS**

The Department will allow the public to view any Pre-Applications or Applications that have been submitted to the Department in an electronic format. These electronic versions will be available within approximately two weeks of the Close of the Pre-Application Acceptance Period and within approximately two weeks of the Close of the Application Acceptance Period. An Applicant may request a copy of an electronic copy between the hours of 8:00 am and 5:00 pm Monday through Friday. There may be an associated cost with requesting this information.



## Timeline for the 2006 Multifamily Competitive Application Cycle

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### Multifamily Finance Production Division

#### **NOVEMBER 2005**

Monday, November 28 Austin HTC Application Workshop  
Tuesday, November 29 Houston HTC Application Workshop.

#### **December 2005**

Thursday, December 1 Deadline for Governor Approval of the QAP.  
Tuesday, December 6 Dallas HTC Application Workshop.  
Friday, December 9 Application Acceptance Period Begins.

#### **January 2006**

Monday, January 9 5:00 p.m. Pre-Application Deadline.  
Sunday, January 15 Deadline for Local Elected Official Notification as required by §50.9(h)(8)(A)(ii)(I) of the QAP.  
Monday, January 16 Posting of the Pre-Application Submission Log.  
Monday, January 30 Results of the Pre-Application round released.

#### **February 2006**

Tuesday, February 14 Due date for Pre-Submissions: Financial Acknowledgements, Experience Certifications and Previous Participation Acknowledgements.

#### **MARCH 2006**

Wednesday, March 1 Deadline for HTC 9% Competitive Applications.  
Deadline for neighborhood organizations to register as being on record with the state or county, pursuant to §50.9(i)(2)(A)(v) of the QAP.  
Wednesday, March 15 Department releases a log of all Application submissions.

**APRIL 2006**

Saturday, April 1

Market Study, Environmental Site Assessments, Appraisals, Property Condition Assessments and related documents due into TDHCA.

Letters for QCP must be received by the Department.

Letter of support or opposition from state officials must be submitted in order to be considered for points.

Evidence from local government to be exempt from 1-mile-3-year rule must be received by Department.

Evidence required for “2 Times the State Average” exemption must be received by Department.

Monday-Friday April 10-21

Public Hearings on Applications (not firm).

**JUNE 2006**

June (dates uncertain)

Board meeting to review staff HTC recommendations and approve a list of Applications for allocations of tax credits.

Release of Application Log.

Notification by Department to all applicants of their support/opposition (40 days prior to July board meeting).

Deadline for all public comment to go to Board.

**JULY 2006**

July (dates uncertain)

Board Meeting: Board approval of final commitments for HTC (legislated deadline is July 31) awards.