

2010 DCA Qualified Allocation Plan  
General Questions & Answers  
Posting #3  
April 19, 2010

1. Must the experienced partner have gained experience in Georgia with rental housing projects and or Georgia 9% tax credit deals?

**Response: DCA will consider multifamily rental housing projects when determining the experience of the Owner and Developer. The considered projects do not have to be 9% tax credit projects and do not have to be in Georgia.**

2. Our experienced partner has done various types of Senior Housing.

On page 34 of 46 of Appendix I, it states that the proposed owner must have "prior ownership experience in at least two multifamily rental housing projects". Is it correct to assume that DCA would include senior housing experience to mean multifamily with regards to this requirement?

**Response: DCA will consider multi-family rental projects of similar size in determining the experience of the Owner and Developer.**

3. If we use our experienced partner who has gained his experience in states other than Georgia will we still be able to acquire up to 15 points for the Compliance History Score on the QAP?

**Response: An experienced partner who has a positive compliance history in other states (2007, 2008, and 2009 through April 2010) may be able to acquire up to 15 points for the Compliance Score if there are no compliance score deductions based on the stated compliance scoring criteria. However, only the compliance history status of Georgia is considered in the Calculation of Point Additions in the Compliance History Status Scoring.**

4. The Core Plan of the QAP defines Housing for Older Persons on page 5 of 56 as "housing intended and operated for occupancy by persons 55 years of age or older (Older Persons)." It goes on to say that "At least 80% of the total occupied units ... must be occupied by at least one Older Person" and "Up to 20% of the units may be occupied by others, including the landlord's employees, the surviving spouses or children of residents who were Older Persons when they died, and caregivers."

Does this mean that "up to 20% of units" can actually be marketed and leased to households that do not contain an Older Person? Or are these units simply available for those "others" described above to allow them to continue to live at a property once the Older Person has died?

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**Response:** No. All units must be marketed to tenants that meet the requirements for Housing for Older Persons. However, units can be rented as set out in the definition. DCA's definition corresponds to the Fair Housing Act definitions. You should consult your legal or technical consultant to ensure that your property management company understands the statutory rules of this definition.

5. For points under Deeper Targeting/Rent and Income Restrictions (Appendix II - Scoring Criteria on page 5 of 29), can you clarify whether the percentages are in addition to the 20% at 50% required if HOME funds are a source of funding, or can the 20% simultaneously meet both the HOME requirement and the requirement for 3 points?

**Response:** The units claimed for deeper targeting can "overlap" those required to meet the 20% at 50%AMI requirement under the HOME program.

6. The Grants/Loans section under Leveraging of Resources (Appendix II - Scoring Criteria on page 23 of 29) allows for one point for "Long term Ground leases for nominal consideration and no other land costs." If there is an identity of interest between the current land owner (lessor) and the GP entity (lessee), can the point still be claimed?

**Response:** Yes.

7. In Appendix II in the Compliance/Performance Section, the QAP states on page 26 of 29 under C. Required Documentation that "All Owners/Developer entities as well as principals must also submit a DCA Compliance Certification from each state financing agency from which the Owner/Developer entity or principals have received Low Income Housing Tax Credits or HOME funding."

At the QAP workshop in February, I believe it was stated that DCA will not require Owner/Developer entities to contact other state financing agencies this year. Can you please confirm what will be required?

**Response:** DCA does not require that a participant supply the DCA Compliance Certification from each state. However, DCA may, at its discretion, request this document and IRS Form 8821 (for a specific properties) if the clarification or verification of the participant's compliance history status is needed during threshold scoring.

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8. Phased Developments - If we anticipate a second phase to a development in future years do we need to submit a copy of the Master with the first phase submission?

**Response: It is not required. However, it may be helpful for establishing the fact that the project was planned as a phased development with subsequent tax credit applications.**

9. In terms of rural infill can the adjacent established development be across a two lane public highway?

**Response: Yes, the required "adjacent established development" for rural infill points may be located across a two lane public highway.**

10. If a proposed development is being constructed next to a poultry farm and the farm is going to relocate if the development is awarded, what is the new deadline for the mitigation to be completed since the QAP submittal date has changed? Also, if the applicant has site control and the mitigation/removal doesn't have to be complete until the PIS date, what proof of resources are you looking for in terms of being able to complete the mitigation?

**Response: The revised deadline for evidence of mitigation due to the revised application submission date is December 1, 2010.**

**If the applicant intends to perform the mitigation himself, a scope of work and budget specific to the mitigation must be included in the application submission along with a description of where within the sources and uses statements the mitigation cost has been incorporated. Also, if the project is seeking federal funds, the applicant would need documentation how the mitigation activity will comply with URA relocation requirements.**