

## **Appendix II 2010 Competitive Scoring Criteria**

### **INTRODUCTION**

**Documents:** Minimum document requirements are listed after each Point category. However, Applicants are required to submit all documents at Application Submission which are necessary for DCA to determine that the Application meets the criteria for points. Additional guidance will be available in the Application Tab checklist. No additional documentation or explanations can be provided after Application Submission. DCA strongly recommends that Applicants use the comment section in the scoring workbook to fully explain the basis for points claimed in each category.

### **I. APPLICATION COMPLETENESS / FINANCIAL ADJUSTMENTS / ORGANIZATION **10 points****

Each Application will be awarded an initial score of ten (10) points in this category. Point deductions to that score will be made for missing, incomplete, or inaccurate documents, financial or other adjustments or unorganized submissions. There is no cap on the total number of points that may be deducted. Therefore, an application may receive a negative point value in this section.

#### **A. Missing/Incomplete Documents**

Each Submitted Application must meet DCA requirements and policies. It must include all required forms and supporting documentation. For each missing or incomplete document, one (1) point will be deducted. Points will be deducted for each document that does not have the correct number of copies as set out in the Application Instructions. (Documents that are submitted with the Application but must be modified to accurately reflect the structure of the application will be considered an adjustment and not a missing document.)

Guidelines that will be used by DCA in scoring this section include, but are not limited to the following:

- All documents must accurately reflect the pro forma and representations made in the Application
- Each Application document must be accurate
- Only documents that were in existence prior to Application Submission day may be submitted after Application Submission with the exception of written clarifications requested by DCA

## **Appendix II 2010 Competitive Scoring Criteria**

- Applications must be complete when submitted. Applicants cannot submit updated applications or new documents after the Application Submission date
- Applications that contain a significant number of missing or incomplete documents will be returned to the Applicant and be deemed a threshold failure

### **B. Financial and Other Adjustments**

DCA may make financial and other adjustments to the Application and/or supporting documentation if the Application:

- Does not meet DCA requirements and policies
- Is inaccurate
- Does not reflect the project as structured in the Application
- Does not utilize realistic and reasonable development and operating cost assumptions

Points will be deducted for financial adjustments and revisions as follows:

1-3 adjustments and/or revisions will result in a one (1) point deduction. An additional point will be deducted for each adjustment after the first three.

Guidelines that will be used by DCA in scoring this section include, but are not limited to the following:

- DCA may make minor adjustments to a Core Application to ensure consistency with supporting documents.
- Total development cost may be increased or decreased during DCA's review if it is determined that line items are not reasonable or are not accurately reflected in supporting documents.
- Development costs may not be increased by the Applicant during DCA's review.
- Minor adjustments in the pro forma made by DCA which result in increases in line items may be allowed, but only developer fee may be utilized to cover increases in line item development costs.
- Credits may be adjusted downward for each adjustment.
- Credits will not be increased above the amount requested in the Application.
- Applicants may not request that one line item be reduced in order to increase or add another line item during the threshold clarification period.

Revisions that will not be allowed include, but are not limited to:

- Unit count and bedroom type

**Appendix II  
2010 Competitive Scoring Criteria**

- Rent structure (rents may be adjusted upward or downward but the number of 30/50/60/market units may not be adjusted). If rents are adjusted upward, the relevant debt coverage ratio and feasibility analysis must meet DCA's requirements
- New financing sources cannot be added (with the exception of DDF to fund any financing gap)\*

\*Minor clarification of submitted financing sources may be allowed but will be considered an adjustment.

Examples of financial adjustments include, but are not limited to: incorrectly calculating developer fee, additions to line item development cost, application errors that result in a change in the allowable tax credits, and/or failure to include DCA required reserves.

**C. Organization**

Points will be deducted if the Application is not organized in the format prescribed by DCA in the QAP, Application Instructions, Tab Checklist and/or a required document is not behind the appropriate tab.

**II. DEEPER TARGETING / RENT AND INCOME RESTRICTIONS      3 points**

Applications that agree to set gross rents and income limits for a specified number of low-income units at or below 30% of 50% AMI shall be awarded up to three points in this category. In order to qualify for these points, tenants must meet the required income restrictions for the property and the tenant portion of the rent must not exceed the 50% rent restriction.

Rent subsidies other than Section 8 must also meet the statutory requirements of the tax credit program. Owners will be required to execute restrictive covenants stipulating the number of very low rent-restricted units to be rented to very-low income households for the term of the Compliance Period or the Period of Affordability (if applicable), whichever is longer.

50% rent and income restricted units are eligible for points as follows:

Equal to or greater than 5% and less than 10%	1 point
Equal to or greater than 10% and less than 15%	2 points
Equal to or greater than 15%	3 points

Percentage of deeper targeted units will be calculated based on the total residential units (common space employee units will not be included in the total residential units).

**Appendix II**  
**2010 Competitive Scoring Criteria**

**III. QUALITY GROWTH INITIATIVES**

**Maximum 18 points**

**A. Desirable and Undesirable Characteristics**

**10 points**

One (1) point will be awarded for each desirable activity/characteristic category that is near a proposed site to a maximum of ten (10) points. One (1) point will be deducted from the total desirable activities score for each undesirable activity/characteristic category that is near a proposed site. A maximum of ten (10) points will be awarded in this category. The total points awarded will be determined by calculating the sum of the total desirable activity points less the total undesirable activity points. A negative total in this category will be awarded zero (0) points.

For Scattered Site Projects, the perimeter of the ½ mile radius in which the non-contiguous parcels are located shall serve as the boundary of the proposed site from which the distances for determining the location of the desirable and undesirable activities shall be measured for both non-Rural and Rural sites. All desirable and undesirable activities within the perimeter of the ½ mile radius must also be noted for purposes of claiming points. Each parcel shall be reviewed individually as defined above. One (1) point will be awarded for each desirable activity or characteristic to a maximum of ten (10) points. One (1) point will be deducted for each undesirable activity or characteristic. The applicant shall calculate the total score (to a maximum of ten (10) points) for each non-contiguous parcel then add the total points obtained and divide by the number of non-contiguous parcels to arrive at the total points for this category. No rounding up, and only whole numbers may be claimed as points.

**1. Desirable Activities**

In order to be eligible for points, the following criteria must be met:

- Only activities and/or characteristics, which are located within a 1.0 mile walking/driving distance from the proposed site in urban areas or within 2.0 miles walking/driving distance from the proposed site in Rural areas will be considered.
- Applicants must score one (1) point in five (5) different categories before they can receive points in a duplicate category.
- Each building/entity will be assigned to only one desirable category.
- Desirable activities/characteristics may include, but are not limited to the following categories:
  - Retail stores (includes pharmacies, clothing stores, department stores, etc.)
  - Federally insured banking institutions (ATMs are not eligible for points in this category)
  - Recreational facilities / public parks / civic centers
  - Grocery stores, including convenience stores

## **Appendix II 2010 Competitive Scoring Criteria**

- Proximity to Public Bus Transportation
  - Day care services (must be licensed)
  - School(s)
  - Libraries
  - Restaurants
  - Medical facilities
  - Churches
- Desirable characteristics that are under construction may be eligible for points if the construction site is clearly active and the new structures are above ground at the time of Application Submission.

### **2. Undesirable Sites**

In determining whether an undesirable activity/characteristic is near a proposed site, the Application must consider any undesirable activity/characteristic that is located within the radius of one quarter (1/4) mile of the proposed site.

Undesirable activities/characteristics may include but are not limited to the following:

- developments that propose any new construction activities that place impervious surface including paving, sidewalks, or buildings within 100 feet of any floodplain, wetlands, perennial stream, or intermittent stream (in other words, State Waters that require a buffer according to GA EPD). Exception: stream crossings that are covered under the USACE's Nationwide Permit.
- junkyards
- hazardous, chemical or heavy manufacturing activities, industrial development within 1 mile of the proposed site
- sources of odor
- noise (regardless of mitigation) that is 70 decibels or more at the time of Application Submission
- sources of excessive glare from lighting on adjacent properties
- abandoned houses or buildings, unoccupied, unsecured buildings (abandoned will be determined by the following factors: broken windows, doors, unsecured, lack of maintenance, and/or evidence of loitering; unsecured means open or broken windows and doors)
- deteriorated housing or buildings where extensive defects are evident from the exterior of the building and depress an area's physical appearance, diminish living conditions and/or safety of the neighborhood and decrease the marketability of the proposed sites.

## **Appendix II 2010 Competitive Scoring Criteria**

One (1) point will be deducted per activity/characteristic.

### **Exceptions to undesirable deductions**

If the Applicant has knowledge at the time of Application that the conditions that make the property undesirable are temporary and that change or mitigation is imminent (i.e. demolition, rehabilitation, etc.), sufficient evidence of the change must be submitted in the Application.

DCA will consider mitigation to be performed by a third party that will remove the undesirable condition imminent if it scheduled to occur prior to October 1, 2010. Applicants will need to supplement their application by providing evidence to DCA that the condition has been mitigated by October 1, 2010 (Applicants will not be notified that this documentation should be submitted prior to the deadline).

If the mitigation will be completed by the Applicant as opposed to a third party, the condition must be mitigated by the placed in service date for the project. Applicants will need to provide clear documentation that they have the site control and resources to complete the mitigation.

### **Documentation for Desirable/Undesirable points:**

- Desirable/Undesirable Form
- A site map indicating the specific locations of each desirable and undesirable activity/characteristics. The map must contain a key stating the type of activities/characteristics identified and their addresses and must include the following:
  - location of site including an indication of major access roads
  - indication of distances in 1/4 mile increments
  - indication of any major industrial or commercial development, and
  - all desirable and undesirable activities/characteristics
- Photographs of the desirable and undesirable activities/characteristics. All photographs are to be either color originals or color copies. Black and white photographs are not acceptable.
- Documentation from the owner of the site on which the undesirable condition exists or from a third party government source documenting how such change will occur and the time frame.
- Documentation that evidences the desirable activity/characteristic that will be located in sites under construction.

### **B. Infill/Smart Growth Rural Development**

**3 Points**

#### **1. Infill**

## **Appendix II 2010 Competitive Scoring Criteria**

Three (3) points will be awarded to Applications that meet DCA's criteria for Infill. DCA defines infill housing as the process of developing vacant or underused parcels within existing urban areas that are already largely developed. Infill development results in the use of existing utilities and infrastructure while promoting the conservation of open space, the reduction of traffic congestion and the creation of more livable communities.

To qualify for three (3) Infill points, the proposed site must exhibit the following:

- The site must be surrounded on every side except one side with adjacent established development (for the purposes of this category, agricultural use and vacant land do not qualify as established development; parks and green space areas do qualify as established development if they are part of a master plan or recorded instrument). DCA will review the four compass sides (north, south, east and west) of a project to determine if the site is surrounded by established development. For phased projects, DCA will look at the entire project site to determine if it is surrounded by established development.
- The site must maximize the use of existing utilities and infrastructure.
- At a minimum, the established development on one side must consist of occupied residential development that is not deteriorated or undesirable. Scattered, single family housing does not constitute established residential development for the purposes of this category.

### **Documentation:**

- Documentation that the Applicant has site control over all parcels set out in a Phased projects must be submitted in the Application.
- Aerial photos of the proposed site per architectural submittal instructions.
- If an established park or green space area, documentation of such must be submitted in the Application.

**OR**

### **2. Rural Smart Growth Development**

Three (3) points will be awarded to Applications that meet DCA's criteria for Rural Smart Growth Development. DCA defines Rural Smart Growth Development as the encouragement of Rural housing development near or within areas of existing established development that minimizes the use of natural resources, maximizes the use of existing utilities and infrastructure, and reduces the need for individual transportation.

To qualify for three (3) Rural Smart Growth Development points, the proposed site must exhibit the following:

- Proposed site must be located in a Rural area.
- The site must maximize the use of existing utilities and infrastructure.

## **Appendix II 2010 Competitive Scoring Criteria**

- At a minimum, the Adjacent established development on one side must consist of occupied residential development that is not deteriorated or undesirable (Scattered, single family housing does not constitute established residential development for the purposes of this category).

### **Documentation:**

- Documentation that the Applicant has site control over all parcels set out in a Phased projects must be submitted in the Application
- Aerial photos of the proposed site per architectural submittal instructions
- Documentation of existing utilities and infrastructure
- Identification of adjacent established development

### **C. Community Transportation Options**

**3 points**

To qualify for three (3) Community Transportation points, the proposed site must be located within 1/2 mile walking distance of a rapid rail transit station along paved roads, sidewalks, established pedestrian walkways or bike trails.

### **Documentation:**

- Map showing the location of the rapid rail transit station in relation to the proposed development site

For Scattered Site Projects, each non-contiguous parcel must meet the above criteria

### **D. Adaptive Reuse**

**1 point**

One (1) point will be awarded if the proposed development is an adaptive reuse of an entire existing building and constitutes a significant part of the development as a whole. Adaptive reuse is defined as the change in use of a major building for residential use or as a community building. The reuse of only a part of a building (slabs, sheds, gazebos, trailers/mobile homes, pavilions, pump houses, barns, garages or single-family homes) are not eligible for these points. For rehabilitation projects, the reuse of buildings that are already part of the existing multifamily development are not eligible for these points.

### **Documentation:**

- Documentation on the previous use of the building
- Photographs of the building to be reused
- Documentation of whether or not the building is occupied
- Narrative of how building will be reused

### **E. Brownfield**

**2 points**



## **Appendix II 2010 Competitive Scoring Criteria**

Two (2) points will be awarded if the proposed development is the redevelopment of a Brownfield site. The definition of a Brownfield site is one where the EPA, Georgia EPD or other environmental regulatory agency has defined the site as a Brownfield site and has determined the applicable guidelines for the cleanup required for residential uses.

### **Documentation:**

- Evidence of designation as a Brownfield site
- An opinion letter from either an attorney or a PE that the property appears to meet the requirements for issuance of an EPD Letter of No Further Action
- Proposed scope of work for clean up of a site
- Detailed budget for clean up
- Time line for clean up must also be submitted

(DCA will require a copy of the Letter of No Further Action prior to issuance of 8609s.)

## **IV. SUSTAINABLE DEVELOPMENTS**

**Maximum 4 Points**

Certification of the project's compliance with a sustainable program that is utilized to claim points must be submitted at either the LIHTC final certification or HOME Loan final construction draw, whichever comes last. Failure to demonstrate a good faith effort to receive the certification may result in a finding of non-compliance and limited participation in further rounds.

### **A. Sustainable Communities Certification**

**4 Points**

Four (4) points will be awarded to projects located within larger developments officially enrolled in the following sustainable programs:

- Earth Craft Communities program through Southface Energy Institute and the Greater Atlanta Home Builder's Association

**OR**

- Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND)

Regardless of program requirements, all projects must obtain a HERS index equal to or less than 85. Developments certified under these programs successfully protect and enhance the overall health, natural environment, and quality of life of communities. The program rating systems integrate the principles of smart growth, new urbanism, and green building into a standard for neighborhood design. The programs provide independent, third-party verification that a development's location and design meet accepted high standards for environmentally responsible, sustainable development.

## Appendix II 2010 Competitive Scoring Criteria

### Documentation:

- Copy of an executed EarthCraft Communities Memorandum of Participation for the development the project is locating within or LEED-ND registration for the larger development from US Green Building Council. If Memorandum of Participation is not signed by the Applicant, then the Applicant must provide a narrative as to how the Memorandum is applicable to the project.
- Draft scoring sheet for the development that includes the minimum score under the program to qualify for the designation and master site plan for the development.

OR

### **B. Sustainable Building Certification**

**2 Points**

Two (2) points will be awarded to projects that commit to obtaining a sustainable building certification from one of the following entities. Regardless of program requirements, all projects must obtain a HERS index equal to or less than 85.

- Southface Energy Institute's and Greater Atlanta Home Builder's Association's Earth Craft House multifamily (or single family or renovation) certification program.
- Enterprise Foundation's Green Communities certification program.
- US Green Building Council's LEED for Homes certification program which includes single family detached and multi-family low and mid-rise structures.

### Documentation:

- Draft scoring sheet for the development that includes the minimum score under the program to qualify for the designation.

## **V. STABLE COMMUNITIES / REDEVELOPMENT / REVITALIZATION**

**Maximum 6 points**

DCA promotes developments located in strong and stable communities that have a need for affordable housing and in areas which demonstrate the capacity for community redevelopment, economic growth and revitalization. Applicants may choose points in either Category A or Category B.

### **A. Stable Communities**

**3 points**

A. Three (3) point will be awarded to projects that are located in a census tract that meets the following demographics according to the most recent FFIEC Census Report ([www.ffiec.gov/WebCensus/](http://www.ffiec.gov/WebCensus/)).

- Less than 10% below Poverty level (see Income)
- Designated Middle or Upper Income level (see Demographics)

## Appendix II 2010 Competitive Scoring Criteria

- Less than 25% of housings units are rental occupied (see Housing)
- Tracts not designated as distressed or underserved (see Demographics)
- Market study must demonstrate need for affordable housing

OR

### **B. Community Redevelopment /Revitalization Plans and Strategies**

#### **1. HOPE VI Initiatives**

**6 points**

Six (6) points will be awarded if the proposed project is a phase or component of a PHA-sponsored Community Building Initiative which is part of a PHA-sponsored HOPE VI revitalization initiative. The Initiative must:

- Provide affordable units for an extended period of 30 years or more;
- Be part of a mixed income phased community with a significant market component;
- Facilitate the deconcentration of poverty; and
- Provide for community improvements or amenities, which may include but are not limited to new or improved public infrastructure, green-space, improved transportation, quality of life enhancements, or other improvements benefiting the community

#### **Documentation:**

- A copy of the HOPE VI Revitalization Grant Assistance Award (form HUD-1044) which identifies the PHA receiving the HOPE VI grant and the amount of the grant, and additional documentation reflecting the time limits for use of the HOPE VI funds;
- A letter from the Executive Director of the identified PHA certifying that:
  - the development proposed in the Initial Application is identified in the PHA's HUD approved HOPE VI application or Revitalization Plan;
  - the housing units are an essential element of that Plan; and
  - the Tax Credits for the development proposed in the Initial Application are an essential component of the financing plan for the PHA's HOPE VI Program
- A copy of the HUD approved Revitalization Plan.

#### **2. Promotes Neighborhood Stabilization**

**3 points**

Three (3) points will be awarded if the proposed development is recognized by the local government as assisting in the stabilization of a neighborhood by demolishing or redeveloping property that has been foreclosed, abandoned or constitutes blight (isolated properties of 1-4 residential units are not eligible) or grayfield redevelopment. DCA will utilize the definitions and purposes set out in the Neighborhood Stabilization

## Appendix II 2010 Competitive Scoring Criteria

Program which was authorized under HERA in order to determine whether the proposed project qualifies for these points except as set forth in this section. (Projects are not eligible for points if they have received Neighborhood Stabilization Program funding.)

A property “**has been foreclosed upon**” at the point that the mortgage or tax foreclosure is complete. DCA will not consider a foreclosure to be complete until after the title for the property has been transferred from the former homeowner under some type of foreclosure proceeding or transfer in lieu of foreclosure in accordance with state or local law.

A property is “**abandoned**” when mortgage or tax foreclosure proceedings have been initiated for the 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 90 days.

A property is “**blighted**” if the site presents two (2) or more of the following conditions:

- Uninhabitable, unsafe, or abandoned structures;
  - Inadequate provisions for ventilation, light, air, or sanitation;
  - An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the Governor has declared a state of emergency under state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
  - A site identified by the federal Environmental Protection Agency as a Superfund site pursuant to 42 U.S.C. Section 9601, et seq., or environmental contamination to an extent that requires remedial investigation or a feasibility study;
  - Repeated illegal activity on the individual property of which the property owner knew or should have known; or
  - The maintenance of the property is below state, county, or municipal codes for at least one year after notice of the code violation; and is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property.
- 
- The site is partially built with no work on the property for a period in excess of six months.
  - full debt service payments have not been made on the property for a period of at least 90 days, and the lender and/or local government provides a letter outlining the effect the property has on the surrounding community.

(Property shall not be deemed blighted because of esthetic conditions.)

A property is a **grayfield redevelopment** site if it was a previously developed retail or other commercial (non-residential) center that suffers from a lack of reinvestment due to

## **Appendix II 2010 Competitive Scoring Criteria**

abandonment of tenants but that has underlying utilities and paved infrastructure that allow a developer to more efficiently improve the site. For scoring purposes, the site must be vacant, abandoned or 90% of the square footage is unused and at least 25% of the site must be comprised of associated parking areas.

DCA will review all documentation submitted by the Applicant very closely to ensure that the objective of neighborhood stabilization will be accomplished by the development or redevelopment of the proposed project.

### **Documentation**

- Pictures of the proposed site and the surrounding area (see undesirable documentation)
- Copy of foreclosure documents, if applicable
- Evidence from the mortgage lender and/or tax authority that payments have been delinquent for 90 days and that foreclosure proceedings have been initiated, if “abandoned”
- A letter from the chief operating officer of the local government certifying that the redevelopment of the property will assist in stabilizing the neighborhood
- Narrative of how the project promotes the purposes of the Neighborhood Stabilization.

**OR**

### **3. Statutory Redevelopment Plans**

**2 points**

Two (2) points will be awarded to a project that is located within an area that has a Redevelopment Plan that has been adopted and formulated by the local Government under O.C.G.A. §36-44 et. seq. or O.C.G.A. §36-61 et. seq. that clearly targets the specific neighborhood in which the project is located. In order to receive these points, the documentation must conclusively prove that the Plan is current, ongoing and directly affects the site of the proposed project.

#### **Documentation:**

- Copy of the Plan
- Website address where information regarding the plan can be located
- Copy of Resolution(s) adopting the Plan according to requirements of statute
- Documentation of Public Hearing and Publication as required by statute
- Documentation that Plan is current, ongoing and directly affects the site

**OR**

### **4. Redevelopment Zones**

**2 points**

## Appendix II 2010 Competitive Scoring Criteria

Two (2) points will be awarded if the proposed development site is located in a QCT/DDA or State Enterprise Zone.

### **Documentation:**

- Copy of Resolution adopting the state enterprise zone
- Documentation evidencing that the proposed site is located in a QCT/DDA

**OR**

### **5. Local Redevelopment Plan**

**1 point**

One (1) point will be awarded if there is an adopted redevelopment plan/community revitalization plan adopted and formulated by the Local Government that clearly targets the specific neighborhood in which the project is located. The Plan must have been adopted on or before January 1, 2010. (For the purposes of this category, in Rural counties a neighborhood may be as large as one county.) In order to receive these points, the documentation must conclusively prove that the Plan is current, ongoing and directly affects the site of the proposed project.

The Community Redevelopment/Revitalization Plan must include the following:

- a discussion of potential sources of funding for the plan;
- a clearly delineated target area that includes the proposed project site;
- detailed policy goals (one of which must be the rehabilitation or production of affordable rental housing);
- Implementation measures along with specific time frames for the achievement of such policies and housing activities. The timeframes and implementation measures must be current and ongoing;
- the proposed development project must support at least one of the goals of the redevelopment or revitalization plan; and
- an assessment of the existing physical structures and infrastructure of the community,

The following plans are not eligible for points:

- Plans formulated by the Owner of the project and submitted to a local government for approval;
- short-term work plans;

**Appendix II  
2010 Competitive Scoring Criteria**

- comprehensive plans, consolidated plans, municipal zoning plans or land use plans; and
- Plans that are outdated and do not reflect the current neighborhood conditions (Plans that are more than four years old will be presumed outdated unless documentation regarding the continued viability of the plan is submitted with the Application.)

**Documentation:**

- The DCA Neighborhood Redevelopment Certification Form
- Documentation of the process the government used for developing and adopting the plan
- Details regarding community input and public hearings held prior to the adoption of the plan must be included in the Application
- A copy of the entire plan must be included in the Application.
- Evidence of adoption
- Map of area targeted by plan identifying location of project

**VI. Market Advantage**

**Maximum 10 Points**

**I. Phased Developments/Previous Projects**

**A. Phased Developments**

**6 points**

Six (6) points will be awarded if the proposed project is part of a Phased Development in which one or more phases received an allocation of 9% tax credits and at least one phase has commenced construction or was selected for funding in the last DCA competitive round. Documentation of the Master plan, site control and total project concept must be submitted in the application. Projects that DCA determines are adjacent (as opposed to being Phased Developments) are not eligible for points. DCA will look to the underlying project concept to determine whether the community was originally designed as one development with phased development. Only one phase of a project can receive points during a funding round.

**OR**

**B. Previous Projects**

**3 points**

Three (3) points will be awarded if the proposed development site is within the boundaries of a Local Government in which a 9% Credit, 4% Credit and/or HOME project has not been awarded within the last four (4) DCA funding cycles.

**Appendix II  
2010 Competitive Scoring Criteria**

**OR**

Two (2) points will be awarded if the proposed development site is within the boundaries of a Local Government in which a 9% Credit, 4% Credit and/or HOME project has not been awarded within the last three (3) DCA funding cycles

**OR**

One (1) point will be awarded if the proposed development site is within the boundaries of a Local Government in which a 9% Credit, 4% Credit and/or HOME project has not been awarded within the last two (2) DCA funding cycles.

For Scattered Site Projects, each non-contiguous parcel may be considered for points in this category. However, the Application will be awarded a maximum of three (3) points in this category.

**II. Market Study**

**4 points**

A maximum of four (4) points will be awarded to projects in which the completed market study conclusively provides a “market advantage” for the project. The Market Study submitted at Application will be evaluated by DCA during the competitive round to determine a composite score based on the market study’s overall conformity to DCA policy and guidelines as set out in the DCA market study guide (Maximum Completeness score of 95 points) and the statistical evaluation of the project’s ability to successfully lease up (Maximum Market Advantage score of 25 points).

These scoring components will be based on a number of factors, including completeness of your market study per the 2010 Market Study Guide, a detailed review of the market for each potential project; and an examination of certain criteria in relation to the overall need for the project as proposed. The scoring values for each criterion will be published for public comment on or before January 1, 2010.

Completeness Score: Sub Score Max of 95 points. A two (2) point max will be allocated for the scoring round.

**+**

Market Advantage Score: Sub Score Max of 25 points. A two (2) point max will be allocated for the scoring round.

The Combined total will equate to four (4) points max for Market Study Scoring.



**Appendix II  
2010 Competitive Scoring Criteria**

Documentation:

- DCA Threshold Market Study from an approved DCA market analyst
- Applicant completed self score for market

**VII. WAIVER OF QUALIFIED CONTRACT RIGHT / TENANT OWNERSHIP PLAN**

**Maximum 1 point**

**A. Waiver of Qualified Contract Right**

**1 point**

The Code requires that all low-income units in a project receiving Credits remain rent-restricted and income-restricted for the 15-year Compliance Period and for 15 years after the close of the Compliance Period. However, owners have an option to request DCA's assistance in procuring a qualified contract for acquisition of the building(s) after the 14th year of the Compliance Period. If DCA is unable to present such a contract within a one-year period, the owner may terminate the extended use agreement.

One (1) will be awarded to Owners willing to forgo this "cancellation option" for at least five years after the close of the Compliance Period.

**OR**

**B. Tenant Ownership**

**1 point**

One (1) point will be awarded to Owners that commit to submit a plan for tenant ownership, acceptable to DCA, at the end of the 15-year Compliance Period. Only single family styled units are eligible for these points. In order to qualify for tenant ownership plan points, Applicants must agree to submit a viable homeownership strategy for residents who inhabit the units before the end of the Compliance Period. The strategy must outline the Applicant's exit strategy and calculation of the estimated affordable purchase price for the unit occupied by the tenant and pre-purchase homeownership counseling. All sites must be owned by the Applicant (long-term leases are unacceptable). Applicant must clearly show how the property will be managed during the compliance period and how the tenant's down payment will be managed.

**Documentation:**

- Copy of Strategy meeting requirements

**VIII. PRESERVATION**

**Maximum 6 points**

**A. Historic Designation**

**3 points**

## **Appendix II 2010 Competitive Scoring Criteria**

Three (3) points will be awarded if buildings on the project site are listed individually in the National Register of Historic Places and will be preserved in accordance with SHPO requirements.

Documentation of the listing must be included in the Application.

**OR**

One (1) point will be awarded if buildings on the project site are potentially eligible to be listed because they are located in a "registered historic district" or buildings are located in a potentially eligible district that contributes to the significance of the district and will be preserved.

Documentation must include a State SHPO nomination letter/approval.

(DCA encourages Applicants to see <http://hpd.dnr.state.ga.us> for further guidance on the requirements and associated timeframes for the development of projects with historic tax credits. DCA also encourages Applicants to seek the advice of a qualified attorney and/or tax professional before proceeding with any project of this nature.)

### **B. Preservation**

**3 points**

Three (3) points will be awarded for an Application that proposes the preservation of an affordable housing project with low-income housing tax credits that is beyond the fourteenth year of the compliance period or for DCA HOME only funded developments, if the minimum statutory period of affordability has expired. Preservation points can be claimed for these projects even if the existing project will be demolished and rebuilt. The partnership's tax returns for the first and last years in which credits were claimed must be provided, along with the appropriate IRS Forms 8609 attached.

### **IX. NONPROFIT**

**2 points**

Two (2) points will be awarded for a general partnership that is a general partnership comprised of 100% nonprofit organizations and the project is applying for and is eligible for the nonprofit set-aside. These points can only be claimed for one project by each non profit.

**OR**

One (1) point will be awarded if a for-profit entity partners with a nonprofit that is applying for (and is eligible) under the Plan's Credits nonprofit set-aside. These points can only be claimed for only one project by each non profit or for profit entity.

Documentation

## **Appendix II 2010 Competitive Scoring Criteria**

- IRS Tax-Exempt Status Determination Letter
- Secretary of State Certification of Nonprofit Status
- General Partnership Joint Venture Agreement
- Legal Opinion regarding nonprofit tax-exempt status
- Documentation of Nonprofit's ownership interest
- Board of Directors information: name, address, phone, occupation, positions
- Development Agreement if the nonprofit is a co-developer
- By-Laws or Articles of Incorporation for Non Profit
- Copy of State CHDO Pre-qualification or Renewal Letter
- Evidence of CHDO Predevelopment Loan
- Evidence that project is within CHDO service area

### **X. RURAL**

**2 points**

Projects located in a Rural area that have less than eighty (80) residential units will receive two (2) points. Applicants may utilize these points for only one project in which they have a direct or indirect ownership interest.

### **XI. LOCAL GOVERNMENT SUPPORT**

**4 Points Maximum**

#### **A. Resolution of Support**

**3 points**

Three (3) points will be awarded if the Local Government adopts a resolution of support for the proposed project. The resolution must clearly indicate that the Local Government understands the nature of the proposed project by identifying, at a minimum:

- Type of project,
- Number of anticipated units, and
- Specific project location.

The resolution must also clearly express the Local Government's support of the proposed project, as opposed to merely expressing indifference.

#### **Documentation:**

- Resolution of Support
- Evidence of Adoption of Resolution
- Letter from elected official in the DCA format\*
- Charter (if applicable)\*

\*If the Local Government is governed by only one elected official (as specified in its Charter), a letter from the elected official outlining all the information required in the governing body resolution will be accepted in lieu of a resolution.

## Appendix II 2010 Competitive Scoring Criteria

### **B. DCA Community Initiatives**

**1 Point**

One (1) Point will be awarded for projects that have a letter from a designated DCA Signature Community or Georgia Institute for Community Housing Community or DCA Community of Opportunity which clearly:

- identifies the project as located within their political jurisdiction,
- is indicative of the community's affordable housing goals,
- identifies that the project meets one of the objectives of the formal Program Plan,
- is executed by the official representative of the Community.

Each community may issue only one (1) letter for one project in this year's competitive round. If more than one letter is issued, no project in that community shall be awarded points.

Documentation:

- Letter executed by Official Representative
- Program Plan

For Scattered Site Projects, the above documentation is required from each local government for each non-contiguous site.

## **XII. LEVERAGING OF RESOURCES**

**Maximum 7 points**

To be eligible for points under section A or B below, the following criteria must be met:

1. Funding or assistance provided above must be binding and unconditional except as set forth in this section.
2. Resources must be utilized if the project is selected for funding by DCA.
3. Only loans that are for both construction and permanent financing phases will be considered for points in this section.
4. Loans must be for a minimum period of ten years and reflect interest rates at or below AFR.
5. Commitment or award documentation must meet the terms and conditions as applicable specified in Appendix I, Threshold Criteria, Section I.(I) (Permanent financing, limited partnership equity, deferred developer fee and other financing Commitment).

### **A. Grants/Loans**

**Maximum of 3 points**

Loans or grants from the following sources will qualify for points under this category:

- Community Development Block Grant (CDBG) program funds

**Appendix II  
2010 Competitive Scoring Criteria**

- |   |   |                                |
|---|---|--------------------------------|
|   | (\$500,000 minimum)   | 1 point                        |
| • | Federal Home Loan Bank Affordable Housing Program (AHP)                   |                                |
|   | (\$500,000 minimum)   | 1 point                        |
| • | Long term Ground leases for nominal consideration and no other land costs | 1 point                        |
| • | NSP not allocated from DCA  | (\$1,000,000 minimum) 1 point  |
| • | Beltline Grant  | (\$1,000,000 Minimum) 1 point  |
| • | Housing Opportunity Bonds   | (\$1,000,000 Minimum) 1 point  |
| • | HOME Funds (non DCA source)   | (\$1,000,000 Minimum) 1 point  |
| • | HUD 202 or 811 program funds  | (\$3,000,000 Minimum) 3 points |

**B. Efficient use of DCA Resources Maximum of 3 points**

- |   |                           |          |
|---|---------------------------|----------|
|   | DCA OAH HOME Loan Consent | 3 points |
| • | DCA allocated NSP funds   | 3 points |
|   | (minimum \$1,000,000)     |          |

**C. Off Site Improvement, Amenity and Facility Investment 2 points**

Two (2) points will be awarded if an unrelated third party (foundation, trust, and/or government) investment of resources is provided that will result in off-site infrastructure improvements adjacent to the project site, and/or the development of parks, green space and shared amenities, recreational facilities and improvements adjacent to the proposed project site that will serve the tenant base for the subject project. The proposed improvements, amenities and/or facilities must be completed prior to the proposed placed in service date for the project. The development cost and source of funding associated with the development of the improvements, amenities and/or facilities must be mutually exclusive of the development cost and sources of funding for the subject property. The cost for the improvement must be at least \$1,000,000 and be paid for in full by the unrelated third party. Examples of third party improvement, amenity, and facility investment of resources include, but are not limited to, the following:

- construction of off-site or on-site access road which is required for access to the property,
- development of parks, green space or walking trails on a master plan development site,
- development of YMCA, youth center, senior center, and/or
- Construction of sidewalks or streetscape adjacent to the property.

\*Third party investments that are community wide in scope, part of the community local action plan or that will be developed regardless of the development of the proposed project will not be eligible for points in this section. Additionally, improvements that were completed prior to application submission are not eligible for points in this section.



## **Appendix II**

### **2010 Competitive Scoring Criteria**

- The Compliance score shall be determined by calculating the Compliance score for each entity and the Principals of the entity. The entity Compliance score shall be determined by averaging the compliance score of each entity and all principals who have Compliance history. Principals with no Compliance history do not need to be included in the calculation of the entity score.
- Non compliance point deductions will be made on a project basis as set forth in this section.
- Point additions will be made on a project basis as set forth in this section.
- An Application can receive a maximum of fifteen (15) compliance points under this category.
- An Entity or Principal that receives five (5) points or less will be deemed ineligible to participate.
- If neither the General Partner/Developer entity nor its Principals have previous compliance history, the Applicant will receive a compliance score of (10) in this section. However, the Applicant may elect to utilize a higher compliance score received by a partner or consultant that they are utilizing to meet DCA experience requirements.
- The averaged scores of the entities and Principals will be utilized to determine the Compliance score.
- If more than one entity will be in the General Partner structure, the Compliance score will be the average of the score for each entity and principal.
- Non compliance shall be deemed to be noncompliance which is reportable on Form 8823 and which was not cured within the 90 day cure period or within any 6 month state approved extension.

## **Appendix II 2010 Competitive Scoring Criteria**

### **B. Funding Programs**

The following funding programs will be reviewed for purposes of calculating the score in this section:

- Low Income Housing Tax Credits (LIHTC)
- HOME
- FDIC/Affordable Housing Disposition Program
- Housing Trust Fund
- Department of Agriculture reviews of LIHTC properties

Only projects that have these sources of funding should be included on the Compliance History Summary.

### **C. Required Documentation**

All Owner/Developer entities as well as principals of each entity and proposed Property Management Companies must submit a DCA Compliance History Form. 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.

### **D. Relevant Time Period**

All funding program reviews/audits from 2005, 2006, 2007, 2008 through February 1, 2010 will be considered for point deductions in the following areas:

- Program Administrative Non-compliance
- HOME Program Administrative Non-compliance
- DCA Program Administrative Non-compliance
- LIHTC Non-compliance issues that were reported on IRS Form 8823 as uncured

In addition, all instances of major project failure/General Partner failures that occurred on or after January 1, 2002 will be considered for point deductions.

### **E. Calculation of Point Deductions**

#### ***1. Point Deductions for Program Administrative Non-compliance***

**Low Income Housing Tax Credits:** One (1) point will be deducted for each project that is determined to be non compliant with Tax Credit Program administrative non compliance. For purposes of this section, non-compliance will include, but not be limited to those items as set forth in the IRS 8823 Guide and more fully explained in the following Chapters: Chapter 4, (Household Income Above Income Limit upon Initial Occupancy), Chapter 5 (Owner Failed to Correctly Complete or Document Tenant's



## **Appendix II**

### **2010 Competitive Scoring Criteria**

Annual Income Recertification), Chapter 7, (Owner failed to Provide Annual Certifications or Provided Incomplete or Inaccurate Certification), Chapter 9, (Changes in the Applicable Percentage); Chapter 10 (Project failed to meet Minimum set aside), Chapter 11, (Gross rents exceed Tax Credit Limits), Chapter 12, (Project not available to the General Public), Chapter 14, (Violations of the Available Unit Rule), Chapter 17, (Low Income Units Occupied by Nonqualified Full-Time Students), Chapter 18, (Owner did not properly calculate utility allowance), Chapter 20, (Low Income Units used on a Transient Basis), Chapter 22 (Qualified Nonprofit Organization Failed to Materially Participate), Chapter 23 (Other Non- Compliance Issues). Non compliance shall also include the following:

- Failure to provide or maintain DCA required amenities,
- Failure to provide or maintain DCA required support services, and
- Failure to comply with representations made in application.

**HOME Program Administrative Non-Compliance:** One (1) point will be deducted for each project that is determined to be non compliant with HUD HOME program requirements. For purposes of this section, non-compliance will include, but not be limited to those items as set forth in the HOME Program Rules and Regulations, including but not limited to: failure to maintain high and low HOME rents, failure to Comply with Federal Relocation Requirements, failure to Comply with Davis Bacon and other required Federal Compliance Requirements.

**DCA Program Administrative Non-Compliance:** One (1) point will be deducted for each instance of DCA Program Administration non-Compliance. Examples of Program Administration Non Compliance include, but are not limited to the following:

- Failure to submit completed cost certification for a tax credit project within 6 months of the required due date. (All cost certifications for Bond Projects in which the bonds closed in 2005 or earlier are now more than six months overdue.) For 2010 only, these points will not be deducted if the cost certification is submitted prior to April 1, 2010.
- Failure to pay DCA Compliance monitoring fees for a project within 6 months of the required due date. For 2010 only, these points will not be deducted if the compliance fee is paid prior to April 1, 2010.
- Failure to respond to DCA requests for Monitoring Reviews as set forth in Chapter 19.
- Failure to convert a DCA HOME loan within 12 months of the required conversion date.
- Repeated failure to comply with administrative requirements such as notifying DCA in writing at least 30 days prior to any change of ownership or management

**Failure to Maintain Property in accordance with tax credit, HOME, FDIC or DCA requirements.** Three (3) points will be deducted for each instance of a failure to maintain property. Examples include but are not limited to the following:

**Appendix II**  
**2010 Competitive Scoring Criteria**

- Level 1 and 2 Violations of UPCS as set forth in 8823 Guide 1 point
- Level 3 and 4 Violations of UPCS as set forth in 8823 Guide 2 points
- Health and Safety Issues 2 points
- Other code Issues 1 point

**Major Project/General Partner Failure.** Five (5) points will be deducted for each instance of Major Project/General Partner Failure. Examples of Major Project/General Partner failure includes, but is not limited to the following:

- Foreclosure of a project loan, including but not limited to a HOME loan, or State Housing Trust Fund Loan
- Foreclosure or default on bonds at a property that has DCA Tax Credit or HOME funding
- Failure to meet placed in service date which results in the recapture of credits
- Project Bankruptcy
- Failure to file a LURC for a Tax Credit Project within time prescribed by Section 42(h)(6)(j)
- Project is no longer in Compliance nor participating in Program
- Submission of fraudulent documents to DCA
- Debarred or suspended from participation in similar Federal or State programs in last six years
- Fair Housing Act violations
- General Partners/Developers, principals, or managing members who from January 1, 2002 through April 1, 2010 have been removed, debarred, or asked to voluntarily withdraw from a LIHTC partnership.

DCA may waive this deduction if it determines (prior to application submittal) that the withdrawal or removal was for reasons beyond the control of the General Partner/Developer.

Applicants that have one or more instances of major project failure may be deemed ineligible to participate pursuant to DCA Threshold requirement. DCA will, at its sole and absolute discretion, determine if the participant or entity is eligible to participate.

**F. Calculation of Point Additions**

The following points may be added to the Owner/General Partner Compliance Score if the score after deductions is less than fifteen (15) points:

One (1) point will be added if the General Partner can demonstrate that he has successfully owned, managed and operated five (5) Georgia Tax Credit Properties within the required time period and that none of the projects received any point deductions as set forth in the above section.

**OR**

## **Appendix II 2010 Competitive Scoring Criteria**

Two (2) points will be added if the General Partner can demonstrate that he has successfully owned, managed and operated eight (8) Georgia Tax Credit Properties within the required time period and that none of the projects received any point deductions as set forth in the above section.

**OR**

Three (3) points will be added if the General Partner can demonstrate that he has successfully owned, managed and operated ten (10) Georgia Tax Credit Properties within the required time period and that none of the projects received any point deductions as set forth in the above section.

### **G. Exceptions**

1. In the event DCA determines that a Project qualifies for a point deduction for an instance of non-compliance in which the cure was not completed by the DCA cure date, for the 2010 round only, the point will not be deducted if the cure is completed prior to Application Submission. The Applicant must submit sufficient evidence and documentation of the cure in the Application.
2. In the event DCA determines that a Project qualifies for a point deduction for Program Administrative Non compliance that cannot be cured such as the placement of a over income tenant in a unit and DCA determines that the non-compliance does not constitute a pattern of non-compliance, the Applicant may submit an explanation to DCA within 14 days of notification outlining the corrective action that has been taken by Management to ensure that the non- compliance will not occur again. DCA, at its discretion, may waive the Point deduction.
3. In the event DCA determines that a Project qualifies for a point deduction for Physical issues at the project site, the Applicant may submit evidence that corrective action has commenced, the timeline for completion and that sufficient funds have been set aside to pay for the correction within 14 days of notification. DCA, at its discretion, may waive the point deduction.
4. Waivers made for exceptions may be withdrawn if the Applicant does not take the proposed corrective action with the approved timeframe.
5. Participants who have significant successful tax credit experience outside of Georgia can submit a request that DCA consider that successful experience for point additions. The determination as to what experience will be considered is within the discretion of DCA.

### **2. Georgia Performance Points**

**3 points**

DCA policy is to encourage the development of affordable properties by experienced general partners and developers who have demonstrated a long term capacity and commitment to affordable housing built in the State of Georgia. For purposes of this section, only, the calculation of properties will be determined by looking at either the

**Appendix II**  
**2010 Competitive Scoring Criteria**

general partner entity or one of the principals. However, entities and principals cannot combine project experience to meet the requirements. Affordable Housing applicants who can demonstrate the following are eligible for these points:

- Successful Ownership and development of Georgia Tax Credit properties awarded Federal Low Income Housing Tax Credits.
- Applicants utilizing these points must show a 100% interest in either the Ownership or development entities of the projects
- Projects must have been placed in service no sooner than 12/31/2002 and no later than 12/31/2009 to be eligible under this category.
- All units must be currently owned or have been owned for a minimum period of five years from the placed in service date.
  
- Successful ownership means projects that have achieved and maintained stabilized occupancy, are current in all loan payments, taxes and other project operating expenses and have no outstanding significant physical issues.
  
- Applicants can only utilize these points for one project in this round.

Points will be awarded as follows:

- 10 projects                      3 points
- 8 projects                        2 points
- 6 projects                        1 point