

## PUBLIC NOTICE

### ILLINOIS HOUSING DEVELOPMENT AUTHORITY LOW INCOME HOUSING TAX CREDIT QUALIFIED ALLOCATION PLAN

The Illinois Housing Development Authority (the "Authority") is making available for public comment a draft of its Low Income Housing Tax Credit Qualified Allocation Plan for CY 2013 (the "Plan"). Copies of the Plan may be obtained from our website at [www.ihda.org](http://www.ihda.org). Written comments are to be directed to the following:

Multifamily Finance Department  
Illinois Housing Development Authority  
401 N. Michigan Ave., Suite 700  
Chicago, Illinois 60611  
ATTN: Tax Credit Manager

The 30-day Public Comment Period will begin on Monday, October 1<sup>st</sup>. A Public Hearing on the Plan will be held at the office of the Authority (at the above address) on Wednesday, October 10<sup>th</sup>, at 10:00 a.m. Written comments must be received by 5:00 p.m. on Tuesday, October 30<sup>th</sup>.

**Due to revised security procedures in the 401 N. Michigan Avenue building, please contact Kathy Terry in advance at (312)836-7403 or [kterry@ihda.org](mailto:kterry@ihda.org) and provide a list of attendees and advise whether any special accommodations will be needed. Attendees will be required to show identification at the lobby level before being admitted to the building.**

Mary R. Kenney  
Executive Director  
Illinois Housing Development Authority

2013

LOW INCOME HOUSING TAX CREDIT  
QUALIFIED ALLOCATION PLAN

DRAFT FOR PUBLIC COMMENT

STATE OF ILLINOIS  
Pat Quinn  
Governor

Mary Kenney  
Executive Director

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## I) Definitions

The following capitalized terms used in this QAP shall have the following definitions:

**“42(m) Letter”** shall mean the letter from the Authority to an Owner evidencing a determination by the Authority that a Project being financed with the proceeds of tax-exempt bonds satisfies the requirements of the QAP and Section 42(m)(1)D of the Code.

**“8609”** shall mean IRS Form 8609.

**“Allocation”** shall mean the award of Tax Credits to a Project pursuant to Section 42. An Allocation may be made pursuant to a Carryover Allocation Letter or the issuance of IRS Form(s) 8609.

**“Area Median Income” or “AMI”** shall mean the median income of the County in which the Project is located, or the metropolitan statistical area of Chicago, or the metropolitan statistical area of St. Louis, adjusted for family size, as such adjusted income and median income for the area are determined from time to time by HUD for purposes of Section 8 of the United States Housing Act of 1937.

**“Application”** shall mean an entire set of required and requested documents, in paper and electronic form, as prescribed in this QAP and submitted by a Sponsor to the Authority.

**“Authority”** shall mean the Illinois Housing Development Authority.

**“Board”** shall mean the Members of the Authority.

**“Boost”** shall mean up to a thirty percent (30%) boost to the eligible basis of the Project.

**“Carryover Allocation”** shall mean the Allocation for a Project which is not expected to be Placed in Service in the year of the initial Allocation, made pursuant to the provisions of Section 42(h)(1)(E) of the Code.

**“Carryover Allocation Letter”** shall mean the written documentation from the Authority to an Owner making a Carryover Allocation for that Owner's Project.

**“Code”** shall mean the Internal Revenue Code of 1986, as amended, and the regulations, notices, revenue rulings and other official pronouncements promulgated under it, all as they may be amended from time to time.

**“Common Application”** shall mean the electronic document of the same name published by the Authority and used in the collection and analysis of information regarding the Project.

**“Compliance Period”** (notwithstanding Section 42(i)(1) of the Code) means the period of 15 consecutive taxable years beginning with the first taxable year of the Credit Period.

**“Conditional Allocation”** shall mean an Allocation of Tax Credits to a Project that remains subject to conditions prior to the issuance of IRS Form(s) 8609.

**“Consolidated Plan”** shall mean a HUD approved 3- to 5-year plan describing the jurisdiction's community development priorities and multiyear goals based on an assessment of housing and community development needs, an analysis of housing and economic market conditions and available resources.

**“Credit Ceiling”** shall mean the amount of Tax Credits available for Allocation by the Authority for any calendar year, as provided in Section 42.

**"Credit Period"** shall mean with respect to any building in a Project, the period of ten taxable years beginning with the taxable year in which such building is Placed In Service or, at the election of the Owner, the following taxable year.

**"Determination"** shall mean the specific amount of Tax Credits determined for a Project, as evidenced by a Determination Letter, which the Authority may allocate to the Project.

**"Determination Letter"** shall mean the letter from the Authority to an Owner evidencing a determination by the Authority that a Project applying for a 42(m) Letter satisfies the requirements of the QAP and Section 42(m)(1)D of the Code, if undertaken in the manner stated in the Application, and outlining the requirements which must be met in order to receive a 42(m) Letter.

**"Elderly"** shall mean housing (i) intended for, and solely occupied by, persons age 62 or older; or (ii) intended and operated for occupancy by at least one person age 55 years or older per unit, and at least 80% of units within the Project are so occupied, when such housing also provides "Elderly Services," as defined herein; or (iii) provided for under any state or federal program that HUD has determined is specifically designed and operated to assist elderly persons (as defined in the state or federal program).

**"Elderly Services"** shall mean two or more of the following: social and recreational programs, continuing education, information and counseling, recreation, homemaker, outside maintenance and referral services, an accessible physical environment, emergency and preventive health care programs, congregate dining facilities, transportation to facilitate access to social services and facilities available to them.

**"Extended Use Agreement"** shall mean the agreement executed by and between the Authority and the Owner, which is binding upon the Owner and all successors to the Owner, and which requires that the Project comply with the requirements of Section 42, the QAP, the Application and the Authority.

**"Extended Use Period"** means the period beginning with the first day of the Compliance Period and ending on the date which is 15 years after the end of the Compliance Period unless otherwise indicated in the Extended Use Agreement or unless terminated in accordance with the Extended Use Agreement.

**"Extremely Low Income"** shall mean a household income that falls between fifteen percent (15%) and thirty percent (30%) of the AMI for the area in which a Project is located.

**"HUD"** shall mean the United States Department of Housing and Urban Development

**"Identity of Interest"** shall mean the existence of any of the following conditions:

- When one or more of the officers, directors, stockholders, members, or partners of the Owner is also an officer, director, stockholder, member, or partner of any other Participant;
- When any officer, director, stockholder, member or partner of the Owner has any financial interest whatsoever in any other Participant;
- When any Participant advances any funds to the Owner;
- When any Participant provides and pays, on behalf of the Owner, the cost of any architectural services or engineering services other than those of a surveyor, general superintendent, or engineer employed by any other Participant in connection with its obligations under its contract with the Owner;
- When any Participant takes stock or any interest in the Owner entity as part of the consideration to be paid him/her;

**"IRS"** shall mean the Internal Revenue Service

**"Low Income"** shall mean a household income that is less than or equal to 60% of the AMI for the area in which a Project is located.

**"Material Participation"** shall mean the regular, continuous and substantial involvement in the operation of the development throughout the Compliance Period, as defined in Section 469(h) of the Code and the regulations promulgated under the Code, codified at 26 CFR § 1.469-5T.

**"Owner"** shall mean the single purpose entity, organized under the laws of the State of Illinois, or any other state, that is awarded Tax Credits for a Project pursuant to this QAP and which owns or will own the Project. The Owner shall be owned or controlled by the Sponsors.

**"Participants"** shall mean the members of the development team, including Sponsor, Owner, general contractor, architect, property manager, consultants, and syndicators proposed to be involved with the Project.

**"Permanent Supportive Housing"** shall mean permanent housing for Supportive Housing Populations, that includes supportive services, appropriate to the needs and preferences of residents, either on-site or closely integrated with the housing, acceptance of which is not a condition of tenancy, that helps people live stable, successful lives.

**"Placed in Service"** shall have the following meaning, based on the Project type:

- New construction Projects: A building is determined to be Placed in Service when the first unit is ready for occupancy.
- Rehabilitation Projects: The Placed in Service date for a rehabilitation building is the date established by the Owner at the end of any 24-month period within which the Tax Credit rehabilitation expenditure threshold (the greater of \$3,000 per Low Income unit or ten percent of acquisition cost) has been satisfied.
- Acquisition Projects: An existing building is normally Placed in Service upon acquisition. However, if the building is not in habitable condition, it will not be Placed in Service until restored. Note, however, that even though an occupied building is Placed in Service when it is acquired, its Credit Period cannot begin until the beginning of the Credit Period for the related rehabilitation expenditures.

**"Preliminary Project Assessment"** shall mean an entire set of required and requested documents for a site, market and project review, in paper and electronic form, as prescribed in this QAP and submitted to the Authority.

**"PHA"** shall mean the Public Housing Authority whose jurisdiction includes the Project.

**"Project"** shall mean an existing or proposed qualified Low Income housing project, as defined in Section 42, that satisfies, or will satisfy, all of the requirements of the QAP and the Authority.

**"QAP"** shall mean this Low Income Housing Tax Credit Qualified Allocation Plan, as required under Section 42.

**"Qualified Non-Profit Corporation"** shall mean a corporation which is not affiliated with or controlled by a for-profit corporation, has an ownership interest in the Project either directly or through a wholly-owned subsidiary, and has as one of its exempt purposes the fostering of low-income housing within the meaning of Section 42(h)(5)(C)

**"Reservation"** shall mean the specific amount of Tax Credits reserved for a Project, as evidenced by a Reservation Letter, which the Authority may allocate to the Project.

**“Reservation Letter”** shall mean the letter from the Authority to an Owner conditionally binding the Authority to make an Allocation of Tax Credits in a specific amount for that Owner’s Project.

**“Section 42”** shall mean Section 42 of the Code and the regulations and revenue rulings promulgated under it, all as they may be amended from time to time.

**“SLF”** shall mean a Supportive Living Facility under the Supportive Living Program for the frail elderly, administered by the Illinois Department of Healthcare and Family Services.

**“Sponsor”** A duly formed, validly existing entity, organized under the laws of the State of Illinois, or any other state, that is applying for Tax Credits for a Project pursuant to this QAP. The Sponsor shall control the Owner of the Project and shall not be a single purpose entity. Project consultants and other like professionals shall not be considered as Sponsors.

**“State”** shall mean the State of Illinois.

**“Supportive Housing Populations”** shall mean households with any type of disability, households that are homeless or at-risk of homelessness, or households that need access to supportive services in order to maintain housing.

**“Targeted Units”** shall mean Permanent Supportive Housing units which are vacant at the time of Application, remain vacant through the construction period, are not subject to an existing waiting list, and are for households earning at or below 30% of Area Median Income (AMI) which are referred through a State referral network, represented by an assigned lead referral agency.

**“Tax Credits”** shall mean federal low income housing tax credits, as authorized by Section 42.

**“Ten Percent Test”** shall mean ten percent (10%) of the reasonably expected basis, as defined in Section 42.

**“Website”** shall mean <http://www.ihda.org/>

## **II) General Provisions**

### **A) Changes to QAP**

The Authority reserves the right to amend, modify, withdraw or update provisions of the QAP, including attachments, at any time to administer the Tax Credit program.

If any part of this QAP is determined not to be in compliance with Section 42 or any other applicable codes or statutes, only that non-compliant part shall be considered as being out of compliance with Section 42 and the remainder of the QAP shall remain in effect.

### **B) Authority Rights**

The Authority reserves the right to limit the number of Projects recommended for Tax Credits in any Set-Aside.

The Authority reserves the right to limit the number of Projects recommended for Tax Credits for any given Sponsor.

The Authority reserves the right to limit the number of Projects recommended for Tax Credits in any area where the Authority has previously allocated resources.

The Authority reserves the right to make Tax Credit Reservations from the upcoming calendar year Credit Ceiling (a "Forward Reservation") under this QAP.

The Authority reserves the right to verify any information submitted in an Application.

In keeping with the State's Comprehensive Housing Planning Act (310 ILCS 110), the Authority may issue a Reservation to a Project(s) selected by the Authority in response to a Notice of Funding Availability (NOFA) issued by the Interagency Subcommittee of the Illinois Housing Task Force. The amount reserved will not exceed ten percent (10%) of the total Authority Credit Ceiling. Any Project recommended by the Interagency Subcommittee must meet the requirements of this QAP, excluding the Scoring Categories section.

### **C) Authority Limitations**

The Tax Credit program is a regulated and highly complex program. Final interpretations of certain rules and regulations governing various aspects of the program have not been issued. As such, additional requirements or conditions applying to the Tax Credit program may be forthcoming.

It is the responsibility of the Owner to be knowledgeable of Section 42 of the Code, regulations and administrative documents (rulings, notices, and procedures), and all relevant materials published by the IRS.

It is strongly suggested that prospective Owners interested in the Tax Credit program contact their tax accountant and/or attorney prior to the development of Projects under the Tax Credit program. While the Authority will assist those applying for an Allocation of Tax Credits, the Authority will not provide tax or legal advice.

The Authority's review of an Application is solely for its own purposes, and the Owner of a Project may not rely upon the Authority's review as evidence of such Project's compliance with federal or State law. The Authority's Allocation of Tax Credits for a Project shall not constitute a representation or warranty that the Project complies with Section 42 or any other laws and regulations governing Tax Credits. The Owner is responsible to ensure that the Project complies with all such laws and regulations.

#### **D) Title VIII of the Civil Rights Act of 1968**

Title VIII of the Civil Rights Act of 1968, as amended (Fair Housing Act), prohibits discrimination in the sale, rental, or financing of dwellings and in other housing-related activities on the basis of race, color, religion, sex, disability, familial status, or national origin.

HUD, to which Congress gave the authority and responsibility for administering the Fair Housing Act and the power to make rules implementing the Fair Housing Act, has long interpreted the Fair Housing Act to prohibit housing practices with a discriminatory effect, even where there has been no intent to discriminate.

Applications for Projects determined to have a discriminatory effect in violation of the Fair Housing Act will be denied. Furthermore, the Authority reserves the right to waive any provision or requirement of the QAP in order to affirmatively further fair housing.

#### **E) Application Disclosures**

##### **1) Limitation of Acceptance of Submission**

Acceptance of a Preliminary Project Assessment or Application shall not be construed to be a representation or warranty by the Authority as to the feasibility, viability, or lack thereof, of any Project.

##### **2) Sharing of Information with Third Parties and Governmental Entities**

The Authority shall have the right at any time without any further consent from, or notice to, the Owner, or any other party, to discuss or communicate and disseminate any information concerning the Owner or the Project with any third party, including, without limitation, any general or limited partner, member, or shareholder of the Owner or any entity or individual comprising any part of Owner's ownership structure, any party providing any funds to or on behalf of the Owner or Project, the IRS, or any other governmental entity.

##### **3) Disclosure of Information Pursuant to the Illinois Freedom of Information Act**

The Application is subject to the Illinois Freedom of Information Act (5 ILCS 140) and all or part of such submission may be open to public inspection or copying. Any claim that the information submitted is exempt from disclosure must (i) be made as part of the submission; (ii) identify the information alleged to be exempt; (iii) reference the specific statutory basis for the claimed exemption; and (iv) provide an explanation as to why the information meets the requirements of the exemption. The Authority will determine whether such exemption applies.

##### **4) Notification of Elected Officials**

Upon receipt of an Application, the Authority will send notification letters to publicly elected officials and agencies. In the event the notification letters generate questions or comments, the Project Owner may be required to respond.

### III) Introduction

#### A) Purpose of the QAP

The Tax Credit program was created by the United States Congress in 1986 to promote the development of affordable housing for low income individuals and families. The IRS regulations for the Tax Credit program are found under Section 42 of the Code of 1986, as amended.

The Authority is an allocating agency for the Tax Credit program in the State. Pursuant to Section 42 of the Code, the QAP describes criteria the Authority considers in evaluating Projects applying for an Allocation of Tax Credits.

The QAP addresses the process for obtaining Tax Credits either through the issuance of a 42(m) letter for projects financed through the issuance of tax-exempt bonds (4% Tax Credits) or through the competitive selection process (9% Tax Credits).

#### B) Code Required Selection Criteria, and Preferences

Section 42(m) of the Code requires the Authority to include the following Project selection criteria in the QAP:

- Project location
- Housing need characteristics
- Project characteristics, including whether the Project involves the use of existing housing as part of a community revitalization plan
- Sponsor characteristics
- Tenant populations with special housing needs
- Public housing waiting lists
- Tenant populations of individuals with children
- Projects intended for eventual tenant ownership
- The energy efficiency of the Project
- The historic nature of the Project

Section 42(m) of the Code requires the Authority to give preference in allocating Tax Credits to:

- Projects serving the lowest income tenants
- Projects obligated to serve qualified tenants for the longest periods
- Projects which are located in qualified census tracts and the development of which contribute to a concerted community revitalization plan

#### C) State Comprehensive Housing Planning Act

The State's Comprehensive Housing Planning Act (310 ILCS 110), established the first statewide comprehensive housing initiative and appointed the Housing Task Force to improve the planning and coordination of the State's housing resources. The following six (6) underserved populations were identified:

- Low-income households (with particular emphasis on households earning below 30% of area median income)
- Low-income seniors
- Low-income persons with disabilities
- Homeless persons and persons at-risk of homelessness
- Low- and moderate- income persons unable to afford housing near work or transportation
- Low-income persons residing in existing affordable housing that is in danger of being lost or becoming unaffordable

**D) Authority Priorities**

The mission of the Authority is to finance the creation and the preservation of affordable housing throughout the State in order to increase the supply of decent and safe places for people of low or moderate means to live.

Multiple Authority priorities are contained within the scoring criteria set forth in the XIV Scoring section of this QAP.

## IV) Tax Credit Information

### A) Tax Credit Calculation

Section 42(m) of the Code requires the Authority ensure the amount of Tax Credits allocated to a Project does not exceed the amount necessary to assure Project feasibility.

The Authority will review the amount of Tax Credits a Project is eligible to receive using both the qualified basis method and equity gap method.

See Sample Calculation of Both Methods on the Website for an example.

The Authority review of the amount of Tax Credits will be ongoing from Application through the issuance of 8609 and may result in a reduction to the amount of Tax Credits the Project receives.

### B) Applicable Percentage

The applicable percentage for Tax Credit Projects is subject to adjustment based on the nine percent (9%) and four percent (4%) applicable federal percentages, which are reported monthly by the IRS.

The applicable percentage rate can be locked on the date of Reservation, or the date of the Carryover Allocation for the Project.

Under the Housing and Economic Recovery Act of 2008, the applicable percentage rate for 9% Tax Credit Projects placed into service between July 30, 2008 and December 31, 2013 will be fixed at nine percent (9%).

The applicable percentage rate for any nine percent (9%) Project that has an anticipated Placed in Service date after December 31, 2013 may be less than nine percent (9%), as determined by the applicable federal percentage at the time of Reservation or Carryover Allocation.

The applicable percentage rate for federally-subsidized buildings, including those financed through the issuance of tax-exempt bonds (4% Tax Credits), was not affected by the Housing and Economic Recovery Act of 2008 and is not fixed.

### C) Code Provided Eligible Basis Boost

Projects that meet one of the following criteria below are eligible for a Boost under the Code:

#### 1) 9% Tax Credit Projects

##### (a) Qualified Census Tract Projects

Projects located in a Qualified Census Tract are eligible for a Boost.

See the Qualified Census Tracts form on the Website for a listing of the eligible areas.

#### 2) 4% Tax Credit Projects

##### (a) Qualified Census Tract

Projects located in a Qualified Census Tract are eligible for a Boost.

See "Qualified Census Tracts" form on the Website for a listing of the eligible areas.

### D) Discretionary Eligible Basis Boost

The Authority may provide a discretionary Boost as follows:

**1) 9% Tax Credit Projects**

(a) Financial Feasibility

The Authority may provide a discretionary Boost in order to make a Project financially feasible

**2) 4% Tax Credit Projects**

(a) Not Applicable

The Authority cannot provide a discretionary Boost to 4% Tax Credit Projects

**E) Maximum Tax Credit Request**

Regardless of a Project's eligible basis and its eligibility for a Boost under the Code, all Projects are limited to the following maximum Tax Credit requests:

**1) 9% Tax Credit Projects**

The maximum amount of Tax Credits for which a Project may apply is the lesser of the following:

- a total allocation of 1,500,000; or
- 18,500 Tax Credits per unit; or
- the Tax Credit amount supported by the Project's eligible basis net of a Boost; or
- the Tax Credit amount supported through the equity gap method

**2) 4% Tax Credit Projects**

The maximum amount of Tax Credits for which a Project may apply is the lesser of the following:

- The Tax Credit amount supported by the Project's eligible basis; or
- the Tax Credit amount supported through the equity gap method.

## V) Credit Ceiling and Set-Asides

### A) Credit Ceiling

#### 1) 9% Tax Credit Projects

The Authority anticipates approximately 28 million in 9% Tax Credits available for Allocation.

In accordance with Section 42 and Treasury Regulation 1.42 - 14, these Tax Credits consist of:

- Approximately 22 million in per capita Tax Credits allocated to the Authority
- Approximately 6 million in per capita Tax Credits allocated directly to the City of Chicago

The total amount of Tax Credits available for Allocation is subject to change as additional Tax Credits may become available if Projects that received Allocations in prior years return Tax Credits to the Authority or if the Authority receives an allocation of Tax Credits from the national pool.

#### 2) 4% Tax Credit Projects

The amount of 4% Tax Credits available through the issuance of a 42(m) Letter for Projects financed through the issuance of tax-exempt bonds is determined by a combination of the Project's eligible basis and the amount of tax exempt private activity bonds that are issued for Projects.

### B) Set Asides

Anticipated approximate 9% Tax Credit allocation goals for each set-aside are as follows:

Set-Aside	Allocation Goal
City of Chicago (IHDA)	14.2%
Chicago Metro (AHPAA Opportunity Areas)	17.1%
Chicago Metro (non-AHPAA)	14.9%
Other Metro	17.4%
Non-Metro	20.1%
Statewide	16.3%
Authority Allocated Per-Capita 9% Tax Credits	100%

Upon evaluating all Projects and determining the most effective use of available Tax Credits, the Authority may choose to modify any of these allocation goals including, but not limited to, limiting the number of Projects or amount of Tax Credits allocated in any set-aside, regardless of the Project's score and how its score relates to all other Projects.

#### 1) Geographic Tax Credit Set-Asides

The City of Chicago geographic set-aside consists of the City of Chicago.

The Chicago Metro (at risk or subject to AHPAA) set-aside consists of the areas within the counties of Lake, DuPage, Kane, McHenry, Will, and Cook, excluding the City of Chicago Chicago, that are at risk or subject to AHPAA. For a list of areas at risk or subject to AHPAA see "AHPAA Municipalities" on the Website.

The Chicago Metro (not at risk or subject to AHPAA) set-aside consists of the areas within the counties of Lake, DuPage, Kane, McHenry, Will, and Cook, excluding the City of Chicago Chicago, that are not at risk or subject to AHPAA.

The Other Metro set-aside consists of areas identified as Other Metro. For a list of the areas identified as Other Metro, see “Other Metro Municipalities” on the Website.

The Non Metro set-aside consists of all other areas of the state not included in the City of Chicago, Chicago Metro (at risk or subject to AHPAA), Chicago Metro (not at risk or subject to AHPAA), or Other Metro set-asides.

## **2) Statewide Tax Credit Set-Aside**

Applications will be competitively evaluated within the applicable geographic set-aside.

Owners cannot apply for or request an award of Tax Credits under the Statewide set-aside.

The Authority may choose to allocate Tax Credits under the Statewide Set-Aside to (1) Projects that fulfill certain housing policy goals, as designated by the Authority, (2) Projects whose competitive score in a geographic set-aside is such that the Project would not otherwise be awarded Tax Credits, or (3) Projects located in a geographic set-aside where the total amount of Tax Credits available is less than the total amount of Tax Credits requested.

## **VI) Preliminary Project Assessment**

All Projects seeking Tax Credits, either through the issuance of a 42(m) Letter for Projects financed through the issuance of tax-exempt bonds (4% Tax Credits) or through the competitive selection process (9% Tax Credits), must complete a Preliminary Project Assessment, prior to the submission of an Application, as follows:

### **A) Preliminary Project Assessment**

Prior to submission of an Application, all Projects are subject to a Preliminary Project Assessment (“PPA”) process.

Information regarding the PPA is available on the Website. PPA’s are due and accepted according to the schedule posted on the “Program Timelines” page of the Website.

#### **1) Overview**

PPA documentation contains basic information regarding Project concept and design, location, and the proposed tenant population.

If the PPA is not approved by the Authority, a full Application for the Project will not be accepted by the Authority.

The Authority’s determination that the current Project, site, and/or market characteristics are not appropriate should not be construed as a finding that the Project is not feasible or the site is not buildable under any circumstances, or that the market will never be appropriate for a proposed Project.

At the same time, a determination that a Project meets the Authority’s PPA review standards does not constitute or guarantee an Allocation of Tax Credits or approval of any other Authority resources.

#### **2) Evaluation**

The Authority may take the following into consideration:

Project and Site Characteristics:

- Project scope
- Project design and layout
- Aesthetic compatibility to existing neighborhood
- Availability of and access to appropriate public and community services and amenities
- Potential development concerns located on, adjacent to, or near the Project site
- Consistency with Authority initiatives and objectives, as identified in the QAP, or as indicated by the proposed financing source.

Project Market:

- Market demand for the project
- Occupancy levels at existing affordable housing projects
- Impact on existing or approved affordable housing projects

- Location in a community / municipality where Authority funding is invested in over ten percent (10%) of the rental stock

### **3) Results**

The Authority will issue a PPA approval or denial letter for each Project that submits a PPA.

### **4) Changes between PPA and Application**

The Authority expects the Application for a project with an approved PPA to be substantially similar to the Project as approved under the PPA.

In no case will a project which has changes to site(s), population served, or construction type be considered as having an approved PPA.

The Authority recognizes some Project changes may occur after PPA approval and prior to Application, and may consider the following changes permissible:

- Decrease to the total number of units;
- 10% or less increase or decrease to the number of affordable units;
- 10% or less increase or decrease to number of units of any bedroom size;
- Modification of income restrictions to increase the number of units targeting lower income households;
- Site plan modifications due to local requirements and/or further site assessment;
- Changes requested by the Authority.

## VII) Application Process

All Projects with an approved PPA seeking a Tax Credit Allocation, either through the issuance of a 42(m) Letter for Projects financed through the issuance of tax-exempt bonds (4% Tax Credits) or through the competitive selection process (9% Tax Credits), are subject to the following Application process steps:

### A) Application Submission

Applications are due and accepted according to the schedule posted on the “Program Timelines” page of the Website.

Applications are accepted in person or via delivery service at the following address:

Illinois Housing Development Authority  
Multifamily Financing Department  
401 N. Michigan Ave, Suite 700  
Chicago, IL 60611

In order to effectively manage the Tax Credit program, the Authority reserves the right to adjust the deadlines and hold additional Application rounds.

### B) Application Checklist

The Application must include all documentation in the Application Checklist form available on the Website based on the type of request as follows:

<u>LIHTC Type</u>	<u>Project Type</u>	<u>Application Checklist</u>
9%	All 9% LIHTC Requests	Full
4%	The Authority is the bond issuer and a lender	Full
4%	The Authority is the bond issuer but not a lender	Conduit
4%	The Authority is not the bond issuer or a lender	Conduit

### C) Application Materials

Applications must be clear, unambiguous, and complete, and include all attachments and supporting materials.

Applications must be submitted using current Application forms and documents. Current Application forms and documents are available in the “Frequently Used Forms and Documents” section on the Website.

Unless otherwise indicated, all documentation submitted must be signed and dated within six (6) months of the Application deadline.

Applications must be submitted both paper and electronic formats of the Application, as follows:

#### 1) Paper Application

The paper Application must include printed copies of all documentation required per the QAP and the Application Checklist, including printed copies of all attachments and supporting materials in an adequately sized accordion file folder tabbed to correspond with the enumeration outlined in the Application Checklist.

Unless otherwise indicated, all documentation submitted with the paper application must include original signatures.

## **2) Electronic Application**

The electronic Application must be an identical electronic replica of the entire paper Application in PDF format submitted on a disk or flash drive that includes an electronic version of the Common Application in Excel format and.

Each section of the electronic Application must be saved as an individual PDF file with a meaningful file name corresponding with the enumeration outlined in the Application Checklist.

## **D) Application Evaluation**

Applications will be evaluated as follows:

### **1) Completeness Review**

Projects will be reviewed solely on the basis of the materials contained in the Application. Application materials submitted after the Application deadline or apart from a complete Application as described herein will not be accepted.

If the Applications is not clear, unambiguous, and complete, including all documentation required per the "Application Checklist" and QAP, and all attachments and supporting materials, it may be rejected.

If the Application does not include all applicable fees and the required signatures on all documents it may be rejected.

### **2) Mandatory Review**

Applications will be reviewed to determine if they meet the mandatory requirements set forth in the XIII Mandatory section of this QAP.

If the Authority determines that an Application fails to meet one or more of the mandatory requirements, the Application will be rejected.

### **3) Scoring Review**

Applications for 9% Tax Credits will be ranked and reviewed according to the scoring criteria set forth in the XIV Scoring section of this QAP within each geographic set-aside based on Project location.

## **E) Conditional Allocation of Tax Credits**

Prior to the issuance of IRS Form 8609, Projects selected for Tax Credits, either through the issuance of a 42(m) Letter for Projects financed through the issuance of tax-exempt bonds (4% Tax Credits), or through the competitive selection process (9% Tax Credits), will be considered to have a Conditional Allocation of Tax Credits.

All Projects receiving a Conditional Allocation of Tax Credits remain subject to the requirements in the QAP, including, "VIII 9% LIHTC Reservations, Carryover, and 10% Test" for 9% Tax Credit Projects, "IX 4% LIHTC Determinations" for 4% Tax Credit Projects, and "X Project Modifications and Revocations", and "XI Extended Use Agreement, Placement in Service, and 8609" for all Projects.

## **VIII) 9% LIHTC Reservations, Carryover, and 10% Test**

All Projects receiving a Conditional Allocation of Tax Credits through the competitive selection process (9% Tax Credits), are subject to the following:

### **A) 9% LIHTC Reservations**

#### **1) Reservation Letter**

An Authority-prepared Reservation Letter will be issued following Board approval stating the amount of the Reservation and specifying the conditions, documentation, and timelines that must be satisfied prior to the issuance of a Carryover Allocation Letter, if applicable, and IRS Form 8609.

Required documentation includes, but is not limited to the following from the Website:

- Compliance Monitoring Fee Agreement
- Election of Low Income Housing Tax Credit Rate for LIHTC Projects with Acquisition Rate Credits. (if applicable)
- Payment of a non-refundable Reservation fee. For information regarding the amount of the Reservation fee, see the Multifamily Fee Payment Form.

#### **2) Request for Extension**

The Authority may extend the time for meeting the conditions set forth in the Reservation Letter.

The Owner must submit a written request and explanation for an extension.

Failure to meet the conditions set forth in the Reservation Letter or to obtain Authority approval for an extension to meet the conditions set forth in the Reservation Letter may result in a revocation of the Conditional Allocation.

#### **3) Reservation Late Fee**

Projects approved for an extension to meet the conditions set forth in the Reservation Letter will be subject to late fees.

For information regarding the amount of the late fees, see the "Multifamily Fee Payment Form", found on the Website.

### **B) 9% LIHTC Carryover Allocations**

A Carryover Allocation is required for all Projects that will not be Placed in Service during the year in which a Reservation Letter is issued.

#### **1) Carryover Allocation Letter**

The Authority will issue a Carryover Allocation Letter near the end of the year in which the Project received a Reservation that will specify the conditions, documentation, and timeline to make the Carryover Allocation.

Required documentation includes, but is not limited to the following from the Website:

- Carryover Allocation Checklist
- BIN Assignment Form

- Gross Rent Floor Election Form
- Reasonably Expected Basis Form
- Evidence of current site control for the Project satisfactory to the Authority in its discretion

## **2) Request for Extension**

The Authority may extend the time for meeting the conditions set forth in the Carryover Allocation Letter.

The Owner must submit a written request and explanation for an extension.

Failure to meet the conditions set forth in the Carryover Allocation Letter or to obtain Authority approval for an extension to meet the conditions set forth in the Carryover Allocation Letter may result in a revocation of the Conditional Allocation.

## **3) Carryover Allocation Late Fee**

Projects approved for an extension to meet the conditions set forth in the Carryover Allocation Letter will be subject to late fees.

For information regarding the amount of the late fees, see the Multifamily Fee Payment Form, found on the Website.

## **C) 9% LIHTC Ten Percent (10%) Test**

Projects issued a Carryover Allocation must expend more than ten percent (10%) of the Project's reasonably expected basis no later than December 1 of the year following the Carryover Allocation.

### **1) Ten Percent Test Documentation**

The Authority will issue a Ten Percent Test letter during the year following the Carryover Allocation that will specify the conditions, documentation, and timeline to meet the Ten Percent Test.

Required documentation includes, but is not limited to the following available on the Website:

- Submission of a completed Project Status Report Form
- Ten Percent Test Checklist
- Ten Percent Test - BIN Form
- Ten Percent Test Reasonably Expected Basis Form
- Certification of Costs Incurred for Ten Percent Test
- Evidence of current site control for the Project satisfactory to the Authority in its discretion

### **2) Request for Extension**

The Authority may extend the time for meeting the conditions set forth in the Ten Percent Test letter.

The Owner must submit a written request and explanation for an extension.

Failure to meet the conditions set forth in the Ten Percent Test Letter or to obtain Authority approval for an extension to meet the conditions set forth in the Ten Percent Test letter may result in a revocation of the Conditional Allocation.

**3) Ten Percent Test Late Fee**

Projects approved for an extension to meet the conditions set forth in the Ten Percent Test letter will be subject to late fees.

For information regarding the amount of the late fees, see the Multifamily Fee Payment Form, found on the Website.

## **IX) 4% LIHTC Determinations**

All Projects receiving a Conditional Allocation of Tax Credits associated with the issuance of tax-exempt bonds (4% Tax Credits), are subject to the following:

### **A) 4% LIHTC Determinations**

#### **1) Determination Letter**

Upon Authority approval of a Determination of Tax Credits for a Project, the Authority will issue a Determination Letter to the Owner stating the amount of the Determination and the timeframe for completing any conditions that must be satisfied in connection with the Determination prior to the issuance of a 42(m) Letter and IRS Form 8609.

#### **2) Request for Extension**

The Authority may extend the time for meeting the conditions set forth in the Determination Letter.

The Owner must submit a written request and explanation for an extension.

Failure to meet the conditions set forth in the Determination Letter or to obtain Authority approval for an extension to meet the conditions set forth in the Determination Letter may result in a revocation of the Conditional Allocation.

#### **3) Determination Late Fees**

Projects approved for an extension to meet the conditions set forth in the Reservation Letter will be subject to late fees.

For information regarding the amount of the late fees, see the Multifamily Fee Payment Form, found on the Website.

### **B) 42(m) Letter**

#### **1) 42(m) Letter**

Projects that fulfill the requirements of the Determination Letter will be issued a 42(m) Letter.

Required documentation includes, but is not limited to the following available on the Website:

- Submission of the completed Project Status Report Form(s) according to the timeframe specified in the 42(m) Letter
- BIN Assignment Form
- Gross Rent Floor Election Form
- Low Income Housing Tax Credit Rate Election Form for Tax Exempt Projects
- Tenant Selection Plan
- Affirmative Fair Housing Marketing Plan
- Payment of a non-refundable Determination fee. For information regarding the amount of the reservation fee, see the Multifamily Fee Payment Form

#### **2) Request for Extension**

The Authority may extend the time for meeting the conditions set forth in the 42(m) Letter.

The Owner must submit a written request and explanation for an extension.

Failure to meet the conditions set forth in the 42(m) Letter or to obtain Authority approval for an extension to meet the conditions set forth in the 42(m) Letter may result in a revocation of the Conditional Allocation.

**3) 42(m) Late Fees**

Projects approved for an extension to meet the conditions set forth in the 42(m) Letter will be subject to late fees.

For information regarding the amount of the late fees, see the Multifamily Fee Payment Form, found on the Website.

## **X) Project Modifications and Revocations**

All Projects receiving a Conditional Allocation are subject to the following:

### **A) Project Modifications**

A Conditional Allocation is based on the information provided in the Application.

Project modifications require re-evaluation of the Application and may trigger a change in the Project's score or ranking, loan committee and Board approval, or the revocation of the Conditional Allocation.

Project modifications include, but are not limited to:

- A change of 10% or more in the total Project cost
- A change of 10% or more in any budget line item
- Any changes in the Project Owner, Sponsor(s), or Participants
- Any changes in Project characteristics that were considered in order to meet the requirements of the XIII Mandatory or XIV Scoring sections of this QAP including, but not limited to, the following:
  - 1) Any change in the Project's unit mix or unit sizes
  - 2) Any change in the Project's rent structure
  - 3) Any change to the Project site
  - 4) Any change to the Project's construction scope
- Any changes in the Project's financing, including, but not limited to, the following:
  - 1) Adding, removing, or substituting sources of Project financing
  - 2) A change to the entity providing financing
  - 3) A change in financing terms
  - 4) A change in Tax-Credit equity pricing

No changes in the Owner and Sponsor(s) in the Project will be permitted between Board approval and the issuance of IRS Form(s) 8609.

### **B) Request for Modifications**

The Authority will evaluate and may approve Project modifications.

The Owner must submit a written request and explanation for all Project modifications.

The Authority may require a processing fee in connection with Project modifications, as described in the "Multifamily Fee Payment Form" available on the Website.

### **C) Revocation of a Conditional Allocation**

The Authority may revoke a Conditional Allocation for reasons including, but not limited to the following:

- Unapproved Project modifications

- Failure to meet the conditions set forth in the Reservation Letter, Carryover Allocation Letter, Ten Percent Test Letter, Determination Letter, or 42(m) Letter
- Failure to obtain an 8609 within six (6) months of a Project being Placed in Service
- Material misrepresentation or providing false information in connection with any Authority program
- Non-compliance in any Project
- Delinquency under any Authority Program
- Outstanding fees due and owed to the Authority
- Bankruptcy or any other financial situation that jeopardizes a Project's completion or continued operation
- A Project's inability to proceed

If a Conditional Allocation is revoked, the Authority will retain all fees paid to the Authority in conjunction with the Project.

## **XI) Extended Use Agreement, Placement in Service, and 8609**

All Projects receiving a Conditional Allocation are subject to the following:

### **A) Extended Use Agreement**

Projects receiving a Conditional Allocation, either through a Reservation Letter or 42(m) Letter, will be subject to an Extended Use Agreement (“EUA”) setting forth income and occupancy restrictions.

The EUA must be recorded at the initial financial closing for the Project in the office of the Recorder of Deeds in the County where the Project is located prior to all other Project documents evidencing or securing Project financing.

### **B) Placement in Service**

#### **1) Deadline**

Projects with a Conditional Allocation must be Placed in Service no later than the date indicated in the Carryover Allocation Letter or the 42(m) Letter.

#### **2) Request for Extension**

The Authority may extend the time for the Project to be Placed in Service by revoking the existing Conditional Allocation and issuing a new Conditional Allocation of Tax Credits.

The Owner must submit a written request and explanation for a revocation of the existing Conditional Allocation and a new Conditional Allocation of Tax Credits.

#### **3) Extension Review**

Projects that continue to be desirable in terms of meeting the affordable housing needs of the State will be considered for a new Conditional Allocation.

#### **4) New Conditional Allocation Fees**

If the Authority revokes the existing Conditional Allocation and issues a new Conditional Allocation, the Project will be required to pay another non-refundable Reservation or Determination fee.

For information regarding the amount of the Reservation and Determination fees, see the “Multifamily Fee Payment Form”, found on the Website.

#### **5) New Conditional Allocation Requirements**

Projects receiving a new Conditional Allocation are remain subject to the requirements in the QAP, including, “9% LIHTC Reservations, Carryover, and 10% Test” for 9% Tax Credit Projects, “IX 4% LIHTC Determinations” for 4% Tax Credit Projects, and “X Project Modifications and Revocations”, and “XI Extended Use Agreement, Placement in Service, and 8609” for all Projects.

### **C) Issuance of 8609**

The Authority will issue an 8609 to Projects with a Conditional Allocation that fulfill all Authority requirements.

#### **1) 8609 Documentation**

See the 8609 Issuance Checklist available on the Website.

**2) 8609 Timing**

Projects must submit all 8609 documentation to the Authority no later than six (6) months after the end of the year following the deadline to be Placed in Service.

**3) 8609 Review**

The Authority will review all submitted documentation and conduct a final financial analysis based on submitted documentation.

**4) Request for Extension**

The Authority may extend the time for submitting the 8609 documentation.

The Owner must submit a written request and explanation for an extension.

Failure to submit all 8609 documentation by the due date or to obtain Authority approval for an extension to submit all 8609 documentation may result in a revocation of the Conditional Allocation.

**5) 8609 Late Fee**

Projects approved for an extension to submit all 8609 documentation will be subject to late fees.

For information regarding the amount of the late fees, see the Multifamily Fee Payment Form, found on the Website.

## **XII) Project Compliance**

All Projects receiving an Allocation are subject to the following:

### **A) Compliance Monitoring**

Projects receiving an Allocation will be subject to ongoing compliance monitoring and reporting requirements.

### **B) Compliance Reference Guide**

Information regarding ongoing compliance monitoring and reporting requirements is available in the Low Income Housing Tax Credit Compliance Reference Guide, available on the Website.

### **C) Compliance Monitoring Fee**

The Authority charges ongoing compliance monitoring and reporting fees. Information regarding these fees is available from the Authority's Asset Management Services Department.

### **D) Additional Compliance Monitoring Information**

Additional information regarding ongoing compliance and reporting requirements is available from:

Asset Management Services Department  
Illinois Housing Development Authority  
401 North Michigan Ave., Suite 700  
Chicago, Illinois 60611  
312.836.5239

### **XIII) Mandatory**

All Applications for Projects seeking Tax Credits, either through the issuance of a 42(m) Letter for projects financed through the issuance of tax-exempt bonds (4% Tax Credits) or through the competitive selection process (9% Tax Credits), must submit the documentation required per the "Application Checklist" found on the Website and detailed below.

Unless otherwise indicated, all documentation submitted must be dated within six (6) months of the Application deadline.

#### **A) Project Narrative**

The Application must include a completed Project Narrative form, found on the Website.

Sponsors are encouraged to provide as much detail and background information about the Project as possible in order to assist the Authority in assessing the Project.

#### **B) Public Housing Authority Waiting List Preference**

The Application must include the PHA Preference Certification, found on the Website which provides a written certification that the Project will:

Give preferential treatment to persons on the PHA waiting list(s); and

Make on-going efforts to request that the PHA make referrals to the Project, or request that the PHA include relevant information about the Project on any listing the PHA makes available to persons on its waiting list(s).

#### **C) Certification of Consistency with the Consolidated Plan**

All Projects must evidence consistency with the Consolidated Plan for the jurisdiction in which the Project is located.

##### **1) Projects located in a county or municipality covered by a Consolidated Plan**

For Projects located in a county or municipality covered by a Consolidated Plan, the Application must include a certification of consistency with the Consolidated Plan. The certification of consistency with the Consolidated Plan must be completed and signed by the jurisdiction covered by the Consolidated Plan.

For a list of counties and municipalities covered by a Consolidated Plan see the Website.

##### **2) Projects located outside a county or municipality covered by a Consolidated Plan**

For Projects located outside a county or municipality covered by a Consolidated Plan, the Application must include a written request for the Authority to review the Project for consistency with the State Consolidated Plan.

For a list of counties or municipalities covered by a Consolidated Plan see the Website.

#### **D) Local Support**

The Application must include a letter of support for the Project, or in cases when a letter of support is withheld, a description of the efforts to obtain a letter of support.

### **1) Letters of Support**

The Application must include a letter of support from the chief elected official of all municipalities in which the Project is located. For Projects located in the City of Chicago, a letter of support from the alderman of all wards in which the Project is located is acceptable.

Letters of support must be addressed to the Authority and specifically endorse the Project.

### **2) Letters of Support: Withheld**

Applications for Projects that are unable to obtain a letter of support from the chief elected official or Chicago alderman must include a description of the efforts to obtain the letter of support and if applicable, respond to any concerns regarding the Project.

The Authority will review the documentation, as well as any additional letters of support, and may waive this requirement.

Failure to obtain a letter of support due to timing issues will not be an acceptable reason for this documentation to be missing from the Application.

### **E) Site Control**

The Application must include evidence of site control for the Project which can only be demonstrated through one of the following:

- A fee simple interest in the subject property in the name of the Sponsor or Owner; or
- A fully executed, binding agreement with a term ending no sooner than six (6) months after the Application deadline, signed by both the Sponsor or Owner and the seller for the purchase of the subject property; or
- A fully executed, binding agreement with a term ending no sooner than six (6) months after the Application deadline, signed by both the Sponsor or Owner and the seller for the long term lease of the subject property with a lease term of at least ninety-nine (99) years; or
- A fully executed, binding agreement with a term ending no sooner than six (6) months after the Application deadline, signed by both the Sponsor or Owner and the seller of the subject property evidencing land and/or building donation; or
- When the subject property is owned by a governmental entity, a letter of intent to the Sponsor or Owner from the governmental entity to sell, donate, or enter into a long term lease of the subject property with a term ending no sooner than six (6) months after the Application deadline.

Site control documentation must include all of the following:

- 1) The sale or lease price; and
- 2) Legal description of the property; and
- 3) Expiration date for purchase option(s), purchase agreement(s), or letter(s) of intent

In addition, the Application must include all of the following:

- 1) A legal description of the site(s) in both a printed and plain text electronic format; and
- 2) Aerial photograph(s) with the location(s) of the Project site(s) clearly marked, and surrounding uses clearly visible.

Note: Aerial maps and photographs are obtainable at no cost via the internet from several online mapping services.

## **F) Zoning**

The Application must include evidence that all Project sites are either currently zoned for the proposed use, or will be addressed through a Planned Development or Planned Unit Development (“PUD”) process.

### **1) Zoned Project Sites**

Evidence that Project sites are currently zoned for the proposed use can only be demonstrated through:

- A valid building permit; or
- A letter from the local zoning administrator (or chief elected official in localities without a zoning administrator) identifying the Project and containing all of the following:
  - 1) The location of the Project site (e.g. address or street crossings); and
  - 2) The current zoning and any special use designations; and
  - 3) A description of the Project (including number of units, proposed use, and whether it is new construction, rehabilitation, or both); and
  - 4) A statement that the current zoning, including any required special use designations, will permit the proposed Project; and
  - 5) If there are any pending zoning or special use designation changes, a statement that the pending changes will permit the proposed Project.

### **2) PUD Project Sites**

Evidence that Project sites will be addressed through the PUD process can only be demonstrated through a letter from the local zoning administrator (or chief elected official in localities without a zoning administrator) identifying the Project and containing all of the following:

- 1) The location of the Project site (e.g. address or street crossings); and
- 2) A description of the Project (including number of units, proposed use, and whether it is new construction, rehabilitation, or both); and
- 3) A written explanation of the PUD approval process; and
- 4) Evidence the PUD process has been initiated; and
- 5) Evidence of which stage in the PUD approval process the Project has reached; and
- 6) Evidence that the PUD will be reviewed in a timely manner.

## **G) Site Physical Information**

### **1) 100 Year Floodplain**

The Application must include a Federal Emergency Management Agency (“FEMA”) floodplain map for the Project area with the boundaries of the Project site clearly delineated.

FEMA floodplain maps can be obtained from the FEMA website.

If the Project is located within the 100 year floodplain, the Application must include the following as applicable:

(a) Rehabilitation of Existing Structures within the 100 year floodplain or floodway

- 1) The location of the existing buildings; and
- 2) The elevation of the lowest floor level in the existing buildings; and
- 3) The FEMA determined elevation of the existing floodplain or floodway.

Projects involving the rehabilitation of existing buildings located in the 100-year floodplain or floodway will ONLY be permitted if the lowest existing floor elevation of each building in the floodplain is at least six (6) inches above the FEMA designated floodplain elevation.

(b) New Construction within the 100 year floodplain

- 1) A FEMA Conditional Letter of Map Amendment (“CLOMA”) or FEMA Conditional Letter of Map Revision (“CLOMR”) for the Project site that shows the site is eligible for reclassification out of the floodplain; and
- 2) Evidence that the Project is eligible for flood insurance and that such insurance will be in place if awarded funding from the Authority until FEMA amends the flood plain map and the Authority determines the Project is no longer in the floodplain.

## **2) Wetlands**

The Application must include a U.S. Fish and Wildlife Service (“USFWS”) National Wetlands Inventory map for the Project area with the boundaries of the Project site clearly delineated.

USFWS wetland inventory maps can be obtained from the USFWS website.

If there are wetlands on the Project site, or if the Project may impact wetlands, the Application must include the following:

- A wetlands delineation performed in accordance with all federal and state guidelines; and
- An official jurisdictional determination issued by the U.S. Army Corps of Engineers (“USACE”) in the form of a USACE wetlands permit.

## **3) Mining**

The Application must include an Illinois State Geological Survey (“ISGS”) mining map for the Project area with the boundaries of the Project site clearly delineated

ISGS mining maps can be obtained from the ISGS website.

If the Project is in or near an area the ISGS identifies as affected by mining, the Application must include the following:

- The quadrangle study (if available) or the county mine map completed by the ISGS for the area in which the Project is located with the boundaries of the Project site clearly delineated; and
- Information indicating the depth of the mine, the type of mining that was performed, and the year that mining ceased; and

- An opinion from a qualified geotechnical engineer as to whether or not the Project will be impacted by the mining; and
- If the Project will be impacted by mining, evidence of the Project's ability to obtain mine subsidence insurance.

#### **H) Historic Preservation**

The Application must include all documentation listed in the Historic Preservation Checklist found on the Website.

Projects must meet the requirements of the National Historic Preservation Act and the Illinois State Historic Resources Protection Act as determined by the Illinois Historic Preservation Agency ("IHPA"), regardless of the Project type, location or its historic nature.

Information about these requirements is available on the IHPA website.

#### **I) Site Environmental Information**

##### **1) Phase I Environmental**

The Application must include two (2) copies of a phase I environmental site assessment completed within one (1) year prior to the Application deadline according to the Authority's Standards for Environmental Reviews and Professionals available on the Website.

#### **J) Architectural Requirements**

All Projects must meet the requirements contained in the Authority's Standards for Architectural Planning and Construction.

The Standards for Architectural Planning and Construction can be found on the Website.

##### **1) Architectural Standards Certification**

The Application must include the Standards for Architectural Planning and Construction Certification signed by a licensed architect which provides a written certification that the Project will comply with the Authority's Standards for Architectural Planning and Construction including:

- All minimum green design requirements as specified in the Standards for Architectural Planning and Construction Section 14.00 – Green Criteria; and
- All applicable Federal and State accessibility laws and / or as specified in the Standards for Architectural Planning and Construction Section 8.00 – Accessibility Standards; and
- All Project amenities as specified in the Standards for Architectural Planning and Construction Section 7.00 – Design and Planning.

The Standards for Architectural Planning and Construction Certification can be found on the Website.

##### **2) Preliminary Architectural Plans and Specifications**

The Application must include preliminary architectural plans and specifications that include all of the following:

- Dimensioned floor and unit plans, including square footage, for all unit and building types, indicating adaptable and accessible units; and

- Front elevations for all building types (photographs are acceptable for rehabilitation Projects); and
- A site plan showing the placement and orientation of buildings, parking areas, sidewalks, landscaping, easements, trash dumpsters, buffers, required site amenities, and significant natural features.

### **K) Construction Cost Breakdown**

The Application must include the Construction Cost Breakdown form completed by a qualified contractor, architect, or construction cost consultant.

The Construction Cost Breakdown form can be found on the Website.

The Application must include a detailed explanation of all construction cost variances existing between the development budget, Construction Cost Breakdown and/or physical needs assessment

In cases where there is an Identity of Interest between a Sponsor and Project general contractor; between a Sponsor and the Project architect; or between the Project architect and Project general contractor; the Construction Cost Breakdown must be completed by an independent third-party construction cost estimation firm according to the Authority's Standards for Construction Cost Estimating available on the Website

For rehabilitation Projects, Construction Cost Breakdown will be evaluated along with the physical needs assessment to ensure that all necessary items are being addressed. If the scope of work is insufficient, the Application will fail the mandatory review.

### **L) Projects Involving Rehabilitation**

All Projects involving any rehabilitation of existing structures must comply with the following requirements.

#### **1) Physical Needs Assessment**

The Application must include two (2) copies of a physical needs assessment ("PNA") completed according to the Authority's Standards for PNA Reviews and Professionals available on the Website

#### **2) Minimum Rehabilitation Standards**

At a minimum, the proposed rehabilitation work must address all items identified as "Critical" or "Immediate" in the PNA.

Items identified in the PNA as five (5) to seven (7) year needs in current rehabilitation work may be completed as part of the current construction scope of work, or adequate reserves may be budgeted to ensure these items will be completed within timeframes identified in the PNA.

The Application must include a detailed explanation of all construction cost variances existing between the development budget, Construction Cost Breakdown and/or physical needs assessment.

### **M) Relocation**

If the Project involves the acquisition of a building that is occupied by residential tenants as of Application date, the Application must include all of the following:

- A current tenant profile including household size and income; and
- A current rent and unit schedule; and

- In any cases where the Project's proposed rents exceed the current rents, a detailed explanation of how existing tenants will be able to afford the proposed higher rents; and
- A detailed description of the relocation process through documentation of the following:
  - 1) Where tenants will be temporarily or permanently relocated; and
  - 2) How long tenants will be relocated; and
  - 3) How relocated tenants will be returned to the Project; and
  - 4) What benefits and services will be available to relocated tenants; and
  - 5) In cases where any tenants will be permanently displaced, an explanation of why tenants are being permanently displaced, as well as any relocation benefits entitled to the tenants must be provided, and
  - 6) A relocation budget detailing all expected relocation costs, with this amount also being incorporated in the Common Application.

## **N) Market Analysis**

### **1) Market Study**

The Application must include two (2) copies of a market study completed according to the Authority's Standards for Market Study Reviews and Professionals available on the Website

The Authority will review the market for the proposed Project. Projects located in areas of inferior market characteristics may fail the mandatory review. Inferior market characteristics may include, but are not limited to, changing or declining occupancy levels at existing affordable properties that indicate the market is unable to support additional units at this time.

## **O) Appropriate Development Team**

The Authority will evaluate the Participants in the development team and their capacity to successfully complete the Project.

### **1) Required Documentation**

The Application must include the following forms which can be found on the Website:

- A completed Organizational Chart reflecting the ownership structure of the Project; and
- A completed Development Experience Certification for each Project Sponsor, the general contractor, property manager, architect, and consultant; and
- The Identity of Interest Certification.

### **2) Required Experience**

The following are the Authority's minimum mandatory development team experience standards:

#### (a) Ownership Experience

A Project Sponsor must have at least two (2) years of experience including the development and operation of a project meeting one of the following:

- A Tax Credit Project that contains at least the number of housing units in the proposed Project; or

- A subsidized, low-income multifamily rental development that contains at least the number of housing units in the proposed Project; or
- A comparable housing development as determined by the Authority.

(b) Management Experience

The Participant identified as the Property Manager must be an organization whose principal business purpose is to provide residential property management services, including at a minimum the following:

- Preparation of annual operating and capital budgets
- Employment and supervision of all site staff
- Maintenance of financial and accounting records
- Ensuring compliance with all federal, state and governmental agencies
- Supervise and perform maintenance and building services, including securing bids and contracting for vendor services
- Market and lease apartments and commercial space
- Collect rent

Property managers must employ staff who, at a minimum, possesses the following certifications, licenses and training.

For all Projects:

- Licensed Real Estate Broker or Leasing Agent
- Low Income Housing Tax Credit Compliance Specialist
- Fair Housing and Affirmative Marketing certifications

For projects contemplating federal funds:

- Certified Occupancy Specialist

For projects contemplating rental subsidy:

- Blended Occupancy Specialist

A property manager must have at least two (2) years of experience including the lease up and stabilization (ninety percent (90%) occupancy within one (1) year of placed in service date) of a project with tenant income certifications and ongoing reporting requirements meeting one of the following:

- A Tax Credit Project that contains at least the number of housing units in the proposed Project; or
- A subsidized, low-income multifamily rental development that contains at least the number of housing units in the proposed Project; or
- A comparable housing development as determined by the Authority.

### **3) Unacceptable Practices**

A Participant may not be an appropriate development team member if any of the following unacceptable practices apply to the Participant:

- A Participant is affiliated with existing developments which have been cited for material and/or continuing, but curable, noncompliance. Material noncompliance exists when a party exhibits a continual pattern of noncompliance, or when a party demonstrates an inability or an unwillingness to resolve noncompliance in a timely manner.
- A Participant has experienced any events of foreclosure or failed to perform under the terms of a workout agreement over the past three (3) years.
- A Participant has declared bankruptcy over the past three (3) years.
- Any Participant has a mortgage default or arrearage of three (3) months or more within the last three (3) years.
- A Participant has been involved in any development awarded Tax Credits where there has been a change in general partners or managing members during the last three (3) years that was not approved by the Authority.
- A Participant that has been involved in a development determined to have uncorrected noncompliance more than three (3) months from the date of notification in the past three (3) years.
- A Participant that has failed to pay any fee or expense due to the Authority or any other state allocating agency, including outstanding compliance monitoring fees in the past three (3) years.
- A Participant has been involved in any development awarded Tax Credits by the Authority or any other state allocating agency in 2009 or earlier for which either the permanent financing or equity investment has not closed.
- A Participant has been involved in any development awarded Tax Credits in 2006 or earlier for which all requirements for Authority issuance of 8609s, or any other state allocating agency issuance of 8609s, have not been met.
- Any liens or other claims exist against property owned by a Participant for which the Participant has failed to resolve a public filing such as a lien or a judgment.
- A Participant as been debarred or received a limited denial of participation in the past three (3) years by any federal or state agency from participating in any development program.
- A Participant that has materially misrepresented facts on any request for Authority resources

In the event any unacceptable practices apply to any Participant, the Application must include an explanation of the circumstances surrounding the unacceptable practice.

### **P) Financial Feasibility**

The Authority will evaluate the Project's financial feasibility and underwriting assumptions.

In order to demonstrate financial feasibility, Projects must be consistent with the following:

## 1) Sources

All Applications must reflect adequate sources of construction and permanent financing to complete the Project and are subject to the following:

(a) Maximum Tax Credit Request

Projects are subject to the maximum Tax Credit request contained in the IV Tax Credit Information section of the QAP.

(b) Authority Loan Limits

Projects are subject to the maximum Authority loan limits contained in the Authority Loan Parameters found on the Website.

(c) Deferred Developer Fee

All Applications must reflect a deferred developer fee as a financing source.

At a minimum, the deferred fee must be the lesser of twenty-five percent (25%) of the developer fee or seventy-five percent (75%) of cash flow after debt service in years one (1) through twelve (12).

(d) Evidence of Project Financing

The Application must include financing acknowledgment letters for all Project financing sources, including debt, grants, and equity, from all lenders, grantors, and equity providers stating that as of the Application deadline date, the financing source is either under consideration or has been approved as follows:

*(i) Authority Debt Sources with Market Interest Rates*

Financing acknowledgement letters for Authority debt sources with market rates of interest must be obtained from the Authority and included in the Application.

For information regarding obtaining a financing acknowledgement letter for Authority debt sources with market rates of interest see "Authority Loan Parameters" found on the Website.

*(ii) Authority Debt Sources with below Market Interest Rates*

Financing acknowledgement letters for Authority debt sources with below market rates of interest can be evidenced in the Application through a written request to the Authority for debt financing that includes all of the following:

- The loan source requested; and
- The amount of the loan(s); and
- The length of the loan term(s), which must be at least fifteen (15) years (if there is more than one component to the loan, and these components have different terms, the terms of the longest component must be fifteen (15) years); and
- The amortization period of the loan(s); and
- The interest rate(s), and any terms and conditions regarding adjustments; and
- The expected monthly or annual debt service payment for each loan

Note that Authority debt sources may require additional information, documentation and restrictions including but not limited to further environmental review, contractor wage rates and standards, and income and occupancy restrictions.

*(iii) Non-Authority Debt Sources*

Financing acknowledgement letters from each lender of all non-Authority debt sources, including but not limited to, construction loans, permanent loans, equity bridge loans, and the assumption of existing debt, must include all of the following:

- The name of the loan source; and
- The amount of the loan, and
- The length of the permanent loan term, which must be at least fifteen (15) years (if there is more than one component to the loan, and these components have different terms, the terms of the longest component must be fifteen (15) years); and
- The amortization period of the loan; and
- The interest rate (and any terms and conditions regarding adjustments); and
- The expected monthly or annual debt service payment; and
- Any financing fees associated with the debt source

*(iv) Tax Credit Equity Sources*

Financing acknowledgement letters from each Tax Credit equity source, including state donation tax credits and historic tax credits, must include all of the following:

- The anticipated Tax Credit allocation; and
- The per credit net cent raise rate; and
- The amount of Tax Credit equity available to the Project; and
- The proposed equity pay-in schedule

*(v) Non-Authority Grant Sources*

Financing acknowledgement letters from each grantor of all non-Authority grant sources must include all of the following:

- The name of the grant source; and
- The amount of the grant; and
- When the grant will be available to the Project; and
- Any outstanding requirements to be met prior to grant availability

## **2) Uses**

**(a) Grand Total Hard Cost Limits**

A Project's grand total hard costs, as calculated in the Common Application, is limited to the sum of the products of the hard cost limit by bedroom type and the number of units, by bedroom type, in the Project.

Bedrooms	Hard Cost Limit
0	\$144,785
1	\$165,972
2	\$201,822
3	\$261,090
4+	\$286,597

Projects that exceed the grand total hard cost limit must provide a detailed explanation of the specific expenses that result in costs in excess of the limits.

The Authority will review and determine the suitability of grand total hard costs in excess of the limits on a case by case basis.

(b) General Contractor Fees

The general conditions, overhead, and profit in a general contractor's budget are limited to fourteen percent (14%) of trade payments & site work as calculated in the Common Application.

(c) Architect and Civil Engineering Fees

Fees for architectural services and civil engineering are subject to the limits contained in the Authority's "Standards for Architectural Planning and Construction", as amended and found on the Website.

(d) Developer Fee:

A Project's developer fee may not exceed the lesser of two-million (\$2,000,000) or the product of 12% and the Project's grand total development cost net of the following: total developer fee, reserves, syndication costs, and interim costs as calculated in the Common Application except when there is an Identity of Interest as follows:

*(i) Identity of Interest between the buyer and the seller*

A Project's developer fee may not exceed the lesser of two-million (\$2,000,000) or the product of twelve percent (12%) and the Project's grand total development cost net of: total developer fee, reserves, syndication costs, interim costs, and acquisition costs plus the product of 5% and the Project's acquisition costs for which there is an Identity of Interest as calculated in the Common Application.

*(ii) Identity of Interest between the general contractor and the Owner*

A Project's developer fee may not exceed the lesser of two-million (\$2,000,000) or the product of twelve percent (12%) and the Project's grand total development cost net of the following: total developer fee, reserves, syndication costs, and interim costs, less the greater of two percent (2%) of trade payments & site work or the amount of the general contractor's overhead as calculated in the Common Application.

*(iii) Identity of Interest between the buyer and the seller and the general contractor and Owner*

A Project's developer fee may not exceed the lesser of two-million (\$2,000,000) or the product of twelve percent (12%) and the Project's grand total development cost net of the following: total developer fee, reserves, syndication costs, interim costs, and acquisition costs plus the product of five percent (5%) and the Project's acquisition costs for which

there is an Identity of Interest, less the greater of two percent (2%) of trade payments & site work or the amount of the general contractor's overhead as calculated in the Common Application.

Developer fee includes all of the following which shall not appear elsewhere in the Project budget:

- Consultant fees
- Construction management fees
- Architectural and civil engineering fees in excess of the Authority's fee limits
- Developer overhead fees
- Any additional fees related to direct assistance provided to the Sponsor or Owner in conjunction with the completion of the Application or construction of the development.

Developer fees are limited to the amount contemplated at the time of a Conditional Allocation.

(e) Construction Contingency

The Application must include a construction contingency as follows:

*(i) New-Construction:*

Five percent (5%) of trade payments and site work as calculated in the Common Application

*(ii) Rehabilitation:*

Ten percent (10%) of trade payments and site work as calculated in the Common Application

No more than fifty percent (50%) of construction contingency may be included in a Project's calculation of Tax Credit eligible basis.

### 3) Income

(a) Residential Income

Gross residential unit rents (inclusive of utility allowances), as calculated in the Common Application, may not exceed ninety percent (90%) of the rent limit imposed by any financing source, program, or other requirement unless the unit is assisted through project based rental assistance.

Rent and income limits can be found on the Website.

(b) Project Based Rental Assistance

Projects with unit based (rather than tenant based) rental assistance must submit a copy of the fully executed rental assistance contract or a rental assistance commitment letter from the entity providing the rental assistance that includes all of the following:

- 1) The maximum percent of AMI household income; and
- 3) The total number of units assisted; and
- 4) The contract rent paid through the rental assistance; and

5) The length of the rental assistance contract

All underwriting assumptions regarding the funding and renewal of rental assistance contracts must be clearly identified.

In the event a Project is assisted by a rental assistance contract, the Application must demonstrate how the Project will remain financially feasible throughout the Compliance Period in the event the rental assistance contract is not funded or renewed.

(c) Other Residential Income

Other residential income is limited to income from laundry, vending, and income associated with the provision of resident services.

Applications reflecting other residential income must describe all assumptions regarding the calculation of this income.

(d) Commercial Income

Applications reflecting commercial income must describe all assumptions regarding the calculation of this income and must include all existing leases or letters of intent to occupy commercial space.

**4) Expenses**

(a) Per Unit Operating Expenses

Annual per unit operating expenses must be adequate and reasonable for the Project type, location, and population served.

Per unit annual operating expenses, excluding taxes, reserves, resident services, and debt service, as calculated by the Common Application, are expected to fall within the following ranges by Project type and set-aside:

Project Type	City of Chicago	Chicago Metro	Other Metro	Non-Metro
Elderly:	\$3,600 - \$6,000	\$2,600 - \$4,400	\$2,300 - \$3,800	\$2,000 - \$3,500
Non-Elderly:	\$3,800 - \$6,500	\$3,300 - \$5,500	\$2,600 - \$4,500	\$2,200 - \$3,800

In order to substantiate a deviation from the expected ranges, the Application must include supplemental documentation such as historic operating expenses and any additional details about specific expenses.

The Authority will review and determine the suitability of operating expenses outside of the expected ranges on a case-by-case basis.

(b) Resident Services

All resident services expenses must be funded from a third-party income stream such as Medicaid, McKinney Vento, or the Veteran's Administration rather than Project income.

**5) Reserves**

All Projects must meet the following minimum reserve requirements:

(a) Replacement Reserve

All Projects must capitalize a per unit replacement reserve in the development budget and fund ongoing per unit annual replacement reserves from operations as follows:

<u>Project Type</u>	Projects with 30 or more units		Projects with less than 30 units	
	<u>Capitalized</u>	<u>Ongoing</u>	<u>Capitalized</u>	<u>Ongoing</u>
New Construction Elderly (including SLF's)	\$300	\$300	\$1,500	\$300
New Construction non-Elderly (all units < 2 BR)	\$350	\$350	\$1,500	\$350
New Construction non-Elderly (any units > 3 BR)	\$400	\$400	\$1,500	\$400
All rehabilitation and other Project types	\$400	\$400	\$1,500	\$400

(b) Real Estate Tax Reserves

All Projects must capitalize real estate tax reserves in the development budget and fund ongoing annual real estate tax reserves from operations.

The development budget must include fifty-five percent (55%) of the estimated annual real estate taxes in the first year of Project operations.

The operating budget must have adequate annual cash flow to capitalize an annual real estate tax reserve sufficient to pay the Project's real estate taxes in the following year.

The Application must include evidence of how construction period and operational period real estate taxes were estimated.

Applications for Projects assuming real estate tax abatements or exemptions for any period of time must include all of the following:

- The calculation of real estate taxes before, during, and after the abatement or exemption; and
- The anticipated date the abatement or exemption becomes effective; and
- The length of the abatement or exemption; and
- A real estate tax attorney's opinion the Project is eligible for the abatement or exemption.

(c) Insurance Reserves

All Projects must capitalize insurance reserves in the development budget and fund ongoing annual insurance reserves from operations.

The development budget must include a reserve in the amount of one-hundred and five percent (105%) of the estimated annual insurance expense in the first year of Project operations.

The operating budget must have adequate annual cash flow to capitalize an annual insurance reserve sufficient to pay the Project's insurance expense in the following year.

(d) Initial Rent-Up Reserves

The Application must estimate Project income generated between the initial certificate of occupancy and stabilized occupancy based on the absorption information contained in the market study and Project operating expenses including administrative, management, payroll, maintenance, utilities, and debt service payments for the same period and size an initial rent-up reserve sufficient to offset any shortfall of income to cover expenses.

(e) Other Reserves

The Authority will review all other Project reserves to evaluate their sufficiency and reasonableness.

Projects reflecting additional reserve must describe all of the following for each reserve:

- How the reserve will be used; and
- Who is requiring the reserve; and
- How the reserve will be replenished (if required)

**6) Underwriting Standards**

Projects must demonstrate compliance with the most restrictive underwriting standards and requirements for all Project financing sources for a minimum of the initial fifteen (15) year operating period.

For information regarding the Authority's underwriting standards and requirements, please see General Authority Underwriting Guidelines, available on the Website.

Minimum Authority Tax Credit underwriting standards and requirements are as follows:

(a) Debt Service Coverage Ratio

Projects must maintain a debt service coverage ratio, as calculated in the Common Application, and defined as the quotient of the Project's net operating income and total debt service, excluding cash flow notes, that is consistent with the General Authority Underwriting Guidelines, for a minimum of the initial fifteen (15) year operating period.

Project reserves cannot be used to maintain minimum debt service coverage ratios.

(b) Cash Flow after Debt Service

Projects must maintain cash flow after debt service, as calculated in the Common Application, and defined as the difference of the Project's net operating income and total debt service, excluding cash flow notes, that is consistent with the General Authority Underwriting Guidelines, for a minimum of the initial fifteen (15) year operating period.

Project reserves cannot be used to maintain debt service coverage ratios.

(c) Trending Factors

Authority cash flow trending factors are as follows:

- Annual Increase in real estate taxes: five percent (5%)
- Annual Increase in operating expenses: three percent (3%)
- Annual Increase in income: two percent (2%)

In order to substantiate a deviation from Authority cash flow trending factors, the Application must include documentation such as historic Project operating income and expense audits.

The Authority will review and consider documentation substantiating a deviation from Authority cash flow trending factors on a case-by-case basis.

(d) Vacancy Rates

Authority cash flow vacancy rates are as follows:

- Elderly Projects residential income: six percent (6%)
- Non-Elderly Projects residential income: eight percent (8%)
- Supportive Living Facility Project residential and service income: ten percent (10%)
- Supportive Housing Projects residential income: ten percent (10%)
- Single Room Occupancy Projects residential income: ten percent (10%)
- Commercial income: fifty percent (50%)

In order to substantiate a deviation from Authority cash flow vacancy rates, the Application must include documentation such as historic Project operating income and expense audits.

The Authority will review and consider documentation substantiating a deviation from Authority cash vacancy rates on a case-by-case basis.

(e) Utility Allowances

Projects with any tenant paid utilities must include current documentation detailing the expected monthly per unit tenant utility expenses (the "Utility Allowance") incurred by utility and appliance type.

Tenant paid utility expenses must be appropriate for the unit size, utilities and appliances covered, and Project location.

In the event a single utility covers multiple appliances, such as gas heat and cooking gas, or electric heat and electric lighting, the utility allowance must differentiate utility expenses by appliance.

Utility Allowance documentation can only be demonstrated through one of the following:

- A current Utility Allowance schedule, provided by the governing public housing authority where the Project is located, or
- A utility survey covering one (1) full year that is representative of each unit type within the Project.

In any case where the Project's expected Utility Allowances are less than reflected in the Utility Allowance documentation, the Application must include a detailed description of all differences that will be evaluated on a case by case basis.

Non-essential utilities including telephone, cable television, internet access, etc., are excluded from the Utility Allowance.

## XIV) Scoring

All Applications for Projects seeking Tax Credits through the competitive selection process (9% Tax Credits), must submit the documentation required per the Scoring Checklist found on the Website and detailed below.

Unless otherwise indicated in this QAP, all documentation submitted must be dated within six (6) months of the Application deadline.

Projects receiving an Allocation of 9% Tax Credits will be subject to selected scoring criteria for the duration of the Extended Use Period through incorporation within the Extended Use Agreement.

### A) Project Design, Construction, and Amenities

#### 1) Development Amenities

Projects whose architectural design and construction incorporate a variety of amenities, as evidenced through submission of the Scoring - Project Amenities Certification available on the Website, can earn up to three (3) points as follows:

Points	Interior Amenities	Exterior Amenities	Developer Amenities	Total Project Amenities
1	3	3	2	8
2	4	4	3	11
3	5	5	4	14

Exterior Amenities	Interior Amenities
Secured bicycle parking (minimum of eight (8) slots per twenty five (25) units)	Exercise / Fitness Center with at least three (3) pieces of equipment per fifty (50) units
Full size brick, masonry, pre-cast insulated decorative wall panels, cement board, or a combination thereof, on a minimum of 50% of the exterior	Energy Star-rated ceiling fan with switched light fixture in every living room and bedroom
Upgraded, architectural style roof shingles with a minimum warranty of 30 years	Energy Star-rated microwave oven in every unit
Full perimeter fencing for multifamily developments or backyard fencing for single family homes	Computer room equipped with one (1) computer for every ten (10) units
Screen doors for every unit	Day care center
Two (2) picnic tables and one (1) grill for every twenty-five (25) units	Hair salon
Covered pavilion / gazebo	Health and wellness center
Covered driveway at main building entrance	Library / Reading room

Walking trails with sitting areas	On-site management office
An equipped sports court (volleyball, tennis, basketball, etc.) for every 100 units	Trash disposal chutes
Garden plots / designated community garden area with a minimum of 15 square feet per unit	Residential units are 15% larger than the minimum requirement
Upgraded landscaping, including one tree planted on site for every ten units	Porch / patio / balcony for each unit
100% native or adaptive landscaping	Storage space is 25% greater than the minimum requirement
On-site car sharing	Energy Star-rated dishwasher in every unit
	On-site convenience store
<b>Developer Amenities</b>	
Additional Project or unit amenities adding value that are not otherwise required or identified above	

## 2) Green Initiatives

Projects whose architectural design and construction meet or exceed green initiative standards, Evidenced through submission of the Scoring - Green Initiatives Certification, available on the Website, can earn up to three (3) points as follows:

Points	Green Threshold
1	Comply with Section 8.4 Project Data Collection and Monitoring System of the Enterprise Green Communities Criteria 2011;
2	Comply with Section 8.4 Project Data Collection and Monitoring System of the Enterprise Green Communities Criteria 2011; -and- Commit to obtaining EPA Energy Star certification
3	Comply with Section 8.4 Project Data Collection and Monitoring System of the Enterprise Green Communities Criteria 2011; -and- Commit to obtaining EPA Energy Star certification; -and- Commit to obtaining EPA Indoor airPLUS certification
4	Comply with Section 8.4 Project Data Collection and Monitoring System of the Enterprise Green Communities Criteria 2011; -and- Commit to obtaining a sustainable building certification from one of the following: U.S. Green Building Council LEED certification, -or- Enterprise Green Communities certification

### 3) Enhanced Accessibility

Projects whose architectural design and construction meet or exceed enhanced accessibility standards, evidenced through submission of the Scoring – Enhanced Accessibility Certification, available on the Website, can earn up to three (3) points as follows:

Points	Accessibility Threshold
1	At least ten percent (10.0%) of the total units in the Project are designed for persons with mobility impairments, as defined in ICC/ANSI 117.1-2003 Section 1002 Accessible Units -and- At least two percent (2.0%) of the total units in the Project are designed for persons with sensory impairments (not less than one unit), as defined in ICC/ANSI 117.1-2003
2	At least ten percent (10.0%) of the total units in the Project are designed for persons with mobility impairments, as defined in ICC/ANSI 117.1-2003 Section 1002 Accessible Units -and- At least two percent (2.0%) of the total units in the Project are designed for persons with sensory impairments (not less than one unit), as defined in ICC/ANSI 117.1-2003 -and- Projects whose universal design score is at least 50
3	At least ten percent (10.0%) of the total units in the Project are designed for persons with mobility impairments, as defined in ICC/ANSI 117.1-2003 Section 1002 Accessible Units -and- At least two percent (2.0%) of the total units in the Project are designed for persons with sensory impairments (not less than one unit), as defined in ICC/ANSI 117.1-2003 -and- Projects whose universal design score is at least 75

### 4) Unit Mix

Projects whose architectural design and construction include multiple bedroom types, evidenced through submission of the Scoring – Unit Mix Certification, available on the Website can earn up to two (2) points as follows:

Points	<u>Elderly Restricted Units</u>
1	The Project's Elderly restricted units consist of two bedroom types, with two bedroom types each making up at least ten percent (10.0%) of total units;
2	The Project's Elderly restricted units consist of two bedroom types, with two bedroom types each making up at least twenty-five (20.0%) of total units;
Points	<u>Non-Elderly Units</u>
1	The Project's Non-Elderly units consist of at least two bedroom types, with two bedroom types each making up at least twenty-five percent (25.0%) of total units
2	The Project's Non-Elderly units consist of at least three bedroom types, with three bedroom types each making up at least ten percent (10.0%) of total units

Note: Units of a different design or layout containing the same number of bedrooms will not be considered different bedroom types.

**5) Larger Units**

Projects whose architectural design and construction includes larger Tax Credit units, Evidenced through submission of the Scoring – Larger Units Certification, available on the Website, can earn up to three (3) points as follows:

	<u>Non-Elderly Units</u>	<u>Elderly Restricted Units</u>
<b>Points</b>	<b>Three-bedroom and larger Tax Credit units as a % of Total Units</b>	<b>Two-bedroom Tax Credit units as a % of Total Units</b>
1	10.0% - 24.9%	5.0% - 9.99%
2	25.0% - 49.9%	10.0% - 14.99%
3	50.0% or more	15.0% - 20.0%

**6) Rehabilitation or Adaptive Re-Use**

Projects that involve the rehabilitation or adaptive re-use of existing buildings, as evidenced through the “Construction Cost Breakdown”, available on the Website, can earn up to five (5) points as follows:

<b>Points</b>	<b>Rehabilitation Threshold</b>
<u>25.0% - 49.99% of Hard Residential Construction Costs attributable to:</u>	
1	The rehabilitation or adaptive re-use of existing non-residential buildings.
2	The rehabilitation of existing housing
3	The rehabilitation of abandoned, vacant, and foreclosed single-family housing
<u>50.0% - 74.99% of Hard Residential Construction Costs attributable to:</u>	
2	The rehabilitation or adaptive re-use of existing non-residential buildings.
3	The rehabilitation of existing housing
4	The rehabilitation of abandoned, vacant, and foreclosed single-family housing
<u>75.0% or more of Hard Residential Construction Costs attributable to:</u>	
3	The rehabilitation or adaptive re-use of existing non-residential buildings.
4	The rehabilitation of existing housing
5	The rehabilitation of abandoned, vacant, and foreclosed single-family housing

**7) Historic Significance**

Historically significant Projects can earn points as follows:

<b>Points</b>	<b>Historic Significance</b>
1	Project involves historically significant elements as determined by the National Register of Historic Places, a local landmarks jurisdiction, or the Illinois Historic Preservation Agency

Evidenced through documentation confirming the Project contains historically significant elements from at least one of the following:

- The National Register of Historic Places
- A local landmarks jurisdiction
- The Illinois Historic Preservation Agency

**B) Site Suitability and Marketability**

**1) Market Characteristics**

Projects can earn up to three (3) points for market characteristics as follows:

Points	Market Characteristics
-3	Inferior
-2	Better than inferior but not average
-1	Less than average but not inferior
0	Average
1	Better than average but not Superior
2	Less than superior but not average
3	Superior

In evaluating market characteristics, it is expected the average score will be zero (0) which may increase or decrease based on the following:

- Development Type (targeted population, unit mix, and unit sizes);
- Rent-up (Project amenities, rent structure, and marketability / visibility of the site); and
- Primary Market Area Characteristics (households and population projections, penetration rate, capture rate, and job growth)

A full description of the evaluation characteristics and criteria is included as part of the Authority's Standards for Market Study Review and Professionals available on the Website.

**2) Neighborhood Assets**

Projects whose sites are located in the vicinity of desirable neighborhood characteristics and amenities can earn up to eight (8) points as follows:

Points	Category	Threshold
1	Transit-Oriented Development	All Project sites are located within 0.5 miles of fixed route transit stop defined as intra-city buses and trains operating on a schedule beginning no later than 8am and ending no earlier than 6pm, Monday through Friday.
1	Dial-A-Ride	All Project sites are served by a "Dial-a-Ride" service operating on a schedule beginning no later than 8am and ending no earlier than 6pm, Monday through Friday.
1	Grocery Stores	All Project sites are located within 0.5 miles of a full service grocery store
1	Public Schools and Senior Centers	<b>Non-Elderly:</b> All Project sites are located within 0.5 miles of a public school serving grades K-12. Tuition-based schools and selective enrollment schools do not qualify.  <b>Elderly:</b> All Project sites are located within 0.5 miles of a public senior center.

1	Recreation	All Project sites are located within 0.5 miles of a public park with playground equipment, park district facility or field house, or a public swimming pool.
1	Health Services	All Project sites are located within 0.5 miles of a pharmacy and a doctor's office, health clinic or hospital.
1	Government Services	All Project sites are located within 0.5 miles of a post office or public library
1	Social Services	All Project sites are located within 0.5 miles of a NAEYC-accredited daycare, workforce investment center, community college, or job training center

Evidenced through submission of the following:

- 1) A map of neighborhood assets that contains all of the following:
  - Location of the Project site; and
  - A 0.5 mile radius around the Project site
- 2) A table of Neighborhood Assets that contains all of the following:
  - The name of the neighborhood asset; and
  - The address of the neighborhood asset; and
  - The distance from the Project site of the neighborhood asset; and
  - Color photographs

### 3) Jobs

Projects with a minimum number of jobs within a two (2) mile radius that demonstrate a need for housing in the vicinity of jobs, as evidenced through submission of the "Need for Housing in the Vicinity of Jobs Certification", available on the Website, can earn up to three (3) points as follows:

<b>Minimum Jobs within a 2-Mile Radius of the Project</b>				
Set-Aside:	<u>Chicago</u>	<u>Chicago Metro</u>	<u>Other Metro</u>	<u>Non-Metro</u>
<b>Jobs:</b>	20,000	20,000	10,000	3,000
-and-				
<b>Points</b>	<b>Percentage of area Workers whose Home Census Tract is less than 10 Miles from their Job Census Tract</b>			
1	50.0% - 64.9%			
2	36.0% - 49.9%			
3	0% - 35.9%			

### 4) Concerted Community Revitalization Plan

Projects located within the boundaries of an area covered by a concerted community revitalization plan that includes affordable housing policy goals can earn one (1) point as follows:

<b>Points</b>	<b>Community Impact</b>
1	Project is located within the boundaries of an area covered by a concerted community revitalization plan that includes affordable housing policy goals

<b>Examples of Concerted Community Revitalization Plans</b>		
<u>Acceptable Plans</u>		<u>Unacceptable Plans</u>
Empowerment zones,		Consolidated plans
Tax increment financing districts,		Planned unit developments
Enterprise communities,		
AHPAA plans,		
Comprehensive plans,		
Or other locally designated and approved plans		

Evidenced through submission of all of the following:

- A currently effective binding resolution evidencing formal adoption of the revitalization or redevelopment plan prior to the Application deadline date; and
- A copy of the Project area’s revitalization or redevelopment plan; and
- A map clearly delineating the Project site within the boundaries of the revitalization or redevelopment plan; and
- A letter from the chief elected municipal official or local Chicago alderman affirming that the Project will contribute to the goals outlined in the revitalization or redevelopment plan; and
- A detailed description of how the Project supports at least one (1) goal of the revitalization or redevelopment plan; and
- If available, any development agreement regarding the Project and the revitalization or redevelopment plan

**C) Development Team Characteristics**

**1) Minority-, Female-, or Persons with Disabilities-Owned Business Participation in Project**

Projects whose Participants are qualified minority-, female-, or persons with disabilities-owned business, evidenced through submission of current certification under the Illinois Business Enterprise Program for Minorities, Females, and Persons with Disabilities (“MAFBE”), or equivalent state program if based outside of Illinois, can earn up to three (3) points as follows:

<b>Points</b>	<b>Participant</b>
1	General Contracting firm
1	Architectural firm
1	Property Management firm

**2) Non-profit Corporation Participation**

Projects that involve the participation of a Qualified Non-Profit Corporation can earn up to three (3) points as follows:

<b>Points</b>	<b>Participation of Qualified Non-Profit Corporation</b>
1	Material Participation in the development and operations of the Project through the

	Extended Use Period.
3	Ownership interest of one-hundred (100%) in the general partner or member of the Owner.

Evidenced through submission of all of the following:

- A written narrative detailing the Material Participation of the Qualified Non-Profit Corporation in the Project including the number of hours and corresponding activities that will be undertaken on a quarterly basis (if applicable); and
- The Qualified Non-Profit Corporation's IRS 501(c)3 determination letter; and
- The Qualified Non-Profit Corporation's Articles of Incorporation; and
- The "Qualified Non-Profit Corporation Participation Certification" available on the Website

### 3) Illinois-Based Organizations

Projects whose Participants' place of business has been located in the State for a minimum of two (2) years, evidenced through submission of the Secretary of State's Certificate of Valid Existence for the relevant Participants, can earn up to three (3) points as follows:

Points	Participant
1	General Contracting firm
1	Architectural Firm
1	Property Management Firm

### 4) Unfavorable Practices

Projects may lose up to nine (9) points if at any time within the past three (3) years a Participant has been involved in a regulated affordable housing Project in which any of the following unfavorable practices apply:

- Record of unsatisfactory performance
- Negative results on any physical inspection
- Failure to provide and maintain amenities
- Failure to provide and maintain services
- Failure to construct or rehabilitate a development according to the governing architectural and construction guidelines
- Failure to comply with any representations made in an application
- Failure to make satisfactory progress
- Involuntarily revocation of a Tax Credit Reservation
- Record of uncorrected noncompliance
- Filing of an IRS form 8823

- Failure to pay any fee or expense owed the Authority

In the event any of the above unfavorable practices apply to any Participant, the Application may include an explanation of the circumstances surrounding the unfavorable practice as it relates to the role of the Participant.

**D) Financial Characteristics**

**1) Rental Assistance**

Projects with unit based (rather than tenant based) rental assistance ensuring tenants pay no more than thirty (30%) of their income towards rent and utility expenses combined, evidenced through submission of a rental assistance contract or commitment can earn up to fifteen (15) points as follows:

		State and Federal Rental Assistance			Other Rental Assistance		
		Length of Assistance (years)			Length of Assistance (years)		
% of Tax-Credit Units assisted		3-5	6-10	11 or more	3-5	6-10	11 or more
	10.0% - 19.99%	1	2	3	0	1	1
	20.0% - 39.99%	2	4	6	1	1	2
	40.0% - 59.99%	3	6	9	1	2	3
	60.0% - 79.99%	4	8	12	1	3	4
	80.0% or more	5	10	15	2	3	5

Projects seeking points in this category must submit a copy of the fully executed rental assistance contract or a rental assistance commitment letter from the entity providing the rental assistance that includes all of the following:

- the maximum % AMI household income; and
- the total number of units assisted; and
- the length of the rental assistance contract.

Examples of Rental Assistance	
State and Federal	Other
Section 8	Employer assistance
McKinney-Vento	Developer assistance
Section 811 PRAC Contract	Municipal assistance
Bridge Rental Subsidy Program	
Rural Development- Rural Rental Assistance	
Veterans Affairs Supportive Housing (VASH)	
Rental Housing Support Program	
Veterans Affairs Per-Diem	
Other State or Federal sources as determined by the Authority	

**2) Preservation of State and Federal Assistance**

Projects that obtain an extension to existing State or federal project assistance can earn up to ten (10) points as follows

<b>Preservation of State and Federal Assistance</b>				
		<u>Length of Assistance (years)</u>		
<b>% of Tax-Credit Units assisted</b>		3-5	6-10	11 or more
	10.0% - 19.99%	1	1	2
	20.0% - 39.99%	1	3	4
	40.0% - 59.99%	2	4	6
	60.0% - 79.99%	3	5	8
	80.0% or more	3	7	10

**3) Leveraging Authority Resources**

Projects whose budgets include leveraging resources that are available during the construction period to pay for expenses reflected in the development budget and remain in the Project after construction (ie. permanent financing) can earn up to five (5) points as follows:

<b>Points</b>	<b>Leveraging Resources as a % of the total Project budget</b>
1	19.99% or less
2	20.0% - 39.99%
3	40.0% - 59.99%
4	60.0% - 79.99%
5	80.0% - 100%

<u>Leveraging Resources</u>	<u>Non-Leveraging Resources</u>
Funds provided by a non-Authority source	Funds generated by Authority allocated resources (ie. tax-credit equity)
Authority funds with a market rate of interest	Authority funds with a non-market rate of interest
	Loans that are repaid from Authority allocated resources (ie. bridge loans)
	A seller's financing note
	Funds from a project Participant including deferred developer fees

**E) Housing Policy Goals and Objectives**

**1) 30 Percent (30%) AMI Housing**

Projects providing units restricted to households with incomes at or below 30% of Area Median Income can earn up to ten (10) points as follows:

<b>Points</b>	<b>30% AMI units as a % of the total Project units</b>
1*	4.99% or less
2	5.0% - 9.99%
4	10.0% - 14.99%
7**	15.00% - 19.99%
10	20.0% or more
* Must be at least one (1) unit **Projects in which 15% or more of the total Project units are restricted to households with incomes at or below 30% of Area Median Income must have rental assistance for all 30% units with a minimum term of at least 10 years.	

**2) Permanent Supportive Housing**

Projects that include Targeted Units, evidenced through submission of the Permanent Supportive Housing Certification, available on the Website can earn points as follows:

Points Targeted Units as a % of the total Project units

<b>Points</b>	<b>Targeted Units as a % of the total Project units</b>
1*	4.99% or less
2	5.0% - 9.99%
4	10.0% - 14.99%
7**	15.00% - 19.99%
10	20.0% or more
* Must be at least one (1) unit **Projects in which 15% or more of the total Project units are Targeted Units must have rental assistance for all 30% units with a minimum term of at least 10 years.	

**3) State-Administered Operating Subsidy or Rental Assistance**

Projects containing units that are not assisted by a rental assistance contract that certify a willingness to accept future State-administered operating subsidies or project-based rental assistance, should it be made available, evidenced through submission of the Scoring – State Administered Operating Subsidy or Rental Assistance, available on the Website can earn points as follows:

<b>Points</b>	<b>% of Tax Credit units certified to accept state-administered operating subsidy or rental assistance</b>
1	Up to 25.0%

State-administered operating subsidies or project-based rental assistance may include, but is not limited to, the revamped Section 811 for Persons with Disabilities Program, the Rental Housing Support Program, or the Illinois Division of Mental Health Bridge Subsidy Program.

State-administered operating subsidies or project-based rental assistance cannot be assumed to be available at the time of application and would likely house the same population as Targeted Units.

#### **4) Veterans Housing**

Projects targeted to veterans can earn up to four (4) points as follows:

<b>Points</b>	<b>Scoring Threshold</b>
2	Project has a commitment for Veteran's Administration Supportive Housing (VASH) Vouchers; or
3	Project has a commitment for Veteran's Administration Grant funds; or
3	Project has a commitment for Veteran's Administration Per-Diem funds; or
4	Project has a commitment for Veteran's Administration Grant funds and Per-Diem funds

#### **F) Tiebreaker Criteria**

In the event that two (2) or more Projects have an equal number of points, the following will be used to determine selection:

##### **1) First Tiebreaker: 30 percent (30%) AMI and Supportive Housing**

The Project with the highest combined score in the 30 percent (30%) AMI Housing and Permanent Supportive Housing categories.

If a tie still remains;

##### **2) Second Tiebreaker: Fewest Tax Credits per Unit**

The Project requesting the fewest amount of Tax Credits per Tax Credit unit.

If a tie still remains;

##### **3) Third Tiebreaker: Tenant Homeownership**

Projects that are intended for eventual tenant ownership.

If a tie still remains;

##### **4) Third Tiebreaker: Qualified census tract and concerted community revitalization plan,**

Projects that are located within a qualified census tract and contribute to a concerted community revitalization plan.