Iowa Finance Authority
INVESTING IN HOME AND COMMUNITY

2009 LIHTC EXHIBIT GUIDELINES
(Threshold & Set-Aside Exhibits)

The following exhibits must accompany the Threshold Application and be tabbed/indexed in the order shown. If they are not applicable, please put a tab for that exhibit number and a piece paper behind it that says "N/A."

Please note that exhibits must be submitted on the final forms, not the DRAFT forms.

Exhibit 1H 2009 Housing Fund Application	Only if applying for HOME
***Supplied by link*.** This Application along with any required attachments/exhibits must be completed if the Applicant is applying for HOME funds. The HOME Program is administered by the Iowa Department of Economic Development (IDED).	

Exhibit 1T IRS Form 8821 (Tax Information Authorization)	Required for all projects
***Supplied by link*.** Provide one completed form for the Developer and one for the Co-Developer (if applicable). - The form must be signed and dated. NOTE: This form is **NOT** needed for the General Partner and Co-General Partner.	

Exhibit 2T Documents verifying completion of a LIHTC project	Required for all projects
Provide the following items which show that the Project Developer, Co-Developer, General Partner/Managing Member, Co-General Partner/Managing Member or Development Consultant has completed a LIHTC project: - A copy of an issued Form 8609 showing that one of the team members has completed a LIHTC project. - A letter from the allocating agency stating that the project is in good standing with them.	

Exhibit 3T Letter notifying the CEO of Local Jurisdiction about the project	Required for all projects
IFA required form. This form must be completed by the Applicant (make sure to provide the name and address of the CEO at the top of the page). IFA will send the form to the CEO at the address listed, and give him/her an opportunity to return it to IFA with comments.	

Exhibit 4T Ownership Entity documentation	Required for all projects
Provide the following items for the Ownership Entity: - An IRS F.E.I.N. letter in the Ownership Entity's name. - If the Ownership Entity is a Limited Partnership (LP, LLP, or LLLP), provide a current Certificate of Limited Partnership and a current limited partnership agreement. - If the Ownership Entity is a Limited Liability Corporation (LLC or LLLC), provide file-stamped Articles of Organization and a current operating agreement. NOTE: - If the names on the documents above do not match exactly the Ownership Entity's name listed at App. Section 2.01, an explanation must be provided. - The limited partnership agreement and/or operating agreement must be signed and dated.	

Exhibit 5T Owner Representative (General Partner/Managing Member) documentation	Required for all projects

Provide the following items for the General Partner/Managing Member (GP/MM) **AND** the Co-General Partner/Co-Managing Member (if applicable):
- If the GP/MM is a Limited Partnership (LP, LLP, LLLP), provide a current Certificate of Limited Partnership <u>and</u> a current limited partnership agreement.
- If the GP/MM is a Limited Liability Company (LLC or LLLC), provide file-stamped Articles of Organization <u>and</u> a current operating agreement.
- If the GP/MM is a Corporation, provide file-stamped Articles of Organization, By-laws, <u>and</u> Board Resolution approving actions of corporation concerning the proposed tax credit development.

NOTE:
- If the names on the documents above do not match exactly the GP/MM's and Co-GP's/Co-MM's names listed on the Application, an explanation must be provided.
- The limited partnership agreement and/or operating agreement must be signed and dated.

Exhibit 6T Letters of intent from lending institutions	Required for all projects

A letter of intent must be provided for all private construction and permanent financing sources listed on the Threshold Application.

Each letter must be on the institution's letterhead and needs to include:
- the date
- the intended loan amount and terms
- signature

NOTE: Letters must reference the correct Applicant/project name.

Exhibit 7T Commitment letters for all other funding sources (Excluding State HOME funds)	Required for all projects

A commitment letter must be provided for all other sources listed on the Threshold Application (excluding State HOME funds). Other sources include, but aren't limited to grants, loans, tax credits, etc.

Each letter must be from the entity making the commitment, and needs to include:
- the date
- the value of commitment
- interest rate and term
- the purpose the funds can be used for
- the time limitations related to the commitment
- signature

NOTE: Letters must reference the correct Applicant/project name.

Exhibit 8T Market Study Change Information	• For 9% tax credit projects that did not select the Disaster Relief Set-Aside • For 9% tax credit projects that selected the Disaster Relief Set-Aside <u>and</u> submitted a Pre-Application by 9-3-08

IFA required form.

If no changes have been made to the project since Pre-Application, only the top half of the first page must be completed (including the signature and date). Provide only the first page of the exhibit.

If changes have been made to the project since Pre-Application, the top half of the first page must be completed (including the signature and date) along with each section where a change has been made. The entire form must be provided.

Exhibit 9T Pre-Application (for market study)	Only for 9% tax credit projects that selected the Disaster Relief Set-Aside but <u>did not</u> submit a Pre-Application by 9-3-08
IFA required form. Provide completed form with tabbed attachments.	

Exhibit 10T Rental assistance contracts	Only for Acq./Rehab. and Rehab. projects if answered Yes to App. Section 3.14 (i.e. The project has low-income units that have been approved to receive rental assistance)
Provide a copy of the rental assistance contract(s). - The contract(s) must show that the low-income units were approved to receive rental assistance at time of Threshold Application. - IFA must be able to see the project address/name and clearly tell that the contract pertains to the project.	

Exhibit 11T Type of ownership control	Only for Acq./Rehab. and Rehab. projects (i.e. completed App. Section 8 and/or 9)
IFA required form List <u>each</u> building street address and complete all columns for each building. (Put "N/A" where needed.) - The number of buildings and the building address/letter for each must match those listed in the Application. - The acquisition cost of the buildings should match what is listed in the Purchase Agreement. - The Expiration Date of the Purchase Contract (or other document listed) must at a minimum be 1) the date the IFA Board approves the tax credit recommendations in March 2009 (for non Disaster Relief projects) or 2) the date the IFA Board approves the tax credit recommendations in January 2009 (for Disaster Relief projects). In addition, the expiration date must match the date listed at App. Section 5.04.	

Exhibit 12T Rehabilitation amount for each building.	Only for Acq./Rehab. or Rehab. projects that entered a number of 1 or greater in App. Section 9.01. (i.e. number of buildings with rehabilitation expenditures)
Provide the following for <u>each</u> building that has rehabilitation expenditures: - building address or number - amount of total rehabilitation expenditures for the building - expected amount of rehabilitation expenditures that will be allowable to or substantially benefit the affordable units in the building - answer the question, "Did the Applicant acquire the building from a governmental unit?"	

Exhibit 13T Relocation plan	Only for projects that answered Yes to App. Section 10.01 (i.e. projects that require any form of temporary or permanent relocation of existing tenants)
IFA required form. Provide completed form. In addition, attach additional sheets describing the six bulleted items listed under "Relocation Plan Details". Review items listed under "Records to be kept in compliance with relocation process" section.	

Exhibit 14T Eligibility under IRC 42(d)(2)(B)(ii) Ten-Year Rule	Only for Acq./Rehab. projects listing an amount in "Existing Structures" in Acq./Rehab. table in App. Section 13.01
IFA required form. List <u>each</u> building street address and complete all columns for each building. - The form must show that each building has 10 or more years between the date last placed-in-service and the date of acquisition. - If the number of years is less than 10, the exception <u>must</u> be listed on the form or a copy of a waiver must be provided with the exhibit.	

Exhibit 15T Executed copy of Consultant Agreement.	Only if a consultant fee is listed in App. Section 13.09
Provide a copy of the agreement with the Consultant for the project. - The agreement must be signed and dated.	

Exhibit 16T Energy Efficiency	Only if answered YES to energy efficiency measures question in App. Section 14.03. (i.e. Is the Applicant proposing energy efficiency measures that exceed minimum construction characteristics?)
- Provide a brief narrative justifying the need to exceed the cost caps. - Provide copies of preliminary documents that show test results, engineering plan, estimate of energy cost savings, and comprehensive cost estimate.	

Exhibit 17T Documents relating to syndication or other sale or exchange of tax credit interest to investors	Only if answered YES to App. Section 16.01
Provide a letter of intent from the Syndicator that includes: - The correct name of the Applicant/project. - Tax Credit pricing information.	

Exhibit 18T Utility Allowance Chart	Only if answered NO to App. Section 16.01 (i.e. the owner is not paying for all of the utilities)
Provide most recent PHA, HUD, Rural Development or Utility Company documentation showing source of utility calculations. The chart provided should: - have an effective date on it - be for the correct project type - have the applicable utility amounts circled - be the most current version available - not be more than 13 months old (10-1-07) If it is, a statement from the provider needs to be provided confirming that the utility allowances are current. NOTE: The amounts circled must match the amounts listed in App. Section 18.01, and the totals must match the utility allowances entered in App. Section 4.15.	

Exhibit 1B Evidence of site control	Required for all projects
Provide documentation evidencing control or ownership of site(s), such as: - Purchase Contract - Option - Recorded Warranty Deed - Executed long-term land lease through compliance/extended use period - Master Lease - Sandwich Lease - The legal description of the property <u>must</u> be included. - If the legal description includes the number of acres of the site(s), and that number differs from the amount of acres listed in the App. Section 5.06, provide an explanation as to why. - If the address(es) referenced in the documentation do not exactly match those listed in App. Section 3.02, provide an explanation as to why. - The expiration date of the Purchase Contract (or other document listed) must at a minimum be 1) the date the IFA Board approves the tax credit recommendations in March 2009 (for non Disaster Relief projects) or 2) the date the IFA Board approves the tax credit recommendations in January 2009 (for Disaster Relief projects). In addition, the expiration date must match the date listed at App. Section 5.04. - The name of the seller should be the same as the name provided in App. Section 5.07. - The purchase price listed on an Offer to Buy Real Estate & Acceptance should be the same as the total cost of land listed in App. Section 3.05. - All documents must be signed and dated. - Be sure to include copies of assignments, attachments or exhibits that are referenced in the documents above.	

Exhibit 2B Related party documentation	Only if answered YES to App. Section 5.02
If the land and/or building(s) are acquired from a related party, provide: - documentation showing past transactions which substantiate the value of the property shown in the Threshold Application OR - an appraisal by a MAI certified appraiser who is not a related party NOTE: Document or appraisal provided cannot be over 6 months old from the Threshold Application due date.	

Exhibit 3B Narrative	Required for all projects
Provide a narrative that includes a description of: - the current use of the property - all adjacent property land uses - the surrounding neighborhood	

Exhibit 4B Color photos	Required for all projects
Provide color photos/copies of the proposed property and all adjacent properties. Photos <u>must</u> be labeled. <u>New construction</u> 1) Go to the center of the site, and take 4 pictures looking out to the North, South, East & West. - Label each picture with the address and the direction taken, such as "101 Bayberry, Looking South from the center". 2) Looking toward the center of the site, take 4 pictures looking to the North, South, East, & West. - Label each picture with the address and direction taken, such as "101 Bayberry, Looking North toward center". <u>Rehabilitation</u> 1) Take pictures looking outward from all four sides of the building(s). - Label each picture with the address, building number, and direction taken. Example: "300 Locust, Building A, Looking North from front of building" 2) Take pictures looking toward all four sides of an existing building(s). - Label each picture with the address, building number, and direction taken. Example: "300 Locust, Building B, Looking North toward back of building" <u>Scattered Site</u> Remember to provide photos for each building of each site.	

Exhibit 5B Map showing site(s) Plat map	Required for all projects
1) Provide a legible map on a recent official city map that shows the location of the site, the names of surrounding streets, and any other information of importance. - If there are multiple sites, each location along with their address, must be pinpointed on the map. - IFA staff must be able to read the street names - Any city map will due (such as a yahoo printout, etc.) 2) Provide a plat map of the site(s) or a proposed re-platting map of the site(s). - If there are multiple sites, you will need to submit one for each site.	

Exhibit 6B Site plan	Required for all projects

Provide site plan clearly showing and labeling:
- site dimensions
- easements & setbacks
- all buildings (including manager's & accessory buildings)
- parking
- play area
- pool
- garages
- garden area
- picnic area
- walking trails
- other items at the site

The site plan must be legible to IFA staff. The information provided on it must match the information provided in App. Section 4.03.

Exhibit 7B Detrimental site information	Only if answered YES to App. Section 5.08.

If the site or adjoining sites contain any detrimental site characteristics, the following must be provided:
- a remediation plan
- a budget to make the site suitable

Exhibit 8B Proper zoning form	Required for all projects

IFA required form

Provide completed form.
- The form must be completed, signed and dated by the City/Municipality.

Exhibit 9B Plans and Specifications	Required for all projects

Provide plans and specifications clearly showing and labeling:

<u>Buildings</u>
- Label each room (i.e. exercise room, computer learning center, management office, library, craft room, maintenance room, dining room, laundry room, elevator shaft, etc.)
- List the square footage of each room

<u>Units</u>
- Label each room (i.e.bedroom, bathroom, kitchen, living room, exterior storage)
- Label the square footage of each unit
- Label which units are handicap accessible.

Plans and specifications must be legible to IFA staff. The information provided on it must match the information provided in App. Sections 4.01, 4.15 & 4.16.

NOTE: List the address and the building number (if applicable) on each set of plans and specs. This is especially important for scattered site projects and projects with multiple addresses or building numbers.

Exhibit 10B Minimum Development Characteristics	Required for all projects

IFA required form

Provide completed form. Must answer each section.

Exhibit 11B Scope of Work	Only for 9% projects applying for Affordable Preservation Set-Aside
Provide a list of work to be completed within the common exterior areas, common interior areas and units. Include plumbing, electrical, HVAC, carpentry/trim, appliances, decorating, grounds/site, environmental, and other related information. All of the IFA minimum development characteristics and Applicant-elected scoring criteria must be addressed.	

Exhibit 1SA Set-Aside Determination Form	Only for 9% projects applying for one or more set-asides.
IFA required form Provided completed form along with applicable exhibits: - Affordable Preservation Set-Aside - Need to attach a Scope of Work. - Underserved Area Set-Aside - Nothing to attach. - Nonprofit Set-Aside - Need to attach Exhibits 2SA, 3SA, 4SA & 5SA. - Disaster Relief Set-Aside - Nothing to attach.	

Exhibit 2SA Letter from IRS	Only for 9% projects applying for Nonprofit Set-Aside
Provide a letter from the IRS which states the Nonprofit is a qualified Nonprofit under 501(c)(3) or 501(c)(4). NOTE: - If the name of the Nonprofit does not match exactly the name of the Nonprofit listed at App. Section 7.01, an explanation must be provided.	

Exhibit 3SA Attorney's Opinion	Only for 9% projects applying for Nonprofit Set-Aside
Provide an attorney's opinion stating that the proposed Nonprofit is legally organized and is eligible to participate. A sample letter has been provided on the website - If the name of the Nonprofit does not match exactly the name of the Nonprofit listed at App. Section 7.01, an explanation must be provided.	

Exhibit 4SA Nonprofit Documents	Only for 9% projects applying for Nonprofit Set-Aside
Provide the following items for the Nonprofit: - Provide file-stamped Articles of Organization that include as a purpose the fostering of low-income (or affordable) housing. - Provide any other items that demonstrate satisfaction of the 2-year requirement for fostering low-income housing. NOTE: - If the names on the documents above do not match exactly the Nonprofit's name listed at App. Section 7.01, an explanation must be provided. - The limited partnership agreement and/or operating agreement must be signed and dated.	

Exhibit 5SA Nonprofit's capacity to materially participate	Only for 9% projects applying for Nonprofit Set-Aside
Provide a resume or other documentation that demonstrates the Nonprofit's capacity to materially participate in the operation of the project through the compliance period.	