



**Louisiana Housing Finance Agency**  
2415 Quail Drive, Baton Rouge, Louisiana 70808

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**MEMORANDUM**

DATE: December 09, 2009

TO: Development Community

FROM: Louisiana Housing Finance Agency Tax Credit Staff

RE: Initiative for taxpayers with multiple projects to permit the voluntary return by projects with pre-2009 Per Capita LIHTCs allocation in exchange for 2009 or 2010 LIHTCs and for awarding 1602 Funds to other projects of the Taxpayer

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The Board of Commissioners (the “Board”) of the Louisiana Housing Finance Agency (the “Agency”) has authorized an extension of the “Reprocessing Round” to allow individual developers/taxpayers with syndicated Per Capita credit allocations to voluntarily return their pre-2009 credits per capita LIHTC.

In conjunction with the voluntary return of pre-2009 LIHTCs, the Board approved (i) an allocation of credits from the 2009 and/or 2010 housing credit ceilings back to such projects within prescribed limits and parameters and (ii) an award of 1602 funds received in connection with the monetization of their returned pre-2009 LIHTCs to other projects of the developer/taxpayer with withdrawn or reduced syndication commitments. The award of 1602 funds to such other projects is subject to receipt by the staff of (i) a reprocessing application, if necessary, with respect to projects with withdrawn or reduced syndication commitments that confirm the continued feasibility and viability of such projects and (ii) an executed Voluntary Credit Return form by **December 16, 2009**.

To receive an award of 1602 funds for their other projects, Taxpayers must submit a reprocessing application along with appropriate reprocessing fees, including 2 disks and two complete hard copies, and qualify for a LIHTC tax credit equivalent allocation in amount equal to the pre-2009 per capita LIHTCs that are voluntarily returned by the Taxpayer.

This initiative is limited to Taxpayers developing projects with a pre-2009 LIHTC allocation and who have not submitted final audited cost certifications for their projects and/or who have not received Form 8609s for each building in their projects. Applications must be submitted by **no later than December 16, 2009**.

## Protocol and Limitations

The Agency has established the following protocols and limits:

- (i) Permit an increase of 2009 or 2010 LIHTCs to projects voluntarily returning pre-2009 credits of up to 10% of the prior tax credit award;
- (ii) Institute a total cap available for the initiative to not exceed \$500,000;
- (iii) Developer fees may not exceed the amount from the last reprocessing;
- (iv) The return/swap initiative is restricted to projects that are within 90 days of submission of Final Cost Certification.

The condensed timeline does not permit any changes to the projects size, unit count, unit mix, or selection criteria. Additionally, there will be no formal challenge period; however, the Agency is committed to responding to questions as quickly as possible and will notify the applicant of any required information for supplemental or clarifying data via e-mail.

A report evidencing the reservations will be made at the January meeting of the agency's BOC.

Submit any questions via email to Louis Russell at [lrussell@lhfa.state.la.us](mailto:lrussell@lhfa.state.la.us) and Brenda Evans at [bevans@lhfa.state.la.us](mailto:bevans@lhfa.state.la.us) re: **LIHTC Return-Reallocation 110909**.