



*Community Development  
Administration*

*Multifamily Housing  
Programs*

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# APPLICATION SUBMISSION PACKAGE

## *Multifamily Rental Financing*

*Revised February 2022*



*The Maryland Department of Housing and Community  
Development pledges to foster the letter and spirit of the  
law for achieving equal housing opportunity in Maryland.*

# **TABLE OF CONTENTS AND APPLICATION SUBMISSION CHECKLIST**

## **Instructions**

## **Quick Reference Table**

<b>PART I: APPLICATION AND CERTIFICATIONS CATEGORY</b>
--

- CDA Form 202 Multifamily Rental Financing Application (Page 6)**
- Certifications (Page 7)**
- Threshold Checklist (Page 10)**
- Applicant Self-Scoring (Page 11)**
- Organizational Charts – Current, if applicable, and Proposed (Page 12)**

<b>PART II: MANDATORY EXHIBITS CATEGORY</b>
---

- Exhibit A: Project Information (Page 13)**  
Includes: 1) Notice to Local Government; 2) Market Analysis; 3) Other Project Financing; and 4) Public and Assisted Housing Waiting Lists
- Exhibit B: Site Information (Page 18)**  
Includes: 1) Site Map and Photographs; 2) Priority Funding Area Designation; 3) Environmental Checklist; 4) Zoning; 5) Site Control
- Exhibit C: Development Team Information (Page 22)**  
Includes: Exhibit C 1: Development Team Information – Developer and Sponsor/Owner  
Exhibit C.2: Development Team Information – General Contractor  
Exhibit C 3: Development Team Information – Architect  
Exhibit C.4: Development Team Information – Management Agent  
Exhibit C.5: Disbarment Affidavits
- Exhibit D: Financial Statements of Developers, Owners and Guarantors (Page 34)**
- Exhibit E: Construction Information (Page 36)**  
Includes: Exhibit E. 1: 1) Development Quality Threshold Narrative; 2) Cost Estimates; 3) Building Evaluation Report; 4) Schematic Documents; 5) Certification of Use of a RESNET/BPI Multifamily Rater; and 6) Certification Regarding 15% Savings and Energy Audit Requirements (If applicable)  
Exhibit E.2: 1) Development Quality Narrative/Chart; 2) “Green” Rating Agency scoring checklist ; 3) Optional – Zero Energy Ready Home Designation Certification

**Exhibit F: Certifications and Waivers (Page 45)**

Includes: Exhibit F.1: Threshold Owner/Sponsor Certifications: Relocation Plans, Tenant Services, Preference for Persons with Physical Disabilities; Family Housing – Units Reserved for Persons with Disabilities, and Utility Availability  
Exhibit F.2: Affirmative Fair Housing Marketing Certification  
Exhibit F.3: Waiver Requests

<b>PART III: OPTIONAL SCORING DOCUMENTATION</b>
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*The following Exhibits are required only for applications seeking points as outlined in the Multifamily Rental Financing Program Guide. Applications for Multifamily Bond Program (MBP) financing must score at least 92 points, so some documentation may need to be submitted. See Section 4 of the Guide for more information on scoring.*

**Exhibit G: Nonprofits (NPs), Public Housing Authorities (PHAs) and Minority/Disadvantaged Business Enterprises (MDE/DBEs) (Page 51)**

**Exhibit H: Community Context (Page 54)**

**Exhibit I: Transit Oriented Development (Page 58)**

**Exhibit J: Income Targeting (Page 63)**

**Exhibit K: Targeted Populations: Persons with Disabilities (PWD) or Special Need (SN) (Page 64)**

**Exhibit L: Tenant Services Plan (Page 66)**

**Exhibit M: Additional Incentives (Page 68)**

**Exhibit N: Direct Leveraging and Operating Subsidies (Page 70)**

# ***INSTRUCTIONS***

## **INTRODUCTION**

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The Maryland Department of Housing and Community Development (the “Department”) administers financing programs for the construction, acquisition, and rehabilitation of multifamily rental housing. The multifamily rental housing financing programs available through the Department include the following:

- Multifamily Bond Program (MBP)
- Rental Housing Financing Program (RHFP)\*
- Federal Low Income Housing Tax Credit Program (Tax Credits)
- The Federal HOME Investment Partnership Program (HOME)\*
- Partnership Rental Housing Program (PRHP)
- Rental Housing Works (RHW)
- National Housing Trust Fund (HTF)

\*RHFP is a combination of the State-funded Rental Housing Program and the federally-funded HOME Investment Partnership Program. DHCD regulations establish that RHFP may be awarded competitively or non-competitively. All requests for RHFP must be submitted using this Application Submission Package.

MBP provides financing through the issuance of tax-exempt and taxable bonds by the Community Development Administration (CDA).

Tax Credits include those allocated from the State’s tax credit ceiling based on population (9% Credits) and credits that are not allocated from the State’s tax credit ceiling and available automatically upon the issuance of tax-exempt bonds (4% Credits).

RHW provides subordinate gap financing in conjunction with MBP financing and 4% Credits. There is an additional RHW application, which must be submitted in conjunction with this Application Submission Package, if the applicant wishes to request RHW funding in addition to MBP and 4% Credits.

PRHP provides financing to projects which involve local governments in an ownership role. In some situations, PRHP financing is available to projects which are owned solely by non-governmental entities and which will provide units restricted for occupancy to individuals with disabilities.

Staff will review each application to determine the appropriate funding program(s) for the project.

## SUBMISSION REQUIREMENTS

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All requests for funding must use this application form and are subject to the Department's underwriting and construction reviews. The application fee is \$2,500 except for PHRP only applications. There is no application fee for PHRP only applications.

**NOTE REGARDING COMPETITIVE FUNDING ROUNDS:** Applications through Competitive Funding Rounds must be received no later than the prescribed date and time. No project information will be accepted after the application deadline date. The Department will provide receipts to applicants as applications are submitted. In case of a dispute, the receipt will serve as evidence of timely submission. Applicants may use standard or express mail services. However, the Department is not responsible for mail delivery and will consequently not accept applications received after the due date.

**Form of Submission:** Two copies of the complete application, including attachments and exhibits, along with an application fee (if applicable) must be submitted. One copy of the complete application should be prepared using three-ring notebook binder(s). Each section, attachment, and exhibit must be clearly tabbed so that a reviewer may easily find the necessary materials. Application forms should not be retyped, changed, or modified in any manner. All information on the application form must be completed or indicated that it is not applicable and all required exhibits must be included. All submissions must include one hard copy of the Building Evaluation Report (for rehabilitation projects only) and a full set of the project plans. A second copy of the complete application must be submitted via online file sharing platform, such as Google Drive, Drop Box, Share Point, etc.. The electronic copy should also be clearly tabbed so that a reviewer may easily find the necessary materials, and the files should not be scanned versions of the printed materials. Separate instructions will be supplied for the electronic submission of 9% applications.

In addition to submitting the hard and electronic copies of the application as described above, all applicants must also complete and submit an on-line application using the DHCD Portal at the Department's website: [dhcd.maryland.gov](https://dhcd.maryland.gov). To receive an account name and password for accessing the DHCD Portal, e-mail your request to [dhcd.rentalhousing@maryland.gov](mailto:dhcd.rentalhousing@maryland.gov).

**Application Fee:** The application fee (if applicable) must be sent directly to: Community Development Administration, Maryland Department of Housing and Community Development, Post Office Box 2524, Landover Hills, MD 20784. A copy of the check, payable to the "Community Development Administration," should be included with the application submission.

**Notice:** Applicants should carefully review the specific instructions for each individual exhibit in tandem with the current version of the Qualified Allocation Plan for the Allocation of Low Income Housing Tax Credits in Maryland dated February 4, 2022 (the “QAP”) and, in particular, Appendix A of the QAP, the Multifamily Rental Financing Program Guide (the “Guide”). Copies of the QAP as well as the Guide may be obtained from the Department’s website at:

<http://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx>

## QUICK REFERENCE TABLE

<b>Scoring Summary Table</b>		<b>Maximum Possible Points</b>	<b>Application Submission Package Exhibit(s)</b>
<b>4.1 Capacity of Development Team</b>		<b>74 Total Points</b>	
4.1.1	Development Team Experience	42 points	Exhibit C
4.1.2	Deductions from Team Experience Score	Negative 10 points	
4.1.3	Developer Financial Capacity	18 points	Exhibit D
4.1.4	Nonprofits (NPs), Public Housing Authorities (PHAs) and Minority/Disadvantaged Business Enterprises (MBE/DBEs)	14 points	Exhibit G
<b>4.2 Community Context</b>		<b>16 Total Points</b>	Exhibit H
4.2.1	Community Impact Projects	16 points*	
4.2.2	Communities of Opportunity	16 points*	
4.2.3	Defined Planning Areas and Opportunity Zones	16 points*	
<b>4.3 Transit Oriented Development (TOD)</b>		<b>8 Total Points</b>	Exhibit I
<b>4.4 Public Purpose</b>		<b>46 Total Points</b>	
4.4.1	Income Targeting	15 points	Exhibit J
4.4.2	Targeted Populations: PWD or Special Needs	10 points	Exhibit K
4.4.3	Family Housing	8 points	Application Form 202
4.4.4	Tenant Services	8 points	Exhibit L
4.4.5	Policy Incentives	5 points	Exhibit M
<b>4.5 Leveraging and Cost Effectiveness</b>		<b>25 Total Points</b>	
4.5.1	Direct Leveraging	15 points	Exhibit N
4.5.2	Operating Subsidies	10 points	Exhibit N
4.5.3	Construction or Rehabilitation Cost Incentives	Negative 8 points	
<b>4.6 Development Quality Standards</b>		<b>31 Total Points</b>	
4.6.1	Green Features	10 points	Exhibit E
4.6.2	Energy Efficiency	8 points	Exhibit E
4.6.3	Project Durability and Enhancements	13 points	Exhibit E
<b>4.76 State Bonus Points (maximum of 15 points)#</b>		<b>See note#</b>	
<b>Total</b>		<b>200 Total Points</b>	
<p>*Projects cannot receive points under more than one of the following categories: Community Impact Projects, Communities of Opportunity, and Defined Planning Areas and Opportunity Zones.                      #State Bonus Points may be awarded outside of the 200 point scale</p>			

## **APPLICATION FORM**

### **ATTACHMENTS**

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- CDA Form 202 Multifamily Rental Financing Application (Excel Document dated February 2022)

A CDA Form 202 Multifamily Rental Financing Application must be submitted which reflects all aspects of the project, including estimated development and operating budgets and pro forma. The CDA Form 202 also includes several worksheets that must be completed for self-scoring purposes, including Developer Financial Capacity, Income Targeting, and Leveraging and Cost Effectiveness.

In addition all applicants must also complete and submit an on-line application using the Department's Portal at the Department's website: [dhcd.maryland.gov](http://dhcd.maryland.gov). To receive an account name and password for accessing the DHCD Portal, e-mail your request to [dhcd.rentalhousing@maryland.gov](mailto:dhcd.rentalhousing@maryland.gov).

NOTE: It is important that all applicants pay close attention to the CDA Form 202 Application Form Instructions.

- Certifications - A copy of the Certifications must be executed and included with the application (Attached)
- Threshold Checklist (Attached)
- Applicant Self-Scoring (Attached)
- Organizational Chart – Current, if applicable, and Proposed (Sample Attached)



## **CERTIFICATIONS**

The undersigned hereby makes application to the Department for a loan and/or tax credits pursuant to one or more of the Department's Rental Housing Financing Programs and certifies the following:

### **LOAN REQUIREMENTS**

The undersigned acknowledges the loan may be secured by the lien on the property herein described and evidenced by a promissory note. The undersigned certifies that housing produced with the proceeds of the loan will be rented to income eligible households within the income limits set by the Department for the specific period.

### **PARTNERSHIP HOUSING (Local Governments Only)**

The undersigned acknowledges that if the Local Government should fail to maintain the housing for the purposes agreed to herein or sells all or part of the project funded with the loan, the loan plus the sum of all interest paid by the State on bonds or other moneys of the State used to fund the project must be repaid to the Department.

### **EQUAL OPPORTUNITY**

The applicant agrees that it will not discriminate on the basis of race, color, religion, national origin, sex, marital status, sexual orientation, physical or mental disability, or age, except with regard to age as permitted under the federal Housing for Older Persons Act, as amended from time to time or other similar federal laws, in the leasing of or otherwise providing dwelling accommodations at the property or in any other aspect of the development, administration, operation, construction, repair or maintenance of the property or in any aspect of employment by the applicant.

The applicant agrees that it will comply with all applicable provisions of federal, State and local laws and the Department of Housing and Community Development policies regarding discrimination, equal opportunity in employment, housing and credit practices, and drug and alcohol free workplaces including, but not limited to: Title VI and VII of the Civil Rights Act of 1964, as amended; Title VIII of the Civil Rights Act of 1968, as amended; the Fair Housing Act Amendments of 1988, as amended; Title 20 of the State Government Article of the Annotated Code of Maryland, as amended; State of Maryland Executive Order 01.01.1989.18 relating to drug and alcohol free workplaces; the Secretary's Minority Business Enterprise Program, as amended; and the Americans with Disabilities Act of 1990, as amended.

### **TENANT RELOCATION**

The undersigned certifies that no tenant living in any residential unit in the property to be rehabilitated has been forced to move by the applicant without cause in the twelve month period preceding the submission of this application and that no tenants will be forced to move without cause prior to loan closing except to rehabilitate the project in compliance with an approved relocation plan. The undersigned further agrees to comply with the relocation requirements of the Department if any residential tenant is required to be temporarily or

permanently displaced as a result of the rehabilitation undertaken pursuant to this loan application.

### **TAX CREDIT CERTIFICATIONS**

The undersigned certifies that the applicant has examined and understands Section 42 of the Internal Revenue Code of 1986 ("Section 42") relating to Low-Income Housing Tax Credits and the project described herein qualifies under Section 42 for the credits requested. The undersigned is solely responsible for compliance with Section 42 and any regulations. The undersigned is further solely responsible for all calculations and figures relating to the determination of the eligible and qualified basis for the project and individual buildings and understands and agrees that the amount of credits is calculated by reference to the maximum figure submitted with this application as to the eligible and qualified basis.

The undersigned further represents and certifies that the project can be completed within the time schedule set forth herein and that the information contained in this application is true, correct, and complete to the best of the undersigned's knowledge and belief and agrees to notify the Department promptly in writing of any changes in this information, including any changes in the sources and uses of funding for the project. The undersigned agrees to immediately notify the Department of a cancellation of the project, or if the project will not be completed within the proposed time schedule.

The undersigned understands and agrees that the Department, by accepting this application, has no obligation to reserve or allocate any or all of the credits requested and that the Department shall not be liable for any action regarding the project in reliance on this application or any credit reservation or allocation by the Department. It is further understood and agreed that the Department has the right to revoke any credit reservation or allocation after it had been made if, in the sole judgment of the Department, the project does not qualify for the credits or the project is not likely to be placed in service in the calendar year for which the credits were requested or to meet the requirements to carry over the credits. The undersigned agrees to, at all times, indemnify and hold harmless the Department against all losses, costs, damages, expenses, and liabilities of any nature of kind (including, but not limited to attorney's fees, litigation and court costs, amounts paid in settlement, amounts paid to discharge judgments, and any loss from judgments) arising out of, or related to acceptance, consideration, approval or disapproval of this application.

### **ACCESS TO PUBLIC ACT NOTICE AND WAIVER**

Applicants should give specific attention to the identification of information furnished to the Department under this application which they deem confidential, commercial or financial information, proprietary information, or trade secrets and provide any justification of why this information should not be disclosed under the Maryland Public Information Act, State General Provisions Article, Title 4 of the Annotated Code of Maryland. Applicants are advised that, upon request from a third party, the Department is required to make an independent determination as to whether the information may or must be divulged to that third party.

The information in this application will be disclosed to appropriate staff of the Department or the public officials for purposes directly connected with the administration of

the programs for which its use is intended. Such information may be shared with State, Federal, or local government agencies that have a financial role on the project.

The Department intends to make available to the public certain information regarding projects submitting applications regardless of whether or not the project is recommended for reservation of funds by the Department. Some of this information may not be disclosed under Maryland's Access to Public Records Act. By signing and delivering this application to the Department, you hereby AGREE TO WAIVE ANY RIGHTS TO OBJECT TO OR PREVENT THE DISCLOSURE TO THE PUBLIC OF THE FOLLOWING INFORMATION: applicant's and sponsor names; name and address of the project; loan and /or tax credit amounts and terms (requested and/or approved); amounts and sources of other financing; total project cost; waivers (requested and/or received); explanation of amount and reason for State Bonus Points received (if any); total number of units; population served (elderly or family); and number of units reserved for persons with disabilities or special needs.

**GENERAL**

The undersigned hereby certifies that the development proposed in this application can be developed in accordance with the development budget set forth herein and operated in accordance with the operating budget set forth herein and further certifies that the information set forth herein and in any attachments in support hereof is true, correct, and complete to the best of his/ her knowledge and belief. The undersigned authorizes the Department to obtain credit information for the purpose of evaluating this application.

IN WITNESS WHEREOF, the applicant has caused this document to be duly executed in its name of this \_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Full legal name of sponsor)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## THRESHOLD CHECKLIST

Meets Requirements	Threshold Requirements
	2 Application Process
<input type="checkbox"/>	2.4 Application Form and Fees
	3 Threshold Criteria
<input type="checkbox"/>	3.1 Development Team Requirements
<input type="checkbox"/>	3.2 Occupancy Requirements
<input type="checkbox"/>	3.3 Marketing Requirements
<input type="checkbox"/>	3.4 Tenant Services
<input type="checkbox"/>	3.5 Persons with Disabilities (PWD)
<input type="checkbox"/>	3.6 Other Financing Commitments
<input type="checkbox"/>	3.7 RHFP and RHW Loan Requirements
<input type="checkbox"/>	3.8 LIHTC Award Limits
<input type="checkbox"/>	3.9 Underwriting Standards
<input type="checkbox"/>	3.10 Readiness to Proceed and Financial Feasibility
<input type="checkbox"/>	3.11 Site Requirements
<input type="checkbox"/>	3.12 Market Study
<input type="checkbox"/>	3.13 Development Quality Thresholds
<input type="checkbox"/>	3.14 Additional Criteria Applicable Only to Rehabilitation

## Applicant Self-Scoring

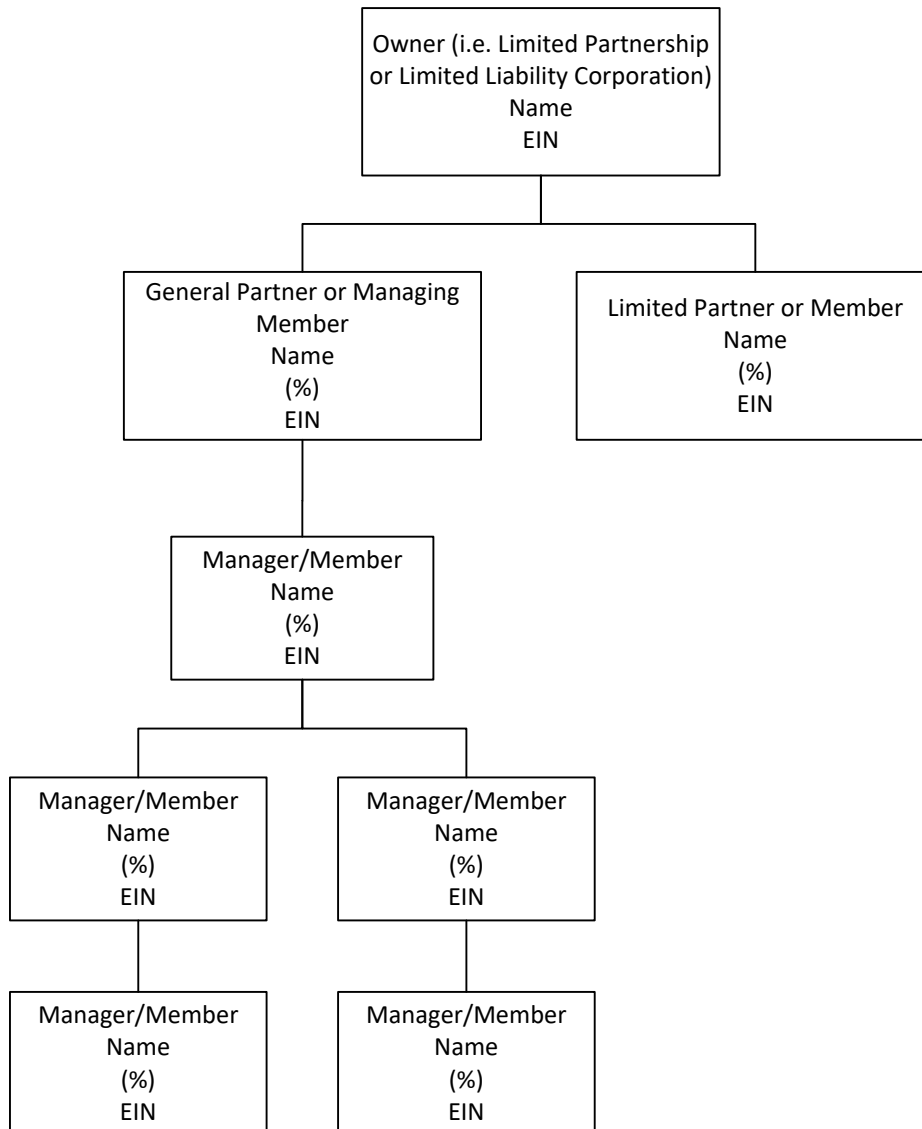
Scoring Summary Table		Maximum Possible Points	Applicant Self-Score	DHCD USE ONLY
<b>4.1 Capacity of Development Team</b>		<b>74 Total Points</b>		
	4.1.1 Development Team Experience	42		
	4.1.2 Deductions from Team Experience Score	-10		
	4.1.3 Developer Financial Capacity	18		
	4.1.4 Nonprofits (NPs), Public Housing Authorities (PHAs) and Minority/Disadvantaged Business Enterprises (MBE/DBEs)	14		
<b>4.2 Community Context</b>		<b>16 Total Points</b>		
	4.2.1 Community Impact Projects	16*		
	4.2.2 Communities of Opportunity	16*		
	4.2.3 Defined Planning Areas and Opportunity Zones	16*		
<b>4.3 Transit Oriented Development (TOD)</b>		<b>8 Total Points</b>		
<b>4.4 Public Purpose</b>		<b>46 Total Points</b>		
	4.4.1 Income Targeting	15		
	4.4.2 Targeted Populations: PWD or Special Needs	10		
	4.4.3 Family Housing	8		
	4.4.4 Tenant Services	8		
	4.4.5 Policy Incentives	5	<del> </del>	
<b>4.5 Leveraging and Cost Effectiveness</b>		<b>25 Total Points</b>		
	4.5.1 Direct Leveraging	15		
	4.5.2 Operating Subsidies	10		
	4.5.3 Construction or Rehabilitation Cost Incentives	-8		
<b>4.6 Development Quality Standards</b>		<b>31 Total Points</b>		
	4.6.1 Green Features	10		
	4.6.2 Energy Efficiency	8		
	4.6.3 Project Durability and Enhancements	13		
<b>Total</b>		<b>200 Total Points</b>		
*Project cannot receive points under more than one of the following categories: Community Impact, Communities of Opportunity, or Defined Planning Areas.				

## Organization Chart

Submit an Organization Chart that illustrates the structure of the ownership entity (proposed or current). A sample Organization Chart is provided below.

### Project Name

### Organizational Chart: Owner, GP, & LP



## ***EXHIBIT A: PROJECT INFORMATION***

### Notice and Opportunity to Comment – Local Governments

Upon receipt of an Application Submission Package the Department shall provide written notice of the application and a reasonable opportunity to comment to the political subdivision in which the project is located. Please complete the attached form describing your project. This form will be included with the Notice the Department sends to the applicable political subdivision for your project. Please refer to Section 2.2 of the Guide for more information.

### Market Analysis

Applications must include a market study prepared by a market analyst acceptable to the Department and unaffiliated with the members of the development team. The market analyst must have experience with affordable multifamily rental housing and/or LIHTC housing in Maryland. The market study should be detailed, provide a logical basis for all conclusions, clearly indicate a need for the housing, demonstrate that the project would be competitive in the local market, demonstrate that the project will not compete adversely with other projects the Department has financed or insured, and be less than six months old. Please contact the Department if assistance is needed in identifying other projects financed by the Department. Please refer to Section 3.12.1 of the Guide for more information.

### Other Project Financing

Letters of intent to provide financing must be furnished for all construction and permanent funding sources (loans, grants, and equity) identified in the application. At a minimum, letters of intent must be specific to the project and detailed concerning terms and conditions. Refer to Section 3.6 of the Guide for more information regarding this requirement. Projects seeking consideration in Leveraging scoring for projected capital from a qualified Opportunity Zone fund must complete the Opportunity Zone certification included in this exhibit.

### Public and Assisted Housing Waiting Lists

All projects must establish a priority for households on waiting lists for public housing or other federal or State assisted low-income housing. To document this priority, a letter from the applicant to the local agency with jurisdiction over the project must be included in this exhibit. The letter must clearly indicate that a preference will be given to households on the waiting list. In addition, evidence must be provided that the entity maintaining the waiting list is willing to refer tenants to the project. Please refer to Section 3.3.1 of the Guide for more information.

## ATTACHMENTS

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- Project Information Sheet for Notice to Local Governments (template attached)
- Market Analysis - A narrative and chart (table) must be provided that describes how the minimum mandatory standards will be met in order for a project to pass threshold. It is recommended that the narrative/chart address each bulleted point and clearly identify how the criteria will be met. Include a reference where the information can be found in the Market Study. Provide an electronic copy of the Market Study on CD with application.
- Other Project Financing - Letters of Intent or Commitment Letters for Other Loans, Equity, and Grants
- Letter to Local Agency Establishing Public and Assisted Housing Waiting List Priority
- Letter from Local Agency Agreeing to Refer Tenants from Public and Assisted Housing Waiting List
- Opportunity Zone Investment Certification (attached) (if applicable)



LOCAL GOVERNMENT NOTIFICATION  
PROJECT SUMMARY

DATE OF APPLICATION:

NAME OF PROJECT:

ADDRESS OF PROJECT:

DEVELOPER & DEVELOPER'S CONTACT  
INFORMATION:

AMOUNT OF DHCD FUNDING AND/OR  
LOW INCOME HOUSING TAX CREDITS  
(LIHTC) REQUESTED: Multifamily Bond  
Program (MBP) \$

Rental Housing Financing Program (RHFP) \$

Federal HOME Program (HOME)  
\$

Rental Housing Works (RHW)  
\$

Partnership Rental Housing Program (PRHP)  
\$

Energy Lending Program (EmPOWER or CIF)  
\$

LIHTC  
\$

Other DHCD \$ \$

OTHER SOURCES FINANCING (amount,  
type & provider)

DEVELOPER'S EQUITY \$ \_\_\_\_\_

INTERIM INCOME \$ \_\_\_\_\_

OTHER LOANS \$ \_\_\_\_\_

TYPE OF PROJECT  NEW  
 CONSTRUCTION  
 ACQUISITION

ACQUISITION AND REHABILITATION

REHABILITATION

TOTAL NO. OF UNITS \_\_\_\_\_

NUMBER OF UNITS RESERVED FOR  
HOUSEHOLDS OF LIMITED INCOME,

\_\_\_\_\_ TOTAL UNITS FOR HOUSEHOLDS OF  
LIMITED INCOME

\_\_\_\_\_ % OF TOTAL UNITS

INCLUDING THE INCOME AND RENT  
LIMITS:

RESTRICTED UNITS ONLY

\_\_\_ UNITS @ 80% AREA MEDIAN INCOME  
(AMI) (\$ \_\_\_\_\_)

\_\_\_ UNITS @ 70% AMI (\$ \_\_\_\_\_)

\_\_\_ UNITS @ 60% AMI (\$ \_\_\_\_\_)

\_\_\_ UNITS @ 50% AMI (\$ \_\_\_\_\_)

\_\_\_ UNITS @ 40% AMI (\$ \_\_\_\_\_)

\_\_\_ UNITS @ 30% AMI AND BELOW  
(\$ \_\_\_\_\_)

RESTRICTED UNITS ONLY

\_\_\_ UNITS @ 80% AREA MEDIAN INCOME  
(AMI) (\$ \_\_\_\_\_)

\$ \_\_\_ MAXIMUM RENT: EFFICIENCY/SRO

\$ \_\_\_ MAXIMUM RENT: ONE (1) BEDROOM

\$ \_\_\_ MAXIMUM RENT: TWO (2) BEDROOM

\$ \_\_\_ MAXIMUM RENT: THREE (3)

BEDROOM

\$ \_\_\_ MAXIMUM RENT: FOUR (4)BEDROOM

BRIEF NARRATIVE DESCRIPTION OF PROJECT:

**Maryland Department of Housing and Community Development**  
**OWNER/SPONSOR CERTIFICATION OF OPPORTUNITY ZONE INVESTMENT**

(Submit under Exhibit A in Application)

Project Name: \_\_\_\_\_

A project seeking consideration in Leveraging scoring for projected capital from a qualified Opportunity Zone fund must complete this Certification. As detailed in Section 4.5.1 of the Multifamily Rental Financing Program Guide (the “Guide”), projected capital from a qualified Opportunity Zone fund must result in an equity contribution to the project that is in excess of DHCD’s assumptions of LIHTC equity pricing at the time of application.

As the Owner/Developer I hereby certify that the projected capital from a qualified Opportunity Zone fund to be considered as leveraged funds in accordance with Section 4.5.1 of the Guide is \$\_\_\_\_\_, which amount is in excess of DHCD’s assumptions of LIHTC equity pricing.

This certification is in accordance with the requirements of Sections 3.6 and 4.5.1 of the Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

## ***EXHIBIT B: SITE INFORMATION***

### Site Map and Photographs

Include a site map clearly showing area amenities (such as schools, parks, shopping, and public transportation). The site map should include approximate distances from the site to the amenities. Also include photographs of the site, any existing buildings, and the adjacent properties. Each picture should contain a description of the location of the photographed site relative to the subject site and a description of the surrounding property's use and the direction toward which the photographs were taken.

### Priority Funding Area Designation

All projects involving new construction must be located in a Priority Funding Area (PFA). Rehabilitation projects are not subject to this requirement. Please refer to Section 3.11.7 of the Guide for more information. If you are uncertain if your project is located in a Priority Funding Area, please contact the Department for assistance before submitting an application for financing.

### Environmental Checklist

Each project must comply with applicable requirements of local, state, and federal environmental laws and regulations. An initial due diligence evaluation of the site for environmental issues is required. This evaluation includes a review of foundation conditions, man-made hazards, storm water runoff, underground storage tanks, and potential for lead-based paint, radon gas, mold, PCB's or asbestos in existing buildings. Applicants complete and attach the Environmental Due Diligence Checklist (which is included at the end of this exhibit) for the preliminary evaluation of the site. If a U.S. Department of Housing and Urban Development (HUD) environmental clearance has already been performed, you may submit it with the application instead of the Environmental Due Diligence Checklist. Please refer to Section 3.11.4 of the Guide for more information.

### Zoning

Properties must be properly zoned for their intended use. A letter from the local zoning office indicating that the project is properly zoned for its intended use should be attached as part of this exhibit. If a zoning change, variance, or exception is required, sponsors must provide documentation illustrating the local planning and zoning process and identifying a local governmental contact person familiar with the project and responsible for the approval process. Sponsors must also provide a detailed schedule for obtaining the required approvals. Please refer to Section 3.11.3 of the Guide for more information.

## Site Control

Applicants must have obtained sufficient site control to allow projects to move forward within normal processing timeframes if they receive a reservation of funds or LIHTC. Generally, site control should be for at least 180 days from the application deadline date (including extension options). Site control should include a detailed list of all addresses in the project. If the project is located on a scattered site the address list should be broken down by parcel. Please refer to Section 3.11.1 of the Guide for more information.

## **ATTACHMENTS**

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### **Site Map and Photographs**

- Site Map
- Photographs of Project Site and Surroundings

### **Priority Funding Area**

- Local Government Certification
- Maryland Office of Planning Confirmation, if necessary
- Not Applicable. The project is a rehabilitation project and is not subject to this requirement

### **Environmental Checklist**

- Environmental Due Diligence Checklist (attached)
- HUD Environmental Clearance (alternative)

### **Zoning**

- Evidence of Zoning with Local Contact Information
- Description of Change, Variance or Exception Required
- Detailed Process and Schedule for Obtaining Required Approvals

### **Site Control**

- Evidence of Site Control
- Proposal for Identifying Sites

## ENVIRONMENTAL DUE DILIGENCE CHECKLIST

Project: \_\_\_\_\_

Date: \_\_\_\_\_

Investigator: \_\_\_\_\_

Percentage of Living Units Reviewed: \_\_\_\_\_%

Percentage of Site Actually Walked and Observed: \_\_\_\_\_%

Environmental Risks	Observed	Possible	Not Observed
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos Containing Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lead Paint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Storage Tanks, Lines and Vents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Above Ground Chemical Storage or Products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visible Soil Discoloration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Buried Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB Transformers or Light Ballast	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential Contaminated Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Emissions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer Failure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
On-lot Septic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excessive Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foul Odors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
French Drain or Disposal Pit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unsafe Material Management Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pipe Leaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mold	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Radon Gas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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<b>Geologic Features</b>	<b>Observed</b>	<b>Not Observed</b>
Streams	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>
Ponds	<input type="checkbox"/>	<input type="checkbox"/>
Sink Holes	<input type="checkbox"/>	<input type="checkbox"/>
Rock Outcrops	<input type="checkbox"/>	<input type="checkbox"/>
Springs	<input type="checkbox"/>	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>	<input type="checkbox"/>
Poor Drainage	<input type="checkbox"/>	<input type="checkbox"/>

## **EXHIBIT C: DEVELOPMENT TEAM INFORMATION**

### **Exhibit C.1 DEVELOPMENT TEAM INFORMATION - DEVELOPER AND SPONSOR/OWNER**

Staff will evaluate the members of the Development Team based on their record of accomplishment with projects that are similar to the proposed project. In this exhibit, documentation should be submitted for the Developer and Sponsor/Owner. If the Developer and Sponsor/Owner are unrelated to one another, information should be submitted for each entity.

The documentation required with this exhibit should address the experience and qualifications of Developer and Sponsor/Owner entity. The applicant should provide where he/she has acted in a comparable capacity along with information on experience with other projects of similar type, scale, and complexity and in a similar capacity. For scattered site projects, submit evidence of prior experience completing similar scattered site rental projects.

In addition, developer and sponsor/owner team members should carefully review the Previous Project Performance Threshold Criteria in Section 3.1.1 of the Guide and the Development Team Evaluation Criteria in Section 4.1 of the Guide for more information regarding the Department's review of development team members.

### **ATTACHMENTS**

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#### **Developer Information**

- Form 203—Developer's and Sponsor/Owner's Qualifications and Current Workload. A copy of Form 203 may be downloaded from the DHCD website at: <http://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx>
- References- a minimum of 3 references should be provided
- Firm Resume
- Examples of previous scattered site experience (if applicable)



## EXHIBIT C.2: DEVELOPMENT TEAM INFORMATION - GENERAL CONTRACTOR

Staff will evaluate the members of the Development Team based on their record of accomplishment with projects that are similar to the proposed project. In this exhibit, documentation should be submitted for the General Contractor.

The documentation required with this exhibit should address the experience and qualifications of the general contractor. The General Contractor should provide where he/she has acted in a comparable capacity along with information on experience with other projects of similar type, scale, and complexity and in a similar capacity. For scattered site projects, submit evidence of prior experience completing similar scattered site rental projects.

In addition, development team members should carefully review the Previous Project Performance Threshold Criteria in Section 3.1.1 of the Guide and the Development Team Evaluation Criteria in Section 4.1 of the Guide for more information regarding the Department's review of development team members.

### ATTACHMENTS

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#### General Contractor Information

- AIA Document A305—Contractor's Qualification Statement
- Supplement to the AIA Document A305—Contractor's Qualification Statement (attached)
- Firm Resume
- Examples of previous scattered site experience (if applicable)

**SUPPLEMENT TO THE AIA DOCUMENT A305—CONTRACTOR’S QUALIFICATION  
STATEMENT**

**SUPPLEMENTAL INFORMATION**

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1. List which trades, if any, will be performed directly by the Firm’s own personnel or by identity of interest subcontractors, and not by outside subcontractors, in the construction of the proposed housing development. If none, so state.

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2. Neither the contractor nor any director, stockholder, officer, employee or agent associated with the contractor nor any person, firm or corporation has any financial interest in said property, and has not received nor will receive any benefit from the acquisition of said property, including but not limited to rebate, refunds, commissions or fees, except as hereunder disclosed. If none, so state.

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3. The undersigned hereby certifies that neither the Firm nor any partner, director, stockholder, officer, employee or agent associated with the Firm nor any person, firm or corporation having a financial interest in the affairs of the Firm, has agreed, or will agree, directly or indirectly, or with the Firm’s knowledge and consent, to give to any other party any payment or thing of value, profit or fee, or commission as an inducement for the granting of this contract, except as hereunder disclosed. If none, so state.

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4. Has the Firm, under its present name or any previously used name, or any of its principals, ever commenced construction of a project that it has not completed, except those currently under construction? If yes, provide details. Use extra sheets if necessary.

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5. In answering the following questions, the term "Principal" (as listed in paragraph 2 above) also includes any other Firm in which such person participated as a Principal.

5.1. Have any of the Principals ever filed a petition of bankruptcy?  Yes  No

5.2. Has there ever been a petition of bankruptcy filed against the Firm or any of the Principals?  Yes  No

5.3. Has the Firm or any of the Principals ever made an assignment for the benefit of creditors?  Yes  No

5.4. Are there any unsatisfied judgments or liens against the Firm or any of the Principals?  Yes  No

5.5. Has the Firm or any of the Principals been a party to any litigation within the last five years?  Yes  No

If the answer to any of the questions in paragraph 5 is yes, give details. Use additional sheets if necessary.

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6. Has the Firm, or any of the Principals, ever been convicted of a crime? If yes, give details including the name of the entity or person, when and where convicted, and the crime or offense involved.

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7. Can the Firm obtain 100% payment and performance bonds for constructing the subject development?

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**CERTIFICATION**

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The undersigned hereby certifies that the information set forth in this certificate, and in any attachments in support thereof, is true correct and complete to the best of his or her knowledge and belief.

**NOTICE:** *Section 2-207, Article 83B, Annotated Code of Maryland provides in part: A person who knowingly makes or causes false statements for the purpose of influencing the action of the Administration "...is subject to a fine not exceeding \$50,000 or imprisonment not exceeding five years, or both."*

IN WITNESS WHEREOF, the General Contractor has caused this certificate to be duly executed in its name on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NAME OF FIRM

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## EXHIBIT C.3: DEVELOPMENT TEAM INFORMATION- ARCHITECT

Staff will evaluate the members of the Development Team based on their record of accomplishment with projects that are similar to the proposed project. In this exhibit, documentation should be submitted for the Architect.

The documentation required with this exhibit should address the experience and qualifications of the architect. The Architect should provide where he/she has acted in a comparable capacity along with information on experience with other projects of similar type, scale, and complexity and in a similar capacity. For scattered site projects, submit evidence of prior experience completing similar scattered site rental projects.

In addition, development team members should carefully review the Previous Project Performance Threshold Criteria in Section 3.1.1 of the Guide and the Development Team Evaluation Criteria in Section 4.1 of the Guide for more information regarding the Department's review of development team members.

### **ATTACHMENTS**

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#### **Architect Information**

- AIA Document B305—Architect's Qualification Statement
- Firm Resume
- Examples of previous scattered site experience (if applicable)

## EXHIBIT C.4: DEVELOPMENT TEAM INFORMATION - MANAGEMENT AGENT

Staff will evaluate the members of the Development Team based on their record of accomplishment with projects that are similar to the proposed project. In this exhibit, documentation should be submitted for the Management Agent.

The documentation required with this exhibit should address the experience and qualifications of the management agent. The Management Agent should provide where he/she has acted in a comparable capacity along with information on experience with other projects of similar type, scale, and complexity and in a similar capacity. For scattered site projects, submit evidence of prior experience completing similar scattered site rental projects.

In addition, development team members should carefully review the Previous Project Performance Threshold Criteria in Section 3.1.1 of the Guide and the Development Team Evaluation Criteria in Section 4.1 of the Guide for more information regarding the Department's review of development team members.

### ATTACHMENTS

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#### Management Agent Information

- Form 209 – Management Agent's Qualifications and Apartment Management Experience (see <http://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx> for a copy of this form)
- Firm Resume
- References- a minimum of 3 references should be provided
- Examples of previous scattered site experience (if applicable)

## EXHIBIT C.5: DEBARMENT AFFIDAVITS

Members of the development team must not have a limited denial of participation from the U. S. Department of Housing and Urban Development (HUD) or be debarred, suspended, or voluntarily excluded from participation in any federal or State program. All members of the development team (including any ownership interest except for limited partners or non-managing members, developers, general contractors, architects, and management agents) must certify on the required form that, among other things, they are not debarred from doing business with the State of Maryland. Failure to disclose required information on the application may subject the applicant to penalties under Maryland law.

### ATTACHMENTS

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#### **Debarment Affidavits (attached)**

- Owner(s), including any ownership interest except limited partners or non-managing members
- Developer
- General Contractor
- Architect
- Management Agent

Project Name:  
Project No.:

### Debarment Affidavit

**A. Authorized Representative**

**I Hereby Affirm That:**

I am the \_\_\_\_\_ and the duly authorized representative of \_\_\_\_\_ and that I possess the legal authority to make this Affidavit on behalf of myself and the business for which I am acting.

**B. Certification of Registration and Tax Payment**

**I Further Affirm That:**

- (1) The business named above is a [corporation] [\_\_\_\_\_] formed in [\_\_\_\_\_, Maryland] [(other state: \_\_\_\_\_)] and registered in accordance with the Corporations and Associations Article, Annotated Code of Maryland, and that it is in good standing and has filed all of its annual reports, together with filing fees, with the Maryland State Department of Assessments and Taxation, and that the name and address of its resident agent filed with the State Department of Assessments and Taxation is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(if not a corporation, state so)

- (2) Except as validly contested, the business has paid, or has arranged for payment of, all taxes due all government entities including the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Department of Labor, Licensing and Regulation (DLLR), and all other taxing authorities, as applicable, and will have paid all withholding taxes due to the State of Maryland prior to final settlement.

**OR**

- (1) The applicant named above is a housing authority organized pursuant to Division II of the Housing and Community Development Article of the Annotated Code of Maryland, and that it is in good standing and has filed all reports, together with filing fees, with the Maryland Secretary of State, and that the name and address of its custodian of records filed with the Secretary of State is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

- (2) Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland, and filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, the Secretary of State, the



Department of Housing and Community Development (DHCD), as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

**C. Affirmation Regarding Bribery Convictions**

**I Further Affirm That:**

Neither I nor, to the best of my knowledge, information and belief, the above business (as defined in §16-101 (b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners or any of its employees directly involved in obtaining contracts with the public bodies (as defined in §16- 101(f) of the State Finance and Procurement Article of the Annotated Code of Maryland), has been convicted of, or has had probation before judgment imposed pursuant to Section 6-220 of the Criminal Procedure Article of the Annotated Code of Maryland, or has pleaded nolo contendere to a charge of bribery, attempted bribery, conspiracy to bribe in violation of Maryland law, or the law of any other state or federal law , except as follows [indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business]:

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**D. Affirmation Regarding Other Convictions**

**I Further Affirm That:**

Neither I nor, to the best of my knowledge, information and belief, the above business, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has:

- (a) been convicted under the state or federal statute of a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property.
- (b) been convicted of any criminal violation of a state or federal antitrust statute;
- (c) been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §1341 et seq, for acts arising out of the submission of bids or proposals for a public or private contract;
- (d) been convicted of a violation of the State Minority Business Enterprise Law, Section 14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland;
- (e) been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsection (a), (b), (c) or (d) above;
- (f) has been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract;

(g) admitted in writing or under oath, during the course of an official investigation or other proceeding, acts or omissions that would constitute grounds for conviction or liability under any law or statute described above, except as follows [indicate reasons why the affirmations cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved, and their current positions and responsibilities with the business, and the status of any debarment]:

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**E. Affirmation Regarding Debarment**

**I Further Affirm That**

Neither I, nor to the best of my knowledge, information and belief, the above business, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity, except as follows: [list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds for the debarment or suspension, the details of each person's involvement in any activity that formed the grounds for the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds for the debarment or suspension]:

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**F. Affirmation Regarding Debarment of Related Entities**

**I Further Affirm That**

(1) The business was not established and does not operate in a manner designed to evade the application or defeat the purpose of debarment pursuant to Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland; and

(2) The business is not a successor, assignee, subsidiary or affiliate of a suspended or debarred business, except as follows [indicate the reason(s) why the affirmation cannot be given without qualification]:

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**G. Sub-Contract Affirmation**

**I Further Affirm That:**

Neither I nor, to the best of my knowledge, information and belief, the above business, has knowingly entered into a contract with a public body under which a person debarred or suspended under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property or construction.

**H. Acknowledgment**

**I ACKNOWLEDGE THAT** this Affidavit is to be furnished to the Department of Housing and Community Development and may be distributed to units of (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to the applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any agreement resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify, or waive, on behalf of the State of Maryland or any unit of the State of Maryland having jurisdiction the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland with regard to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract and (3) other affidavits comprising part of the contract.

***I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENAL TIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.***

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## **EXHIBIT D: FINANCIAL STATEMENTS OF DEVELOPERS, OWNERS AND GUARANTORS**

Financial statements for the three fiscal years prior to the application and interim financial statements through the previous quarter are required for the project sponsor, project owner, guarantor, and general partner/managing member with an ownership interest in the project's ownership entity whether such roles are held by individuals, corporate entities, partnerships, or limited liability companies. Each financial statement must identify all contingent liabilities including guarantees on other developments in process, income taxes estimated or accrued, and operating deficits.

If the most recent fiscal year ends within 3 months of or after the submission period, the applicant shall submit financial statements for the three prior fiscal years plus interim financial statements through the previous quarter of the most recent fiscal year that have been certified. Financial statements must meet the Department's standards as follows:

- For corporations or other business entities:
  - Financial statements must be prepared in accordance with Generally Accepted Accounting Principles (GAAP) and be audited by an independent certified public accountant (CPA) and clearly indicate the net worth and working capital of each entity; or
  - At a minimum must be certified, compiled, or reviewed by an independent CPA prepared in accordance with GAAP and clearly indicate the net worth and working capital and all contingent liabilities, including liability for estimated or accrued income or other taxes.
  
- For individuals acting as guarantors:
  - Financial statements, at a minimum, must be compiled by an independent CPA and clearly indicate the net worth and working capital and all contingent liabilities, including liability for estimated or accrued income or other taxes, for each person; and be signed by the guarantors as follows:  
*"Subject to the penalties prescribed under Title 4 of the Housing and Community Development Article of the Annotated Code of Maryland, I (we) hereby certify that these financial statements are true and correct to the best of my (our) knowledge and belief."*

All corporations, limited liability companies, or partnerships that make up the Developer or that will provide guarantees to the transaction must submit audited, reviewed or compiled financial statements, as well as interim statements acceptable to DHCD. If possible, financial statements should be prepared according to GAAP. Any individuals providing guarantees or who will be a managing member or general partner in the Developer must submit personal financial statements, including certifications acceptable to DHCD. The required financial statements must include calculations of total assets, total liabilities, current assets, and current liabilities. Complete financial statement requirements may be found in the Application Submission Package.

Upon written request and at the Department's sole discretion, the requirement for statements not meeting the above criteria may be waived if applicants have an acceptable borrowing history as evidenced by past performance with the Department or other lenders. See Exhibit F for more information on waivers of application requirements.

Credit references from at least three previous lenders must also be provided.

## **ATTACHMENTS**

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- Financial Statement (prepared by independent CPA)
- Credit References
- Financial Capacity Self-Scoring Form (Included in CDA Form 202 – Multifamily Rental Financing Application)

## ***EXHIBIT E: CONSTRUCTION INFORMATION***

### **EXHIBIT E.1: CONSTRUCTION THRESHOLD INFORMATION (Development Quality Threshold Section 3.13)**

#### Development Quality Threshold Narrative

A narrative or chart (table) must be provided that describes how the minimum mandatory standards will be met in order for a project to pass threshold. It is recommended that the narrative address each bulleted point and clearly identify how the criteria will be met. Include any corresponding support documentation, or reference where the information can be found in the construction documents.

#### Cost Estimates and Waiver

A breakdown of the construction or rehabilitation costs shown in the application's development budget must be provided on the Department's Form 212—Summary Cost Estimate. Form 215 is not required at this stage. (form available through DHCD's website at <http://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx#appdocs>). The cost estimates must be prepared and signed by the architect or general contractor for the project. The construction or rehabilitation costs must be within a reasonable range for the scope of work proposed. If the proposed costs exceed the Department's standards up to 8 points may be deducted from scoring unless a construction cost waiver is approved (include under Exhibit F: Certifications and Waiver Requests). Please refer to Section 4.5.3 of the Guide for more information on construction cost limitations and Section 5.2.3 of the Guide for more information on construction cost waivers.

#### Building Evaluation Report

For projects that involve the rehabilitation of existing buildings, applicants must provide a preliminary engineering assessment of the buildings. In rehabilitating properties, developers may encounter unforeseen issues that can delay, increase the cost of, or even halt rehabilitation. To avoid this, the Department requires that an engineer or other qualified professional, preferably one who is independent from the development team, complete an assessment of the property. Guidelines for the Building Evaluation Report are provided at the end of this exhibit. Provide an electronic copy of the Building Evaluation Report on a CD with the application.

#### Schematic Documents

The guidelines that are included at the end of this exhibit outline the preliminary development documents that should be submitted with the application. The documents indicated in this section are considered minimum requirements and should be amended to meet the specific project requirements. Items that generally apply only to renovation projects are indicated. Provide an electronic copy of the Schematic Documents on a CD with the application.

## Certification for RESNET Certified HERS Rater/BPI Certified Professional

A Certification concerning the use of a RESNET Certified HERS rater/BPI Certified Professional as detailed in Section 3.13.1 item 3 of the Guide must be included in the Application.

### **EXHIBIT E.2: CONSTRUCTION SCORING INFORMATION** (Development Quality Standards Section 4.6)

#### Development Quality Self Scoring and Narrative

Provide a narrative for each feature of the Development Quality Standards. It is recommended that the narrative address each bulleted point and clearly identify how the criteria will be met. Include any corresponding support documentation, or reference where the information can be found in the construction documents.

#### Documentation and Certifications

Applications should include the documentation and certifications discussed in Section 4.6 of the Guide as part of this Exhibit.

### **ATTACHMENTS**

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#### EXHIBIT E.1: CONSTRUCTION THRESHOLD ATTACHMENTS

- Development Quality Threshold Narrative/Chart
- Form 212—Summary Cost Estimate (form available through DHCD’s website at <http://dhcd.maryland.gov/HousingDevelopment/Pages/MFLibrary.aspx>)
- Building Evaluation Report (guidelines attached)
- Schematic Documents (guidelines attached)
- Construction costs waiver request, if applicable
- RESNET Certified HERS rater/BPI Certified Professional Certification (attached)
- Certification regarding 15% savings and Energy Audit Requirements (Rehabilitation Projects only) (attached)

#### EXHIBIT E.2: CONSTRUCTION SCORING ATTACHMENTS

- Development Quality Narrative/Chart
- Copy of “Green” Rating Agency scoring checklist or scorecard signed by project architect or qualified third party
- Optional – Zero Energy Ready Home Designation Certification

## ***BUILDING EVALUATION REPORT GUIDELINES***

### ***For Rehabilitation Projects Only***

#### **PRELIMINARY SCOPE OF WORK**

Include a written scope of work using the 16 CSI (or current) construction divisions for each of the following:

- The existing conditions and systems;
- Proposed work to the above elements;
- New Systems and structures and how they will be integrated into the existing work;
- Other information as may be required to describe adequately the project; and
- For any unusual conditions or areas of concern include photographs and a narrative specific to the condition.

#### **PROJECT WALK THROUGH**

Include the results of a survey of a minimum of 15% of the units including:

- Photographs of the building exterior and interior in sufficient detail and quantity to fully describe the existing conditions;
- Labeling of all photographs with a description of existing conditions and how these are anticipated to be modified by the work;
- A key plan indicating location of each photograph; and
- A listing of the units reviewed and significant findings coordinated with the written scope of work above.



# ***SCHEMATIC DOCUMENTS***

## **DRAWING REQUIREMENTS**

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All of the following documents must reflect the general intent of the project and generally delineate the proposed project scope, as well as submission level. Provide drawings to scale as noted below.

### **1. Civil Engineering Documents**

- a) Proposed Site Plan (min 1":50') including the following:
  - All existing structures and location of all proposed structures
  - Basic storm water considerations
  - Existing and proposed roads and parking elements
  - Approximate location of all existing utilities
- b) Information concerning the proposed site specific to the project, accessibility and visitability features, retaining walls, etc.

### **2. Architectural Documents**

- a) Title Sheet
  - Project Information including Project name and address
  - The names, addresses and telephone numbers of the Owner and all Consultants
  - The date
  - The submissions level
  - List of Drawings
  - Project Area Breakdown
  - Unit Mix and Square Footages
  - Vicinity Map
- b) Schematic Demolition Floor Plans for Each Building Level (1/8" scale min)\*
- c) Schematic Preliminary Floor Plans for Each Building Level (1/8" scale min)
- d) Schematic Demolition Plans of Individual Units (1/4" scale min)\*
- e) Schematic Individual Unit Plans (1/4" scale min)
- f) Schematic Exterior Building Elevations (1/8" scale min)
  - Provide elevations of all major exterior wall areas
  - Provide schematic key plan indicating elevation locations
  - Include Demolition information as required.\*

### **3. Structural Documents**

- a) Information concerning the proposed Structural Systems and Information on Unusual Conditions, as required
- b) Information on the existing structural systems and the effect that the project will have on these\*

### **4. Plumbing Documents**

- a) Information concerning the proposed Plumbing Systems and Information on Unusual Conditions,

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\* Generally applies only to renovation projects.

as required

- b) Information on the existing plumbing systems and the effect that the project will have on these\*

## 5. HVAC

- a) Information concerning the proposed HVAC Systems and Information on Unusual Conditions, as required
- b) Information on the existing HVAC systems and the effect that the project will have on these\*

## 6. Electrical

- a) Information concerning the proposed Electrical Systems and Information on Unusual Conditions, as required
- b) Information on the existing electrical systems and the effect that the project will have on these\*

## 7. Air Sealing

- a) Utilize the air sealing guidance identified in section 3.14.1 as a basis in identifying air sealing opportunities for rehabilitation projects.
- b) Air sealing details to include sealing tenant unit typical conditions where there are penetrations or breaks in the air barrier plane, changes in construction type, typical hidden conditions such as holes behind cabinets and appliances where those items will be replaced, and Information on Unusual Conditions, as required
- c) Air sealing details to include sealing typical building envelope conditions based on the buildings inherent design deficiencies where there are penetrations or breaks in the air barrier plane, at intersections of different building materials, and Information on Unusual Conditions, as required
- d) Air sealing for new construction shall comply with the most current version of the IECC.

## SPECIFICATION REQUIREMENTS

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### 8. Outline Specifications

- a) The Application Outline Specification shall include all sections of the 16 Division CSI format applicable to project. The outline specifications should support the information described in the threshold and scoring criteria.
- b) The specification need not be in a complete CSI/MasterSpec format
  - The section numbering and naming shall comply with the CSI 16 Division format
  - Parts I- "General" may be omitted
  - Part II- "Products" shall list all products anticipated for use in that section
  - Part III- "Execution" may be omitted
- c) The Specification cover shall include the following:
  - The names, addresses and telephone numbers of the Owner and all Consultants
  - The project name and address
  - The date
  - The submissions level
- d) A complete table of contents shall be included at the front of the Specification
- e) Division I
  - Include General Conditions and other project requirements, including those of the lender

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\* Generally applies only to renovation projects.

- Include Specific Renovation/Demolition related sections as required\*<sup>1</sup>
- f) Division II—where Division II is prepared by an separate Owner-retained Consultant, bind these Sections into the single Project Specification
- g) Divisions II through XVI
  - Include sections for all proposed elements
  - Include Specific Renovation/Demolition related sections as required\*

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\* Generally applies only to renovation projects.

**Maryland Department of Housing and Community Development**  
**OWNER/SPONSOR CERTIFICATION OF THE USE OF A RESNET CERTIFIED HERS RATER/BPI**  
**CERTIFIED PROFESSIONAL**

(Submit under Exhibit E in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) requires the use of a RESNET Certified HERS rater/BPI Certified Professional in the use of any New Construction or Rehabilitation projects. As the Owner/Sponsor I hereby certify that the above referenced project:

RESNET Certified HERS rater/BPI Certified Professional

If funded, the developer is to directly employ a RESNET Certified HERS rater for new construction projects, or a RESNET Certified HERS rater or BPI Certified Professional for rehabilitation projects to work with the Development Team using accepted practices and levels of professional care to achieve applicant-stated energy goals, DHCD requirements, and the State's adopted energy codes. If the project is funded, this certifies that a RESNET Certified HERS Rater/BPI Certified Professional will be engaged under the direction of the developer in the project design and review, provide in-progress construction quality assurance and performance testing (blower door, bathroom ventilation, and duct leakage), in-progress training where contractor/design deficiencies related to energy efficiency are identified, and perform post construction evaluation and performance testing to assist the project with achieving applicant stated goals.

This certification is in accordance with the requirements of Section 3.13.1 item 3 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

**Maryland Department of Housing and Community Development**  
**OWNER/SPONSOR CERTIFICATION REGARDING 15% ENERGY SAVINGS, SCOPE OF**  
**WORK, AND BUDGET MODIFICATIONS RESULTING FROM THE COMPREHENSIVE ENERGY**  
**AUDIT**

(Submit under Exhibit E in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) requires the project to modify the work scope and budget relating to the findings of the comprehensive energy audit. As the Owner/Developer I hereby certify that the above referenced project:

Energy Efficiency

Will achieve a minimum of 15% energy savings for the rehabilitated building(s) over the existing building condition.

Energy Audit

If funded, will submit a comprehensive energy audit report within 90 days of issuance of a reservation letter. Energy audits and resulting reports must be performed by a DHCD listed Qualified Auditor and be prepared in accordance with DHCD Energy Audit Guidance. The energy audit report must show the scope of work will achieve a minimum of 15% energy savings over pre-rehabilitation conditions as required for Threshold review.

The applicant further certifies that the scope of work and budget will be modified as necessary to achieve a minimum 15% savings as determined through the energy audit.

This certification is in accordance with the requirements of Section 3.14.1 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

**Maryland Department of Housing and Community Development**  
**OPTIONAL SCORING EXHIBIT**  
**OWNER/SPONSOR CERTIFICATION REGARDING ZERO ENERGY READY HOME**  
**DESIGNATION**

(Submit under Exhibit E in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) encourages design features that provide comfort and energy efficiency over the extended period of the project life and that assist DHCD in measuring energy conservation and sustainability outcomes.

As the Owner/Developer I hereby certify that the referenced project will provide energy efficiency by achieving Department of Energy (DOE) Zero Energy Ready Home (ZERH) or comparable DHCD-approved energy savings certification or rating designation no later than Final Closing of the project.

This certification is in accordance with the requirements of Section 4.6.2 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

## ***EXHIBIT F: CERTIFICATIONS AND WAIVER REQUESTS***

### **EXHIBIT F.1: THRESHOLD OWNER/SPONSOR CERTIFICATIONS**

To address additional Project Threshold Criteria outlined in Section 3 of the Guide, the Sponsor/Owner Certification included at the end of this exhibit must be completed:

Relocation Plan: Sponsors need not submit a relocation plan to the Department at the time of application. Sponsors should execute the Sponsor Certification agreeing to comply with the Department's requirements. Please refer to Section 3.2.4 of the Guide for more information.

Tenant Services: Sponsors must certify that they will provide appropriate services throughout the compliance period or loan term, as applicable. Please refer to Section 3.4 of the Guide for more information.

Uniform Federal Accessibility Standard Requirements - Preference for Persons with Physical Disabilities: Sponsors must certify that they will meet the Department's threshold requirements for providing a preference for individuals with disabilities in the marketing of UFAS units. All projects must comply with UFAS and any other applicable laws or requirements, including without limitation Section 504 of the Rehabilitation Act of 1973 (Section 504), the regulations implementing Section 504 at 24 CFR Part 8, the Americans with disabilities Act (ADA), and the 2010 ADA Standards (as modified by HUD). Please refer to Section 3.5.1 of the Guide for more information.

Family Housing – Units Reserved for Persons with Disabilities: All family projects must reserve the UFAS units under Section 3.5.1 for PWD households for a period not less than sixty (60) calendar days both at initial lease-up and upon turnover. Please refer to Section 3.5.2 of the Guide for more information.

Utility Availability: Sponsors need not submit letters from utility companies verifying that services are available. Sponsors should execute the Sponsor Certification agreeing to comply with the Department's requirements. Please refer to Section 3.11.2 of the Guide for more information.

### **EXHIBIT F.2: AFFIRMATIVE FAIR HOUSING MARKETING CERTIFICATION**

Sponsors must include a certification that the project will develop and implement an Affirmative Fair Housing Marketing Plan (AFHMP) that meets the requirements of Section 3.3.2 of the Guide using form HUD-935.2A available on line at <http://portal.hud.gov/hudportal/documents/huddoc?id=935-2a.pdf>

### **EXHIBIT F.3: WAIVER REQUESTS**

Applicants may submit requests for waivers of Project Threshold Criteria or Competitive Criteria. Requests for waivers should be submitted according to the procedures outlined in Section 5.0 of the Guide (Waivers).

## ATTACHMENTS

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### EXHIBIT F.1: THRESHOLD OWNER/SPONSOR CERTIFICATIONS

- Threshold Owner/Sponsor Certifications (attached)

### EXHIBIT F.2: AFFIRMATIVE FAIR HOUSING MARKETING CERTIFICATION

- Threshold Affirmative Fair Housing Marketing Certification (attached)

### EXHIBIT F.3: WAIVER REQUESTS

- Waiver Requests (if applicable)



**THRESHOLD CERTIFICATIONS**  
**Maryland Department of Housing & Community Development**  
**Owner/Sponsor Certifications**

(Submit under Exhibit F in Application)

**Instructions:** Check box next to each item. The designated/authorized representative must execute this certification form.

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) requires all projects meet the following Threshold requirements. As the Owner/Developer I hereby certify that the above referenced project will provide:

- Relocation and Displacement**  
As stated in Section 3.2.4 of the Multifamily Rental Financing Program Guide (posted on the DHCD website), I hereby certify that the referenced project meets the threshold requirements established in the Guide for relocation and displacement.
  
- Tenant Services**  
As stated in Section 3.4 of the Multifamily Rental Financing Program Guide (posted on the DHCD website), I hereby certify that the referenced project meets the threshold requirements established in the Guide for Tenant Services. If the applicant intends to meet this threshold requirement by securing CORES designation or a comparable DHCD-approved third-party certification no later than Final Closing of the project, please indicate by initialing here: \_\_\_\_\_
  
- Uniform Federal Accessibility Standard Requirements - Preference for Persons with Physical Disabilities**  
As stated in Section 3.5.1 of the Multifamily Rental Financing Program Guide (posted on the DHCD website), I hereby certify that the referenced project meets the threshold requirements established in the Guide for Uniform Federal Accessibility Standard Requirements - Preference for Persons with Physical Disabilities.
  
- Family Housing Developments – Units Reserved for Persons with Disabilities**  
As stated in Section 3.5.2 of the Multifamily Rental Financing Program Guide (posted on the DHCD website), I hereby certify that the referenced project meets the threshold requirements established in the Guide for Family Housing Developments – Units for Persons with Disabilities.
  
- Utility Availability**  
As required by Section 3.11.2 of the Multifamily Rental Financing Program Guide (posted on the DHCD website), I hereby certify that the referenced project meets the threshold requirements established in the Guide for utility availability.

OWNER/SPONSOR:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

**THRESHOLD CERTIFICATION**  
**Maryland Department of Housing & Community Development**  
**Affirmative Fair Housing Marketing Certification**

(Submit under Exhibit F in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. The State of Maryland Fair Housing requirements apply to the full spectrum of housing activities, including, but not limited to, outreach and marketing, qualification and selection of residents, and occupancy.

As stated in Section 3.3.2 of the Multifamily Rental Financing Program Guide, all applications must include a certification that the project will develop and implement an Affirmative Fair Housing Marketing Plan (AFHMP) using Form HUD-935.2A available online at:

<http://portal.hud.gov/hudportal/documents/huddoc?id=935-2a.pdf>

As the Owner/Developer I hereby certify that the AFHMP for above referenced project will include, at a minimum, the following provisions:

- Prohibit income requirements for prospective tenants with Housing Choice Vouchers or similar vouchers, including, but not limited to, VASH, Shelter Plus Care, Bridge Subsidy and Continuum of Care;
- Eliminate local residency preferences;
- Ensure access to leasing offices for persons with disabilities;
- Provide flexible application and office hours to permit working families and individuals to apply;
- Encourage credit references and testing that take into account the needs of persons with disabilities or special needs;
- Provide notice of unit availability and accept referrals from public housing authorities, voucher administrators, and mobility counseling programs operating in the regional market area, and formalize such arrangements in the form of contracts or Memorandums of Understanding;
- An agreement to certify to DHCD annually that the owner accepts vouchers and does not employ practices that have the effect of excluding voucher holders, such as screening standards that require incomes at two or three times the monthly contract rents; and
- Develop marketing strategies to identify applicants that are least likely to apply.

In the event HUD updates Form HUD-935.2A or DHCD later publishes additional AFHMP requirements, applicants will be required to use the newest versions of such forms and/or criteria available.

Prior to closing, DHCD will review the AFHMP to ensure the AFHMP is in conformance with all HUD and DHCD requirements and will reject any AFHMP not in conformance. Additionally, projects must review

and update their AFHMP at least every five (5) years or more frequently if required by DHCD. Failure to comply with an approved AFHMP will result in negative points in future applications as described in [Section 4.1.2](#).

OWNER/SPONSOR:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

## OPTIONAL SCORING EXHIBIT

### **EXHIBIT G: NONPROFITS (NPs), PUBLIC HOUSING AUTHORITIES (PHAs) AND MINORITY/DISADVANTAGED BUSINESS ENTERPRISES (MBE/DBEs)**

Points are given to projects that involve one of the following entities: Nonprofit organization that is tax-exempt under Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code and not affiliated with or controlled by a for-profit entity; Public Housing Authority (PHA); or a minority- or disadvantaged business enterprise certified by either the Maryland Department of Transportation (MDOT) or through a comparable certification program operated by a local Maryland government or instrumentality thereof.

A description of the entity's role in the development or operation of the project is necessary along with a resume that addresses the experience and qualifications of the entity. This should contain information on the entity's experience in other projects of similar type, scale, and complexity, and in a similar capacity. The application must include letters of intent from the organization that document the specific services or products to be provided to the project and the amount of compensation to be received.

Nonprofit entities must submit articles of incorporation, bylaws, a copy of the IRS notice confirming that it is a qualified 501(c)(3) or 501(c)(4) nonprofit organization, and a list of its board of directors. An attorney's opinion letter that the non-profit is a Qualified Nonprofit within the meaning of Section 42(h) (5) (B) and (C) of the Internal Revenue Code is required only if the qualified non-profit is to receive maximum points for a controlling interest in the borrowing entity. A Community-based NP must demonstrate that it meets the requirements outlined in Category 2 of Section 4.1.4. PHA's must submit a certificate of approval and/or a certificate of organization from the Maryland Secretary of State's Office.

MBE/DBEs must submit a copy of their current MDOT or local government certification. Only a current copy of the certification will be accepted as evidence of certification. Pending applications for certification, expired certifications or certifications from non-Maryland jurisdictions are not acceptable as documentation for this requirement. Please refer to Section 4.1.4 of the Guide for more information on eligible entities and the standards for receiving points in this category.

#### **ATTACHMENTS**

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- Description of Entity's Role
- Resume
- Letters of Intent from the entity

#### **Nonprofit Entities**

- Articles of Incorporation
- Bylaws
- IRS notice confirming 501(c)(3) or 501(c)(4) Exempt Organization status
- List of Board of Directors

- If the qualified non-profit will have a controlling ownership interest in the project and is a Qualified non-profit per §42(h) (5) (B) and (C) of the IRC, Attorney's Opinion Letter

**Public Housing Authorities**

- Maryland Secretary of State's Certificate of Approval, if applicable
- Maryland Secretary of State's Certificate of Organization

**Minority/Disadvantaged Business Enterprise**

- Current Maryland or local Minority- or Disadvantaged Business Enterprises Certification

**Nonprofits (NPs), Public Housing Authorities (PHAs) and Minority/Disadvantaged Business Enterprises (MBE/DBEs) Self-Score**

- Self- Scoring Form (attached)

**SELF-SCORING FORM**

**Nonprofits (NPs), Public Housing Authorities (PHAs) and Minority/Disadvantaged Business enterprises (MBE/DBEs) Self-Scoring Form (14 maximum Points)**

<b>Category</b>	<b>Description</b>	<b>Proposed Points</b>
1	Eight (8) points will be awarded when the NP, PHA or MBE/DBE has a controlling ownership interest (51% or greater) in the project and, for the NP entity, is a Qualified Nonprofit within the meaning of Section 42(h)(5)(B) and (C) of the Internal Revenue Code. (see Section 4.1.4 of the Guide)	
2	Up to six (6) points will be awarded to a PHA, MBE/DBE, or a Community-Based NP if the entity has less than 50% but more than 10% interest in the general partner or managing member of the project owner. (see Section 4.1.4 of the Guide)	
3	Up to four (4) points may be awarded to a project for each NP, PHA, or MBE/DBE that is involved as a member of the Primary Development Team as the general contractor, architect, or property management company. (see Section 4.1.4 of the Guide)(8 points maximum)	
4	Up to two (2) points for each NP, PHA, or MBE/DBE (see Section 4.1.4 of the Guide) (8 points maximum)	

Please identify below each entity for each Category below:

<b>Category</b>	<b>Entity(ies)</b>
1	
2	
3	
4	

## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT H: COMMUNITY CONTEXT***

DHCD will award points to projects in certain geographic areas. Ideally, housing opportunities for low income households would be reasonably dispersed across the State, allowing physical mobility based on a household's own needs and preferences and, in so doing, promoting social and economic mobility for those same households. Achieving this end requires that the State invest in improving neighborhoods that already serve low income residents and providing new housing options in historically less affordable communities that provide residents access to a broad array of jobs, services, and amenities.

Projects seeking points as a Community Impact Project must provide a certification form that demonstrates that the project is located in a Qualified Census Tract (QCT) that contributes to a concerted community revitalization plan that meets the requirements of DHCD as outlined in Section 4.2.1 of the Guide.

Projects seeking points as a Community of Opportunity Project must be a family project with reasonable access to jobs, quality schools, and other economic and social benefits, as demonstrated by meeting at least one (1) of the two (2) criteria outlined in Section 4.2.2 of the Guide.

Projects that did not receive points under Section 4.2.1 or 4.2.2 may seek points as a Defined Planning Area and Opportunity Zone as outlined in Section 4.2.3 of the Guide.

Please refer to Section 4.2 – 4.2.3 of the Guide for more information.

#### **ATTACHMENTS**

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##### **Community Impact /Community Revitalization Plan**

- Certification form executed by both the applicant and the local government through the local planning department or zoning board that demonstrates that the plan meets the requirements of DHCD (attached)
- A copy of the full revitalization plan
- A map of the area targeted by the plan identifying location of project

##### **Community of Opportunity**

- Documentation property is located in a Community of Opportunity as shown on the Maryland QAP Comprehensive Opportunity Maps posted to the DHCD Web site at: <http://www.dhcd.state.md.us/GIS/multifamily/index.html>
- Documentation property is located in geographic areas defined by applicable law as a Community of Opportunity for affordable housing or identified as such by an order or consent decree entered by a federal or State court of competent jurisdiction or by a settlement agreement to which DHCD or a local government in Maryland is a party.



**Defined Planning Areas and Opportunity Zones**

- Project is located in a Rural Area per Section 4.2.3 of the Guide. Documentation including a map indicating location of the property must be submitted.
- Project is located within one of the following: Certified Heritage areas within County growth areas; Sustainable Communities; Empowerment zones; Federal or Maryland Enterprise Zones; Main Street/Maple Street Maryland communities; or Rural villages designated in county comprehensive plans as of July 1, 1998. Documentation including a map indicating location of the property must be submitted.
- Project is located in a designated Opportunity Zone and also located in one or both of the areas outlined above. Documentation including a map indicating location of the property must be submitted.

**Maryland Department of Housing & Community Development**  
**OWNER/DEVELOPER CERTIFICATION OF COMMUNITY REVITALIZATION PLAN**  
**LOCAL GOVERNMENT CERTIFICATION OF COMMUNITY REVITALIZATION PLAN**

(Submit under Exhibit H in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (the Department) provided for additional competitive incentives to projects located in a Qualified Census Tract (QCT) or Difficult Development Area (DDA) (this does not include any State-designated DDA under the authority granted in §42, more commonly referred to as a “state-designated basis boost”) that contributes to a concerted community revitalization plan.

A concerted community revitalization plan means a development plan which:

- 1) is geographically specific;
- 2) outlines a clear plan for implementation and goals for outcomes;
- 3) includes a strategy for applying for or obtaining commitments of public or private investment (or both) in non-housing infrastructure, amenities, or services; and
- 4) demonstrates the need for community revitalization.

**To meet the definition of a concerted community revitalization plan and qualify for points in this category, a concerted community revitalization plan must meet the following requirements:**

<input type="checkbox"/>	a)	Officially adopted or endorsed by a local government or created with local government involvement;
<input type="checkbox"/>	b)	Established to increase investment in the community or build from existing community assets;
<input type="checkbox"/>	c)	Developed and approved in accordance with local planning requirements;
<input type="checkbox"/>	d)	Includes evidence of community and stakeholder engagement;
<input type="checkbox"/>	e)	Has a defined geographic boundary, that includes the proposed site or is focused within a single municipality, jurisdiction, or targeted area;
<input type="checkbox"/>	f)	If there is a housing component in the plan, the plan should include rehabilitation or new construction of rental housing as a goal for the community;
<input type="checkbox"/>	g)	Includes details of implementation measures along with specific time frames for the achievement of such policies and housing activities; and
<input type="checkbox"/>	h)	Provides a list of other investment occurring or planned within the immediate area.

As Owner/Developer, I hereby certify that the referenced project is located in a Qualified Census Tract (QCT) or Difficult Development Area (DDA) (that does not include any State-designated DDA under the authority granted in §42, more commonly referred to as a “state-designated basis boost”) that contributes to a concerted community revitalization plan.

I, \_\_\_\_\_, representative of \_\_\_\_\_ (local government), hereby certify that the referenced project is located in a Qualified Census Tract (QCT) or Difficult Development Area (DDA) (that does not include any State-designated DDA under the authority granted in §42, more commonly referred to as a “state-designated basis boost”) that contributes to a concerted community revitalization plan.

Owner/Developer:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Local Government:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name and Title: \_\_\_\_\_

Local Government: \_\_\_\_\_

## OPTIONAL SCORING EXHIBIT

### EXHIBIT I: TRANSIT ORIENTED DEVELOPMENT

DHCD will award points to projects in certain geographic locations that are proximate to the following:

- A MDOT-designated TOD;
- Is located within a one-half (1/2) mile radius of a passenger boarding and alighting location of a planned or existing transit rail stop or station;
- Is located within a one-half (1/2) mile radius of two separate bus lines, where passengers can transfer from one line to another;
- Is located in an area defined as rural by DHCD or USDA and located within a one (1) mile radius of a passenger boarding and alighting location of a planned or existing bus or transit rail stop or station;
- Is family housing in a Community of Opportunity and meets either of the following criteria:
  - a) located within a two (2) mile radius of a passenger boarding and alighting location of a planned or existing bus or transit rail stop or station; or
  - b) augments the minimum threshold tenant services by providing (or arranging for the provision of) alternate forms of free or subsidized transportation services and assistance for residents of the project beginning no later than 8:00 am and ending no earlier than 6:00 pm, Monday through Friday (such as on-demand paratransit, vans, microtransit, taxi, “Uber” or “Lyft” service, “Zip Car” or other car sharing services, or car purchase programs such as “Vehicles for Change” and “Wheels for Work”, but any chosen services must be available to all residents and not restricted to service for the elderly or disabled);
- Is served by Demand Responsive Transit (DRT) that is accessible (i.e. available to all people with disabilities including those who use a mobility device and/or service animal). The project is served by a DRT service beginning no later than 8 am and ending no earlier than 6 pm, Monday through Friday. DRT must be available to all residents and not restricted to service for the elderly or disabled. DRT service funded solely by the project is acceptable for points in this category;
- Is offering car sharing. The project is located within ¼ mile of a car sharing vehicle (i.e. “Zip Car” or other car sharing services), or is proposing a car sharing service on site; or
- Is located in a transit-proximate development that promotes walkability and/or bike-friendly land use with easy access to mass transit and retail store locations based on its WALK Score ([www.walkscore.com](http://www.walkscore.com)).

WALK Score Range	Points Allocated
50-59	2
60-69	4
70-79	6
80 and Above	8

See Section 4.3 of the Guide for more information.

## ATTACHMENTS

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### **Transit Oriented Development**

- Evidence of MDOT-designated TOD
- Copies of transit route map(s)
- Copy of Walk Score determination
- Transit Oriented Development Owner/Sponsor Certification (attached)
- Transit Oriented Development: Demand Responsive Transit Owner/Sponsor Certification (attached)
- Transit Oriented Development: Car Sharing Owner/Sponsor Certification (attached)

**Maryland Department of Housing and Community Development**  
**OWNER/SPONSOR CERTIFICATION OF TRANSIT ORIENTED DEVELOPMENT**

(Submit under Exhibit I in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) provides for additional competitive scoring incentives to projects which meet the definition of Transit Oriented Development in accordance with Section 4.3 of the Multifamily Rental Financing Program Guide.

I certify that the above-referenced project is (select all that apply):

- A MDOT-designated TOD. A list of MDOT-designated TODs is available at: <http://www.mdot.maryland.gov/newMDOT/Planning/TOD/index.html>
- Located within a one-half (1/2) mile radius of a passenger boarding and alighting location of a planned or existing transit rail stop or station.
- Located within a one-half (1/2) mile radius of two separate bus lines, where passengers can transfer from one line to another.
- Located in an area defined as rural by DHCD or USDA and located within a one (1) mile radius of a passenger boarding and alighting location of a planned or existing bus or transit rail stop or station.
- Family housing in a Community of Opportunity and located within a two (2) mile radius of a passenger boarding and alighting location of a planned or existing bus or transit rail stop or station.
- Family housing in a Community of Opportunity and augments the minimum threshold tenant services by providing (or arranging for the provision of) alternate forms of free or subsidized transportation services and assistance for residents of the project beginning no later than 8:00 am and ending no earlier than 6:00 pm, Monday through Friday (such as on-demand paratransit, vans, microtransit, taxi, "Uber" or "Lyft" service, "Zip Car" or other car sharing services, or car purchase programs such as "Vehicles for Change" and "Wheels to Work", but any chosen service must be available to all residents and not restricted to service for the elderly or disabled).
- Located in a transit-proximate development that promotes walkability and/or bike friendly land use with easy access to mass transit and retail store locations with a Walk Score of 50 or greater.

As the Owner/Developer I hereby certify that the above-referenced project meets the criteria selected above and that the project will provide, if applicable, the alternate forms of transportation therein indicated.

This certification is in accordance with the requirements of Section 4.3 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

**Maryland Department of Housing and Community Development**  
**OWNER/SPONSOR CERTIFICATION OF TRANSIT ORIENTED DEVELOPMENT: DEMAND**  
**RESPONSIVE TRANSIT AND/OR CAR SHARING**

(Submit under Exhibit I in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) provides for additional competitive scoring incentives to projects which meet the definition of Transit Oriented Development in accordance with Section 4.3 of the Multifamily Rental Financing Program Guide.

I certify that the above-referenced project is (select all that apply):

- Served by Demand Responsive Transit (DRT) that is accessible (i.e. available to all people with disabilities including those who use a mobility device and/or service animal). The project is served by a DRT service beginning no later than 8 am and ending no earlier than 6 pm, Monday through Friday. DRT must be available to all residents and not restricted to service for the elderly or disabled. DRT service funded solely by the project is acceptable for points in this category.
  
- Offering car sharing. The project is located within ¼ mile of a car sharing vehicle (i.e. “Zip Car” or other car sharing services), or is proposing a car sharing service on site.

As the Owner/Developer I hereby certify that the above-referenced project meets the criteria detailed above

This certification is in accordance with the requirements of Section 4.3 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_



## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT J: INCOME TARGETING***

All LIHTC applicants must commit to rent at least 40% of units to households with incomes at or below 60% of the area median, at least 20% of units to households at or below 50% of area median income, or at least 40% of units to households at or below 80% of the area median income so long as the average gross income for the restricted units does not exceed 60% of the area median gross income. Additionally, any unit financed with RHFP or RHW must be rented to households at or below 60% of area median income. To encourage sponsors to income-restrict additional units and to target units to lower-income households, DHCD will award points for income targeting in excess of these minimum requirements.

A project will receive points if at least 10% of the income-restricted units in the project will be income-restricted at 30% of the area median or below for the LIHTC compliance period (including the extended use period). These points are available (1) if the project rent restricts those units at the 30% area median income level for the compliance period or (2) for units supported by the award of a project-based housing choice voucher contract (or a DHCD approved equivalent form of project-based assistance) with a term of fifteen (15) years or more. DHCD will consider project-based housing choice vouchers awarded through a recognized mobility program in awarding points in this section.

Points will also be awarded to any project, regardless of location, based on the weighted average of area median income targeting by bedroom in a project. For more information on calculating the weighted averages reference Section 4.4.1 of the Guide.

#### **ATTACHMENTS**

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- Income Targeting Self-Score (Included in CDA Form 202 – Multifamily Rental Financing Application)

## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT K: TARGETED POPULATIONS***

Projects that provide integrated independent housing opportunities for persons with disabilities at 30% of AMI, particularly those living on Supplemental Security Income (SSI) or Supplemental Security Disability Income (SSDI), may be awarded points in this category. Projects that set aside units for targeted populations other than PWD and listed in Section 4.4.2 may also receive points in this category. Transitional housing or other facilities with limits on the term of occupancy or leases by tenants are not eligible to receive points under this category. Properties developed pursuant to a common development plan along with the applicant's property but that are not subject to the Department's RHFP, Tax Credit, or MBP use or occupancy restrictions also are not eligible to be scored under this category.

Applicants with units' set-aside for PWD must agree to provide notice of unit availability to and accept tenant referrals from DHMH and MDOD. Applicants with units set-aside for a target population other than PWD must agree to provide notice of unit availability to and accept referrals from the State CoCs or applicable agencies that regularly work with the targeted populations being served by the project, as evidenced by a memorandum of understanding or other formal written agreement between the owner, the property manager, and one or more local public or nonprofit service provider that regularly work with the targeted population.

Units that provide integrated independent housing opportunities under this category must be reserved exclusively for the target population. If a project is unable to fill a unit with the targeted population after a sixty (60) calendar day referral period, the unit may be leased to another household with income at 30% AMI or below. The sixty calendar day period at lease-up will be measured from the date upon which the project achieves 80% occupancy and at turnover will be measured from the date upon which the unit is determined ready for occupancy following move-out by the prior tenants and completion of any unit turn, cleaning, repairs, or maintenance.

Please refer to Section 4.4.2 of the Guide for more information.

#### **ATTACHMENTS**

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- Letters of Intent from Service Agencies, if applicable
- Applicant Marketing Plan for attracting target population for properties not accepting referrals from DHMH/MDOD
- Owner/Sponsor Certification confirming number of units serving persons with disabilities or other target population (attached)
- Department of Veterans Affairs Enhanced Use Lease

**Maryland Department of Housing & Community Development**  
**OWNER/SPONSOR CERTIFICATION OF TARGETED POPULATION**

(Submit under Exhibit K in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) provides for additional competitive incentives to projects providing units for individuals with disabilities or other target populations. As the Owner/Developer, I hereby certify that the referenced project, in accordance with the requirements of Section 4.4.2 of the Multifamily Rental Financing Program Guide, will provide [\_\_\_\_] units, which do not exceed 20% of the total units in the property, for:

- PWDs – nonelderly
- PWD – elderly
- Persons with Special Needs
- Persons Experiencing Homelessness
- Youth Aging Out of Foster Care
- Survivors of crimes, including domestic and/or intimate abuse, sexual assault, and sex trafficking
- Veterans
- Persons Transitioning from a Correctional or Other State Facility or Institution
- Persons recovering from substance abuse disorder

Projects with more than 25% of the units for a targeted population will receive zero points in this category except that projects targeting persons experiencing homelessness and at-risk veterans and their families under the Department of Veterans Affairs Enhanced Use Lease (EUL) Program may exceed the 25% target population limit and still qualify for 6 points.

OWNER/SPONSOR:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT L: TENANT SERVICES***

Points will be awarded to projects that augment the Threshold requirements for Tenant. The provision of such services must be evidenced by a certification from the applicant detailing the services to be provided. Please refer to Section 4.4.4 of the Guide for more information.

#### **ATTACHMENTS**

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- Certification of Tenant Services (attached)
- Contract, Memorandum of Understanding or other Executed Agreement with Community Service Providers, if applicable. Note: this documentation is not required if the applicant intends to secure CORES designation or a comparable DHCD-approved third-party certification no later than Final Closing of the project.

**Maryland Department of Housing & Community Development**  
**OWNER/SPONSOR CERTIFICATION OF TENANT SERVICES**

(Submit under Exhibit L in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) provides for additional competitive incentives to projects providing Tenant Services.

As the Owner/Developer I hereby certify that the referenced project will provide Tenant Services by selecting one of the following options:

- 1. Attach a Narrative of Tenant Services which provides the following:
  - Identification of partners, including written agreement(s). The MOU or Contract must detail where the services are located and address transportation needs for off-site services.
  - Identification of tenant population and applicability of services offered. Services must benefit and be accessible to all tenants.
  - Description of how tenant services will be funded:
    - Full budget with sources detailing how tenant services will be funded;
    - Description of financing needed to fund tenant services without identified sources; or
    - Identification of goals for resident outcomes and how they will be measured.
  - Description of feedback mechanism, conflict resolution between property management and resident services, and privacy protocols for storing tenant information.
  
- 2. Provision of tenant services throughout the compliance period or loan term, as applicable, through a sponsor organization or contract service provider that has achieved designation as a Certified Organization for Resident Engagement and Services (CORES) or a comparable DHCD-approved third-party certification no later than Final Closing of the project.

This certification is in accordance with the requirements of Section 4.4.4 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT M: POLICY INCENTIVES***

Projects can earn additional points as detailed in Section 4.4.5 of the Guide. Applicants must complete a certification as evidence of meeting incentives.

#### **ATTACHMENTS**

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- Additional Incentives Certification (attached)

**Maryland Department of Housing & Community Development**  
**POLICY INCENTIVES CERTIFICATION**

(Submit under Exhibit M in Application)

Project Name: \_\_\_\_\_

The Maryland Department of Housing & Community Development (DHCD) provides for additional competitive incentives as detailed in section 4.4.5 of the Multifamily Rental Financing Program Guide.

I certify that the above-referenced project (select all that apply):

Involves “twinning” of 9% LIHTC and MBP/4% LIHTC that includes an overall total of at least 150 units and demonstrates a need for at least \$5 million of MBP financing.

Is a family or intergenerational (housing designated for both families and seniors and which complies with the federal Housing for Older Persons Act) housing project, located in a community of opportunity in Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, or Prince George’s Counties or the City of Baltimore, and at least 75% of the total units are net new units.

Is located in Allegany, Calvert, Caroline, Cecil, Charles, Dorchester, Frederick, Garrett, Kent, Queen Anne’s, Saint Mary’s, Somerset, Talbot, Washington, Wicomico, and Worcester Counties.

Involves “twinning” of 9% LIHTC and MBP/4% LIHTC that includes an overall total of at least 150 units, demonstrates a need for at least \$5 million of MBP financing, **AND** is located within the boundaries of, and contributing to, a “Choice Neighborhood” identified by HUD.

This certification is in accordance with the requirements of Section 4.4.5 of the Multifamily Rental Financing Program Guide.

OWNER/SPONSOR:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Project Name: \_\_\_\_\_

## OPTIONAL SCORING EXHIBIT

### ***EXHIBIT N: DIRECT LEVERAGING and OPERATING SUBSIDIES***

LIHTC and DHCD's programs are not adequate to address all of Maryland's rental housing needs. Projects that maximize support from other non-state resources, will receive additional consideration. To encourage development that balances meeting pressing housing needs, ensuring high quality construction that is attractive, efficient, and sustainable, and investing resources in responsible manner, DHCD will adjust scoring to favor cost-effective transactions.

DHCD will award points based on the percentage of total development costs funded by non-state resources. To receive points for a local contribution, there must be evidence of an anticipated political subdivision contribution in the form of a letter from an authorized political subdivision official and must indicate the type and amount of the contribution that the political subdivision anticipates making.

As projects in rural areas have higher fixed transaction costs due to their relatively smaller size and have less access to locally-controlled sources of leverage, DHCD will award leveraging points to rural projects on a higher scale than for non-rural projects. See section 4.5.1 of the Guide for more information.

Points are awarded to projects that use operating or rent subsidies derived from non-project resources. The subsidies must reduce project operating expenses or reduce the rent burden for low-income tenants. Project-based rent subsidies, payment in lieu of taxes, or other operating or social service subsidies are encouraged. To receive points a project-based subsidy must be structured so that a tenant pays no more than 30% of the income for rent and utilities. Documentation should indicate the source of the subsidy, the number of units affected the total amount of subsidy, and the terms of the subsidy. See section 4.5.2 of the Guide for more information.

For projects expected to be operating under Payment in Lieu of Taxes (PILOT) agreements, an estimate of the property tax savings afforded by the PILOT should be provided by the local jurisdiction or applicant.

For HOME participating jurisdictions, maximum points may be awarded for projects with a subsidy of a minimum of \$600 per unit per year for a minimum of 10 years. For HOME non-participating jurisdictions, maximum points will be awarded to projects with a subsidy of a minimum of \$300 per unit per year for a minimum of 10 years.

### **ATTACHMENTS**

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- Local Contributions Letter
- Documentation of Operating or Rent Subsidies including, for PILOT's, savings estimates.
- Direct Leveraging and Operating Subsidies Self-Scoring Forms (included in CDA Form 202 – Multifamily Rental Financing Application)