

From: TCAP [TCAP@hud.gov]
Sent: Monday, June 15, 2009 3:41 PM
To: Sylvester, Pat
Subject: HUD's Determination of MDHCD's TCAP Submission

Dear Ms. Sylvester:

HUD has reviewed the TCAP submission from Maryland Department of Housing and Community Development (MDDHCD) and determined that your submission is incomplete for the following reasons:

1) Regarding the definition of award for the purposes of TCAP:

“Definition #1” appears to be two definitions, whereas the TCAP Notice, CPD 09-03, requires that there be one definition of award (one for 9% credits, one for 4% credits, etc.). Is the reservation letter when the allocation is first made? Isn't the “carryover” allocation usually made a later date? Please clarify. If there are two definitions in “Definition#1”, please select one date of award for 9% credits, awarded sometime between 10/1/06 and 9/30/09.applied to all projects.

“Definition #2” and “Definition # 3””: Are these two different definitions for the same award of 4% credits made along with awards of tax-exempt bond financing? Please clarify. If not, is there something similar to a “Section 42 m” letter for projects which are awarded credits described in “Definition #2”, such as the letter described in “Definition #3”? Can your agency arrange to have a letter or some other official notification (e.g. Board Resolution) that will indicate the date and how many LIHTCs were awarded to each project under “Definition #2”?

2) The submission does not include information about how the agency will redistribute funds from non-performing projects to more deserving projects. Will the criteria used for the original allocation of TCAP funds be used for re-distribution, if any, of TCAP funds? Does your agency plan to keep a waiting list or have a rank order on the original TCAP award list?

Please note that you may not move forward with your TCAP program until the items listed above are addressed by your agency and acceptable to HUD. In addition, after you re-submit items to us and there we have more understanding of what your agency would like to do with these funds, HUD may require other modifications to be made to your submission packet before it is considered complete.

It is not necessary to re-submit your entire package. You may revise specific pages of the submission and fax them to me at 202-708-1744, and then send the hard copy via regular mail or delivery via Federal Express or United Parcel Service to me at the address in the CPD Notice 09-03. If you wish to discuss this matter, or if I can be of any help to you in any way, please do not hesitate to contact me via email or phone, my contact information is listed below.

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202-402-3002