

2019



Low Income Housing Tax Credits

NEBRASKA

Good Life. Great Opportunity.

DEPT. OF ECONOMIC DEVELOPMENT

Affordable Housing Tax Credits, HOME Funds, and
National Housing Trust Funds

Application

A. INSTRUCTIONS AND CERTIFICATION

1. INSTRUCTIONS:

The undersigned applicant hereby makes application to the Nebraska Investment Finance Authority (“NIFA”) for a reservation of 4% or 9% federal low income housing tax credits (“LIHTC”). The Affordable Housing Tax Credit (“AHTC”) will be awarded in connection with qualifying developments for which the owners will receive an allocation of 9% LIHTC. Applications must be submitted to NIFA in the following manner:

- (a) Applications are due via the online funding application system no later than 5:00 p.m. on the last day of the application round/cycle as described in the applicable NIFA 4% or 9% LIHTC and AHTC Allocation Plans.
- (b) Application fees are due in NIFA’s office no later than 5:00 p.m. on the last day of the application round/cycle as described in the applicable NIFA LIHTC Allocation Plans in an amount equal to 1% of the annual LIHTC request and an AHTC fee of \$500.
- (c) A LIHTC Application will not be considered or reviewed by NIFA:
 - (i) if the developer or owner is delinquent on Nebraska LIHTC fees, AHTC fees, or Tax-Exempt Bond fees due and payable for other Nebraska LIHTC developments; or
 - (ii) if during the previous three (3) calendar years, there are or have been items of noncompliance or violations of a Land Use Restriction Agreement/Tax-Exempt Bond Regulatory Agreement that have not been corrected within the applicable correction period on any other Nebraska LIHTC development; or
 - (iii) if the owner is delinquent on any documentation/fees or payment of TCAP Loan that are due and payable to NIFA, including but not limited to the following:
 - (a) Conditional Reservation Documentation/42(m) Letter
 - (b) Carryover Documentation
 - (c) 10% Test Documentation
 - (d) Cost Certification Documentation
 - (e) Asset Management Documentation
 - (f) TCAP Loan Repayment Amounts
 - (g) Any other documentation requested by NIFA
- (d) LIHTC Applications will be scored SOLELY on information provided in the online funding LIHTC Application submitted for the applicable Allocation Round/Cycle deadlines. A LIHTC Application submitted for Threshold review must be resubmitted in full (whether or not changes have been made by the applicant subsequent to threshold review) by the next Final Full Application deadline in order to be considered for an allocation of LIHTCs. (Any documentation or information submitted for a previous deadline will not be taken into consideration for the current deadline.)
- (e) If requesting HOME/HTF funds, please upload a copy of the Exhibit 111 to the online funding application.

Failure to submit the LIHTC application in the preceding manner will result in the application being returned to the applicant without NIFA’s and/or NDED’s review. The application must be filled out completely, with all questions and items completed. Inaccurate or incomplete information in the application may result in forfeiture of any LIHTC reserved or allocated.

INQUIRIES should be directed to:

LIHTC and AHTC Program:

LIHTC Allocation Manager
Nebraska Investment Finance Authority
1230 O Street, Suite 200
Lincoln, NE 68508-1402
Telephone: (402) 434-3900
Fax: (402) 434-3921
Web Address: www.nifa.org

HOME/HTF Program:

Pamela Otto
Nebraska Department of Economic Development
P.O. Box 94666
Lincoln, NE 68509-4666
Telephone: (402) 471-4388
Fax: (402) 471-8405
Email: pamela.otto@nebraska.gov
Web Address: <https://opportunity.nebraska.gov>

2. **APPLICATION REQUIREMENTS FOR HOME/HTF FUNDS** *(to be verified by Nebraska Department of Economic Development)*

The following application requirements will be verified with data and information available to the Nebraska Department of Economic Development (NDED) and do not need to be specifically addressed in the LIHTC application.

1. Applicant is eligible. Eligible HOME/HTF applicants include 501(c)(3) and 501(c)(4) non-profit organizations, Local/Regional Housing Authorities, and Units of Local Government. 501(c)(3) and 501(c)(4) non-profit organizations must include affordable housing in their mission.
2. Activities are eligible and comply with state Nebraska Affordable Housing Program (NAHP) priorities. For more information on NAHP priorities, go to the 2018 Annual Action Plan located at:
<https://opportunity.nebraska.gov/grow-your-community/reports-plans/>
3. Applicant has addressed and cleared all compliance problems from past awards and responses have been accepted by NDED.
4. Applicant is current with all NDED reporting requirements (semiannual status reports, closeout reports, audit reports, notification of annual audit reports, quarterly report assessment forms, etc.).
5. If invited by NDED, applicant and application preparer must attend Contract Negotiations on the dates and locations determined by NDED and respond with satisfactory contract negotiation information in writing to the HOME/HTF LIHTC Set-aside by deadlines provided by NDED.
6. Please ensure that you do your utmost to project realistic cost schedules for your development. If the development is deemed not feasible after award, the funds will be returned to the LIHTC HOME/HTF funds set-aside.

3. **CERTIFICATION OF APPLICANT/OWNER** *(download a copy of Certification of Applicant/Owner from the Exhibit Examples at www.nifa.org)*

The undersigned, on behalf of the applicant entity, is (are) familiar with the provisions of the Internal Revenue Code with respect to the LIHTC Program and the Nebraska Department of Revenue with respect to the AHTC Program and, to the best of my (our) knowledge and belief, the applicant entity has complied, or will comply, with all of the requirements which are prerequisite to an allocation of LIHTCs and AHTC by NIFA. I (We) understand that the LIHTC and the AHTC Program will be governed and controlled by the rules and regulations issued by the United States Treasury and Nebraska Department of Revenue, and I (we) have read such rules and am (are) familiar with the requirements thereof. The undersigned further certifies that the information set forth in this application, and any attachments and exhibits thereto, is true, correct and complete, that no information contained in this application or in the listed attachments and exhibits is in any way false, incorrect or incomplete, and that the proposed construction/rehabilitation will not violate zoning ordinances or deed restrictions.

I (We) understand that any misrepresentations and/or fraudulent information contained within this application may result in the revocation of LIHTCs and AHTCs by NIFA and potentially my (our) and related parties being barred from future LIHTC and the AHTC Program participation and notification of such to the Internal Revenue Service and Nebraska Department of Revenue.

I (We) hereby make application to NIFA for a reservation of LIHTCs and AHTCs. The undersigned hereby acknowledges that the making of a reservation by NIFA does not warrant that the development is financially feasible or otherwise qualified to claim LIHTC and AHTC. I (We) agree that NIFA's directors, officers, employees and agents will not be held responsible or liable for any representations made to the undersigned or its investors relating to the LIHTC and AHTC Program; therefore, I (we) assume the risk of all damages, losses, costs and expenses related thereto and agree to indemnify and save harmless NIFA or any of its directors, officers, employees and agents against any and all claims, suits, losses, damages, costs and expenses of any kind and of any nature that NIFA may hereinafter suffer, incur or pay arising out of its decision concerning the application for LIHTC and AHTC or the use of the information concerning the LIHTC and AHTC Program.

I (We) hereby authorize any state LIHTC Allocating Agency to release to NIFA any and all information that such state LIHTC Allocating Agency has regarding development compliance, the curing of or failure to cure any development noncompliance, any formal or informal action taken by any state LIHTC Allocating Agency with respect to my/our

participation in any low-income housing tax credit program and any other data that may be relevant to NIFA in its assessment of our development experience and compliance record.

4. CERTIFICATION OF HOME/HTF APPLICANT *(if applying for HOME/HTF Funds and LIHTC)* (download a copy of Certification of HOME/HTF Applicant from the Exhibit Examples at www.nifa.org)

The undersigned certifies to the Nebraska Department of Economic Development:

He/she is duly authorized to so certify, and sign this application on behalf of the HOME/HTF applicant, under procedures prescribed by the governing rules/organizing documents applicable to governance of the applicant.

That the application contents, which include materials both preceding and following this certification, and all accompanying Exhibits, which Exhibits are incorporated herein by this reference, are true and correct to the best of my knowledge and belief.

That this certification applies to any and all certifications and assurances which may be internally contained within the body of the application (or internally contained within the incorporated Exhibits), as well as to the entirety of the application. Examples (but not an exhaustive listing) of such internally contained certifications and assurances include: the certification found at Exhibit 14 (entitled “Statement of Assurances and Certification for Local Governments”); and the certification found at Exhibit 16 (entitled “Applicant Certification Form for Non-Profits and Housing Authorities”).

He/she commits the applicant to notifying the Department of Economic Development of any changes to the original application within 15 days of the change.

5. IDENTIFICATION OF CONSULTANT *(if a consultant is paid a fee in connection with the making or filing of this application)*

Applicant is employing the services of the following consultant(s), identified below, who will assist the applicant and/or its joint venturer or partner with all or a part of this application. For purposes of this application, “consultant” shall include accountants, investment bankers, financial advisors, investors, syndicators, attorneys and any other advisor or consultant who is assisting the applicant in the completion and/or filing of this application. For each such consultant, provide the information below and include an executed “Statement and Certification of Consultant”.

6. STATEMENT AND CERTIFICATION OF CONSULTANT *(if a consultant is utilized in the making or filing of this application)* (download a copy of Statement and Certification of Consultant from the Exhibit Examples at www.nifa.org)

The undersigned, as consultant(s) to the applicant entity, is (are) familiar with the provisions of the Internal Revenue Code with respect to the LIHTC and the Nebraska Department of Revenue with respect to the AHTC Program, and, to the best of my (our) knowledge and belief, the applicant entity has complied, or will comply, with all of the requirements which are prerequisite to an allocation of LIHTC and AHTC by NIFA. I (We) understand that the LIHTC program will be governed and controlled by rules and regulations issued by the United States Treasury and the Nebraska Department of Revenue, and I (we) have read such rules and am (are) familiar with the requirements thereof. The undersigned further certifies that the information set forth in this application, and any attachments and exhibits thereto, is true, correct and complete, that no information contained in this application or in the listed attachments and exhibits is in any way false, incorrect or incomplete; and that the proposed construction/rehabilitation will not violate zoning ordinances or deed restrictions.

I (We) understand that any misrepresentations and/or fraudulent information contained within this application may result in the revocation of LIHTC and AHTC by NIFA and potentially my (our) and related parties being barred from future LIHTC and AHTC Program participation and notification of such to the Internal Revenue Service and the Nebraska Department of Revenue.

I (We) hereby make application to NIFA for a reservation of LIHTC and AHTC. The undersigned hereby acknowledges that the making of a reservation by NIFA does not warrant that the development is financially feasible or otherwise qualified to claim LIHTC and AHTC. I (We) agree that NIFA’s directors, officers, employees and agents will not be held responsible or liable for any representations made to the undersigned or its investors relating to the LIHTC and AHTC Program; therefore, I (we) assume the risk of all damages, losses, costs and expenses related thereto and agree to indemnify and save harmless NIFA or any of its directors, officers, employees and agents against any and all claims, suits, losses, damages, costs and expenses of any kind and of any nature that NIFA may hereinafter suffer, incur or pay arising out of its decision concerning the application for LIHTC or the use of the information concerning the LIHTC and AHTC Program.

B. DEVELOPMENT OVERVIEW (The following information must be completed online).

DEVELOPMENT NAME AND ADDRESS:
 Development Name: _____
 Address: _____ County: _____
 City: _____ Legislative District: _____
 Zip Code: _____ Congressional District: _____
Please provide a one-page summary of the proposed development in Exhibit 1.

QUALIFIED CENSUS TRACT/DIFFICULT DEVELOPMENT AREA: **(1 point)**
 Is the proposed development located in a Qualified Census Tract (QCT) or Difficult Development Area (DDA)? Yes No
 Census Tract Number: _____ Difficult Development Area: _____
 NOTE: The Basis Boost for QCT's or DDA's will be included for purposes of calculating LIHTC per occupant in the NIFA scored criteria.
If in a QCT, attach a letter (dated within one year of the applicable final deadline) from the highest governmental body stating that the development contributes to a concentrated community revitalization plan, identifies the plan and attach a copy of the plan as Exhibit 214.

QUALIFIED CENSUS TRACTS AND DIFFICULT DEVELOPMENT AREAS BY COUNTY:
 Following are the Department of Housing and Urban Development statutorily mandated Qualified Census Tracts for IRC Section 42.

Douglas	3.00	4.00	5.00	6.00	7.00
	8.00	11.00	12.00	19.00	20.00
	21.00	23.00	24.00	25.00	27.00
	29.00	31.00	32.00	33.00	38.00
	39.00	40.00	42.00	43.00	49.00
	50.00	51.00	52.00	53.00	54.00
	59.01	59.02	60.00	61.01	61.02
	63.03	65.06	66.03	68.06	70.01
	71.01	73.12			
Lancaster	2.02	3.00	4.00	5.00	7.00
	8.00	9.00	10.02	17.00	18.00
	19.00	20.01	20.02	21.00	22.00
	30.03	31.03	33.01		
Adams	9657.00	9661.00			
Box Butte	9513.00				
Buffalo	9696.00				
Dakota	101.00				
Madison	9607.00				
Sarpy	103.02				
Scotts Bluff	9535.00	9537.00			
Thurston	9401.00	9402.00			
Omaha	DDA	68034	68069	68135	

LIHTC/AHTC APPLICANT INFORMATION:

Name: _____
Address: _____
City: _____
Zip Code: _____
Telephone Number: _____

Contact Person: _____
Federal Tax I.D. Number: _____
State: _____
Email: _____

HOME/HTF APPLICANT INFORMATION:

Name: _____
Address: _____
City: _____
Zip Code: _____
Telephone Number: _____

Contact Person: _____
Federal Tax I.D. Number: _____
State: _____
Email: _____

DUNS Number: _____

Type of Applicant: Unit of Local Government Local / Regional Housing Authority
 Non-Profit 501(c) (3) Non-Profit 501(c) (4)

Region: West Central Northeast (Including Omaha) Southeast (Including Lincoln)

OWNERSHIP INFORMATION:

Name: _____
Address: _____
City: _____
Zip Code: _____
Telephone Number: _____

Contact Person: _____
State: _____
Email: _____

Has Ownership Entity been formed?
 Yes No

Federal Tax ID Number: _____

Identify the Persons or Entities who will be part of the Ownership Entity:

Name: _____	EIN #: _____	Telephone: _____	Ownership Interest: _____%
Name: _____	EIN #: _____	Telephone: _____	Ownership Interest: _____%
Name: _____	EIN #: _____	Telephone: _____	Ownership Interest: _____%
Name: _____	EIN #: _____	Telephone: _____	Ownership Interest: _____%

Has the applicant, or any affiliate of the applicant or ownership entity ever sold or transferred LIHTC and to a new ownership entity prior to placing the buildings in service or within a year thereafter? Yes No *If "Yes", provide the details of the transfer in Exhibit 2.*

TYPE OF LIHTC REQUESTED:

New Construction Acquisition & Rehabilitation
 Rehabilitation Only New Construction/Acquisition & Rehabilitation
 Tax-Exempt Bond Financing Allocation

MINIMUM SET-ASIDE ELECTION: (check one only)

- 20-50 Test The development meets this requirement if 20% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 50% or less of the area median income (“AMI”).
- 40-60 Test The development meets this requirement if 40% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 60% or less of the AMI.
- Income Averaging Test The development meets this requirement if 40% or more of the residential units in the development serve households earning as much as eighty percent (80%) of the AMI, as long as the average income/rent limit in the development is sixty percent (60%) or less of the AMI.

LIHTC SET-ASIDE CATEGORIES:

Applicant is requesting LIHTC from one of the following categories: For-Profit Non-Profit
Name of Non-Profit: _____

If Non-Profit is selected, please complete Exhibit 3.

NOTE: If a development is requesting an allocation from the non-profit set-aside, the nonprofit organization must have an ownership interest in the low-income housing development through the 15-year Compliance Period and materially participate in the development and operation of the development.

Applicant is requesting LIHTC from one of the following categories: Urban-MSA Rural

Applicant is requesting LIHTC under the CRANE Program? Yes No

(If “Yes”, a CRANE application must be submitted and the development will be assigned a CRANE category designation prior to the submittal of the LIHTC/AHTC/HOME/HTF Application.)

DEVELOPMENT INFORMATION:

Has any party received an allocation of LIHTC from a previous year for the development?

Yes No

If “Yes” provide the following:

Year of Allocation: _____ NIFA Number: _____ BIN(s): _____

Is a Basis Boost (non-QCT) requested for the development? Yes No

If “Yes”, please list the amount of Basis Boost requested: _____

(All developments may request up to a 15% Basis Boost. Developments located in non-metro areas (outside of an MSA) that have overall rent targeting to households below 45% of AMI may request up to a 20% Basis Boost; CRANE Developments may request up to a 30% Basis Boost; or Developments located in a Census Tract that does not have an active LIHTC (including 4% LIHTC) development may request up to a 30% Basis Boost.

NOTE: The Basis Boost for QCT’s and non-QCT’s will be included for purposes of calculating LIHTC per occupant in the NIFA scored criteria. The non-QCT Basis Boost is not available for Tax Exempt Bond developments.

If the development includes acquisition and rehabilitation, identify the date of the most recent sale or transfer of the building(s). Date: _____ Seller: _____

If the development includes acquisition and rehabilitation, were the building(s) suitable for occupancy at the time of the most recent sale or transfer? Yes No

If any building in the development is an existing single-family detached residence, was it used by the previous owner(s) as their principal residence during the past 10 years? Yes No

Have any of the buildings in the development been condemned or are uninhabitable? Yes No

Have any of the buildings in the development been acquired through foreclosure? Yes No

Will the development include any relocation of any tenants? Yes No

If "Yes," provide a detailed description of the relocation assistance in Exhibit 4.

SITE INFORMATION:

_____ Total Number of Buildings in the Development

_____ Number of Stories in Tallest Building

Will any of the buildings include an elevator? Yes No

If "Yes", please list the number of building(s) with an elevator: _____

Will the Development have manager/maintenance unit(s)? Yes No

_____ Total Number of Units in the Development (LIHTC, HOME, Market, Other, etc.)

_____ Total Square Footage of the Development

_____ Square Footage of Area for Commercial Space

_____ % Percentage of Floor Area for Commercial Space

_____ Number of Employee/Maintenance Unit(s)

_____ Square Footage of Employee/Maintenance Unit(s)

_____ Other Common Space Square Footage

_____ Total Net Rentable Square Footage of all Rental Units in the Development

_____ Total Number of LIHTC Units in the Development (excluding employee/maintenance unit(s))

_____ % Percentage of LIHTC Units in the Development

_____ Total Square Footage for LIHTC Units

_____ % Percentage of Floor Area for LIHTC Units

_____ Total Number of Market Rate Units

_____ Square Footage of Market Rate Units

_____ Total Site Area (Land) to be used for the Development. Please Specify: Acres Sq. Feet

Development Structure: (check all that apply and choose at least one)

Multifamily (more than 4 units per building)

Single-family

Single Room Occupancy (SRO)

Duplex

Four-plex

Special Needs

Elderly Housing

Congregate care facility

Other: _____

SITE CONTROL:

Site control is in the form of (check only one)

Contract/Option to Purchase in the name of the owner, its general partner or an affiliated entity

Executed Disposition and Development Agreement with a Public Agency

Signed and recorded long term land lease (with a minimum of 50 years)

Recorded Warranty Deed in the name of the Owner, its general partner, or an affiliated entity

Include evidence of site control in Exhibit 103.

ZONING:

Please indicate the development's status in relation to local zoning requirements (check only one)

- Development meets all local zoning requirements or building permits have been issued.
- Development is not subject to municipal zoning ordinances.
- Development does not meet local zoning requirements and requires a zoning change or conditional use permit.

Include zoning letter in Exhibit 105.

OPERATING ASSISTANCE INFORMATION:

Do any of the units in the development receive or will receive Rental Assistance? Yes No

If Yes, check the type of Rental Assistance and submit Exhibit 5:

- Section 8 New Construction/Substantial Rehab
- Section 8 Project Based Assistance
- Section 8 Vouchers or Certificates
- RD 515 Assistance
- McKinney Act Funding
- State Assistance

Number of units receiving assistance: _____ Number of years the units will receive assistance: _____

UTILITY ALLOWANCE CALCULATIONS:

<u>Type</u>	<u>Gas / Electric</u>		<u>Utility Paid By</u>		<u>Allowance Amount</u>				
					0-Bdr.	1-Bdr.	2-Bdr.	3-Bdr.	4-Bdr.
Heating	<input type="checkbox"/> Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Air Conditioning		<input type="checkbox"/> Electric	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Lighting		<input type="checkbox"/> Electric	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Cooking	<input type="checkbox"/> Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Hot Water	<input type="checkbox"/> Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Sewer			<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Water			<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Trash			<input type="checkbox"/> Owner	<input type="checkbox"/> Tenant	_____	_____	_____	_____	_____
Total Utility Allowance:					_____	_____	_____	_____	_____
Total Utility Allowance Paid by the Tenant:					_____	_____	_____	_____	_____

Source of Utility Data:

- HUD Local Housing Authority (Name: _____)
- USDA – Rural Development Utility Company Estimate (Name: _____)

(Please provide a copy of the documentation in Exhibit 6. Circle the appropriate information. Documentation must be effective within one year of the applicable final deadline.)

Note: All projects funded with DED funding are required to determine Utility Allowance's for HOME-assisted rental units by using either the HUD Utility Schedule Model (HUSM) or a project-specific methodology. For more information:

<https://www.hudexchange.info/resources/documents/HOMEfires-Vol13-No2-Guidance-on-How-to-Establish-Utility-Allowances-for-HOME-Assisted-Rental-Units.pdf>

CONSTRUCTION SOURCES:

List all Preliminary and Firm Financing Commitments, including any grants, owner equity contributions, or deferred fees. If applying for HOME/HTF funds, please indicate if the funds will be used during construction. Also include any source and amount of financing for any commercial space in the development.

<u>Lender or Source of Funds</u>	<u>Amount of Funds</u>	<u>Type of Financing</u>	<u>Financing Source*</u>	<u>Name & Telephone Number of Contact Person</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total Construction Financing:	_____			

* e.g. conventional loan, federal grant, deferred loan, etc.

PERMANENT SOURCES:

List all Preliminary and Firm Financing Commitments, including any grants, owner equity contributions, or deferred fees. Also include any source and amount of financing for any commercial space in the development.

<u>Lender Name</u>	<u>Lender Contact & Telephone</u>	<u>Loan Amount</u>	<u>Type of Financing</u>	<u>Financing Source</u>	<u>Interest Rate</u>	<u>Amortization Period (Months)</u>	<u>Loan Term (Years)</u>	<u>Annual Debt Service</u>
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
Total Permanent Financing:						Total Annual Service:	Debt	_____

SYNDICATION INFORMATION:

Low Income Housing Tax Credits
 Anticipated Net Equity Factor: _____
 Amount of Estimated Proceeds: _____

Historic Rehabilitation Tax Credits
 Anticipated Net Equity Factor: _____
 Amount of Estimated Proceeds: _____

Name of Syndicator: _____
 Address: _____
 City: _____ State: _____
 Zip Code: _____ Contact Person: _____
 Telephone Number: _____ Email: _____

SYNDICATION INFORMATION FOR NEBRASKA AFFORDABLE HOUSING TAX CREDITS:

Affordable Housing Tax Credits
 Anticipated Net Equity Factor: _____
 Amount of Estimated Proceeds: _____

Name of Syndicator: _____
 Address: _____
 City: _____ State: _____
 Zip Code: _____ Contact Person: _____
 Telephone Number: _____ Email: _____

DEVELOPMENT TEAM INFORMATION:

Applicant/Sponsor:	_____	Phone Number:	_____	Identity of Interest:	_____
Developer:	_____	Phone Number:	_____	Identity of Interest:	_____
General Partner:	_____	Phone Number:	_____	Identity of Interest:	_____
Contractor:	_____	Phone Number:	_____	Identity of Interest:	_____
Management Company:	_____	Phone Number:	_____	Identity of Interest:	_____
Consultant:	_____	Phone Number:	_____	Identity of Interest:	_____
Architect:	_____	Phone Number:	_____	Identity of Interest:	_____
Development Attorney:	_____	Phone Number:	_____	Identity of Interest:	_____
Accountant:	_____	Phone Number:	_____	Identity of Interest:	_____
Syndication Firm:	_____	Phone Number:	_____	Identity of Interest:	_____

List any direct or indirect financial or other interests a member of the Development Team may have with another member of the Development Team. List “none” if no identities of interest exist. _____

**Note: NIFA will notify the applicant at the time of threshold review if the management company listed above has any outstanding uncorrected non-compliance items as of 30 days prior to the applicable threshold application deadline.*

NOTIFICATION OF PUBLIC OFFICIAL:

Name of Political Jurisdiction: _____
Name of Chief Executive Officer: _____
Title of Chief Executive Officer: _____
Address: _____
City: _____ Zip Code: _____
Phone Number: _____ Fax Number: _____

REQUIRED DESIGN STANDARDS:

The roofing and siding of all buildings exceed the relevant standards set by the American Society for Testing and Material (ASTM).
(Attach a certification from the development architect that the required design standards will be met as Exhibit 20, dated within one year of the applicable final deadline.)

REQUIRED GREEN STANDARDS:

All windows will have a minimum R-value of 2.86 or a maximum U-value of .35
 All installed appliances will be Energy Star® rated or better.
(Attach a certification from the development architect that the required green standards will be met as set forth in Exhibit 21 dated within one year of the applicable final application deadline.) Note: If the development is utilizing federal historic rehabilitation tax credits and is requesting an exception to the window standards, please include a letter from the Nebraska State Historic Preservation Office detailing the need for the exception in Exhibit 21.

C. EXHIBIT CHECKLIST

The following is a checklist of materials for submission with the application. Please upload each Exhibit in the online funding application that is included in the application package.

Applicants may also self-score all pertinent items and enter the appropriate number of points earned for each requirement. **NOTE: Applications must obtain a score in each of the Threshold Criteria Items. Applications not scoring under all of the Threshold Criteria Items or not submitting the applicable Required Exhibits will not be considered for an allocation of LIHTC and AHTC.** All information in the Exhibits must meet or exceed the provided exhibit descriptions and dated within one year of the applicable final application deadline. For a detailed description of the Threshold Exhibits, please refer to page 19.

<u>Required Exhibits</u>	<u>Description</u>		
<input type="checkbox"/> EXHIBIT 1	Provide a one (1) page summary of the proposed development		
<input type="checkbox"/> EXHIBIT 2	Details of any sale or transfer of LIHTC and AHTC		
<input type="checkbox"/> EXHIBIT 3	Non-profit information (See Exhibit Examples)		
<input type="checkbox"/> EXHIBIT 4	Relocation assistance plan		
<input type="checkbox"/> EXHIBIT 5	Evidence of rental assistance		
<input type="checkbox"/> EXHIBIT 6	Current utility allowance documentation		
<input type="checkbox"/> EXHIBIT 7	Pictures of the site/structure taken from each direction. (North, South, East, & West)		
<input type="checkbox"/> EXHIBIT 8	Location Map (See Exhibit Examples for more information)		
<input type="checkbox"/> EXHIBIT 11	Environmental review record and process and Determination of Level of Review (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 12	Notice of Public Hearing or Public Meeting (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 13	Authorizing Resolution for local governments (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 14	Statement of assurances and certifications for local governments (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 15	Residential anti-displacement and relocation assistance plan (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 16	Applicant certification for non-profits and housing authorities (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 17	Authorizing Resolution for non-profits and housing authorities (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 18	Certification of rental project federal assistance (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 19	System for Award Management (SAM) (HOME/HTF Funds)		
<input type="checkbox"/> EXHIBIT 20	Certification of required design standards		
<input type="checkbox"/> EXHIBIT 21	Certification of required green standards		
<u>Threshold Exhibits</u>	<u>Description</u>	<u>Points Available</u>	<u>Score</u>
<input type="checkbox"/> EXHIBIT 100	Architectural Plans	1	_____
<input type="checkbox"/> EXHIBIT 101	Fair Housing Act and Section 504 – Design	1	_____
<input type="checkbox"/> EXHIBIT 102	Affirmative Marketing Plan	1	_____
<input type="checkbox"/> EXHIBIT 103	Site Control	1	_____
<input type="checkbox"/> EXHIBIT 104	Site Visit Review and Approval (HOME/HTF Funds)	1	_____
<input type="checkbox"/> EXHIBIT 105	Zoning	1 or 2	_____
<input type="checkbox"/> EXHIBIT 106	Utilities	1	_____
<input type="checkbox"/> EXHIBIT 107	Subsidies/Public Funds	1, 2, or 3	_____
<input type="checkbox"/> EXHIBIT 108	Investor Letter of Interest/Commitment	1 or 2	_____
<input type="checkbox"/> EXHIBIT 109	Construction Financing	1	_____
<input type="checkbox"/> EXHIBIT 110	Permanent Financing	1, 2, or 3	_____
<input type="checkbox"/> EXHIBIT 111	Development Worksheets (See Exhibit Examples)	1 or 2	_____
<input type="checkbox"/> EXHIBIT 112	Market Study	1	_____
<input type="checkbox"/> EXHIBIT 113	Pre-notification of Local Jurisdiction	1	_____
<input type="checkbox"/> EXHIBIT 114	Capital Needs Assessment (Rehabilitations only)	1	_____
<input type="checkbox"/> EXHIBIT 115	Ten Year Rule (Acquisition credits only)	1	_____
<input type="checkbox"/> EXHIBIT 116	AHTC Investor Letter of Interest/Commitment	0 or 1	_____

D. OTHER SELECTION CRITERIA – CRANE & 4% LIHTC APPLICATIONS MUST SCORE A MINIMUM OF 25 POINTS IN THIS SECTION

COMPLIANCE & EXTENDED USE PERIOD:

Please check the following compliance period and extended use period that will be applicable to this development. (The minimum term of the low-income occupancy commitment is 30 years.) Points will be awarded when the owner elects to extend the compliance period for additional years.

- 15-year Compliance Period + 15-year Extended Use Period = 30 total (0 points)
- 25-year Compliance Period + 15-year Extended Use Period = 40 total (1 point)
- 30-year Compliance Period + 15-year Extended Use Period = 45 total (2 points)

The commitment to extend the compliance period will be reflected in the LURA.
CROWN developments must elect the 15-year Compliance Period and 15-year Extended Use Period.

RIGHT OF FIRST REFUSAL:

Will the owner offer a right of first refusal to non-profit entities under IRC Section 501(c)(3) or 501(c)(4), governmental entities? Yes No

If Yes, please list to whom the owner intends to offer the right of first refusal: _____
(Please list the name of the entity.)

Code Section 42 (i)(7) references a formula for determining this purchase price, equal to outstanding debt remaining on the development (excluding any debt added in the five years prior to the sale) plus federal, state, and local taxes due as a result of the sale.

(2 points)

The commitment of the right of first refusal will be reflected in the LURA.

EVENTUAL TENANT HOMEOWNERSHIP (CROWN):

Will qualified tenants have a lease-purchase homeownership option? Yes No

The homeownership program will be operated as: Short-term model Long-term model

The commitment of eventual tenant homeownership will be reflected in the CROWN LURA (see www.nifa.org for a copy of the CROWN LURA). (2 points)

The points in this category are limited to developments proposing a condo regime or that have separate legal descriptions to enable the units to be deeded or conveyed to low-income tenants.

Attach a copy of the homeownership plan as Exhibit 200, dated within one year of the applicable final deadline.

PRESERVATION:

Is the development a federally assisted building in danger of having the mortgage assigned to HUD or RD, or in danger of creating a claim on a federal mortgage insurance fund? (2 points)

Yes No

Attach a letter from the institution to which the development is in danger of being assigned to as Exhibit 201, dated within one year of the applicable final deadline.

Does the development involve preservation of existing affordable housing with an existing project-based rental assistance agreement (i.e. USDA-RD or HUD)? (4 points)

Yes No

Does the development meet the Secretary of the Interior's Standards for Rehabilitation as interpreted by the National Park Service and involve the use of federal historic rehabilitation tax credits (For additional information, visit <http://nps.gov>)? (2 points)

Yes No

SENIOR DEVELOPMENT:

Will the development be reserved for elderly tenants? Yes No If Yes, Age 55+ Age 62+

The applicant must certify that the following requirements will be met by checking the following:

- Units will meet the minimum square footage of 650 square feet for a one bedroom unit and 800 square feet for a two bedroom unit (senior housing may only consist of one or two bedroom units).
*NOTE: Developments proposing the acquisition and rehabilitation of an existing senior development may request a waiver of the minimum square footage requirements.
- The development will include handrails along steps and common areas, grab bars in bathrooms, routes that allow for barrier-free access, lever-type doorknobs, single-lever faucets and elevators for developments with more than two stories.
- The development is located on a suitable site that is within reasonable walking distance of basic services or has adequate access to public transportation.
- The units will be restricted to seniors who qualify for an exception of exemption under the Fair Housing Act.

Note: The Fair Housing Act prohibits discrimination against families with children. However, it exempts from this prohibition certain types of elderly housing. The exemption applies to “62 or over developments” and “55 or over developments,” each of which must meet particular standards. The former requires that all units in a development be restricted to tenants who are at least 62 years of age. The latter requires that at least 80% of the units in a development have at least one resident who is at least 55 years of age and that the development have “policies and procedures” which make it clear that the development is for senior tenants. The design will be consistent with allowing seniors to age in place (e.g. one story, no stairs, etc.).

(1 point)

*If a waiver is requested, attach a copy of the waiver for minimum square footage as **Exhibit 202**, dated within one year of the applicable final deadline.*

MIXED INCOME DEVELOPMENT:

Will the development include at least 10% of the units for market rate tenants? Yes No

- Check the appropriate box:
- At least 10% of the units are market rate **(1 point)**
 - At least 15% of the units are market rate **(2 points)**
 - At least 20% of the units are market rate **(3 points)**

DESIGN STANDARDS:

Please check the following design standards that apply to the proposed development.

*In addition, attach a certification from the development architect that the design standards will be met as **Exhibit 203**, dated within one year of the applicable final deadline. All design standards must appear in **Exhibit 203**.*

- Buildings will have solid brick or natural stone exterior finish material in excess of 25% of the front street visible exterior elevation. (Points will not be awarded for brick veneer. Cultured or manufactured stone is acceptable if installed by a mason.) *Attach the proposed elevations for each side of the building(s) in **Exhibit 203**.* **(2 points)**
- Development will have significant landscaping.
*Attach a landscape plan detailing the number of plants and trees, as well as their proposed location and indicate whether the development’s lawn will be sodded or seeded on 8 ½” x 11” paper in **Exhibit 203**.* **(2 points)**
- 20% or more of the units will meet the “visitability” design standards as defined by the Nebraska Assistive Technology Partnership (For additional information, visit <https://atp.nebraska.gov>). **(2 points)**
- Buildings will include exterior additions, such as pre-finished shutters, decorative exterior finishes, patio/porch fencing or additional decorative trim. **(1 point)**
*Attach a brief description of what the proposed exterior additions are in **Exhibit 203**.*

Note: Failure to fulfill the commitment to provide any of the above design standards will result in the revocation of LIHTC.

DENSITY CONFIGURATIONS:

Please check any of the following that apply to the proposed development.

- Density configuration is 12 units or less per acre (1 acre equals 43,560 sq. ft.) (1 point)
- Density configuration is 12 units or less per acre, all buildings are two stories or less and each unit in each building includes a separate outside entrance. (2 points)

SMALL COMMUNITY:

The development is located in a community with a total population of 5,000 or less:
 Yes No If Yes, please list the total population of the community: _____ (3 points)

The development is located in a community with a total population over 5,000 to 15,000:
 Yes No If Yes, please list the total population of the community: _____ (2 points)

ECONOMIC DEVELOPMENT CERTIFIED COMMUNITY/ENTITLEMENT COMMUNITY/ LEADERSHIP COMMUNITY:

Is the development located in an Economic Development Certified Community/Leadership Community as designated by the Nebraska Department of Economic Development or in a CBDG entitlement community? Yes No (2 points)

TRACK RECORD OF APPLICANT AND/OR OWNER:

Number of previous LIHTC developments: _____ (1 point)

List all LIHTC developments, detailing the name, city and state, number of units, date placed in service, and role in development as Exhibit 204. The correct form to use is in the Exhibit Examples.

Developers/Owners with unfavorable prior performance as determined solely in NIFA's/NDED's opinion may not qualify for points in this category.

Any outstanding noncompliance issues that have a response due date prior to the final application deadline must be submitted to NIFA at least fifteen (15) business days before the final application deadline.

PHA REFERRAL AGREEMENT:

The development owner has entered into an agreement with the local Public Housing Authority (PHA) to consider households from the PHA waiting list as potential tenants: Yes No (1 point)

Attach a copy of the agreement as Exhibit 205, dated within one year of the applicable final deadline.

Note: A sample agreement is included in the Exhibit Examples. The agreement must be dated within one year of the final application deadline. If the community does not have a PHA, the owner may utilize the nearest PHA or the office responsible for administering the Section 8 program.

RESIDENTIAL PROVIDER REFERRAL AGREEMENT:

The development owner has entered into an agreement with a local supportive service provider and/or a Medicaid-enrolled provider authorized through the Nebraska Health and Human Services as a regional network provider that offers services to persons with physical or mental disabilities: Yes No (1 point)

Attach a copy of the agreement as Exhibit 206, dated within one year of the applicable final deadline.

Note: A sample agreement is included in the Exhibit Examples. The agreement must be dated within one year of the final application deadline.

DEVELOPER / OWNER FINANCIAL SUPPORT:

A partner/member of the development agrees to defer payment of a fee payable by the development or a partner/member agrees to make a capital contribution or personal loan to the development. Aggregate of deferred fees and/or capital contribution or personal loan is 25% or more of the total of the developer fee and overhead.

Yes No

(2 points)

Note: This financial support must be in addition to any proceeds of the syndication of the LIHTC and AHTC, and/or third party loans. This commitment of financial support must be part of the sources and uses of funds at all review levels to receive points in this category.

AMENITIES:

A maximum of 6 points are available in this category.

Please check the following amenities that will be included in the proposed development.

*In addition, attach a certification from the development architect that the amenities will be included as **Exhibit 207**, dated within one year of the applicable final deadline.*

On-site furnished community room with a minimum of 600 square feet **(2 points)**

*(NOTE: Community room must be used exclusively by the tenants and must be shown on a site plan included in **Exhibit 207**)*

Washer and dryer installed and maintained in each unit **(2 points)**

Garage for each unit at no cost to the tenant **(2 points)**

Community garden with a dedicated water source that is paid for by the development owner or recreational equivalent. **(1 point)**
*(Please include a site plan indicating location and dimensions in **Exhibit 207**. The space should be sufficient for every unit to grow vegetables and/or ornamentals. Please include a brief description of the recreational equivalent in **Exhibit 207**)*

Unfinished basement or storm shelter for all units in the development (n/a if points awarded for finished rooms in basement) (If selecting to provide a storm shelter that also will serve as a bathroom or bedroom closet, the Architect must certify that such space qualifies as a storm shelter. If such space qualifies as a storm shelter, the square footage can be included in the residential living square footage of the unit. **NOTE: unfinished basement or storm shelter must be shown on a floor plan included in **Exhibit 207**.**) **(1 point)**

Washer and dryer hook-ups in each unit (n/a if points awarded for installed in each unit) **(1 point)**

Community laundry room (n/a if points awarded for installed in each unit) **(1 point)**

Designated exterior playground area or exercise equipment with sufficient equipment for usage by tenants in all units OR **(1 point)**

Individual playground equipment for each unit in CROWN developments
*(NOTE: Playground must be shown on a site plan in **Exhibit 207**)*

Each unit will be equipped with a medical alert / emergency response system at no cost to the tenant **(1 point)**

High-speed internet access and owner paid service for each unit **(1 point)**

Storage area for each unit that is an enclosed, single, and secure space **(1 point)**

*(Storage area must meet the following dimensions: 6w x 6d x 8h = 288 cubic feet. Note: Storage area must be shown on a floor plan in **Exhibit 207**. Garages and closets in bedrooms do not qualify as “storage areas”.)*

MANAGEMENT QUALIFICATIONS AND EXPERIENCE:

Please list the management company/agent for this development: _____

Number of years of experience managing LIHTC properties: _____

Attach a copy of the management company’s attendance at both days of the 2018 or 2019 NIFA-sponsored annual LIHTC Compliance Training as Exhibit 210. Also, please provide a list of the current LIHTC and HOME/HTF developments that the management company/agent is managing in the State of Nebraska. The form is located in the Exhibit Examples. **(1 point)**

Any outstanding noncompliance issues that have a response due date 30 days prior to the applicable threshold application deadline must be submitted to NIFA at least fifteen (15) business days prior to the applicable final application deadline.

NOTE: Management entities that have outstanding uncorrected noncompliance in the past three calendar years or violations of a LURA that have not been corrected within the applicable correction period on any Nebraska LIHTC, AHTC and/or HOME/HTF development will not be eligible for the point in this category. Management entities will be evaluated based on the date they first started the management of the property.

GREEN STANDARDS:

A maximum of 6 points are available in this category.

Please check the following green standards that apply to the proposed development.

Attach a certification from the development architect that the green standards will be met as Exhibit 211, dated within one year of the applicable final deadline.

- Development will include a geothermal (ground source), closed loop heat pump system or active solar that will generate at least 25% of the total energy load for each unit. **(2 points)**
- All mechanical equipment installed will be Energy Star® rated or better. **(1 point)**
- All exterior lighting will be photocell or timer controlled. **(1 point)**
- All carpet will include recycled-content carpet pad and carpet. **(1 point)**
- All interior paints and finishes will contain less than 250 grams/liter of VOCs. **(1 point)**
- Development will utilize water conservation techniques, such as water-efficient appliances and fixtures, low water landscaping and irrigation, and gray water. **(1 point)**
- Builder will follow a written waste reduction, recycle, and reuse plan. **(1 point)**
- Ongoing recycling services provided at no cost to the tenant. **(1 point)**
- Development will utilize passive solar building design. (Examples include, but are not limited to: building orientation, earth coupling, thermal mass, window sizing and placement, overhangs or landscaping for shading, sky lights, double-glazed glass in windows, or thermal insulation.) **Please include a description of the design elements in the architect’s certification.** **(1 point)**

Note: Failure to fulfill the commitment to provide any of the above green standards will result in the revocation of LIHTC and AHTC.

PROJECT-BASED RENTAL ASSISTANCE:

Name of the Housing Authority that has committed to providing new project-based rental assistance including VASH vouchers: _____

Number of units receiving project-based rental assistance: _____

Length of commitment for project-based rental assistance (in years): _____

Attach a letter of commitment from the Housing Authority detailing the number of units that will receive project-based rental assistance & the length of the commitment for the project-based rental assistance as Exhibit 212, dated within one year of the applicable final deadline. **(2 points)**

NOTE: In order to receive a point in this category, the project-based rental assistance commitment from the Housing Authority MUST be for at least 25% or more of the total units in the development and the length of the commitment MUST be for a minimum of 15 years. The points in this section are not available to developments with existing Project-Based Rental Assistance.

SUPPORTIVE SERVICES:

A maximum of 3 points are available in this category.

Please check the following supportive services that apply to the proposed development.

Attach a Supportive Service plan and commitment letters from the appropriate supportive service providers as Exhibit 213, dated within one year of the applicable final deadline.

Please choose up to three supportive services:

- Transportation to services at no cost to the tenant (12 round trips). **(1 point)**
- Monthly onsite medical, dental or vision testing at no cost to the tenant. **(1 point)**
- Owner paid renter’s insurance for tenant (yearly). **(1 point)**
- Onsite congregate meals served to the tenant at no cost (monthly). **(1 point)**
- Annual cleaning of the unit at no cost to the tenant. **(1 point)**
- Child Care subsidy (minimum of \$50 off the enrollment fee) for each child **(1 point)**

(yearly).

- Rent Wise Education at no cost to tenant (yearly). **(1 point)**

Attach a copy of the certificate of the person authorized to provide the Rent Wise Education as Exhibit 213 that is dated within 3 years.

- Onsite monthly beautician services at no cost to the tenant. **(1 point)**
- Monthly onsite, organized tenant activities offered at no cost to the tenant, such as exercise classes, movie nights, potlucks or financial assistance classes. **(1 point)**
- Other services offered annually at no cost to tenant, subject to NIFA’s approval. **(1 point)**

Please list _____

Note: The “other” category for supportive service cannot be listed under any other exhibit and receive dual points in two categories. The supportive services must be available to all tenants residing in the development and not targeted to a certain group. **Scattered site developments may provide services at a central location if transportation is provided at no cost to the tenant. Developments that have entered into the CRANE process must include at least three supportive services in their application.**

E. OTHER SELECTION CRITERIA EXHIBIT CHECKLIST

All Exhibits must meet or exceed the provided exhibit descriptions and dated within one year of the applicable final deadline.

Other Selection Criteria	Exhibit	Points Available	Score
<input type="checkbox"/> Compliance & Extended Use Periods	No	1 or 2	_____
<input type="checkbox"/> Right of First Refusal	No	2	_____
<input type="checkbox"/> Eventual Tenant Homeownership	Exhibit 200 – Homeownership Plan	2	_____
<input type="checkbox"/> Preservation	Exhibit 201 – Letter from mortgage institution	2 or 4	_____
<input type="checkbox"/> Senior Development	Exhibit 202 – Waiver for minimum square feet	1	_____
<input type="checkbox"/> Mixed Income Development	No	1, 2, or 3	_____
<input type="checkbox"/> Design Standards	Exhibit 203 – Architect certification, Landscape Plan	Max = 7	_____
<input type="checkbox"/> Density Configuration	No	1 or 2	_____
<input type="checkbox"/> Small Community	No	2 or 3	_____
<input type="checkbox"/> Certified Economic Development Community/Entitlement Community	No	2	_____
<input type="checkbox"/> Track Record of Applicant and/or Owner	Exhibit 204 – Track Record (See Exhibit Examples)	1	_____
<input type="checkbox"/> PHA Referral Agreement	Exhibit 205 – PHA Referral Agreement (See Exhibit Examples)	1	_____
<input type="checkbox"/> Residential Provider Referral Agreement	Exhibit 206 – Residential Provider Referral Agreement (See Exhibit Examples)	1	_____
<input type="checkbox"/> Developer / Owner Financial Support	No	2	_____
<input type="checkbox"/> Amenities	Exhibit 207 – Architect certification	Max = 6	_____
<input type="checkbox"/> LIHTC Management Qualifications & Experience	Exhibit 210 – Evidence of attendance at 2018 or 2019 NIFA-sponsored annual LIHTC compliance training and Track Record of Management Company/Agent (See Exhibit Examples)	1	_____
<input type="checkbox"/> Green Standards	Exhibit 211 – Architect certification	Max = 6	_____
<input type="checkbox"/> Project Based Rental Assistance	Exhibit 212 – Commitment letter from the Housing Authority	2	_____
<input type="checkbox"/> Supportive Services	Exhibit 213 – Supportive Service Plan, Rent Wise Certificate or commitment letters from service providers	Max = 3	_____
<input type="checkbox"/> Qualified Census Tract	Exhibit 214 – Letter & Plan	1	_____

In addition to the above scoring, all applications will be scored by NIFA/NDED on the following criteria. For a description of the criteria, please refer to page 27.

NIFA / NDED Scored Criteria	Exhibit	Points Available
Threshold Criteria Met	No	1 or 2
Targeting Gross Rents to Lower Levels	No	Up to 10
Efficient Housing Production	No	Up to 12
Effective Use of HOME/HTF Funds (for developments applying for HOME)	No	Evaluated by DED
Natural Disaster Designation	No	2

**YOUR APPLICATION IS COMPLETE!
PLEASE ATTACH EXHIBITS FOLLOWING THIS PAGE.**

F. DESCRIPTION OF EXHIBITS (DO NOT SUBMIT THIS SECTION WITH APPLICATION)

<p><u>EXHIBIT 100 – ARCHITECTURAL PLANS</u></p> <ol style="list-style-type: none"> 1. Provide preliminary architectural drawings on 8.5 x 11 sheets to include <u>all</u> site plan(s), elevation drawings (front, rear, and side) of each building type, and schematic floor plans of the various unit sizes. 2. In addition, <u>provide a signed certification from the architect</u> that confirms that the development will be constructed in accordance/compliance with: <ol style="list-style-type: none"> (i) The applicable local energy conservation code, or, if no such code is applicable, then in accordance with the 2009 International Energy Conservation Code. (ii) Local Codes <u>or</u> Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code <u>or</u> Council of American Officials one- or two-family code <u>or</u> minimum property standards at 24 CFR 200.925 (for multi-family) <u>or</u> 200.926 (for one- and two-unit dwellings) (iii) If applying for HOME/HTF Funds, <u>for rehabilitation</u>: The development will meet or exceed the <u>NDED rehabilitation standards</u>, and local code requirements or Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code <u>or</u> Council of American Officials one- or two-family code <u>or</u> minimum property standards at 24 CFR 200.925 (for multi-family) or 200.926 (for one- and two-unit dwellings). The <u>NDED rehabilitation standards</u> can be found at: https://opportunity.nebraska.gov/program/home/#administrators (iv) Signed certification must be dated within 12 months of the applicable final deadline. <p><i>NOTE: Material changes to the floor plan(s) without prior approval of NIFA could result in cancellation of the reservation or allocation of LIHTC and AHTC.</i></p>	<p>Points Available: 1</p>
<p><u>EXHIBIT 101 – FAIR HOUSING ACT & SECTION 504</u></p> <ol style="list-style-type: none"> 1. Provide a <u>signed certification from the Architect</u> that confirms that the development will be constructed in accordance/compliance with: <ol style="list-style-type: none"> (i) The Fair Housing Act Amendments of 1988; consideration being given to the accessibility/adaptability of units to handicapped occupancy. (ii) If applying for HOME/HTF funds, Section 504 accessibility requirements are applicable to the development. Describe what Section 504 requirements apply to the development and how they will be met and/or exceeded. Information regarding Section 504 accessibility requirements can be found at: http://www.access.gpo.gov/nara/cfr/waisidx_98/24cfr8_98.html (iii) Signed certification must be dated within one year of the applicable final deadline. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 102 – AFFIRMATIVE MARKETING PLAN</u></p> <ol style="list-style-type: none"> 1. Provide an Affirmative Marketing Plan: The form is located at https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf . <ol style="list-style-type: none"> (i) Sign and date the form. (ii) Complete all applicable worksheets. (iii) Signed form must be dated within one year of the applicable final deadline. <p><i>NOTE: If the development consists of a scattered site (i.e. buildings in the development are located in different towns/cities), a plan is needed for each site.</i></p>	<p>Points Available: 1</p>

<p><u>EXHIBIT 103 – SITE CONTROL</u></p> <p>Provide evidence of site control in the form of one of the following eligible forms (if multiple sites, the applicant must have control of <u>each site</u> making up the single development).</p> <ol style="list-style-type: none"> Exhibit 103 must also include a legal description and evidence of current fee ownership (e.g. a copy of the current seller’s recorded deed or a valid title commitment confirming seller’s ownership). The expiration of any purchase/option agreement must not occur until at least 90 days after the deadline for submitting the final application. (Note: not the threshold deadline). <p><u>Eligible Types of Site Control:</u></p> <ol style="list-style-type: none"> A valid contract/option to purchase the land (and building(s), if any) with the legal description clearly identified between the seller (who must be the current fee owner) & the owner, its general partner or an affiliated entity. Executed disposition and development agreement with a public agency with the legal description clearly identified. (Example: city owns the land (and building(s), if any) and has a transfer agreement with the Owner). Signed and recorded long-term land lease with the legal description clearly identified (with a minimum term of 50 years) in a form acceptable to NIFA/NDED with evidence that the lessor owns the land. (An agreement to enter into a lease with the above provision is also acceptable for developments built on Tribal lands or land owned by the Veterans Administration.) Recorded Warranty Deed in the name of the owner, its general partner or an affiliated entity. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 104 – SITE VISIT REVIEW & APPROVAL</u></p> <ol style="list-style-type: none"> If applying for HOME/HTF funds from NDED, a site visit review must be requested in writing to Pamela Otto via email at pamela.otto@nebraska.gov at least 45 days prior to the current application deadline. Please attach a copy of the NDED Site Visit Review as Exhibit 104. If your proposed development is located in Omaha, Lincoln, or South Sioux City, HOME/HTF funds may be available from the local jurisdiction through their own application process. Developments in these communities are also eligible to apply for HOME/HTF funds through NIFA/NDED’s joint application process. If not applying for HOME/HTF funds, a site review is not required. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 105 – ZONING</u></p> <ol style="list-style-type: none"> Provide a letter from the appropriate local governmental body dated within one year of the final applicable deadline indicating the development’s status in relation to local zoning requirements for the proposed number and type of units. A form of letter is included as Exhibit 105 in the Exhibit Examples. 	
<ol style="list-style-type: none"> Development meets all local zoning requirements, including the proposed number and type of units. 	<p>Points Available: 2</p>
<ol style="list-style-type: none"> If the development is not subjected to municipal zoning ordinances, then the owner must supply NIFA/NDED with written documentation from the appropriate local governmental official, stating the proposed development can be built per the current governing land use regulations, subject only to review of final plans and specifications. 	<p>Points Available: 2</p>
<ol style="list-style-type: none"> If the development is currently a legal nonconforming use, as per zoning regulations, then the owner must have the zoning administrator’s explicit evaluation that a conditional use permit or final approval will be obtained within 180 days of the LIHTC reservation. 	<p>Points Available: 1</p>

<p><u>EXHIBIT 106 – UTILITIES</u></p> <ol style="list-style-type: none"> 1. For new construction, provide a signed and dated letter from the appropriate local utility provider(s) dated within one year of the final applicable deadline indicating that applicable utilities are or will be available <u>and</u> adequate to serve the development (water, sewer, electric, gas, as applicable). 2. For rehabilitation developments: <ol style="list-style-type: none"> (i.) Provide copies of current utility bills/receipts indicating the availability of services are also acceptable. (ii.) NIFA/NDED will also require written confirmation from the development’s engineer or architect that either the existing utilities require no upgrades, or that upgrades are required with an explanation detailing the nature and extent of necessary upgrades as appropriate. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 107 – SUBSIDIES/PUBLIC FUNDS</u></p> <ol style="list-style-type: none"> 1. Provide copies of all relevant documents, including the amount and terms of any committed funds. If multiple funding sources (i.e. FHLB, TIF, local jurisdiction funds) are included in the development, NIFA/NDED will score based upon the resource that has the least level of readiness and commitment. All documentation must be dated within one year of the applicable final deadline. NIFA/NDED reserve the right to adjust the HOME/HTF Funds request as needed. 2. <u>If applying for HOME/HTF funds, provide a commitment letter from an alternative funding source that meets the above requirements in the event that the development does not receive HOME/HTF funds.</u> 3. <u>HOME/HTF Funds are not available for developments that have 4% LIHTC with Tax Exempt Bonds.</u> 	
<p>(i.) No subsidies/public funds are anticipated for the development other than NDED HOME/HTF funds, LIHTC, and/or AHTC.</p>	<p>Points Available: 3</p>
<p>(ii.) All anticipated subsidies/public funds are evidenced by firm commitments or awards (in the case of historic rehabilitation tax credits, a fully executed Part I or evidence that the development is listed on the National Historic Register).</p>	<p>Points Available: 3</p>
<p>(iii.) All anticipated subsidies/public funds <u>have been properly applied for</u>, and an acknowledgement letter has been provided by the subsidy provider(s).</p>	<p>Points Available: 2</p>
<p>(iv.) All anticipated subsidies/public funds <u>have been discussed with all proper authorities</u>, and such discussions have been acknowledged in writing by all subsidy provider(s).</p>	<p>Points Available: 1</p>
<p><u>EXHIBIT 108 – INVESTOR LETTER OF INTEREST/COMMITMENT</u></p> <ol style="list-style-type: none"> 1. Attach and label as Exhibit 108, an investor commitment or letter of interest for the development which includes the following: <ul style="list-style-type: none"> • Confirmation that the development’s proforma financial statement, other financial projections and LIHTC assumptions meet or exceed the investor’s underwriting guidelines. • The assumptions made by the investor in connection with the commitment/letter of interest for the development. <p>NOTE: The commitment or letter of interest must not expire until at least 180 days after the deadline for submitting the final application, and an executed syndication agreement will be required within 90 days of the date of the conditional reservation.</p>	

<p>(i) Firm commitment & pricing (note: if range of pricing, it must be no larger than \$0.05) from investor that confirms/acknowledges the development's operating assumptions, projections and financial proforma and is <u>accepted via signature</u> by owner/developer for the entire amount of LIHTC requested.</p>	<p>Points Available: 2</p>
<p>(ii) A letter of interest and pricing (note: if range of pricing, it must be no larger than \$0.05) from an investor that confirms/acknowledges the development's operating assumptions, projections and financial proforma.</p>	<p>Points Available: 1</p>
<p><u>EXHIBIT 109 – CONSTRUCTION / INTERIM FINANCING</u></p>	
<p>1. Provide fully executed copies of all financing interest/commitment letters from bona fide lending institutions. Construction/interim financing must cover all financing needs not covered by equity contributions, grants, permanent financing or other funding sources; and be adequate to complete construction.</p> <p>2. Construction/Interim Financing Commitments and Letters of Interest must contain the amount of financing, the term of the loan, the interest rate, the amortization period of the loan and the proper signatures of all parties. An example form of Financing Commitment is included in the Exhibit Examples.</p> <p>3. Documentation must be dated within one year of the applicable final deadline.</p>	
<p>(i) Construction/Interim Financing Commitments or Letters of Interest, for the entire construction/acquisition/rehabilitation financing amount, binding upon the lender(s) for at least 180 days after the application is submitted for the final application deadline.</p>	<p>Points Available: 1</p>
<p>(ii) The applicant intends to finance all of the construction/rehabilitation costs from its own resources. To qualify for these points, the applicant must provide a third-party verification that such resources are (A) available and (B) committed solely to finance the development.</p>	<p>Points Available: 1</p>
<p><u>EXHIBIT 110 – PERMANENT FINANCING</u></p>	
<p>1. Provide fully executed copies of all financing interest/commitment letters from bona fide lending institutions. Permanent financing must cover all financing needs not covered by equity contributions, grants or other funding sources; and must be adequate to achieve the minimum debt service coverage ratio required by NIFA/NDED, the lender and syndicator.</p> <p>2. Permanent Financing Commitments and Letters of Interest must contain the amount of financing, the term of the loan (Note: term must be for a minimum of 15 years), the interest rate, the amortization period of the loan and the proper signatures of all parties. An example form of Financing Commitment is included in the Exhibit Examples.</p> <p>3. Documentation must be dated within one year of the applicable final deadline.</p>	
<p>(i.) Permanent Financing Commitments, for the entire permanent financing amount, binding upon the lender(s) for at least 180 days after the application is submitted for the final application deadline accepted via signature by owner/developer.</p>	<p>Points Available: 3</p>
<p>(ii.) Permanent Financing Commitments, for the entire permanent financing amount, binding upon the lender(s) for at least 180 days after the application is submitted for the final application deadline.</p>	<p>Points Available: 2</p>
<p>(iii.) The applicant intends to finance all of the development costs from its own resources. To qualify for these points, the applicant must provide a third-party verification that such resources are (A) available and (B) committed solely to finance the development.</p>	<p>Points Available: 3</p>
<p>(iv.) The development does not require any permanent financing.</p>	<p>Points Available: 3</p>
<p>(v.) Letters of Interest, for the entire permanent financing amount.</p>	<p>Points Available: 1</p>

EXHIBIT 111 – DEVELOPMENT WORKSHEETS (UNDERWRITING CRITERIA)

1. Exhibit 111 is part of the online application. The Development Worksheets can be found in the Exhibit Examples for your personal use.

The Development Worksheets must demonstrate that the development will be financially viable for a minimum of 15 years, 20 years if requesting HOME funds or 30 years if requesting National Housing Trust Funds (HTF). **If applying for HOME/HTF funds, a copy of the Exhibit 111 must be uploaded to the online funding application as Exhibit 111.** NIFA and/or NDED reserves the right to adjust the Development Worksheets to reflect economic and/or market conditions as they deem appropriate.

The square footage of each unit should not include the following: garages, storage areas (as described in the Amenities Section of the application), and unfinished basement or storm shelters. It should reflect the residential finished living space.

*(Attach as **Exhibit 111**, an architects signed and dated (within one year of the final application deadline) certification that lists the following for each individual unit type and size; total square footage, residential living space square footage, garage, storage areas, unfinished basement or storm shelters square footage within the unit. The total square footage must = the residential living space + garage + storage areas + unfinished basement + storm shelter).*

If selecting to provide a storm shelter that also will serve as a bathroom or bedroom closet, the architect must certify that such space qualifies as a storm shelter. If such space qualifies as a storm shelter the square footage can be included in the residential living square footage of the unit.

2. The Development Worksheets must meet the following minimum underwriting guidelines:

Minimum Underwriting Guidelines		
	LIHTC Only	LIHTC with HOME/HTF Funds
Replacement Reserves (per unit, per year)	\$250	\$350
Operating Reserves (debt service + operating expenses)	Consult lender(s) & syndicator	8 months
Vacancy Rate	7%	7%
Revenue Escalator (maximum allowed)	2%	2%
Expense Escalator (minimum required)	3%	3%
Minimum Debt Service Coverage Ratio	1.15	1.15

3. During the first full year of operations, the development will achieve a debt service coverage ratio of:

(i.) 1.20 or higher	Points Available: 2
(ii.) No permanent hard debt service	Points Available: 2
(iii.) Between 1.15 and 1.19	Points Available: 1

EXHIBIT 112 – MARKET STUDY

1. IRC Section 42 requires a comprehensive market study of the housing needs within the community in which the development will be located. A description of information required to be included in the market study is set forth in the Exhibit Examples labeled Exhibit 112.
2. Documentation must be dated within one year of the applicable final deadline.

Points Available:
1

<p><u>EXHIBIT 113 – PRE-NOTIFICATION OF LOCAL JURISDICTION</u></p> <ol style="list-style-type: none"> 1. Provide a copy of the letter(s) submitted to the chief executive officer (i.e. Mayor) for each applicable local jurisdiction. The letter must be current (dated no earlier than one year prior to the current round final application deadline) and describe the following characteristics of the development: a) the development’s configuration (i.e. number of units, bedroom types); b) density; c) planned use; d) intent to apply for LIHTC and AHTC. 2. Provide a confirmation of receipt, for each pre-notification. Confirmation can be evidenced by either certified mail receipt, overnight mail receipt or a confirmation letter from the appropriate official’s office. 3. Documentation must be dated within one year of the applicable final deadline. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 114 – CAPITAL NEEDS ASSESSMENT</u></p> <ol style="list-style-type: none"> 1. If the development involves the rehabilitation of existing building(s), the application must include a capital needs assessment (a “CNA”) for the building(s). A description of information required to be included in the CNA is set forth in the Exhibit Examples. 2. If the development does not involve rehabilitation of an existing building(s), a CNA is not required. 3. Documentation must be dated within one year of the applicable final deadline. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 115 – TEN YEAR RULE</u></p> <ol style="list-style-type: none"> 1. If the development involves the acquisition of an existing building(s), provide a legal opinion from an attorney that the Ten Year Rule requirements will be or have been met or that the acquisition of the existing building is exempt from the Ten Year Rule. An example of the form of legal opinion is located in the Exhibit Examples. 2. If the applicant is not requesting acquisition credits in connection with the development, a legal opinion is not required. 3. Documentation must be dated within one year of the applicable final deadline. 	<p>Points Available: 1</p>
<p><u>EXHIBIT 116 – AHTC INVESTOR LETTER OF INTEREST/COMMITMENT</u></p> <ol style="list-style-type: none"> 1. Attach and label as Exhibit 116, an investor commitment or letter of interest for the development which includes the following: <ul style="list-style-type: none"> • Confirmation that the development’s pro forma financial statement, other financial projections and AHTC assumptions meet or exceed the investor’s underwriting guidelines. • The assumptions made by the investor in connection with the commitment/letter of interest for the development. • The investor letter may specify a minimum amount of AHTCs, which must be allocated in order to obtain the pricing in the letter. • All owners of qualifying developments receiving an allocation of 9% LIHTC will also receive an allocation of AHTC equal to no more than one hundred percent (100%) of the 9% LIHTC allocation. <p>NOTE: The commitment or letter of interest must not expire until at least 180 days after the deadline for submitting the final application, and an executed syndication agreement will be required within 90 days of the date of the conditional reservation.</p>	

(i) Firm commitment & equity pricing \$0.60 or greater from investor that confirms/acknowledges the development's operating assumptions, projections and financial pro forma and is accepted via signature by owner/developer for the entire amount of AHTC requested.	Points Available: 1
(ii) A letter of interest or commitment and pricing of less than \$0.60 (note: if range of pricing, the range must be no larger than \$0.05) from an investor that confirms/acknowledges the development's operating assumptions, projections and financial pro forma.	0

ALL APPLICATIONS MUST SCORE IN EACH OF THE ABOVE THRESHOLD CRITERIA TO RECEIVE FURTHER CONSIDERATION BY NIFA AND/OR NDED.

G. DESCRIPTION OF NIFA / NDED SCORED CRITERIA

<p>Threshold Criteria Met</p> <p>(i) One point will be awarded if the <u>entire completed application</u>, including all Exhibits as set forth in the Required, Threshold and Other Selection Criteria Exhibits, is provided on the due date specified in the Qualified Allocation Plan for the Threshold Review. As part of this review, NIFA will provide technical assistance and feedback regarding any deficiencies in threshold requirements only.</p> <p>(ii) Two points will be awarded if the <u>entire completed application</u>, including all Exhibits as set forth in the Required, Threshold and Other Selection Criteria Exhibits, is provided on the due date specified in the Qualified Allocation Plan for the Threshold Review and the application meets all of the threshold requirements.</p>	<p>Points Available: 0, 1, or 2</p>	
<p>Targeting Gross Rents to Lower Levels</p> <ul style="list-style-type: none"> • Up to 5 points may be awarded based upon the depth of the targeted gross rent levels for the development . • Three points will be awarded if at least 10% of the total units in the development have a targeted gross rent level that is affordable to households whose income level is at or below 40% of the applicable AMI. • Two points will be awarded if at least 40% of the total units in the development have a targeted gross rent level that is affordable to households whose income level is at or below 50% of the applicable AMI. These units shall be in addition to any units selected at 40% AMI or less. • NOTE: Applicants must agree to have the development rents bound by the stated targeted percentage on the application form for the duration of the 15-year compliance period, which will be incorporated in the LURA. Information regarding Targeting Gross Rents for the previous year is available on NIFA’s website at www.nifa.org. 	<p>Points Available: Up to 5</p>	
<p>Efficient Housing Production</p> <ul style="list-style-type: none"> • The development represents an efficient production of housing. Up to 12 points will be awarded when comparing current applicants, in a measure of the quality of effort made to minimize development costs, and leverage funding sources in the production of affordable housing. Eligible basis cost per unit (up to 4 points); eligible basis cost per residential finished square foot (not including garages, unfinished basements and storage areas) (up to 4 points) and LIHTC per occupant (up to 4 points) are within reasonable limits as compared to local and national standards (NOTE: If requesting a basis boost, the basis boost for QCT’s and non QCT’s will have an impact on the scoring of LIHTC per occupant in this category.) 	<p>Points Available: Up to 12</p>	
<p>Effective Use of HOME/HTF Funds (for developments applying for HOME/HTF funds)</p> <p>Prior to the scoring team meeting, NDED will independently evaluate each of the applications, which include a request for State HOME/HTF funds. This evaluation will be based upon the information contained in the joint NIFA/NDED application in order to ensure that the following items are satisfied:</p> <ul style="list-style-type: none"> (a) Site plans have been prepared which are appropriate for the development and development’s location; (b) Applicant has obtained appropriate site control; (c) All subsidies needed for the development are in place or applicant has provided sufficient documentation that all subsidies are obtainable; (d) A syndicator has provided a firm commitment to the applicant for the development which includes firm pricing with a range no greater than \$0.05; (e) Construction financing has been secured for the development; (f) Permanent financing has been secured for the development (if permanent financing is required); 		<p>Evaluated by DED</p>

- (g) The Development Worksheets submitted by the applicant evidence that the financing terms and debt service coverage will provide for long term sustainability of the development; and
- (h) The request for HOME/HTF funds does not exceed 25% of the total development costs.
- (i) Efficient Housing Production for HOME/HTF Funds will be evaluated by cost per unit, cost per residential finished square foot (not including garages, unfinished basements, and storage areas), and HOME/HTF per occupant. Each measure can receive up to 4 points.

NDED will work with and notify applicants prior to the final application due date as to whether or not NDED has approved the site selected for the development and whether or not NDED is committed to funding a development if that development receives a tax credit allocation. During the scoring process, NDED will provide the scoring team with a list of the developments that NDED is prepared to fund based on the above-mentioned criteria. NDED will fund developments requesting HOME/HTF funds based on the final ranking made by the scoring team and approved by the NIFA Board until the balance of HOME/HTF funds are allocated. NDED reserves the right to reduce HOME/HTF funding to a maximum of \$500,000, regardless of ranking. If applying for HOME/HTF funds, it is required that you provide a commitment letter from an alternative source for the balance above the \$500,000 in the event that the development does not receive the full amount requested for HOME/HTF. If NDED is unable to fund a development in its entirety (with the total HOME/HTF request applied for within this LIHTC Application) and there is no documented source of alternative funding, NDED will not recommend that development for a HOME/HTF allocation and it will be the responsibility of the Applicant to secure additional funds for the development. NDED reserves the right to not fund applications based on the status of other federal and state funding sources, including those involved in the development and any conditional reservation of funds, regardless of ranking.

Natural Disaster Designation

- Two points will be awarded to developments located in communities that, at any time during the past five (5) years, have been designated as natural disaster areas, pursuant to a State or Presidential Disaster Declaration. Points will be awarded only if it is demonstrated that the natural disaster resulted in the loss of housing in the community as determined by NIFA.

Points Available:
2

H. FINAL RANKING

1. NIFA/NDED will rank each application according to the total number of points awarded in each of the Threshold, Other and NIFA-scored criteria.
2. After evaluating and scoring all applications received for each application acceptance round, NIFA/NDED will consider the following factors in determining which development will receive a LIHTC reservation if there is a tie between applications. (NOTE: In the event that more than one development in the CRANE program rises to a category one in the same month and the CRANE program does not have sufficient LIHTC to fund such CRANE developments, the following factors will determine which development will receive a LIHTC reservation.)
 - (i.) Consideration given to meeting the established set-asides;
 - (ii.) which serves the lowest-income tenants;
 - (iii.) which obligates the owner to serve qualified tenants for the longest period of time;
 - (iv.) which application demonstrates the highest readiness to proceed with the development;
 - (v.) which provides the most efficient usage of the LIHTC on a per-unit basis; and
 - (vi.) which is located in a QCT and contributes to a concerted community revitalized plan.

OVERVIEW OF RANKING PROCESS – CONSIDERATIONS

1. NIFA may disqualify applications from applicants who have previously failed to place into service developments which have received a Carryover Allocation or who have not fulfilled its obligation of any previously issued LIHTC commitment notice.
2. NIFA shall award LIHTC and AHTC only in the amount needed based on the review of the development. The award of LIHTC and AHTC or the determination of any allocation amount in no way represents or purports to warrant the feasibility or viability of the development by NIFA. NIFA will, from time to time, set a maximum amount of LIHTC and AHTC that can be allocated to a development in an amount, which it deems appropriate, given the demand for Nebraska's LIHTC and AHTC and the relative proposed costs of currently competing development applications. No member, officer, agent or employee of NIFA shall be personally liable concerning any matters arising out of, or in relation to, the allocation of the LIHTC and AHTC.
3. NIFA has the discretion to award additional points when scoring an application previously receiving an allocation of LIHTC and AHTC when, upon re-application and re-award of LIHTC and AHTC, the original allocation of LIHTC and AHTC is returned to NIFA and the following conditions are met:
 - (a) The original LIHTC and AHTC allocation requires development's modification due to community need; and
 - (i) The development is under construction, greater than 40% of the hard construction costs will be incurred by December 1st of the current year, and the costs are certified by an independent third-party certified public accountant or independent third-party attorney;
 - (ii) The rent AMI targeting will not exceed the originally proposed rents; and
 - (iii) The resubmitted application requests no more than a 115% of the original request for LIHTC and AHTC allocation.

NOTE: Should the Nebraska Department of Revenue, IRS or the Department of the Treasury release rulings, notices or regulations that modify or change any of the information of this application, these rulings, notices or regulations will take precedence over the written material in Nebraska's LIHTC and AHTC Allocation Plan and application. All information submitted to NIFA shall, to the extent permitted by law, be kept confidential and shall not be available to any other applicant. Applicants will be given their scoring results upon request.