

Nebraska Investment Finance Authority
Summary of Amendments
2009 Low Income Housing Tax Credit
Qualified Allocation Plan

The following summary includes the amendments to the 2009 Qualified Allocation Plan for the Low Income Housing Tax Credit program. The amendments were approved by the NIFA Board of Directors on September 19, 2008, and subsequently approved by Governor Heineman. For more information, please contact Robin Ambroz-Hollman at 402.434.3900 or robin.ambroz@nifa.org.

- 1. Approximately \$3.9 million in Low Income Housing Tax Credits (LIHTC) will be available in 2009.**

Previously, the approximate amount was \$3.5 million.

- 2. Round 1 Threshold Review deadline has been moved to October 30, 2008 and the Final Application deadline has been moved to December 15, 2008.**

Previously, the Threshold Review deadline was October 10, 2008 and the Final Application deadline was December 5, 2008.

- 3. The amount of the CRANE set-aside has been increased to \$1.5 million.**

Previously, the amount of the CRANE set-aside was \$1 million.

- 4. The maximum allocation to any single development in the CRANE set-aside will be no more than \$1 million.**

Previously, a maximum allocation amount was not formally established in the CRANE set-aside.

- 5. Developments that receive an LIHTC Conditional Reservation in 2009 must submit the Carryover Allocation documentation to NIFA by November 1, 2009, and the 10% Test Certification must be submitted to NIFA no later than June 30, 2010.**

Previously, the Carryover Allocation documentation and 10% Test Certification was due to NIFA by November 1, 2009 for developments that received a Conditional Reservation prior to June 30, 2009. Developments that received a Conditional Reservation after June 30, 2009 were required to submit the Carryover Allocation documentation by November 1, 2009 and the 10% Certification within 5 months of the Conditional Reservation.

- 6. The CRANE eligibility criteria now includes preservation of an existing affordable housing project that includes an ongoing project-based rental subsidy established under USDA, HUD, or other federal or state program; or a rehabilitation or new construction project that creates a significant, ongoing project-based rental subsidy that is funded by Owner contributions or by a federal or state program.**

The structural soundness and financial viability of such projects will be evaluated by NIFA and participating funding partners when determining eligibility under the CRANE Program.

This is an addition to the CRANE eligibility criteria.

- 7. Housing for persons with special needs remains a CRANE-eligible project with the clarification that housing for distressed populations with incomes below 30% of the applicable Area Median Income (AMI) is also included. In this category, senior housing is considered special needs housing only if the project serves households with incomes below 30% of the applicable AMI.**

This is a clarification to the CRANE eligibility criteria.

- 8. CRANE applicants may request the LIHTC Basis Boost by up to 30% for developments located outside of an established Qualified Census Tract (QCT) or Difficult Development Area (DDA). NIFA will review the financial feasibility of the development and measure the direct benefit of the Basis Boost to the tenants of the proposed development when evaluating requests.**

The Housing and Economic Recovery Act of 2008 (H.R. 3221) authorized state housing finance agencies to establish the criteria for projects eligible for up to a 30% discretionary basis boost. NIFA is proposing that any CRANE project will be eligible to request the basis boost.

- 9. The Carryover Allocation Agreement now includes the option to lock the Applicable Percentage at 9% for any building(s) that will be placed in service after June 30, 2008, and prior to December 31, 2013.**

The 9% option is an addition to the existing options to lock the Applicable Percentage during the month the Carryover Allocation Agreement was signed or during the month the building was placed in service.

- 10. The “Use of HOME funds with LIHTC” section has been removed from the LIHTC \ HOME application.**

The requirement to either exclude HOME funds from eligible basis, target 40% of the units to households at 50% of the Area Median Income, or loan the funds at the Applicable Federal Rate (AFR) no longer applies to LIHTC developments.

- 11. A development that includes acquisition of an existing building(s) that receives federal assistance under a federal program or assistance under a similar state assistance program does not need to provide a legal opinion from an attorney that the Ten Year Rule requirements have been met.**

Previously, all developments that included the acquisition of an existing building(s) needed to provide a legal opinion from an attorney that the Ten Year Rule requirements had been met.