

**STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY HOUSING DIVISION  
UNIFORM APPLICATION – EXHIBIT 1  
REQUIRED DOCUMENTATION & BACK UP INFORMATION**

The following documentation and Information **must** accompany the application for Low-Income Housing Tax Credits and be received by 5:00 P.M. May 4, 2012 (the application deadline) in order for the application to be deemed accepted by the Division. See NAC 319.974(3). Deficiencies that cannot be corrected or clarified by the application deadline will result in rejection of the application. All documentation is required unless otherwise determined. It is the project sponsor's obligation to determine if documentation is not applicable to a project and to submit the information accordingly. Housing Division staff is available in advance of the application deadline to assist in making pre-application determinations about documentation applicability.

**BACK-UP INFORMATION**

1. Index and narrative description of the project.
2. Application fee, as required, payable to the Nevada Housing Division. This fee is non-refundable.
3. Signed, dated application.
4. Copies of the organizational documents of the sponsor, general partner and limited partner of the project, including Articles of Incorporation and/or Partnership Agreements/Limited Partnership Agreements. All entities must provide documentation showing proper registration with the Secretary of State to do business in the State of Nevada.
5. If there is a non-profit or owner/sponsor or partner, a copy of the Internal Revenue Service Document of Non-Profit Status with evidence that one of its except purposes is the provision of providing low-income or affordable housing.
6. Preliminary title report vested to the sponsor/owner or copy of the purchase contract/option.
7. Letter of intent from each of the proposed sources of funds, including any grants. Commitment must include specific terms under which the loan or grant will be made; stating the outstanding contingencies for funding; one being that the sponsor receives \$ \_\_\_\_\_ in tax credits. Projects applying for tax credits that will receive direct financial assistance from HUD will be subject to a subsidy layering review by HUD staff. Evidence of a completed review must be included with application.
8. Resumes of the individual authorized to act in an Official Capacity for the project owner, the Developer, the General Contractor and the Management Company, per Section 1, subsection D of application.
9. Current financial statements of the sponsor or owner as required (within 12 months).
10. Copy of USDA-RD authorization letter.
11. An estimated cost breakdown of each building within the project.
12. Sources and Uses of Funds statement.
13. A minimum 15-year pro-forma, operating and expense statement and cash flow statement.
14. An independent third party Market Study. See QAP Appendix B, Market Study Guide.

15. For Acquisition/Rehabilitation projects, Appendix A, Planned Expenses by Component Categories. See QAP Section 11, Eligible Project Categories.
16. Evidence acceptable to the Division supporting the utility allowance figures reported in the application.
17. Letter agreeing to a minimum thirty (30) year compliance period if not opting to extend compliance period (excluding projects intended for eventual tenant ownership, frail elderly, assisted housing for seniors, and housing for seniors with Alzheimer's Disease).
18. Copy of the Division's determination letter that a project will be considered as qualifying to serve a particular Special Needs population. See QAP Section 11, Eligible Project Categories and Section 29, Project Type Priorities.
19. A statement and accompanying documentation to qualify for the point scoring in QAP Section 36, Affordable Housing Incentive. Statement must include documentation a land donation, combined funding sources and tax credit investment information.
20. Provide documentation and/or statements from a planner, designer, engineer, etc., to verify location information and specifications relating to the absence of volatile organic compounds (VOC), tank-less hot water heaters; photovoltaic cells, etc. for points claimed in QAP Section 27, Smart Design.

## EXHIBITS

The LIHTC submittal must be organized with the following exhibits that follow a general project narrative and the application. Forms for each of these follow immediately below.

1. Exhibit 1, Self-Scoring Worksheet
2. Exhibit 2, CPA Certification of Estimated Cost Including in the Eligible Basis
3. Exhibit 3, Architect or Professional Engineer Certification of Cost
4. Exhibit 4, Agreement to Promote the Nevada Housing Division
5. Exhibit 5, Agreement to Commence Construction
6. Exhibit 6, Agreement to Extend Compliance Period
7. Exhibit 7, Certification of Material Participation by the Qualified Non-Profit Organization
8. Exhibit 8, Certification of Notice to the Local Housing Authority or other Public Housing Agency
9. Exhibit 9, Mixed-Income Project Certification
10. Exhibit 10, Project Certification of Compliance with all Mandated Design Standards
11. Exhibit 11, Energy Efficiency Requirement

**EXHIBIT 1  
SELF-SCORING WORKSHEET**

Project Name \_\_\_\_

Project Location \_\_\_\_

Project Owner \_\_\_\_

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**Part One:** Project Type Priority Scoring (see QAP Section 29, Project Type Priorities) – If applicable, Indicate Project Type. The Project Types identified below are the only project types for which scoring points will be allocated. Other project types are allowed but will not receive scoring points. See Section 11, Eligible Project Categories, for a list of all allowed project types. **Maximum of 10 points.**

**Please Note: QAP Section 29, Project Type Priorities, references that 15 points are possible in this scoring category. The correct number of possible scoring points is 10.**

Senior Housing	10 pts <input type="checkbox"/>	Projects for Individuals/Families with Children and Incomes at or below 45% AMI	10 pts <input type="checkbox"/>
Special Needs	10 pts <input type="checkbox"/>	Mixed Income/Mixed Use	10 pts <input type="checkbox"/>

**Part Two:** Standard Scoring Factors (See QAP Sections 18-28). **Maximum of 88 points.**

	Maximum Points Available	Points Claimed	Amount Claimed
Project Location	3	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Project Readiness	10	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Additional Project Amenities	25	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Nevada Based Applicant	10	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Nevada Projects Out of State Developers	5	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Affordability Period	4	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____
Water Efficiency of	5	Yes <input type="checkbox"/>	_____

Landscape Design		No <input type="checkbox"/>	_____
Historic Character	3	Yes <input type="checkbox"/>	_____
		No <input type="checkbox"/>	_____
Smart Design	20	Yes <input type="checkbox"/>	_____
		No <input type="checkbox"/>	_____
Superior Project/Application	8	Yes <input type="checkbox"/>	_____
		No <input type="checkbox"/>	_____
		<b>POINTS</b>	_____

**Part Three: Special Scoring Factors, (See QAP Sections 30-40). Maximum of 40 points.**

Scoring Factor	Maximum Points Available	Points
Low Rent Targeting	12	
Low Income Targeting	2	
Supportive Services	8	
Lowest Developer Fee	5	
Lowest Contractor Fee	5	
Affordable Housing Incentive	8	
<b>Total Points</b>	<b>40</b>	

**Maximum Points Possible: 138**

**Please note: Section 17 of the QAP states that the maximum number of eligible points is 136. This number is correctly identified as 138 points.**

**Maximum Points Possible to be Self Scored: 128**

**Self Scored Total:**

**SELF-SCORING WORKSHEET ACKNOWLEDGMENT**

This Self-Scoring worksheet must accompany your application. The Housing Division retains sole authority to make the determination if back-up documentation adequately supports the claimed points. In addition to reviewing the QAP that describes forms of back up documentation required for some point categories, applicants are encouraged to contact Housing Division staff to discuss the suitability of back-up documentation to support claims for points. Internal inconsistencies of information provided in the application may be negatively weighted against applicants in point scoring.

Date \_\_\_\_\_

\_\_\_\_\_  
Project Owner

\_\_\_\_\_  
Name of Authorized Officer

\_\_\_\_\_  
Signature

**EXHIBIT TWO**  
**CPA CERTIFICATION OF ESTIMATED COST INCLUDED IN ELIGIBLE BASIS**

Part One Project Information

Project Name \_\_\_\_\_  
 Project \_\_\_\_\_  
 Location \_\_\_\_\_  
 Project Owner \_\_\_\_\_

Project Type  
 New Construction  Acquisition/Rehabilitation  with  without Federal Subsidy

Part Two Building Information

	Number	Percentage
Residential Buildings	_____	_____ %
Total Buildings	_____	_____ %
Residential Units	_____	_____ %
Low-Income Housing Tax Credit Units	_____	_____ %
Square Footage of Project Site	_____	_____ %
Square Footage of Restricted Space	_____	_____ %
Square Footage of Common Area(s)	_____	_____ %

Part Three Project Construction Cost

Total Cost

	Less: Grants/Subsidies	\$	_____
Total Eligible Basis			_____
Adjustments			_____
Qualified Basis			_____

Part Four ATTESTATION BY CPA:

In accordance with Statements on Standards for Attestation engagements for Agreed Upon Procedures under AICPA Professional Standards, the Certified Public Accountant of the Developer shall provide a report attesting to the eligibility of the estimated construction costs as set forth in Part III above in accordance with Internal Revenue Code Section 42.

Date \_\_\_\_\_

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Accountant

\_\_\_\_\_  
Signature



Part Three

The estimated construction costs as set forth in Part II above are within the guidelines established as maximums in Section 38, Maximum Per Unit Development Cost and Cost Reasonableness Standard of the 2012 Qualified Allocation Plan. Further, I acknowledge that, in awarding tax credits, the Nevada Housing Division, Department of Business and Industry, State of Nevada, may reserve a portion of the annual state ceiling for the project but makes no representation that such credits can be claimed by the project owner.

Date \_\_\_\_\_

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Nevada License Number

\_\_\_\_\_  
Architect/Professional Engineer

\_\_\_\_\_  
Date Licensed

\_\_\_\_\_  
Signature



**EXHIBIT FOUR  
AGREEMENT TO PROMOTE THE NEVADA HOUSING DIVISION**

Project Name \_\_\_\_\_  
Project \_\_\_\_\_  
Location \_\_\_\_\_  
Project Owner \_\_\_\_\_

We hereby agree to promote the Housing Division's participation in the development of the above named project.

We understand and agree that the Division's Public Relations staff will provide signage for the project. The sign will be designed by the Division's staff, will be 2'x6' in overall size with reflex blue paint on a white background.

The cost of the sign and delivery to the project site will be the responsibility of the Division. Installation and maintenance of the sign or its replacement, prior to the end of the construction phase, will be the responsibility of the project owner.

We further understand and agree that the sign will be displayed during the construction phase of the project. The "Construction Phase" is defined as the period commencing when the project site is graded and "staked out" and ends when the project receives its final certificate of occupancy.

It is the responsibility of the project owner or designated representative to contact the Division at the appropriate time to make arrangements for delivery of the sign.

The project contact person will be;

Name \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

\_\_\_\_\_  
Name of Authorized Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT FIVE**  
**AGREEMENT TO COMMENCE CONSTRUCTION - (270 DAY LETTER)**

A. Parties & Project: This agreement is by and between the parties and involves construction as follows:

1. The "Division" Nevada Housing Division  
1535 Old Hot Springs Rd., # 50  
Carson City, Nevada 89706
  
2. The "Owner" Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Code \_\_\_\_\_
  
3. The "Project" Name \_\_\_\_\_  
Location \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Code \_\_\_\_\_
  
4. Commencement Date \_\_\_\_\_  
(Completed by Division)  
within 270 days after tax credits are reserved

2. Recitals:

1. The Division is the administrator in Nevada for Federal Low-Income Housing Tax Credit Program established in the Tax Reform Act of 1986, and as such has adopted the above identified allocation Plan for the allocation of tax credits to sponsors based on project and sponsor characteristics.
  
2. Under the Plan, the Division requires that the owner must convey construction of its projects by entering into this binding Agreement to commence construction on the project within 270 days after tax credits have been reserved for allocation. Under the plan, if an owner fails (for any reason) to commence construction within the 270 days period, then the total tax credits awarded are lost.
  
3. In order to induce the Division to award the tax credits to the owner of the above-described Project, owner promises and agrees as follows:

Owner Agreement: Owner represents, warrants and agrees as follows:

1. That all-organizational approvals have been obtained, and Owner has been duly authorized to enter into this agreement and that the person signing below has the power to and with his or her signature does create this binding Agreement with the Division.
2. Owner agrees to commence construction on the Project to the satisfaction of the Division not later than 270 days after tax credits are reserved, and will diligently pursue construction thereafter.

**EXHIBIT FIVE**  
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In accordance with and pursuant to NAC 319.981, commencement of construction means that (1) all of the "closing indicators," including but not limited to: (e.g. site acquisition, signed construction agreement, signed permanent loan commitment, signed construction financing commitments, and notice to proceed on construction contract) have been satisfied; (2) all governmental approvals and permits have been obtained to commence construction of the buildings; (3) substantial visible and significant acts of construction, including site preparation and grading, have occurred on the Project site by a contractor or subcontractor; and (4) the construction contract provides for an uninterrupted schedule for completion of the construction (the contract may have "force major" provisions in it, but there must not be any scheduled delay between phases of construction).

**Owner understands and agrees that this requirement to commence construction by the Commencement Date is absolute, and in consideration for the tax credits awarded by the Division with respect to the Project, agrees to assume the risk of failure to comply for any reason, and therefore waives any defense (including force major, impossibility of performance, frustration of purpose or any other defense in law or equity), discharge, excuse, extenuation, or mitigation to performance.**

3. Owner agrees to provide proof of the commencement of construction in a form satisfactory to the Division within ten working days after the Commencement Date.

4. If all of the above requirements are not timely met, Owner and Division mutually agree that the reservation or allocation of all tax credits for the Project is automatically terminated. Notwithstanding NAC 319.981 (2), the Commencement Date is an absolute deadline and may only be extended by 45 days by the Division for "Acts of God." The tax credits reserved will be awarded to the next highest scoring owner as provided in the Plan.

D. In reliance on this Agreement, the Division agrees to award tax credits to the Owner as provided in the Plan, and if tax credits are reserved, the Division agrees to enter the Completion Date above and to return a copy of this Agreement to Owner.

Entered into \_\_\_\_\_ day \_\_\_\_\_ 2012  
this \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
Project Owner

\_\_\_\_\_  
Name of Authorized Officer

\_\_\_\_\_  
Signature

**EXHIBIT SIX  
AGREEMENT TO EXTEND COMPLIANCE PERIOD**

Pursuant to the 2012 Qualified Allocation Plan.

Project Name \_\_\_\_\_  
Project Location \_\_\_\_\_  
Project Owner \_\_\_\_\_

In consideration of being awarded Points pursuant to provisions of Nevada's 2012 Qualified Allocation Plan, Section 24, Affordability Period, I/we the undersigned hereby commit the above named project to a compliance period of \_\_\_\_\_ years.

It is understood and agreed that by receiving Points in this category I/we waive the provision of the Internal Revenue Code Section 42 that allows for sale of the property/project at year fifteen (15).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Project Owner

\_\_\_\_\_  
Name of Authorized Officer

\_\_\_\_\_  
Signature

**EXHIBIT SEVEN  
CERTIFICATION OF MATERIAL PARTICIPATION BY THE  
QUALIFIED NON-PROFIT ORGANIZATION**

Project Name \_\_\_\_\_  
Project Location \_\_\_\_\_  
Project Owner \_\_\_\_\_  
Project Non-Profit Organization Name \_\_\_\_\_  
The Project Owner is organized as a \_\_\_\_\_

For purposes of Internal Revenue Code Section 42, and Treasury Regulation 1.42 the above named Non-Profit Organization hereby represent and certifies to the Nevada Housing Division the following:

- A. The Non-Profit Organization owns an equity interest in the above named business entity that is applying for Low-Income Housing Tax Credit under provision of Nevada's 2012 Qualified Allocation Plan.
- B. The Non-Profit Organization is a "Qualified Non-Profit Organization" within the meaning of IRC§42(h)(5)(c), for the purpose of this certification the term qualified Non-Profit organization means any organization if;
  - 1. such organization is described in paragraph (3) or (4) of the Internal Revenue Code §501(c) and is exempt from tax under Internal Revenue Code §501(a),
  - 2. such organization is determined by the state housing credit agency not to be affiliated with or controlled by a for-profit organization and,
  - 3. one of the exempt purposes of such organization includes the fostering of Low-Income Housing,

**EXHIBIT SEVEN  
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C. The Non-Profit will materially participate, within the meaning of Internal Revenue Code §469(h), in the development and operation of the project throughout the entire compliance period. For purposes of the material participation representation, the Non-Profit represent and certifies that it has satisfied one of the conditions under Treasury Regulation 1.469-5T. The condition with which the Non-Profit certifies material participation is item letter \_\_\_\_\_ of Exhibit Seven, of this application. Under penalties of perjury, the undersigned hereby certifies that the forgoing is true and correct.

Executed this \_\_\_\_\_ day \_\_\_\_\_ 2012  
of \_\_\_\_\_

\_\_\_\_\_  
Non-Profit Organization

\_\_\_\_\_  
Authorized Officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

**EXHIBIT SEVEN**

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- A. The individual participates in the activity for more than 500 hours during such year;
- B. The individual's participation in the activity for the taxable year constitutes substantially all of the participation in such activity of all individuals (including individuals who are not owners of interests in the activity) for such year;
- C. The individual participates in the activity for more than 100 hours during the taxable year, and such individual's participation in the activity for the taxable year is not less than the participation in the activity of any other individual (including individuals who are not owners of interests in the activity) for such year;
- D. The activity is a significant participation activity (within the meaning of paragraph (c) of this section) for the taxable year, and the individual's aggregate participation in all significant participation activities during such year exceeds 500 hours;
- E. The individual materially participated in the activity (determined without regard to this paragraph (a)(5)) for any five taxable years (whether or not consecutive) during the ten taxable years that immediately precede the taxable year;
- F. The activity is a personal service activity (within the meaning of paragraph (d) of this section), and the individual materially participated in the activity for any three taxable years (whether or not consecutive) preceding the taxable year; or
- G. Based on all of the facts and circumstances (taking into account the rules in paragraph (b) of this section), the individual participates in the activity on a regular, continuous, and substantial basis during such year.
- H. Other  
(Describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EXHIBIT EIGHT  
CERTIFICATION OF NOTICE TO THE LOCAL HOUSING AUTHORITY  
OR OTHER PUBLIC HOUSING AGENCY**

Project Name \_\_\_\_\_  
Project Location \_\_\_\_\_  
Project Owner \_\_\_\_\_

In accordance with provisions of the Nevada Housing Division's Adopted Regulation §24(3) the above named owner of the above named project hereby certifies that they will give notice to the Local Housing Authority or other Public Housing Agency that the above named project is available for persons who are on a public waiting list.

The owner further agrees to encourage applications, for housing, for such persons and will contact the local housing authority or other public housing agency(s) that administers a public housing program before the final application for Tax Credits and request for issuance of the projects 8609s.

The notification will include the number of affordable units available, the maximum income and rent levels for each type of unit. A copy of the notification must accompany the final application, certification of eligible basis and request for 8609s.

We plan to notify the following Housing Authorities or Public Agencies;

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Project Owner

\_\_\_\_\_  
Name of Authorized Officer

\_\_\_\_\_  
Signature



**EXHIBIT NINE  
MIXED-INCOME PROJECT CERTIFICATION**

Name of Project \_\_\_\_\_

Project Sponsor \_\_\_\_\_

Total # of Units \_\_\_\_\_ Total residential sq. ft. \_\_\_\_\_ New Construction: Y  N  Acquisition/Rehab: Y  N

Projected Eligible Basis \$ \_\_\_\_\_ Projected Qualified Basis \$ \_\_\_\_\_

Unit Mix

_____	_____	_____	_____	_____
# studio	# 1 bdrm.	# 2 bdrms.	# 3 bdrms.	# Other _____

Total # of restricted T/C units \_\_\_\_\_ Total of T/C residential sq. ft. \_\_\_\_\_

% of T/C restricted units \_\_\_\_\_ % (minimum of 40% required) % of T/C residential sq. ft. \_\_\_\_\_ %

Project Tax Credit Minimum Set-Aside Election: 20/50  40/60

Anticipated T/C rent per unit/mo.	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
	studio	1 bdrm.	2 bdrms	3 bdrms.	other

Utility Allowance	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
	studio	1 bdrm.	2 bdrms	3 bdrms.	other

Anticipated Market rate rent per unit/mo.	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
	studio	1 bdrm.	2 bdrm.	3 bdrms.	other

**Please include this information in the applicable sections of the application**

The \_\_\_\_\_ project will set-aside the number and percentage of tax credit  
restricted units indicated  
above for the duration \_\_\_\_\_ year compliance period opted by the project.  
of the \_\_\_\_\_

\_\_\_\_\_  
Signature of project sponsor

\_\_\_\_\_  
Date

**EXHIBIT 10**

**PROJECT CERTIFICATION OF COMPLIANCE WITH ALL MANDATED DESIGN STANDARDS BY  
THE AMERICANS WITH DISABILITIES ACT, FAIR HOUSING AND HUD SEC. 504 (AS APPLICABLE)**

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

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

Architect: \_\_\_\_\_

WE, the project owner and architect, do certify that the project architectural plans for the above referenced project have

submitted \_\_\_\_\_ and approved  
to \_\_\_\_\_ on  
(local building dept. or approving jurisdiction)

\_\_\_\_\_  
(date)

Signed and dated \_\_\_\_\_ day \_\_\_\_\_, 2012  
this \_\_\_\_\_ of \_\_\_\_\_

By: \_\_\_\_\_  
(owner)

By: \_\_\_\_\_  
(owner)

By: \_\_\_\_\_  
(architect)

By: \_\_\_\_\_  
(architect)