

APPENDIX C1 - 9% LIHTC

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I. APPLICATION AND AWARD LIMITATIONS

A. Applications

Unless otherwise specified, all QAP and Appendix references to “application” refer to the full application. A member of a Development Team (as defined herein) may not be associated with or submit more than four (4) full applications; there are no limits on preliminary applications.

To be considered in the competitive round, all applications must be submitted by the required due dates as specified in the LIHTC Program Schedule.

B. Award Limitations

1. The Authority will not award more than two (2) applications ~~and no more than \$3,500,000 in federal LIHTCs~~ to any member of a Development Team. Additionally, the Authority will not award more than ~~\$2,500,000~~ \$1,750,000 in federal LIHTCs to any one (1) application. ~~For example, a member could receive~~

- ~~one award for \$2,500,000, or~~
- ~~two awards for \$3,500,000 combined.~~

For purposes of the maximums in this section, the Authority may will determine ~~that whether~~ a person or entity not listed in an application is a member of the Development Team for the proposed project based on relationships between the parties in previously awarded projects and other common interests. Standard fee for service contract relationships (such as accountants or attorneys) will not be considered.

2. The Authority will not award more than ~~two (2)~~ one (1) new construction applications per county.
3. ~~The limitations in this section do not include award(s) made under Sections III(B)(5).~~ If the selection criteria would result in exceeding these amounts across set-asides, the Authority will make awards in the following order General New Construction, Rehabilitation, and High Demand New Construction, listed in Section III(B). The Authority may exceed these limits in the event of inadequate demand among eligible applications which would prevent fully awarding the state’s available resources.

4. An application will be ineligible for an award of 9% LIHTCs if

- it requests the state LIHTC, and
- the Authority does not have enough available.

In that event, the award will go to the next highest-ranking application in the set-aside not requesting state tax credits.

II. APPLICATION REVIEW AND RECONSIDERATION PROCESS

~~In computing the periods of time in this Section II, the date of the notification is not included in the calculation of days. Any intervening Saturday, Sunday or a State holiday, likewise, is/are not included in the calculation of days.~~

~~A. Missing and/or Incomplete Documents~~

~~The Authority will notify Applicants in writing of any~~

- ~~• missing and/or incomplete documents, and/or~~
- ~~• submitted documents requiring clarification.~~

~~The applicant must respond by 5:00 p.m. (Eastern) on the fifth business day.~~

~~Applicants may only provide documentation that existed at the time of the application deadline.~~

~~Documentation provided in response to Authority requests will not increase an application's point score.~~

~~B. Disqualification and Scoring Review~~

~~1. The Authority may provide Applicants with three (3) business days to respond to a request for clarification. The applicant must respond by 5:00 p.m. (EST) on the third business day.~~

~~Responses to clarifications cannot modify an application or provide documentation that was not submitted as part of the original application.~~

~~2. The Authority will notify Applicants in writing of proposed disqualifications and preliminary point scores. Applicants have three (3) days to respond to the potential disqualification and/or preliminary point score. The applicant must respond by 5:00 p.m. (EST) on the third business day.~~

~~The response must be limited to:~~

- ~~• the Applicants' opinions regarding the Authority's determinations;~~
- ~~• references to information submitted in the original application; and/or~~
- ~~• explanations of previously submitted documentation.~~

~~3. The Authority will post the disqualifications and point scores to its website.~~

~~C. Reconsideration Process~~

~~1. The process described in this section is the exclusive means by which an Applicant may request reconsideration of a disqualification and/or a point score. The Authority will not consider information submitted outside of these processes, whether in writing or otherwise. Applicants may request reconsideration only for applications in which they qualify as a member of the Development Team.~~

~~2. Applicants may request a reconsideration of a disqualification and/or a point score in writing via:~~

- ~~• hand delivery or overnight courier; and~~
- ~~• email to reconsiderations@schousing.com~~

~~by 5:00 p.m. (EST) within three (3) business days of the date of the disqualification and/or point score determination. The request will not be processed without receipt of the fee within the specified time frame.~~

~~3. The request must specifically identify the grounds for the reconsideration request using only the application, any materials provided under the process described in Section II(B), documents then existing in the Authority's file, and documentation explaining previous submissions. The burden of proof is on the Applicant to demonstrate any errors in the review and/or point scoring process.~~

- ~~4. The Authority's Legal Department will forward the reconsideration request, along with the Authority staff's response, to a Hearing/Review Officer to make a recommendation on the reconsideration request to the Review Committee. The Applicant and staff are copied on this correspondence. The Hearing/Review Officer may request additional information and/or conduct a meeting with the Applicant and Authority. Neither the Applicant nor Authority staff shall demand or request the Hearing/Review Officer to request additional information or conduct a meeting or conference regarding the reconsideration request. The Hearing/Review Officer does not represent any party.~~
- ~~5. In the event the Hearing/Review Officer recommends overturning the original decision, the Authority's Legal Department will provide the reconsideration request, staff's response, and the Hearing/Review Officer's recommendation to a Review Committee appointed by the Authority's Chairman of the Board of Commissioners. The Review Committee shall consist of at least three members, but may be more so long as the number of members of the Review Committee remains an odd number. The Review Committee shall not include any Development Division staff. The Review Committee may review any or all documents submitted to the Hearing/Review Officer, the Hearing/Review Officer's report and recommendation, documents from the application or the Authority's file, or may make independent inquiry into the matters concerning the reconsideration request. The Authority retains final decision-making authority on any reconsideration request, and the Review Committee's determination is the final decision of the Authority.~~
- ~~6. In the event the Hearing/Review Officer recommends upholding the original decision, the original decision is the final decision of the Authority. The Authority retains final decision-making authority on any reconsideration request.~~
- ~~7. No party may have ex parte communications with the Hearing/Review Officer regarding the reconsideration request or any related topic from the filing of the reconsideration request until the Authority renders its final determination. Ex parte communication includes, but is not limited to,
 - unsolicited communication with the Hearing/Review Officer, or
 - failing to copy the Authority in response to a request by the Hearing/Review Officer.Any violation may result in disqualification of the pending application and suspension from participation in future funding cycle(s) for all of the development team members, regardless of which team member initiated the prohibited contact.~~

D. Final Scoring Decision

Upon completion of the reconsideration process, the Authority will post final point scores to the Authority's website. If there is a tie between developments when final point scores are determined, the Authority will utilize the Tie Breaker Criteria outlined in this QAP to determine the development(s) to be awarded LIHTCs.

IIII. APPLICATION GROUPINGS, SET-ASIDES AND REQUIREMENTS

A. County Groups

For purposes of this QAP, counties fall into one of two groups:

1. **Group A:** Aiken, Anderson, Beaufort, Berkeley, Charleston, Dorchester, Greenville, Horry, Lancaster, Lexington, Richland, Spartanburg, and York

2. **Group B:** Abbeville, Allendale, ~~Anderson~~, Bamberg, Barnwell, Calhoun, Cherokee, Chester, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Edgefield, Fairfield, Florence, Georgetown, Greenwood, Hampton, Jasper, Kershaw, ~~Lancaster~~, Laurens, Lee, Marlboro, Marion, McCormick, Newberry, Oconee, Orangeburg, Pickens, Saluda, Sumter, Union, and Williamsburg

B. Set-Asides

The Authority will place Applications for 9% LIHTCs in one of the set-asides described in subsections (1), (2) or (3) below; Applicants may request consideration in (4) ~~or (5)~~. The percentages are of 9% LIHTCs available to the state in 202~~5~~⁴ after making award(s) under subsections (B)(4) ~~and (B)(5)~~.

The Authority will award LIHTCs starting with eligible applications earning the selection criteria ranking within each of the set-asides and continuing in descending order through the last application that can be fully funded within the range of LIHTC available in each of the set-asides.

1. **HIGH-DEMAND NEW CONSTRUCTION (25-35-45%)**

New construction projects located in a Group A county.

2. **REHABILITATION (15-20-25%)**

Rehabilitation projects. The Authority will award \$600,000 of this set-aside to RD projects (or the total among eligible applications if less).

For purposes of this QAP, “Rehabilitation” means a project where all of the units are in one or more currently existing residential building(s). Applications including any of the following will be considered “New Construction”:

- adaptive re-use;
- redevelopment of entirely vacant residential buildings; and/or
- proposals to increase and/or substantially re-configure residential units.

3. **GENERAL NEW CONSTRUCTION (25-3530-40%)**

New construction projects located in a Group B county.

4. **PUBLIC HOUSING AUTHORITY INNOVATION (UP TO ONE AWARD)**

The Authority will make one new construction and one rehabilitation award to applications involving the redevelopment or replacement of public housing. A local public housing authority (or a related entity) must be listed as a general partner or managing member of the ownership entity.

Applicants may request consideration under the Innovation set-aside by including a narrative describing how the proposed development would be new or unique to South Carolina because of:

- design elements;
- populations served;
- services provided, and/or
- other characteristics.

The Authority may either award one (1) application without respect to scoring criteria or choose to not make an award.

~~5. SCDOT I-526 WEST LOWCOUNTRY CORRIDOR PROJECT (ONE AWARD)~~

- ~~a. The Authority will award up to \$3 million in 9% LIHTCs to one (1) new construction application within the City of North Charleston meeting the following requirements (in addition to others applicable under the 2024 QAP):~~
- ~~• contains at least 100 LIHTC units;~~
 - ~~• family occupancy (not senior/elderly);~~
 - ~~• elects the average income minimum set aside;~~
 - ~~• provides additional green and/or recreational space;~~
 - ~~• individuals displaced by the SC DOT I-526 Lowcountry Corridor Improvement Project will have a priority for initial lease up;~~
 - ~~• the buildings will place in service by December 31, 2026 (cannot recycle the allocation).~~
- ~~b. Applicants may include a request for up to \$1.5 million in funding from the S.C. Department of Transportation. SCDOT's Maximum Funding will be comprised of National Highway Performance Program Funds.~~
- ~~c. The Authority will make an award based on the Section IV criteria and the following additional points:~~
- ~~• 5 for all buildings being within the highlighted area of this map <https://stantec.maps.arcgis.com/apps/instant/minimalist/index.html?appid=0d2016be0f0f4fda-bb950cfaabf54724>, and~~
 - ~~• 3 for the site entrance being within 0.25 miles of a Lowcountry Rapid Transit stop.~~

C. Nonprofit Set-Aside

If necessary, the Authority may adjust the allocations of awards of the state's federal tax credit ceiling under the QAP to award projects involving tax-exempt organizations (nonprofits). The Authority may adjust such awards to allow up to approximately ten percent (10%) of the state's federal tax credit ceiling being awarded to such projects. In its sole discretion, the Authority may also choose to roll forward up to approximately ten percent (10%) of the state's federal tax credit ceiling.

1. Eligible nonprofit organizations must meet the following criteria:
 - is a tax-exempt organization under Section 501(c)(3) or 501(c)(4) of the Code;
 - has three (3) full-time staff whose responsibilities include the development of housing;
 - is qualified to do business in the State of South Carolina, as evidenced by having a status of "Good Standing" with the South Carolina Secretary of State's Office;
 - has among its exempt purposes the development of low- income housing; and
 - complies with the requirements for material participation contained in the Code, including but not limited to a narrative statement, certified by a resolution of the nonprofit's Board of Directors, describing the nonprofit's plan for material participation during the development and compliance period and participation must be continuous and ongoing throughout the compliance period.
2. The nonprofit organization or the wholly owned single-asset entity subsidiary must own (directly or through the partnership) at least 51% interest in the general partner (GP) or managing member (MM) of the Owner entity in accordance with current laws and IRS regulations throughout the development's compliance period.
3. The nonprofit GP or MM may be an association or alliance of eligible nonprofit organization(s) and a profit organization(s).

4. Fees paid to third party development consultants, evidenced by the cost certification, must not exceed \$35,000. The consultant fee must be for legitimate and necessary consulting services.
5. Only the nonprofit GP or MM has the authority to exercise substantial and ongoing continuous control over the application submission process and over the subsequently produced development. All functions and responsibilities normally performed or undertaken by a GP or MM must be performed by the nonprofit.

D. Size Requirements

New construction developments in any county may not consist of fewer than 40 affordable units and new construction developments may not consist of more than the following affordable units based on its county grouping:

- Group A Counties: ~~100-80~~ units
- Group B Counties: ~~80-60~~ units

E. Maximum LIHTCs Per Unit

The Authority ~~will~~may post maximums for the 9% LIHTC along with the syndication survey results.

~~G. Basis Boost~~

~~The Authority has determined that all areas of the state are eligible for a boost in eligible basis of up to 130%.~~

IIIV. NEW CONSTRUCTION SCORING CRITERIA

A. ~~Distance Proximity~~ to Amenities and Jobs; Rural Area

1. DISTANCE TO AMENITIES

~~1. Driving Distance in Miles~~

Max - 26-65 points	High Demand New Construction			
	<u>Driving Distance in Miles</u>			
Primary Amenities	≤1	≤1.5	≤2	≤3
Grocery	12	10	8	6
Shopping	7	6	5	4
Pharmacy or Retail	7	6	5	4
<u>Retail</u>	<u>6</u>	<u>5</u>	<u>4</u>	<u>3</u>

Max – 125 points	-	-	-
Secondary Amenities	<1	<1.5	<2
Other Primary Amenity	5	4	3
Services	3	2	1
Healthcare	3	2	1
Public Facility	3	2	1
Public School	3	2	1
Senior Center	3	2	1

Max - 263265 points	General New Construction			
	Driving Distance in Miles			
Primary Amenities	<2	<2.5	<3	<4
Grocery	12	10	8	6
Shopping	7	6	5	4
Pharmacy or Retail	7	6	5	4
Retail	6	5	4	3

Max – 15 points	-	-	-
Secondary Amenities	<2	<2.5	<3
Other Primary Amenity	5	4	3
Services	3	2	1
Healthcare	3	2	1
Public Facility	3	2	1
Public School	3	2	1
Senior Center	3	2	1

Full Service Grocery – have a minimum size of 12,000 square feet and operate with regular business hours offering a full range and variety of foods, cleaning products and paper products. Variety of foods must include: 1.) meats, poultry and fish; 2.) breads and cereals; 3.) fresh vegetables and fruits; and 4.) dairy products.

Shopping – a big box store, shopping plaza, mall, retail strip or convenience neighborhood center containing multiple stores stocked with many varieties of goods including all of the following: 1.) clothing; 2.) housewares; 3.) cleaning products; 4.) general over the counter medicine or first aid products; and 5.) personal hygiene.

Pharmacy – does not include specialty pharmacies or drug services; or pharmacies or drug stores only available for patients of a designated medical practice or facility.

~~Other Primary Amenity – second Grocery, Shopping or Pharmacy not used as a Primary Amenity.~~

~~Services – restaurant, bank/credit union, or gas station with convenience store.~~

Healthcare – hospital, urgent care, or general/family practice, ~~or general dentist~~. Does not include medical specialists or a local health department.

Public Facility –

- community center with scheduled activities operated by local government;
- public park owned and maintained by local government containing, at a minimum, playground equipment and/or walking/bike trails and listed on a map, website or other official means; (greenway or trailhead does not qualify);
- library operated by the local government and open a minimum of five days a week.

~~Public School—only eligible for family properties;~~

~~Senior Center—only eligible for senior properties.~~

Retail – any grocery or shopping not listed as a primary or other primary amenity; any strip shopping center with a minimum of 4 operating establishments; or any general merchandise establishment.

All establishments must be open to the general public and operating as of the preliminary application deadline with no announced closing prior to the notification of the final point scores.

A maximum of two (2) amenities per category can be used.

The driving distance will be the mileage as calculated by Google Maps and must be a drivable route as of the preliminary application deadline. The drivable route must be shown in satellite view map format along with written directions. A photo of each amenity must also be provided. The measurement will be at any point of the site's road frontage to or from the amenity entrance and the same point on the site's road frontage will be used for all measurements. Driveway, access easements, and other distances in excess of 500 feet between the nearest residential building of the proposed project and road shown on Google Maps will be included in the driving distance.

A single establishment may qualify for points under multiple categories.

2. AREA EMPLOYMENT

~~2.~~ Up to 10 points based on the number of jobs paying between \$1,251 and \$3,333 per month in a ~~one~~two-mile radius for Group A counties and a ~~two~~four-mile radius for Group B, as displayed on the U.S. Census Bureau's OnTheMap tool for the Longitudinal Employment Household Dynamics database. The Authority will use the most current year available as of the preliminary application deadline.

Applications will earn points as follows:

- 10 points for at least 5,000 jobs.
- 8 points for 4,000 to 4,999 jobs.
- 6 points for 3,000 to 3,999 jobs.
- 4 points for 2,000 to 2,999 jobs.
- 2 points for 1,000 to 1,999 jobs.

3. USDA RURAL

~~3.~~ 5 points for being located entirely within a ~~Qualified Opportunity Zone (QOZ)~~rural areas as defined by USDA (using the link below) as of the preliminary application deadline:
<https://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do?pageAction=sfp&NavKey=property@12>

B. Land Donation or Ground Lease

5 points if a local government, school district or entity who received the property from a local government owns the proposed project real estate as of the preliminary application deadline and the application shows no more than either \$5,000 in the cost line-items for land and buildings or \$100 per year for a ground lease. The local government, school district or entity who received the property from a local government must have owned the real estate since at least July 31, 202~~4~~³ and not have purchased or received any portion from a Principal or a related party.

C. Affordability

~~1.~~ Applications will earn 10 points based on an agreeing to comply with the applicable limits in the matrix below. In order to receive points, the application must reflect one set-aside election (average income or “original” minimum set-aside (i.e. 40% at 60% or 20% at 50%) and meet the criteria below for the selected set-aside.

- For average income, the percent shown is the average AMI among the units’ designations.
- For an original minimum set-aside (40% at 60% or 20% at 50%), at least 20% of the units must be affordable to and occupied by households at the AMI shown.

County Income Level	MINIMUM SET-ASIDE ELECTION	
	Average Income	Original
High	54%	30%
Moderate	56%	40%
Low	58%	50%

The county income levels are as follows:

- High- Beaufort; Berkeley; Charleston; Dorchester; Greenville; Lancaster; Lexington; Richland; York
- Moderate- Aiken; Anderson; Calhoun; Chester; Darlington; Edgefield; Fairfield; Florence; Georgetown; Horry; Kershaw; Oconee; Pickens, Spartanburg; Saluda; Sumter; Union
- Low- all others

Any units targeted to 20% AMI for purposes of the Supportive Housing criteria may also count towards the requirements of this section. If a reduction in rents or extension of affordability period results in the development becoming financially unfeasible, the Authority may modify elections during underwriting. The Application will not receive points as originally requested.

~~2. 5 points if the application includes a notarized letter signed by the proposed owner of the property affirming a knowing and voluntary waiver of the right to request a qualified contract from the Authority for the duration of the extended use period.~~

D. Affordable Housing Shortage

1. 10 points to a project that is located in a county that did not receive a new construction 9% LIHTC award in the previous ten funding cycles
2. 5 points to a project that is located in a county that did not receive a new construction 9% LIHTC award in the previous five funding cycles; or

3. 3 points to a project that is located in a county that did not receive a new construction 9% LIHTC award in the previous three funding cycles

E. Other Types of Tax Credits

5 points for qualifying and utilizing any one of the following:

- Historic Tax Credit (Federal)
- 45L/48E Efficiency/Renewable Credits (Federal)
- Certified Historic Structure Credit (SC)
- Certified Historic Residential Structure Credit (SC)
- Textiles Rehabilitation Credit (SC)
- Abandoned Building Revitalization Credit (SC)
- Brownfields Cleanup Credit (SC)

F. Sustainable Building

Applications will earn 5 points for committing to meet green and energy efficiency sustainable building requirements for one of the following sustainable building certifications:

- Enterprise's Enterprise Green Communities certification program (following Enterprise Green Communities protocol under the guidance of an Enterprise Qualified TA provider)
- US Green Building Council's LEED for Homes certification program
- Home Innovation Research Lab's National Green Building Standard, meeting Bronze level or higher;
- Southface Energy Institute and Greater Atlanta Home Builders Association's EarthCraft certification programs, based on development type
- High Performance Building Council of the BIA of Central SC, Certified High Performance (CHiP) HOME Program

The application must include a certification from a responsible green and/or energy professional affiliated with the certifying party selected that the project will meet such requirements.

G. Leveraging

1. Applications may earn up to 56 points for documented support from a source listed below.
2. Only the following sources of support qualify for the additional points:
 - a. HOME or Community Development Block Grant (CDBG) funds;
 - b. established local government housing development program
 - c. public foundation funds from an affiliate of a local government or health care institution;
 - d. the documented cost of infrastructure improvements or amenities funded in full by a governmental entity that are located on or adjacent to the project site that will serve the tenants and which will be constructed after application submission and completed prior to the development placing in service; and/or;
 - e. other support approved by the Authority in response to a request submitted at least 10-30 days in advance of the application deadline.

Funding or financial support

- may be appropriated directly by a public entity and/or awarded by a non-profit organization financially supported by a local government, such as a local housing trust fund;

- must be from an independent third party not affiliated with any member of the Development Team (the Authority will determine affiliations based on relationships between the parties in previously awarded projects and other common interests).

3. The application must list the source(s) as a loan(s) (other than (2)(d)) and include an executed commitment letter reflecting a term of at least twenty (20) years and an interest rate less than or equal to ~~the greater of two percent (2%)~~ the long-term applicable federal rate (compounded monthly) in effect for the month prior to the full application deadline as shown on <https://www.novoco.com/resource-centers/affordable-housing-tax-credits/2023-applicable-federal-rates>

For subsection (2)(d), the application must include a signed letter from the local government (or other public entity) itemizing the waived fees and an affirmation that these fees would have been charged in the absence of the arrangement.

4. Applications will earn points based on the total amount or value of support committed per low-income unit (excluding an employee/manager's unit):
 - 6 points for at least \$10,000
 - 5 points for at least between \$8,000 and \$9,999
 - 4 points for between \$5,500 and \$7,999
 - 3 points for between \$3,500 and \$5,499
 - 2 points for between \$2,000 and \$3,499
 - 1 point for between \$1,000 and \$1,999

H. Project-Based Rent Assistance Revitalization or Local Policies

1. Applicants will earn 5 points for submitting an executed letter (on the required form) regarding conversion of tenant-based vouchers to a project-based subsidy for at least twenty percent (20%) of the project units.
2. If the owner is unable secure final approval for the conversion, as described in the application, within six (6) months of the Reservation Certificate date, the Authority will not award points for letters from that same voucher administrator in the following two 9% LIHTC application cycles.
 1. ~~An application will receive up to 10 points for the following for the following concerted community revitalization plan (CCRP) components:~~
 - ~~a. The application must include a narrative to identify the parts of the plan that fulfill the requirements and criteria listed below.~~
 - ~~b. A CCRP must meet the following minimum requirements to receive at least 5 points:~~
 - ~~• The plan was published by a local planning department or community organization. Plans written by the applicant or an affiliate will not qualify.~~
 - ~~• The plan clearly delineates the community (in which the proposed development is located) for reinvestment. A plan for a large jurisdiction (such as a city or county) that does not designate particular areas of that jurisdiction for targeted investment will not qualify.~~
 - ~~• The plan details the sources and magnitude of committed resources.~~
 - ~~• At least some of the planned investment is ongoing or has the necessary official permission to proceed. If not addressed in the CCRP, the application must include supporting documents.~~
 - ~~• The plan clearly states the community's goals and how they will be achieved.~~

- ~~c. A CCRP can receive up to 4 additional points depending on the extent to which it fulfills the following criteria:~~
- ~~• Participation by the general public had a substantial impact during the entire planning process.~~
 - ~~• Federal, state, and local partners have been involved to leverage available funds and harmonize with other projects.~~
 - ~~• There was a detailed investigation into the community's history, economics, and demographics. The local built environment and public services were assessed and plans made to improve them where necessary.~~
 - ~~• The plan accounts for how to avoid displacement, equitably benefit residents, create mixed income neighborhoods, the barriers to success and how they will be overcome. Investment will be sustained over an extended period and fund housing and non housing developments.~~

~~d. 1 additional point if the proposed development is also located in a qualified census tract.~~

~~2. Alternatively, for 5 points, the application may include a letter detailing measures already implemented by the local government (city or town if within an incorporated area or the county if not) to increase the quantity of affordable housing and develop a resilient community. Policies include, but are not limited to,~~

- ~~• accessory dwelling unit legalization,~~
- ~~• community land trusts,~~
- ~~• density bonuses,~~
- ~~• eviction and homelessness diversion programs,~~
- ~~• housing trust funds,~~
- ~~• intergovernmental collaboration,~~
- ~~• sale or lease of publicly owned land for affordable housing,~~
- ~~• source of income laws,~~
- ~~• zoning reforms that expand housing choice, and~~
- ~~• any activities that affirmatively further fair housing.~~

~~The application must include documentation, in the form of a local government ordinance or other official publication, to verify all claims.~~

I. Supportive Housing

5 points for agreeing to target ten percent (10%) of the total units to persons with disabilities and either

- designating such units as affordable to and occupied by 20% AMI, or
- securing a commitment of federal project-based rent assistance (converting vouchers).

Households with only a disability source of income (such as Supplemental Security Income) will be eligible for the 20% AMI units.

One or more service providers, as coordinated by state authorities, will refer households. For a period of sixty (60) days after the initial rent-up period begins the owner will establish a preferential leasing opportunity for referrals and thereafter will maintain a separate waiting list.

J. Development Costs

The Authority will

- determine which new construction applications show development budget amounts outside the standard deviation, and
- require all such applicants to provide explanations.

Inability to adequately justify the costs will result in a deduction of 2 points for a standard deviation of greater than 2.0 or less than or equal to 3.0 or 4 points for a standard deviation greater than 3.0.

The Authority will use discretion in determining the groups for comparison, i.e. garden style, single family, townhouse type developments will be compared to each other to determine similar development costs. Standard deviations will be calculated from the group average for each type of development submitted within the Set-Aside.

IV. TIE BREAKER CRITERIA

The Authority will use following the factors in the order listed to break a tie.

- A. An application would be all of the Development Team's only award while the tying application(s) would be all of the Development Team's second or third.
- B. The application in the county with the least 9% LIHTC awards in the previous three funding cycles.
- C. ~~The application with the highest amount of funding per unit eligible for points under Section IV(G).~~The development is located in area that has a concerted community revitalization plan (CRP). The plan must be included in the application submission. The plan must meet the criteria below:
 1. As of preliminary application deadline, a local government formally adopted a plan to revitalize a defined geographic area containing the proposed site;
 2. The local government certifies that no Principal initiated the CRP being adopted (other than a public housing authority);
 3. Completing the development proposed in the application would contribute to one or more if the CRP's stated goals; and
 4. The local government has made or is committed to making specific investments in non-housing infrastructure, amenities, or services beyond the proposed development.
- D. Projects providing for tenant ownership at the end of the initial fifteen (15) year compliance period. The application must include a conversion plan including all homebuyer counseling programs to be provided along with the financial procedure that will be used to transfer the rental units into homeownership.
- E. If projects remain tied after all above tie breakers have been applied, the Authority will utilize a lottery.

VI. EVALUATION OF REHABILITATION APPLICATIONS

The Authority will evaluate rehabilitation applications comparatively based on the following criteria, ~~listed in order of importance and will use the following criteria in order to score the rehabilitation applications.~~

- A. Preventing of the conversion of units to market rate and/or the loss of government housing resources, specifically properties:
 - 10 points for developments which the owner is eligible to request a qualified contract currently;
 - 10 points for developments with a federal project-based assistance contract on at least 90% of the units reflecting a remaining term of less than three (3) years;
 - 5 points for development which the owner is eligible to request a qualified contract within the next two (2) years; or
 - 5 points for development with a federal project-based assistance contract on less than 90% of the units reflecting a remaining term of less than three (3) years.

- B. The extent of physical distress, particularly with major systems, accessibility, and/or life, health and safety features, as informed by the Physical Needs Assessment and determined by the Authority. Failure to properly maintain the buildings will not enhance an application's likelihood of award if a member of the current owner's organizational structure or a related party will remain part of the new ownership.

1 point for each of the following systems being replaced (max. 2 points) – roof, HVAC, flooring, windows, hot water heaters, tubs/showers, kitchen cabinets and countertops, ranges and refrigerators.

- C. 1 point if the development was the subject of an application in the previous year's application round that got to the tie breaker level and did not receive an allocation.
- D. If applications remain tied based on the above criteria, the Authority will utilize a lottery-the tie breaker criteria listed in Section IV.