

Page	Section Title	PROPOSED AMENDMENTS TO SAINT PAUL HRA 2019 LOW INCOME HOUSING TAX CREDIT - QUALIFIED ALLOCATION PLAN (“QAP”)	Comment	Accept Yes/No
	Updates to 2019 Qualified Allocation Plan (“QAP”)	<p>The Minneapolis/Saint Paul Housing Finance Board retained special legal counsel to update and consolidate its Low Income Housing Tax Credit Manual and its Qualified Allocation Plan. These updates/amendments were also reflective of changes to IRS Regulations. Updates to QAP (reflecting the 2019 dates, 2019 Credit Reservation amounts, formatting changes, and page reformatting, etc. Throughout documents, Low Income Housing Tax Credits is referenced as “HTC”.</p> <p>Additionally, when appropriate, Procedural Manual and Qualified Allocation Plan were amended to distinguish between the 15-year compliance period which is applicable to the project and the 10-year credit period which is applicable to requirements for the equity investor.</p>	Procedural changes throughout the manual	
P. 2	ARTICLE III Definitions	<p>Costs of intermediaries” shall mean those costs referred to as “costs of intermediaries” as that phrase is used in Section 42(2)(m)(2)(B)(iii) of the Code and as may be defined in any regulations promulgated pursuant thereto. In the absence of federal regulations or rulings to the contrary, such costs shall be deemed to include all costs of development of the project other than actual acquisition costs, construction costs and architectural and engineering fees, including without limitation developer fees, developer overhead, developer contingency fees, consultant fees, contractor’s profit, general requirements, contractor’s overhead, financing fees, loan origination points, marketing fees, closing costs, property management fees, legal fees, advertising costs, letter of credit costs, credit liability reserves, operating reserves, syndication fees, expenses related to syndicating the project and any rental attainment gap <u>consistent with Minnesota Housing requirements.</u></p>	Cost of intermediaries shall be consistent with Minnesota Housing requirements.	
P.3	ARTICLE V Amount of 9% HTC for 2019	<p>The maximum amount of 9% HTC that may be allocated by the Board in any calendar year will be determined in accordance with Section 42 and the Act.</p> <p>For 2019, the Board is authorized to allocate approximately \$<u>1,554,622</u> of 9% HTC for Minneapolis and <u>\$972,775</u> of 9% HTC for Saint Paul.</p>	Due to recent change in Tax Code, Saint Paul received an additional \$192,555 of 2018 Credits which were allocated to the 2019 Credit Program.	

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P. 5	ARTICLE VII Procedure for Selecting Projects Project Threshold Requirements	<p>C. As required by the Act, all 9% HTC Applications considered during Round 1 must propose projects which meet one of the following threshold types:</p> <p>(1) New construction or Substantial Rehabilitation in which, for the term of the Declaration, at least 75% of the total HTC units within the project constitute Single-Room Occupancy units which are affordable by households whose income does not exceed 30 percent of the area median income (“AMI”);</p> <p>(2) New construction or Substantial Rehabilitation multi-family projects that are <u>not</u> restricted to individuals who are 55 years of age or older and in which, for the term of the Declaration, at least 75% of the total HTC units contain two or more bedrooms and at least one-third of the 75% total units contain three or more bedrooms;</p> <p>(3) Substantial Rehabilitation projects of existing housing in neighborhoods targeted by Minneapolis or Saint Paul for revitalization;</p> <p>(4) Projects in which at least 25% a percentage of the units are for <u>persons with serious and persistent mental illness, developmental disability, drug dependency, brain injury, or permanent physical disability, mentally ill, retarded, drug dependent, developmentally disabled, or physically handicapped persons</u> all as further described in Minnesota Statutes, Section 462A.222, Subdivision 3(c)(1)(3). <u>Projects for persons with permanent physical disabilities must have at least 50% of units accessible as provided under Minnesota Rules, chapter 1340;</u> or</p> <p>(5) Projects which preserve existing subsidized housing if the allocation of HTC is necessary to prevent conversion of such housing to a market rate rental project.</p>	<p>This proposed amendment supports integrating individuals with challenges into mainstream housing. Additionally, this proposed amendment is more consistent with Minnesota Housing.</p>	
P. 8	ARTICLE VIII HTC for Projects Financed with Tax- Exempt Housing Revenue Bonds	<p><u>To qualify for 4% HTC, the Application submitted by the applicant must demonstrate that the project is eligible for no less than 35 points of the Self-Scoring Worksheet hereto as attachment</u></p>	<p>4% Credit projects must now score 35 points to be considered as projects that are eligible for 4% Credits and tax-exempt bond financing.</p>	

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P. 12	ARTICLE IX Compliance Monitoring Notifications for Noncompliance Provisions	Correction Period. Owner will have an opportunity to supply any missing certifications and bring the project into compliance with the provisions of Section 42 of the Code within a period specified in the notice to the owner, not to exceed 90 days from the date of notice to the owner described in paragraph (B) of this Section 4. CPED or PED staff may extend the correction period for up to six (6) months, but only if CPED or PED staff determines there is good cause for granting the extension. <u>The Board may review and notify IRS of corrective action taken by the Owner if provided to the Board within 3 years of the original 8823 filing.</u>	This amendment is procedural. The Board may notify IRS of Owner’s corrective action within 3 years of original notification to IRS	
P. 19	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet 9%	Projects located in Saint Paul for which an application is submitted will be rated by the Saint Paul HRA in accordance with the selection and preference priority point system below. Each applicant must fill out this worksheet and submit it along with other materials required by the Procedural Manual <u>A. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (9% Credits)</u> 1. Substantial renovation: The project is a substantial renovation project that preserves low income housing which is defined as subsidized low income housing or non-subsidized housing developments with current rents at or below 50% area median income as determined by HUD if the use of tax credits is necessary to (1) prevent conversion to market-rate use; or (2) to remedy physical deterioration of the project for which would result in loss of affordable housing, as defined. <div style="text-align: right;">(15 points – <u>inside a Qualified Census Tract</u>) (20 points – <u>outside a Qualified Census Tract</u>)</div>	HRA Board recognizes the need to preserve existing affordable housing. These proposed scoring amendments recognize site selection priorities to preserve affordable housing located in Qualified Census Tracts and additional points to preserve affordable housing located outside Qualified Census Tracts	
P. 19	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<u>A. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (9%) Credits</u> 2. <u>The project constitutes new construction of affordable family housing (as defined in Threshold Criteria #2) that is located outside a Qualified Census Tract.</u> <div style="text-align: right;">(12 points)</div>	This new site selection priority encourages new construction of affordable family housing in areas outside Qualified Census Tracts.	

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P.21	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<p><u>A. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (9%) Credits</u></p> <p>7. Economic Integration: The project is located in a non-impacted area or areas of — non-concentrated poverty in which the project has at least 80% of the housing units designated as tax credit units; or the project is located in an impacted area or areas of concentrated poverty in which the project has at least 20% of the units being restricted to households above 60% of the area median income.</p> <p>Impacted areas and non-impacted areas are to be defined by HUD, and areas of concentrated poverty are defined by Metropolitan Council (7 points)</p> <p><u>7. Economic Integration:</u> Projects that promote economic housing integration will receive site selection priority points. Points will be awarded for the election of the following percentage of HTC units to the total units in the project. (1-10 points)</p> <table><tr><th><u>% of HTC Units/Total Units</u></th><th><u>Inside Qualified Census Tract Points</u></th><th><u>Outside Qualified Census Tract Points</u></th></tr><tr><td><u>90%</u></td><td><u>1</u></td><td><u>10</u></td></tr><tr><td><u>80 - 89.9%</u></td><td><u>2</u></td><td><u>8</u></td></tr><tr><td><u>70 - 79.9%</u></td><td><u>3</u></td><td><u>6</u></td></tr><tr><td><u>60 - 69.9%</u></td><td><u>4</u></td><td><u>4</u></td></tr><tr><td><u>50 - 59.9%</u></td><td><u>6</u></td><td><u>3</u></td></tr><tr><td><u>40 - 49.9%</u></td><td><u>8</u></td><td><u>2</u></td></tr><tr><td><u>20 - 39.9%</u></td><td><u>10</u></td><td><u>1</u></td></tr></table>	<u>% of HTC Units/Total Units</u>	<u>Inside Qualified Census Tract Points</u>	<u>Outside Qualified Census Tract Points</u>	<u>90%</u>	<u>1</u>	<u>10</u>	<u>80 - 89.9%</u>	<u>2</u>	<u>8</u>	<u>70 - 79.9%</u>	<u>3</u>	<u>6</u>	<u>60 - 69.9%</u>	<u>4</u>	<u>4</u>	<u>50 - 59.9%</u>	<u>6</u>	<u>3</u>	<u>40 - 49.9%</u>	<u>8</u>	<u>2</u>	<u>20 - 39.9%</u>	<u>10</u>	<u>1</u>	<p>Site Selection Priorities support projects that promote economic integration.</p> <p>This proposed site selection priority scoring increases the points awarded for economic integration with a Chart that demonstrates a better delineation of priority points.</p>	
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P. 21	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet 9%	<p><u>A. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (9%) Credits</u></p> <p><u>Future Tenant Ownership:</u> Projects that agree to offer 100% of the HTC units for sale to tenants at the end of the initial 15-year compliance period. To qualify for the points, the owner must provide a detailed tenant ownership plan that complies with Code Section 42 and is acceptable to CPED. The plan must describe the terms of the right of first refusal given to tenants, including the means of exercising the right of first refusal, the determination of the sale price for each unit, and any continuing use or deed restrictions that will be imposed on the units by the seller follow any such transfer. Elderly projects and/or projects utilizing project-based rental assistance are not eligible for these points. (1 point)</p>	This new site selection priority is incorporated into the selection criteria pursuant to IRS Section 42(m)(1)(C).	

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P. 26	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<p><u>B. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (4%) Credits</u></p> <p><u>Selection Criteria:</u> - Projects submitting an Application to the Saint Paul HRA for tax-exempt housing revenue bonds must demonstrate that the project will score a minimum of 35 points under the 4% HTC Selection Criteria below.</p> <p><u>All projects must be reviewed and determined to be consistent with City/ HRA plans, Saint Paul Comprehensive Plan, or Small Area Plans. All projects must comply with cost containment thresholds established by the HRA. Projects with unique urban redevelopment conditions may request a cost containment adjustment, subject to HRA approval.</u></p> <p><u>During September 1st to November 1st, an applicant may submit a pre-application letter of Intent to apply, which shall include the standard Workbook, a written description of the project, and completed scoring worksheet. There is no fee required in connection with the pre-application process. This information will assist HRA staff in determining whether the project meets the minimum 35 point requirement under the QAP. Starting in January of each year, the HRA will accept HTC applications for projects seeking an allocation of private activity bond cap. See: Article 6 of this Procedural Manual for specific HTC application and fee requirements. 4% HTC Allocation Fee (See Section VIII) is required at time of closing.</u></p> <p><u>Applications stating request for consideration to obtain tax-exempt revenue bonds will be accepted on a “rolling basis” and projects will be prioritized on the basis of their total score plus an evaluation of whether the project is on City/Saint Paul HRA-owned land, readiness of the project to proceed, amount and term of bond allocation requested, cost-containment compliance, and overall feasibility of the project for purposes of receiving an allocation of private activity volume cap for the issuance of tax exempt housing revenue bonds by the Saint Paul HRA.</u></p> <p><u>If two or more projects are deemed to be of substantially equivalent, the Saint Paul HRA may select the project that is located outside downtown Saint Paul, if downtown project requires conversion of office space to housing.</u></p>	<p>For 2019, 4% Credit Projects must score at 35 points under the Selection Criteria to be eligible for funding.</p> <p>4% Projects will be selected based upon HRA priorities.</p> <p>HRA states its preference to select affordable housing that is located outside downtown if project requires conversion of office space into housing.</p>	

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P.26	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<p><u>B. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (4%) Credits</u></p> <p>2. <u>Long Term Affordability: Only Applications seeking 4% Credits for use in conjunction with tax exempt bonds are eligible to claim points through this priority.</u></p> <p><u>The owner agrees that the provisions of Section 42(h)(6)(E)(i)(ii) and Section 42(h)(6)(F) of the Code (which provision would permit the owner to terminate the restrictions under this agreement at the end of the compliance period in the event the Saint Paul HRA does not present the owner with a qualified contract for the acquisition of the project) do not apply to the project, and the owner also agrees the Section 42 income and rental restrictions must apply for a period of 30 years beginning with the first day of the compliance period in which the building is a part of a qualified low income housing project.</u></p> <p>(a) <u>The owner agrees to extend the long-term affordability of the project and maintain the duration of low income use for a minimum of 30 years.</u> (15 points)</p> <p>(b) <u>The owner agrees to extend the long-term affordability of the project and maintain the duration of low income use for a minimum of 40 years.</u> (17 points)</p> <p>(c) <u>The owner agrees to extend the long-term affordability of the project and maintain the duration of low income use for a minimum of 45 years.</u> (20 points)</p>	<p>4% Credit Projects must maintain affordability for a period of 20 years.</p> <p>More site selection priority points will be awarded to affordable housing developments that have longer affordability periods</p>	

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P.27	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<p><u>B. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (4%) Credits</u></p> <p>6. <u>The project constitutes new construction of affordable family housing that is located outside a Qualified Census Tract.</u> <u>(12 points)</u></p>	4% Credit Selection priority points are awarded to an affordable housing development that is located outside a Qualified Census tract.	
P.27	ATTACHMENT Saint Paul HRA Selection Priorities and Self-Scoring Worksheet	<p><u>B. SAINT PAUL’S SELECTION PRIORITIES – Selection Criteria (4%) Credits</u></p> <p>7. <u>A tax exempt 501(c)(3) or 501(c)(4) non-profit organization, whose primary service area is the cities of Minneapolis and/or Saint Paul, is a material participant of the project (i.e. project sponsor and participation as a general partner).</u></p> <p><u>These points awarded because the Saint Paul HRA has an assumption that such organizations have a mission that results in perpetual affordability of the units. These points will not be awarded if the tax exempt 501(c)(3) or 501(c)(4) non-profit organization has been a project sponsor or general partner of a project that had units convert to market rate without the consent of the Saint Paul HRA in the past (3) years</u></p> <p><u>Must have IRS 501(c)(3), or (4) approval from the IRS at the time of application and meet all requirements of Section (42(h)(5)(c) of the Code.</u> <u>(5 points)</u></p>	4% Credit Selection priority points are awarded to an affordable housing development that has a non-profit organization as a general partner.	

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