



## **Affordable Housing Program (AHP) Implementation Plan**

Effective: January 1, 2026

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## **I. Introduction**

### **A. General**

1. The Federal Home Loan Bank of San Francisco ("Bank") has established an Affordable Housing Program ("AHP"), pursuant to Section 21 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, to assist in financing affordable housing for very low-, low-, and moderate-income individuals. This Implementation Plan ("Plan") has been adopted, and from time to time amended, by the Bank in accordance with the requirements of Part 1291 of the Federal Housing Finance Agency ("FHFA") Regulations governing the AHP, as amended from time to time. (12 C.F.R. Part 1291) ("Regulation").
2. This Implementation Plan sets forth certain policies, procedures, standards, and requirements applicable to the Bank's AHP, as required by the Regulation. While the Implementation Plan includes other pertinent information pertaining to the Bank's AHP, the Plan is not intended to be a comprehensive statement of all of the Bank's applicable policies and procedures.
3. The Bank President is responsible for the development and implementation of this Plan and for proposing amendments to this Plan for Board approval as appropriate. The President may delegate specific aspects, duties, and responsibilities of this Plan to management committees, officers of the Bank, or other Bank staff as deemed appropriate.
4. The Bank's AHP consists of a General Fund, a Targeted Fund, and one Homeownership Set-Aside program, as described in this Implementation Plan. References in the Implementation Plan to the Bank's AHP shall mean the General Fund, the Targeted Fund, and the Set-Aside program, unless otherwise stated. As required by statute, the Bank will offer AHP subsidized advances upon request.

### **B. Funding the AHP**

1. The total amount of funds available annually for the Bank's AHP is determined in accordance with the applicable statutory requirements and subject to paragraph 2 below.
2. The Bank allocates a portion of the total AHP funds available in each year to the General Fund, the Targeted Fund, and the Homeownership Set-Aside program, as approved by the Bank's Board of Directors. Any funds not utilized during the previous rounds or reservation year, plus such additional amounts made available from the cancellations, repayments, or reductions of subsidies, are added to one or more of the AHP programs as approved by the Bank's Board of Directors.
3. The Bank may allot to its current year's AHP from its annual required AHP contribution for the subsequent year subject to the requirements and limitations in Section 1291.12(d) of the Regulation.
4. When the General Fund and Targeted Fund rounds are held concurrently, and there is remaining uncommitted subsidy that is insufficient to fund the next highest scoring application in the Fund to which the uncommitted subsidy was initially allocated, then the following will apply:
  - a. If the combined remaining uncommitted subsidy from both the General Fund and Targeted Fund would be sufficient to fund the next highest scoring General Fund application, but not the next highest scoring Targeted Fund application, then the Bank shall fund the General Fund application, and vice versa.
  - b. If the combined remaining uncommitted subsidy is sufficient to fund either the next highest scoring application in the General Fund or the next highest scoring application in the Targeted Fund, but not both applications, then
    - 1) The Bank shall utilize the combined remaining uncommitted subsidy to fund the application with the higher subsidy request, or

- 2) If the next highest scoring applications in both Funds are requesting the same amount of AHP subsidy, then the Bank shall fund the General Fund application.

### **C. Federal Housing Finance Agency Regulation**

This Implementation Plan will be adopted as prescribed in Section 1291.13(b) of the Regulation.

### **D. Definitions**

The definitions set forth in Section 1291.1 of the Regulation, as amended from time to time, will apply to the Bank's AHP and this Implementation Plan.

1. First-Time Homebuyer— (First-Time Homebuyer) must meet one of the following requirements to qualify:
  - a. The potential homebuyer or spouse has had no ownership in a principal residence for a three-year period ending on the purchase date of the property. If either qualifies under one of these requirements, both are considered First-Time Homebuyers.
  - b. The potential homebuyer is a single parent who has only owned a home with a former spouse while they were married.
  - c. The potential homebuyer is a displaced homemaker who has only owned a home with a spouse.
  - d. The potential homebuyer is an individual who has only owned a principal residence not permanently affixed to a permanent foundation, according to applicable regulations.
  - e. The potential homebuyer is an individual who has only owned a property that was not in compliance with state or local building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.
2. Project— A project may consist of one or more structures as long as all of the residential units in the structure(s) are included in the total project units. Units may not be distributed within one or more structures and be designated as separate projects. The Bank, in its sole discretion, may make an exception to this definition for a state tax credit agency “hybrid” project, or similar scenario, where certain residential units within a structure(s) are identified by a separate legal description and financed and operated independently.

### **E. Median Income Standards**

Income eligibility for recipient households in the General Fund, the Targeted Fund, and the Set-Aside program will be based on median income standards for the area, as published annually by HUD, adjusted for family size, with two exceptions: 1) housing programs/projects serving Indian areas may elect to use median income standards allowable under the Native American Housing Assistance and Self-Determination Act (NAHASDA); and 2) owner-occupied housing utilizing the U.S. Department of Agriculture's Rural Development Self-Help 502 Loan Program may use the income qualification guidelines prescribed under that program.

### **F. Homebuyer Proxy**

If an AHP-assisted household sells their home within the five-year retention period and the Bank does not have the subsequent purchaser's income documentation, the Bank may use the HUD HOME and Housing Trust Fund homeownership value limits posted on the HUD Exchange and/or on the FHFA website as a proxy to determine whether the purchaser is low- or moderate-income and AHP subsidy repayment is required, if permitted pursuant to the Regulation. The Bank will document any determination of whether or not repayment is required under the proxy.

## **II. General Fund**

### **A. General Fund Round**

The Bank will offer one General Fund round at least once each calendar year. The schedule for the General Fund round will be announced by December 31 of the prior calendar year.

## **B. Eligibility**

1. Member eligibility
  - a. The Bank accepts applications only from current Members of the Bank as specified in Section 1291.21 of the Regulation. A Member must be in good standing, as determined by the Bank: the Member is creditworthy and has fulfilled all necessary requirements for membership in the Bank, including the purchase of all required capital stock in the Bank, and is not in default with regard to any obligations or commitments under any of its programs including, without limitation, the AHP.<sup>1</sup>
2. Project eligibility – All projects must meet the minimum eligibility requirements in Section 1291.23 and those adopted by the Bank under Section 1291.24(c)(1) of the Regulation, as well as the Bank's project cost guidelines and feasibility guidelines set forth in Attachment A of this Implementation Plan.
  - a. Retention requirements and Agreements with Members and Sponsors
    - 1) All units in an owner-occupied project must be, or must be committed to be, subject to a retention agreement meeting the requirements set forth in Section 1291.15(a)(7) of the Regulation, for the period specified in such regulation. Each rental project must be, or must be committed to be, subject to a retention agreement described in Section 1291.15(a)(8) of the Regulation, for the period specified in such regulation.
    - 2) Each Member and Sponsor receiving AHP subsidy through the General Fund will be required to execute with the Bank documents in a form satisfactory to the Bank and meeting the requirements of the Regulation.
  - b. The Bank does not currently allow loan pools and revolving loan funds to participate in the AHP General Fund.
  - c. The maximum amount of subsidy a project may apply for is the lesser of \$2,000,000 or 50% of the total project costs.
  - d. The maximum amount of subsidy a project may apply for is also limited to \$65,000 in subsidy per unit for rental projects and \$100,000 in subsidy per unit for owner-occupied projects.
  - e. A project Sponsor may receive no more than two awards within a round, which will be the two highest scoring projects submitted by the project sponsor in that round.
3. Sponsor eligibility – A project Sponsor means a not-for-profit, or for-profit, organization or public entity that must be qualified and able to perform its responsibilities as committed to in the application for AHP subsidy funding the project, including the following qualifications criteria:
  - a. Has been engaged in the ownership, management, or development of affordable housing for a minimum of one year.
  - b. Has sufficient capacity and staff experience to perform project roles and integral responsibilities.
  - c. In the case of rental projects, has an ownership interest in the project (including any leasehold, partnership, or controlling interest) through the entire AHP 15-year retention period.
  - d. In the case of rental projects, is integrally involved in project responsibilities such as project planning, project development, construction, property management, and securing development financing or other funding commitments.
  - e. In the case of owner-occupied projects, is integrally involved in the project such as by exercising control over planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing for owners of the units.

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<sup>1</sup> If a Member sponsoring an AHP application, fails during the General Fund round, prior to approval of the application for subsidy, the Bank will not approve the application unless a substitute Bank Member is found to sponsor the project. Without a Bank Member to sponsor the application, the application is ineligible for consideration.

Notwithstanding the criteria above, the Bank will determine, in its sole discretion, whether an entity is qualified to be a project Sponsor taking into account the qualifications of the Sponsor's development partners.

## **C. Application and Approval Process**

The Bank approves General Fund applications pursuant to the requirements detailed in Section 1291.28 of the Regulation.

1. Scoring system – The Bank evaluates, scores, and rates AHP General Fund applications based on a scoring system adopted by the Bank consistent with Section 1291.25 of the Regulation. The scoring system allocates 100 available points among fourteen scoring criteria. Applications are scored based on the extent to which the proposed projects satisfy the scoring criteria. The Bank's scoring system is described in detail in the Scoring Guidelines set forth in Attachment B of this Implementation Plan. Attachment B is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.
2. Tie-Breaker Criteria— If two or more applications receive identical scores, and there are insufficient funds to award the full requested AHP to all of these applications, the Bank will apply the following methodology to determine which application(s) will be approved for AHP subsidy:
  - a. Step 1: Compare the scores of tied applications under the Project Readiness criterion and approve the applications for funding in order of highest to lowest score within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 2.
  - b. Step 2: Compare the scores of tied applications under the In-District Projects criterion and approve the applications for funding that were awarded points within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 3.
  - c. Step 3: Compare the scores of tied applications under the Housing for Households Requiring Large Units criterion and approve the applications for funding in order of highest to lowest score within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 4.
  - d. Step 4: Compare the scores of tied applications under the Community Stability criterion and approve the applications for funding in order of highest to lowest score within this criterion.

If an AHP application receives a numerical score identical to the score of another application in that funding round and requests more subsidy than the amount of AHP funds that remain to be awarded, the Bank shall exclude it from participation in the tie-breaking event.

3. Feasibility and need-for-subsidy analysis – The Bank evaluates the operational and financial feasibility of a project and the need for AHP subsidy, as required by Section 1291.23(b) of the Regulation, using the Feasibility Guidelines set forth in Attachment A to this Implementation Plan. The Feasibility Guidelines include a set of development cost and financing criteria and related benchmark ranges, designed to guide the Bank in assessing a project's developmental feasibility and need for subsidy. Another set of benchmarks analyzes a rental project's operational feasibility. The Bank takes into account such other limits and restrictions on project costs and financing terms as required by the Regulation, including those pertaining to Member-provided property and services, and those related to the rates, points, fees and other charges for all loans financing a project.
4. Multiple applications for AHP subsidy
  - a. An incomplete project may apply to any FHLBank San Francisco AHP Fund and another FHLBank's AHP Fund prior to construction completion. If the project demonstrates a need for both AHP awards, the project may keep both AHP awards. If the project demonstrates a need for only one AHP award but multiple awards are received, then the project must only accept one award.

- b. An incomplete project with an existing FHLBank San Francisco AHP award that has not yet been disbursed and needs additional funding may submit a new application for a larger AHP award amount in a subsequent General Fund or Targeted Fund round. The application should be submitted with a subsidy amount greater than the existing subsidy amount, not to exceed the application subsidy limits in effect in the round in which the new award is to be made. If the new application is approved with the new subsidy amount, the existing award will be withdrawn. The new award will be the effective award in all respects. The project will be renumbered and evaluated with scoring, need for subsidy and financial feasibility criteria applicable to the round in which the new application is approved.
- c. A completed project with an existing AHP award from FHLBank San Francisco or another FHLBank, may not submit a new application in a General Fund or Targeted Fund if the project is still within its AHP retention period.
- d. Nevada-based projects may apply for AHP subsidies through both the General Fund and the Targeted Fund. Concurrent applications to both Funds must request the same amount of AHP subsidy. If a Nevada-based project scores high enough to be approved under both Funds, the application shall be approved under the Targeted Fund.
- e. Projects and/or households are eligible to receive AHP subsidies from only one of the following programs: the General Fund, the Targeted Fund, or the Set-Aside program.

5. Modifications for additional subsidy—As an alternative to reapplying in a General Fund round, Members and Sponsors may request additional subsidy using the Bank's modification process, subject to the availability of funds, Board approval, and certain other restrictions. (See paragraph G.2).

#### **D. Procedures for Disbursement of Subsidy**

1. The Bank will only disburse subsidies
  - a. To an institution if that institution is a Member of the Bank in good standing, or
  - b. If an institution's membership in the Bank terminates either through merger, or other charter change, but the surviving entity is a Member of another FHLBank, the Bank in its discretion, and on such terms and conditions, and documentation, as are acceptable to the Bank, may disburse subsidy to that institution.
2. Review at Disbursement of Subsidy
  - a. Request for Disbursement - A project approved under the General Fund that is ready to receive funds may request disbursement of all or part of the approved subsidy. Disbursements will be processed by the Bank in accordance with the Bank's procedures and guidelines for funding of subsidies and applicable monitoring procedures, which are published on the Bank's website. If the disbursement request cannot be processed within 45 calendar days of the Bank's receipt of the request because of incomplete or missing information, the request for disbursement may be returned to the Member for resubmission at a later time.
  - b. Documentation Requirements - The Bank's funding and monitoring procedures and guidelines for the General Fund require that the applicant Member and project Sponsor provide the Bank with current information about the project sufficient to enable the Bank to verify, prior to funding, that the project maintains compliance with the requirements of the AHP. The Member or, as may be delegated, the project Sponsor must complete and submit to the Bank a comprehensive package of project-related documents including, but not limited to, current income and expense statements, current development budgets, relevant closing and loan documents, sample or actual retention documents, monitoring agreements from other monitoring entities, if applicable, and evidence of affirmative marketing. Instructions for requesting funds are provided on the Bank's website.
  - c. Compliance Review - In processing disbursement requests, the Bank reviews the information submitted with the disbursement request and other pertinent project information obtained from the Member and Sponsor during the review process. The Bank verifies that the project continues to qualify for the awarded subsidy based on the applicable threshold requirements and scoring criteria and that the project is in compliance with the obligations committed to in the approved application. The Bank re-evaluates the financial and operational feasibility of the project, and verifies the project's continued need for subsidy. Members and

Sponsors requesting AHP funds from the Bank must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, and may be required, upon the Bank's request, to provide copies of such agreements to the Bank prior to the Bank's disbursement of funds.

- d. **Adjustments to Subsidy Amounts** - In cases where AHP subsidy was approved to fill a funding gap and such approval was based on estimates of other funding sources or applicable costs at the time of application, the amount of subsidy finally awarded, funded and allowed to remain outstanding to a project may change if actual project data varies from the estimates or representations made in the application. The Bank re-evaluates the need for AHP subsidy in a project, in accordance with the Bank's Feasibility Guidelines and its policies and procedures. If the Bank determines that the amount of subsidy awarded to a project was never, or is no longer justified based on information available to the Bank, the Bank may cancel or reduce the amount of subsidy.
- 3. **Timing of Disbursement from Member to Sponsor or Homebuyer** – Upon receipt of the AHP funds from the Bank, a Member must disburse the funds to the project, Sponsor or Homebuyer within 30 days or return funds to the Bank. The Bank will charge interest to the Member for each day that AHP funds are not disbursed by the Member within that 30-day period. The rate of interest charged is based upon the Bank's average monthly overnight deposit rates. Interest collected by the Bank from Members pursuant to this disbursement policy is contributed to the Bank's AHP fund and made available for other AHP-eligible projects. The Bank may waive interest charges incurred by a Member pursuant to this disbursement policy if the total interest owed by the Member for any project is less than \$500.

## **E. Compliance Monitoring**

All General Fund projects approved for and receiving AHP subsidies must be monitored in accordance with the requirements of Section 1291.50 of the Regulation and the Bank's policies and procedures for monitoring. Members and project Sponsors must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, prior to requesting funding from the Bank. The Bank's procedures for carrying out its initial and long-term monitoring obligations are included in this plan as Attachment E. Attachment E is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.

## **F. Time Limits on Use of Subsidy**

- 1. Under the General Fund, a project has four years from the approval date of the awarded AHP subsidy to draw down the approved subsidy and complete all units. If a project does not meet this standard, the Bank may cancel its approval of the subsidy and make the subsidy available for other AHP-eligible projects.
- 2. If, prior to four years from the approval date, the Bank determines that a project has failed to make reasonable progress towards draw down of the subsidy and completion of all proposed units such that it is unlikely to complete the project within four years, the Bank may, at its discretion, cancel up to the entire amount of the AHP subsidy awarded to the project. Factors considered in determining whether reasonable progress is being made may include, without limit, the status of project construction and financing, and compliance with application commitments.
- 3. If the Bank, pursuant to this Time Limits on Use of Subsidy policy, cancels a subsidy that has already been drawn down, the Member or project Sponsor, as applicable, shall repay the subsidy, along with such interest as the Bank may require.
- 4. The Bank may, at its discretion, and subject to such conditions as the Bank may impose, extend the time limit for the use of the subsidy on a case-by-case basis, if sufficient evidence is provided to the Bank documenting, to the Bank's satisfaction, that reasonable progress has been made towards draw down of subsidy and project completion or that such progress is likely to be made during the extension period.

## **G. Modifications**

The Bank processes project modifications in accordance with the requirements of Section 1291.29 of the Regulation and the Bank's project modification procedures. The Bank requires that project Sponsors and Members report to the Bank any material changes in an approved project. A material change means any change that could affect the facts under which the General Fund application was originally scored and approved by the Bank.

1. The Bank shall approve in writing requests for modification that meet the following criteria (as determined by the Bank in its sole discretion); however, if requests do not meet these criteria, see Section H below regarding project noncompliance.
  - a. The project Sponsor or Owner has made a reasonable effort to meet the original, or previously modified, application commitments within a reasonable period of time or provides a reasonable written justification of why the application commitments cannot be met.
  - b. The modified project continues to score as high as the lowest scoring project approved for funding by the Bank in the funding round in which the application was originally approved.
  - c. There is good cause for the modification which is documented in writing.
2. Special procedures for requesting additional subsidy – Modifications involving requests for additional subsidy are subject to the above criteria, the availability of funds, Board approval, and certain other restrictions. Members and Sponsors are therefore encouraged to contact Bank staff well in advance of any funding needs to ensure adequate processing time for the request.

## **H. Noncompliance and Subsidy Recovery**

If AHP subsidies are not used in compliance with the terms of an approved application the requirements of the Regulation, and the Bank's policies and procedures, the Bank will take remedial actions in accordance with the requirements of Section 1291.60 of the Regulation and the Bank's other documentation executed by the Member and project Sponsor.

1. In the event of project noncompliance, the Bank shall:
  - a. Request that the project Sponsor or Owner make a reasonable effort to cure the noncompliance within a reasonable period of time or provide a reasonable written justification of why the noncompliance cannot be cured.
  - b. If the noncompliance cannot be cured within a reasonable period of time, the Bank shall determine whether the noncompliance can be eliminated through modification, see Section G above.
  - c. If the noncompliance cannot be eliminated through a cure or modification, the Bank, or the Member, shall make a demand on the project Sponsor or Owner for repayment of the full amount of the AHP subsidy (plus interest, if applicable) not used in compliance with the commitments in the AHP application.
  - d. If the noncompliance is occupancy by households with incomes exceeding the income-targeting commitments in the AHP application, the amount of AHP subsidy due will be pro-rated based on the number of noncompliant units and the length of noncompliance.
2. If the demand for repayment of the full amount due is unsuccessful, the Bank, or the Member, in consultation with the Bank, shall make reasonable efforts to collect the subsidy from the project Sponsor or Owner, which may include settlement for less than the full amount due:
  - a. The Bank may enter into a settlement agreement with a Member, project Sponsor, or project Owner, for the purpose of settling claims against the Member for repayment of subsidies.
  - b. A Member or project Sponsor may, at its option and upon written request to the Bank, enter into a written agreement with the Bank under which the Member or project Sponsor consents to be a party to an enforcement proceeding initiated by the Finance Agency regarding the repayment of subsidies received by the Member or project Sponsor, or the suspension or debarment of such parties, provided such written agreement is acceptable to the Bank in form and substance (in the Bank's sole discretion) and the Member or Sponsor, as applicable, agrees to be bound by any applicable Finance Agency's determination with respect to such enforcement proceeding.

3. Except as provided below in section 5, Members must repay the Bank the amount of subsidy that is not used in compliance with the terms of the application and the Regulation if the noncompliance is the result of the Member's own actions or omissions.
4. The Bank must take steps to recover from a Member the amount of subsidy (plus interest, if appropriate) that is not used in compliance with the terms of the application and the Regulation if noncompliance is the result of the Member's actions or omissions, and the Bank will also take steps to recover from a Member any amount of subsidy that the Member recovers or is required to recover from a Sponsor due to noncompliance.
5. Repayment of subsidy will not be required if the Member or Sponsor is able to cure the noncompliance within a reasonable time or the circumstances of noncompliance are eliminated through an approved project modification.
6. Repayment of subsidy will not be required for projects funded with AHP that have been completely destroyed by fire or natural disaster and can document that there is no criminal fault or negligence on the part of the owner, unless there is undisbursed subsidy or a noncompliance issue. Retention can be released following receipt of appropriate documentation. If the project is rebuilt, the AHP retention documents can remain secured to the property. Partially damaged property may be subject to repayment unless the owner makes the necessary repairs and places the property back in service. If the owner is unable to place the property back in service, the options involved would start with a Cure as noted under section II.H.1.a.
7. Subsidy amounts repaid to the Bank as a result of noncompliance will be made available for other AHP-eligible projects.

### **III. Targeted Fund for Nevada**

#### **A. Targeted Fund Round**

The Bank will offer one Targeted Fund round at least once each calendar year. The schedule for the Targeted Fund round will be announced by December 31 of the prior calendar year.

#### **B. Eligibility**

1. Member eligibility
  - a. The Bank accepts applications only from current Members of the Bank as specified in Section 1291.21 of the Regulation. A Member must be in good standing, as determined by the Bank: the Member is creditworthy and has fulfilled all necessary requirements for membership in the Bank, including the purchase of all required capital stock in the Bank, and is not in default with regard to any obligations or commitments under any of its programs including, without limitation, the AHP.<sup>2</sup>
2. Project eligibility – All projects must meet the minimum eligibility requirements in Section 1291.23 and those adopted by the Bank under Section 1291.24(c)(1) of the Regulation, as well as the Bank's project cost guidelines and feasibility guidelines set forth in Attachment C of this Implementation Plan.
  - a. The project must be located within the State of Nevada.
  - b. Retention requirements and Agreements with Members and Sponsors
    - 1) All units in an owner-occupied project must be, or must be committed to be, subject to a retention agreement meeting the requirements set forth in Section 1291.15(a)(7) of the Regulation, for the period specified in such regulation. Each rental project must be, or must be committed to be, subject to a

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<sup>2</sup> If a Member sponsoring an AHP application, fails during the Targeted Fund round, prior to approval of the application for subsidy, the Bank will not approve the application unless a substitute Bank Member is found to sponsor the project. Without a Bank Member to sponsor the application, the application is ineligible for consideration.

retention agreement described in Section 1291.15(a)(8) of the Regulation, for the period specified in such regulation.

- 2) Each Member and Sponsor receiving AHP subsidy through the Targeted Fund will be required to execute with the Bank documents in a form satisfactory to the Bank and meeting the requirements of the Regulation.
- c. The Bank does not currently allow loan pools and revolving loan funds to participate in the AHP Targeted Fund.
- d. The maximum amount of subsidy a project may apply for is the lesser of \$1,250,000 or 50% of the total project costs.
- e. The maximum amount of subsidy a project may apply for is also limited to \$65,000 in subsidy per unit for rental projects and \$100,000 in subsidy per unit for owner-occupied projects.
- f. A project Sponsor may receive no more than two awards within a round, which will be the two highest scoring projects submitted by the project sponsor in that round.

3. Sponsor eligibility – A project Sponsor means a not-for-profit, or for-profit, organization or public entity that must be qualified and able to perform its responsibilities as committed to in the application for AHP subsidy funding the project, including the following qualifications criteria:
  - a. Has been engaged in the ownership, management, or development of affordable housing for a minimum of one year.
  - b. Has sufficient capacity and staff experience to perform project roles and integral responsibilities.
  - c. In the case of rental projects, has an ownership interest in the project (including any leasehold, partnership, or controlling interest) through the entire AHP 15-year retention period.
  - d. In the case of rental projects, is integrally involved in project responsibilities such as project planning, project development, construction, property management, and securing development financing or other funding commitments.
  - e. In the case of owner-occupied projects, be integrally involved in the project such as by exercising control over planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing for owners of the units.

Notwithstanding the criteria above, the Bank will determine, in its sole discretion, whether an entity is qualified to be a project Sponsor taking into account the qualifications of the Sponsor's development partners.

## C. Application and Approval Process

The Bank approves Targeted Fund applications pursuant to the requirements detailed in Section 1291.28 of the Regulation.

1. Scoring system – The Bank evaluates, scores, and rates AHP Targeted Fund applications based on a scoring system adopted by the Bank consistent with Section 1291.27 of the Regulation. The scoring system allocates 100 available points among thirteen scoring criteria. Applications are scored based on the extent to which the proposed projects satisfy the scoring criteria. The Bank's scoring system is described in detail in the Scoring Guidelines set forth in Attachment D of this Implementation Plan. Attachment D is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.
2. Tie-Breaker Criteria— If two or more applications receive identical scores, and there are insufficient funds to award the full requested AHP to all of these applications, the Bank will apply the following methodology to determine which application(s) will be approved for AHP subsidy:
  - a. Step 1: Compare the scores of tied applications under the Project Readiness criterion and approve the applications for funding in order of highest to lowest score within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 2.

- b. Step 2: Compare the scores of tied applications under the Small Rental Projects criterion and approve the applications for funding that were awarded points within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 3.
- c. Step 3: Compare the scores of tied applications under the Housing for Homeless Households criterion and approve the applications for funding in order of highest to lowest score within this criterion. If there are still two or more applications with matching scores under this criterion and insufficient subsidy to approve them all, proceed to Step 4.
- d. Step 4: Compare the scores of tied applications under the Community Stability criterion and approve the applications for funding in order of highest to lowest score within this criterion.

If an AHP application receives a numerical score identical to the score of another application in that funding round and requests more subsidy than the amount of AHP funds that remain to be awarded, the Bank shall exclude it from participation in the tie-breaking event.

- 3. Feasibility and need-for-subsidy analysis – The Bank evaluates the operational and financial feasibility of a project and the need for AHP subsidy, as required by Section 1291.23(b) of the Regulation, using the Feasibility Guidelines set forth in Attachment C to this Implementation Plan. The Feasibility Guidelines include a set of development cost and financing criteria and related benchmark ranges, designed to guide the Bank in assessing a project's developmental feasibility and need for subsidy. Another set of benchmarks analyzes a rental project's operational feasibility. The Bank takes into account such other limits and restrictions on project costs and financing terms as required by the Regulation, including those pertaining to Member-provided property and services, and those related to the rates, points, fees and other charges for all loans financing a project.
- 4. Multiple applications for AHP subsidy
  - a. A project without an existing AHP award may apply to any FHLBank San Francisco AHP Fund and another FHLBank's AHP Fund. If the project demonstrates a need for both AHP awards, the project may keep both AHP awards. If the project demonstrates a need for only one AHP award but multiple awards are received, then the project must only accept one award.
  - b. An incomplete project with an existing FHLBank San Francisco AHP award that has not yet been disbursed, and needs additional funding may submit a new application for a larger AHP award amount in a subsequent General Fund or Targeted Fund round. The application should be submitted with a subsidy amount greater than the existing subsidy amount, not to exceed the application subsidy limits in effect in the round in which the new award is to be made. If the new application is approved with the new subsidy amount, the existing award will be withdrawn. The new award will be the effective award in all respects. The project will be renumbered and evaluated with scoring, need for subsidy and financial feasibility criteria applicable to the round in which the new application is approved.
  - c. A completed project with an existing AHP award from FHLBank San Francisco or another FHLBank, may not submit a new application in a General Fund or Targeted Fund round if the project is still within its AHP retention period.
  - d. Nevada-based projects may apply for AHP subsidies through both the General Fund and the Targeted Fund. Concurrent applications to both Funds must request the same amount of AHP subsidy. If a Nevada-based project scores high enough to be approved under both Funds, the application shall be approved under the Targeted Fund.
  - e. Projects and/or households are eligible to receive AHP subsidies from only one of the following programs: the General Fund, the Targeted Fund, or the Set-Aside program.
- 5. Modifications for additional subsidy—As an alternative to reapplying in a Targeted Fund round, Members and Sponsors may request additional subsidy using the Bank's modification process, subject to the availability of funds, Board approval, and certain other restrictions. (See paragraph G.2).

#### **D. Procedures for Disbursement of Subsidy**

1. The Bank will only disburse subsidies
  - a. To an institution if that institution is a Member of the Bank in good standing, or
  - b. If an institution's membership in the Bank terminates either through merger, or other charter change, but the surviving entity is a Member of another FHLBank, the Bank in its discretion, and on such terms and conditions, and documentation, as are acceptable to the Bank, may disburse subsidy to that institution.
2. Review at Disbursement of Subsidy
  - a. Request for Disbursement - A project approved under the Targeted Fund that is ready to receive funds may request disbursement of all or part of the approved subsidy. Disbursements will be processed by the Bank in accordance with the Bank's procedures and guidelines for funding of subsidies and applicable monitoring procedures, which are published on the Bank's website. If the disbursement request cannot be processed within 45 calendar days of the Bank's receipt of the request because of incomplete or missing information, the request for disbursement may be returned to the Member for resubmission at a later time.
  - b. Documentation Requirements - The Bank's funding and monitoring procedures and guidelines for the General Fund require that the applicant Member and project Sponsor provide the Bank with current information about the project sufficient to enable the Bank to verify, prior to funding, that the project maintains compliance with the requirements of the AHP. The Member or, as may be delegated, the project Sponsor must complete and submit to the Bank a comprehensive package of project-related documents including, but not limited to, current income and expense statements, current development budgets, relevant closing and loan documents, sample or actual retention documents, monitoring agreements from other monitoring entities, if applicable, and evidence of affirmative marketing. Instructions for requesting funds are available on the Bank's website.
  - c. Compliance Review - In processing disbursement requests, the Bank reviews the information submitted with the disbursement request and other pertinent project information obtained from the Member and Sponsor during the review process. The Bank verifies that the project continues to qualify for the awarded subsidy based on the applicable threshold requirements and scoring criteria and that the project is in compliance with the obligations committed to in the approved application. The Bank re-evaluates the financial and operational feasibility of the project, and verifies the project's continued need for subsidy. Members and Sponsors requesting AHP funds from the Bank must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, and may be required, upon the Bank's request, to provide copies of such agreements to the Bank prior to the Bank's disbursement of funds.
  - d. Adjustments to Subsidy Amounts - In cases where AHP subsidy was approved to fill a funding gap and such approval was based on estimates of other funding sources or applicable costs at the time of application, the amount of subsidy finally awarded, funded and allowed to remain outstanding to a project may change if actual project data varies from the estimates or representations made in the application. The Bank re-evaluates the need for AHP subsidy in a project, in accordance with the Bank's Feasibility Guidelines and its policies and procedures. If the Bank determines that the amount of subsidy awarded to a project was never, or is no longer justified based on information available to the Bank, the Bank may cancel or reduce the amount of subsidy.
3. Timing of Disbursement from Member to Sponsor or Homebuyer – Upon receipt of the AHP funds from the Bank, a Member must disburse the funds to the project, Sponsor, or Homebuyer within 30 days or return funds to the Bank. The Bank will charge interest to the Member for each day that AHP funds are not disbursed by the Member within that 30-day period. The rate of interest charged is based upon the Bank's average monthly overnight deposit rates. Interest collected by the Bank from Members pursuant to this disbursement policy is contributed to the Bank's AHP fund and made available for other AHP-eligible projects. The Bank may waive interest charges incurred by a Member pursuant to this disbursement policy if the total interest owed by the Member for any project is less than \$500.

## **E. Compliance Monitoring**

All Targeted Fund projects approved for and receiving AHP subsidies must be monitored in accordance with the requirements of Section 1291.50 of the Regulation and the Bank's policies and procedures for monitoring. Members and project Sponsors must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, prior to requesting funding from the Bank. The Bank's procedures for carrying out its initial and long-term monitoring obligations are included in this plan as Attachment E. Attachment E is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.

## **F. Time Limits on Use of Subsidy**

1. Under the Targeted Fund, a project has four years from the approval date of the awarded AHP subsidy to draw down the approved subsidy and complete all units. If a project does not meet this standard, the Bank may cancel its approval of the subsidy and make the subsidy available for other AHP-eligible projects.
2. If, prior to four years from the approval date, the Bank determines that a project has failed to make reasonable progress towards draw down of the subsidy and completion of all proposed units such that it is unlikely to complete the project within four years, the Bank may, at its discretion, cancel up to the entire amount of the AHP subsidy awarded to the project. Factors considered in determining whether reasonable progress is being made may include, without limit, the status of project construction and financing, and compliance with application commitments.
3. If the Bank, pursuant to this Time Limits on Use of Subsidy policy, cancels a subsidy that has already been drawn down, the Member or project Sponsor, as applicable, shall repay the subsidy, along with such interest as the Bank may require.
4. The Bank may, at its discretion, and subject to such conditions as the Bank may impose, extend the time limit for the use of the subsidy on a case-by-case basis, if sufficient evidence is provided to the Bank documenting, to the Bank's satisfaction, that reasonable progress has been made towards draw down of subsidy and project completion or that such progress is likely to be made during the extension period.

## **G. Modifications**

The Bank processes project modifications in accordance with the requirements of Section 1291.29 of the Regulation and the Bank's project modification procedures. The Bank requires that project Sponsors and Members report to the Bank any material changes in an approved project. A material change means any change that could affect the facts under which the Targeted Fund application was originally scored and approved by the Bank.

1. The Bank shall approve in writing requests for modification that meet the following criteria (as determined by the Bank in its sole discretion); however, if requests do not meet these criteria, see Section H below regarding project noncompliance.
  - a. The project Sponsor or Owner has made a reasonable effort to meet the original, or previously modified, application commitments within a reasonable period of time or provides a reasonable written justification of why the application commitments cannot be met.
  - b. The modified project continues to score as high as the lowest scoring project approved for funding by the Bank in the funding round in which the application was originally approved.
  - c. There is good cause for the modification which is documented in writing.
2. Special procedures for requesting additional subsidy – Modifications involving requests for additional subsidy are subject to the above criteria, the availability of funds, Board approval, and certain other restrictions. Members and Sponsors are therefore encouraged to contact Bank staff well in advance of any funding needs to ensure adequate processing time for the request.

## **H. Noncompliance and Subsidy Recovery**

If AHP subsidies are not used in compliance with the terms of an approved application the requirements of the Regulation, and the Bank's policies and procedures, the Bank will take remedial actions in accordance with the requirements of Section 1291.60 of the Regulation and the Bank's other documentation executed by the Member and project Sponsor.

1. In the event of project noncompliance, the Bank shall:
  - a. Request that the project Sponsor or Owner make a reasonable effort to cure the noncompliance within a reasonable period of time or provide a reasonable written justification of why the noncompliance cannot be cured.
  - b. If the noncompliance cannot be cured within a reasonable period of time, the Bank shall determine whether the noncompliance can be eliminated through modification, see Section G above.
  - c. If the noncompliance cannot be eliminated through a cure or modification, the Bank, or the Member, shall make a demand on the project Sponsor or Owner for repayment of the full amount of the AHP subsidy (plus interest, if applicable) not used in compliance with the commitments in the AHP application.
  - d. If the noncompliance is occupancy by households with incomes exceeding the income-targeting commitments in the AHP application, the amount of AHP subsidy due will be pro-rated based on the number of noncompliant units and the length of noncompliance.
2. If the demand for repayment of the full amount due is unsuccessful, the Bank, or the Member, in consultation with the Bank, shall make reasonable efforts to collect the subsidy from the project Sponsor or Owner, which may include settlement for less than the full amount due:
  - a. The Bank may enter into a settlement agreement with a Member, project Sponsor, or project Owner, for the purpose of settling claims against the Member for repayment of subsidies.
  - b. A Member or project Sponsor may, at its option and upon written request to the Bank, enter into a written agreement with the Bank under which the Member or project Sponsor consents to be a party to an enforcement proceeding initiated by the Finance Agency regarding the repayment of subsidies received by the Member or project Sponsor, or the suspension or debarment of such parties, provided such written agreement is acceptable to the Bank in form and substance (in the Bank's sole discretion) and the Member or Sponsor, as applicable, agrees to be bound by any applicable Finance Agency's determination with respect to such enforcement proceeding.
3. Except as provided below in section 5, Members must repay the Bank the amount of subsidy that is not used in compliance with the terms of the application and the Regulation if the noncompliance is the result of the Member's own actions or omissions.
4. The Bank must take steps to recover from a Member the amount of subsidy (plus interest, if appropriate) that is not used in compliance with the terms of the application and the Regulation if noncompliance is the result of the Member's actions or omissions, and the Bank will also take steps to recover from a Member any amount of subsidy that the Member recovers or is required to recover from a Sponsor due to noncompliance.
5. Repayment of subsidy will not be required if the Member or Sponsor is able to cure the noncompliance within a reasonable time or the circumstances of noncompliance are eliminated through an approved project modification.
6. Repayment of subsidy will not be required for projects funded with AHP that have been completely destroyed by fire or natural disaster and can document that there is no criminal fault or negligence on the part of the owner, unless there is undisbursed subsidy or a noncompliance issue. Retention can be released following receipt of appropriate documentation. If the project is rebuilt, the AHP retention documents can remain secured to the property. Partially damaged property may be subject to repayment unless the owner makes the necessary repairs and places the property back in service. If the owner is unable to place the property back in service, the options involved would start with a Cure as noted under section III.H.1.a.

7. Subsidy amounts repaid to the Bank as a result of noncompliance will be made available for other AHP-eligible projects.

## **IV. Homeownership Set-Aside Programs**

The Bank will set-aside a portion of its annual AHP contribution each year to fund one or more Homeownership Set-Aside programs offered by the Bank pursuant to the Regulation. The Bank has established the following Homeownership Set-Aside program: Workforce Initiative Subsidy for Homeownership (WISH).

### **A. Program Requirements for WISH**

1. Member eligibility

The Bank accepts applications for AHP funds only from current Members of the Bank that are in good standing as specified in Section 1291.41 of the Regulation.

2. WISH Set-Aside funds may be used only as a grant toward the downpayment and/or reasonable and customary closing costs for the purchase by an eligible household of an owner-occupied housing unit to be used as the household's primary residence. The final Closing Disclosure and related closing documents must show that all AHP subsidies were used for these, and only these, purposes. If a Closing Disclosure shows cash back to the homebuyer in an amount greater than \$250, the AHP Set-Aside subsidy that the Bank will pay to the Member from WISH for the homebuyer will be reduced, unless the Member and the homebuyer provide sufficient documentation showing that the cash back was used to pay down the mortgage principal or for reasonable and customary closing costs or as a credit toward the household's monthly payments on the mortgage loan.

3. The Member may only provide WISH Set-Aside funds to households who are enrolled in that Set-Aside program and whose incomes at the time the household enrolled in the Set-Aside program by the Member are no greater than 80% of the area median income in accordance with the median income standards described in Section I of this Implementation Plan and with the income eligibility guidelines published by the Bank.

4. The homebuyer must have successfully completed, and the Member must certify completion of, a homebuyer's counseling program provided by, or based on one provided by, an organization recognized as experienced in homebuyer counseling.

5. The housing unit purchased with WISH Set-Aside funds must be subject to a five (5) year retention agreement consistent with the requirements of Section 1291.15(a)(7) of the Regulation.

6. The Member must certify that the WISH Set-Aside funds are used for an eligible purpose and the rate of interest, points, fees and any other charges for all loans made in conjunction with the AHP direct subsidy shall not exceed a reasonable market rate of interest, points, fees and other charges for loans of similar maturity, terms, and risk.

7. Reservation of funds

- a. Beginning in March of each year, Members may apply for AHP Funds for the WISH program. Applications will be subject to a deadline date within the first quarter of the following calendar year to be determined and published by the Bank. The Bank will reserve funds for households on a first-come, first-served basis until allocated funds for WISH in the program year are exhausted.

- b. WISH reservations not disbursed by March 31st of the following year will be cancelled and made available for other AHP-eligible projects. WISH reservations may be extended beyond March 31st only on condition that escrow has opened or that the buyer has deposited funds for the closing (or other equivalent process for consummating the commencement of a sale of property in the applicable state) by March 31st on the home purchases to be subsidized.

8. Conditions for reimbursement of WISH funds by the Bank to the Member:

- a. At the time the Member requests reimbursement of WISH funds from the Bank, the Member must provide the Bank with sufficient documentation verifying that the homebuyer is income eligible at the time of enrollment in that Set-Aside program in accordance with the Bank's published income eligibility guidelines.
- b. In addition, the Member must provide certification and sufficient documentation if requested by the Bank, verifying that the:
  - 1) homebuyers and units funded by the Member satisfy the Bank's requirements and guidelines for the applicable AHP Set-Aside program.
  - 2) the funds will be used for eligible purposes.
  - 3) the homebuyers have completed a homebuyer counseling program, meeting the requirements of the Regulation.
  - 4) the household participating in the WISH program is a First-Time Homebuyer according to the First-Time Homebuyer definition.
  - 5) that the units are subject to a retention agreement, consistent with the requirements of Section 1291.15(a)(7) of the Regulation.
- c. The Bank will reimburse the Member for the amount of AHP subsidy that has been funded by the Member to the homebuyer. The Bank will reimburse the Member for such funds only upon receipt from the Member of the final Closing Disclosure evidencing that the full amount of the requested AHP subsidy was passed on to the homebuyer and was used for downpayment and/or reasonable and customary closing costs.
- d. Each Member receiving AHP subsidy will be required to execute with the Bank documents in a form satisfactory to the Bank and meeting the requirements of the Regulation.

9. The Member must certify that the rate of interest, points, fees and any other charges for all loans made in conjunction with the AHP subsidy shall not exceed a reasonable market rate of interest, points, fees, and other charges for loans of similar maturity, terms, and risk.

10. Households are eligible to receive AHP subsidies from only the Set-Aside program, the General Fund, or the Targeted Fund.

11. The Bank shall recover the amount of any AHP subsidy that is not used in compliance with the commitments made in the approved application and other documentation executed by the Member in accordance with the requirements of the Regulation.

## **B. The WISH Program: Description and Guidelines**

- 1. WISH Program Description – The WISH program makes AHP funds available through participating Bank Members to qualified homebuyers and promotes and increases homeownership opportunities for low- and moderate-income households.
- 2. WISH Program Guidelines
  - a. The homebuyer is a First-Time Homebuyer according to the First-Time Homebuyer definition.
  - b. Homebuyers eligible for WISH funds must meet income guidelines, as stated in Section III(A)(3) of this Implementation Plan.
  - c. Homebuyers eligible for WISH funds must open escrow or deposit funds for the closing (or other equivalent process for consummating the commencement of a sale of property in the applicable state), on a home purchase transaction within one (1) year of enrollment in the WISH program.
  - d. The homebuyer is eligible to receive the lesser of the annual maximum FHFA subsidy limit<sup>3</sup> or four times the amount of the household contribution, such as household savings or gifts received by the household, toward the purchase of the home. Grants are not considered part of the household contribution.

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<sup>3</sup> Pursuant to Section 1291.42(c) of the Regulation, Members shall provide AHP direct subsidies to households as a grant, in an amount not to exceed the annual maximum FHFA subsidy limit, which limit shall adjust upward on an annual basis in accordance with increases in FHFA's House Price Index (HPI). In the event of a decrease in the HPI, the subsidy limit shall remain at its then-current amount until the HPI increases above the subsidy limit, at which point the subsidy limit shall adjust to that higher amount.

## **V. Restrictions and Debarments**

### **A. General**

The Bank, in its sole discretion, may restrict or debar any entity or individual, including but not limited to a Member, Sponsor, project Owner, intermediary, or any other party involved in an AHP transaction, from direct or indirect participation in the Bank's AHP if such individual or entity engages in any single instance of noncompliance or shows a pattern of noncompliance with the terms of Section 10(j) of the FHLB Act or the Regulation, this Implementation Plan, the Bank's policies, procedures, guidelines and instructions covering among other things, the use of the Bank's AHP funds under the AHP ("the Bank's AHP Policies and Procedures"), the AHP Direct Subsidy Agreement, and/or any commitments made in an AHP Application to the Bank. In addition, the Bank, in its sole discretion, may debar any entity or individual, including but not limited to a Member, Sponsor, project Owner, intermediary, or any other party involved in an AHP transaction, that has been (i) convicted of certain crimes, including fraud or a similar offence, embezzlement, theft, conversion, forgery, bribery, making false statements or claims, tax evasion, obstruction of justice, or any similar offence in connection with a housing development or the use of housing funds, including without limit AHP subsidies, or (ii) that has been suspended or debarred by any Federal agency.

### **B. Restrictions**

The Bank, in its sole discretion, may restrict any entity or individual, including but not limited to a Member, Sponsor, project Owner, intermediary, or any other party involved in an AHP transaction, from receiving disbursements of existing awards or from submitting new applications in a General Fund or Targeted Fund round. Members may be restricted from receiving disbursements or reservations of funds in the Homeownership Set-Aside program. The imposition of a restriction or debarment will not eliminate any existing obligations to comply with the Regulation, the Bank's AHP Policies and Procedures, and any commitments made in an AHP Application to the Bank.

### **C. Debarments**

The Bank, in its sole discretion, may debar any entity or individual, including but not limited to a Member, Sponsor, project Owner, intermediary, or any other party involved in an AHP transaction, from participation in the Bank's AHP.

### **D. Existing Awards**

Following restriction or debarment, the Bank may, on a project-by-project basis, determine whether and under what conditions any AHP subsidies previously awarded to the restricted or debarred entity or individual, or Set-Aside subsidies reserved for a restricted or debarred entity, may be disbursed.

## Attachment A

### General Fund Financial Review Guidelines

Pursuant to Section 1291.24 of the Regulation, the Bank has established guidelines for determining need for subsidy, that the project's costs are reasonable, and that the project is feasible. These guidelines serve as a benchmark for evaluating projects and may be used as a basis for setting, adjusting, or rejecting requests for subsidy in the application, modification, and pre-/post-disbursement stages of a project. Variances to these standards will be considered by the Bank on a case-by-case basis based on an evaluation of information and documentation justifying the need for such exception. Considerations for an exception include, but are not limited to, the geographic location of the project, development conditions, extraordinary market conditions, special community characteristics, needs of the project's target population, and alignment with other project funders and stakeholders.

In general, the Bank considers and reviews pertinent project information presented in the application or otherwise provided to the Bank, independently or upon request, during the relevant review process. Information required by the Bank to confirm compliance with project feasibility and need for subsidy standards normally will include the following:

**Sources and uses of funds:** The project's estimated sources of funds shall equal its estimated uses of funds, as reflected in the project's development budget. The difference between the project's sources of funds and uses of funds is the project's need for AHP subsidy, which is the maximum amount of AHP subsidy the project may receive. The requested AHP subsidy must be necessary for the developmental feasibility of the project, as structured at application, disbursement, and completion. A Sponsor should demonstrate need for AHP subsidy by performing a cash sources and uses analysis. The analysis should calculate the gap between the cash costs<sup>3</sup> to complete the project and the sum of (1) any cash sources other than the Sponsor, and (2) any cash contribution by the Sponsor.<sup>4</sup> The gap resulting from this calculation represents the maximum amount of AHP subsidy the Sponsor may receive for the project. In determining developmental feasibility and need for subsidy, the Bank will take into consideration the conformance of the rate of interest, points, fees, and any other charges for all loans financing the project with market rate financing terms available for loans of similar maturity, terms, and risk.

**Prohibited uses of AHP direct subsidy:** AHP subsidy may not be used to pay for: (1) processing fees charged by members for providing AHP direct subsidies to a project; and (2) capitalized reserves such as operating, replacement, transition, or social services; and (3) periodic deposits to reserve accounts, operating expenses, or supportive services expenses.

**Project costs:** Project costs, as reflected in the project's development budget, must be reasonable and customary and within the ranges outlined in these Feasibility Guidelines (including Exhibit 1), which consider industry standards for the project location and the long-term affordability and financial needs of the project.

**Operational feasibility of rental projects:** A rental project must be able to operate in a financially sound manner for the duration of the AHP 15-year retention period, in accordance with the Bank's Feasibility Guidelines, as projected in the project's operating pro forma.

**Member involvement:** The purchase price of property or services, as reflected in the project's development budget, sold to the project by a Member providing AHP subsidy to the project, or, in the case of property, upon which such Member holds a mortgage or lien, may not exceed the market value of such property or services as of the date the purchase price was agreed upon. In the case of real estate owned property sold to a project by a Member providing AHP subsidy to the project, or property sold to the project upon which the Member holds a mortgage or lien, the market value of such property is deemed to

<sup>3</sup> Cash costs are the actual total cash outlay needed to pay for materials, labor, land acquisition, or other costs of completing the project. This does not include in-kind donations of labor, materials, or services.

<sup>4</sup> In the case of homeownership projects where the sponsor extends permanent financing for the homebuyer, the sponsor's cash contribution must include the present value of any payments the sponsor is to receive from the buyer. The present value of payments the sponsor is to receive from the buyer includes any cash downpayment from the buyer, plus the present value of any purchase note the sponsor holds on the unit. If such a note carries a market interest rate commensurate with the credit quality of the borrower (market rate), the present value of the note equals the face value of the note. If the note carries an interest rate below the market rate, the present value of the note can be determined using the market rate to discount the cash flows.

be the “as-is” or “as-rehabilitated” value of the property, whichever is appropriate. That value shall be reflected in an independent appraisal of the property performed by a state certified or licensed appraiser, as defined in 12 CFR 564.2(j) and (k), within 6 months prior to the date the Bank disburses AHP subsidy to the project.

The Bank has identified a set of feasibility analysis standards to use as benchmarks in evaluating a project’s financial and operational feasibility and need for subsidy. These Feasibility Analysis Standards are described in Exhibit 1 to these Guidelines.

## Attachment A – Exhibit 1

### General Fund Feasibility Analysis Standards

#### Benchmarks used to Establish a Project’s Feasibility and Need for Subsidy

	<b>Criterion</b>	<b>Feasibility Benchmark</b>	<b>Oversubsidization Benchmark</b>
Rental Development Budget	Capitalized replacement reserves	\$0 on new construction projects; variable on rehabilitation projects depending on age and condition of building.	Equal to one year of annualized replacement reserve contributions on new construction projects; variable on rehabilitation projects depending on age and condition of building.
	Capitalized operating reserves	\$0	12 months of operating expenses and debt service payments (must be covered by financing sources other than AHP).
	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates included in the application package. Estimates will be based on industry construction cost data, including that provided by the RS Means Company, and drawn from the Bank’s portfolio. When using RS Means’ data, an adjustment factor may be applied at the Bank’s discretion to account for the additional costs of building affordable housing. The Bank may also use other industry construction cost data to determine whether a project’s cost assumptions are reasonable.	
	Developer fee	0%	Not greater than 17% of total residential development costs ( <i>excluding developer fee and all capitalized reserves</i> )
	Hard cost contingency	New construction - 5% of hard costs Rehab - 7.5% of hard costs	New construction - 10% of hard costs Rehab - 20% of hard costs
	Soft cost contingency	0% of soft costs	10% of soft costs

	<b>Criterion</b>	<b>Feasibility Benchmark</b>	<b>Oversubsidization Benchmark</b>
Rental Operating Budget	Vacancy rate - residential	5% of gross rents, or, if Section 8 project-based certificates, then 3%	10% of gross rents (except with market justification, especially with SRO projects)
	Vacancy rate - commercial	10% of gross rents	50% of gross rents
	Operating reserves	\$0, but if zero, must have adequate debt service coverage ratio	Not greater than \$300 per unit per year
	Management fees	Not less than \$30 per unit per month	Not greater than \$60 per unit per month for projects located in Arizona  Not greater than \$81 per unit per month for projects located in California  Not greater than \$68 per unit per month for projects located in Nevada  Not greater than \$66 per unit per month for projects located outside of the Bank's district
	Replacement reserves	\$250 per unit per year	\$600 per unit per year
	Pro forma assumptions for income compared to expense increases	Expenses increase 1% faster than revenues (e.g., 3% income increase versus 4% cost increase)	Expenses increase 2% faster than revenues (e.g., 3% income increase versus 5% cost increase)
	Term of Permanent Financing	N/A	Not less than 15 years
	Interest rate assumptions	To ensure consistent and reasonable rate assumptions, interest rates and spreads should be set in accordance with the Interest Rate Assumptions memorandum included in the application package.	

	Criterion	Feasibility Benchmark	Oversubsidization Benchmark
Ownership	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates included in the application package. Estimates will be based on industry construction cost data including that provided by the RS Means Company and drawn from the Bank's portfolio. When using RS Means' data, an adjustment factor may be applied at the Bank's discretion to account for the additional costs of building affordable housing. The Bank may also use other industry construction cost data to determine whether a project's cost assumptions are reasonable.	
	Developer fee	0%	Not greater than 17% of total residential development costs ( <i>excluding developer fee and all capitalized reserves</i> )
	Term of mortgage	N/A	Not less than 15 years
	Housing payment including principal, interest, taxes, insurance, and homeowners' dues as percentage of gross income	35%	N/A
	Interest rate assumptions	Must be consistent with single-family mortgage rates in effect at the time the mortgage is funded. For purposes of estimating a rate at the time of application, applicants should base assumptions on single-family mortgage rates as published in the application package.	

## Attachment B

### General Fund Scoring Guidelines

Points awarded in the various criteria will be either fixed or variable. Variable-point criteria are those that can be satisfied to varying degrees by an application. An application meeting a fixed-point criterion will be awarded the total number of points allocated to that criterion.

#### Scoring Criteria

##### Statutory Scoring Priorities

###### I. Use of Donated or Conveyed Government-owned or Other Properties

**5 points maximum, variable**

###### In General

The creation of housing opportunities using a significant proportion (at least 20 percent) of: 1) units or land donated or conveyed by the federal government or any agency or instrumentality thereof; or 2) units or land donated or conveyed for a nominal price (\$1,000 or less) or units or land conveyed at a price significantly below fair market value by any other party. For properties donated or conveyed at a nominal price, or at a price significantly below market value, points are awarded based on the percent of total units or land in the project meeting the above criterion.

Transaction consummation may occur prior to or after the application deadline. For properties that were donated or conveyed at a nominal or below market price prior to application, transaction consummation must have occurred within five years of the application deadline or start of construction, whichever is earlier. If the donation has not yet occurred by the application deadline, documentation of the price and other terms of the future donation must be legally binding. Consummated donation or conveyance at a nominal or below market price must ultimately be documented to maintain points.

###### Calculation of Score

Donations of a significant proportion of land or units from any party are eligible for up to five points (prorated for partial donations) provided that the conveyance of land or units was not from an affiliated party (e.g., transfers from a nonprofit organization to a nonprofit affiliate or from a general partner to a partnership entity). Non-arm's length transactions, as determined at the sole discretion of the Bank, would be ineligible for points, as are rehabilitation projects that do not involve the acquisition of land or existing structures. A pass-through donation from an affiliated party is allowed when the underlying donation was originally from a third party.

Modest expenses related to the conveyance of the property for use by the project may be paid by the recipient in addition to the "nominal price," such as typical closing costs. To receive credit for donation at a nominal price, there must be no additional strings attached to the transfer of property, such as any type of loan, transfer or donation of funds, residual receipts payments (regardless of whether payments are anticipated), or other atypical requirements. A donation of funds or making of a loan to a sponsor or co-developer to be used to purchase property is ineligible for points. A property purchased by a third party from the sponsor or co-developer and then donated back to the sponsor, co-developer, or project is ineligible for points.

Projects with annual land lease and/or administrative payments of \$100 or less will receive full credit, provided there are no other upfront payments or additional annual payments required. This includes, but is not limited to, compliance fees and residual cash flow rent, regardless of whether payments are anticipated.

Properties conveyed by the federal government, its agencies, or instrumentalities free of charge or at any price are automatically awarded one point, provided that the land or units constitute a significant proportion of the project's total units. Long-term leases from a federal government entity greater than or equal to 15 years also qualify for one point.

Properties donated or conveyed for more than a nominal price, but for below fair market value (FMV), may qualify for points in this category. The total price must be 20% of the property's FMV or less. The property's FMV must be established by an appraisal from a federal, state, or local agency, or by an appraisal prepared by an appraiser certified in the state where the project is located. The appraisal must specify an "as of" valuation date that is within six months of the fully executed acquisition agreement or ultimate acquisition date. The points are awarded as follows:

Price is > 15% and < or = 20% of FMV = 1 point  
Price is > 10% and < or = 15% of FMV = 2 points  
Price is > 5% and < = 10% of FMV = 3 points  
Price is > \$1,000 and < or = 5% of FMV = 4 points

The points will be prorated based on the number of units conveyed at below FMV as a percentage of total units.

Property donations will be validated by cross-referencing the project development budget acquisition line item and confirming the acquisition cost. Notwithstanding the foregoing, the Bank retains sole discretion as to the determination of the above and awarding of points.

## **II. Sponsorship by a Not-For-Profit Organization or Government Entity**

### **7 points maximum, variable**

#### **In General**

Project sponsorship by a sufficiently documented nonprofit organization, a state or political subdivision of a state, a state housing agency, a local housing authority, a Native American tribe, an Alaskan Native Village, or the government entity for Native Hawaiian Home Lands. Qualified sponsorship must entail an ownership interest (including any leasehold, partnership, or controlling interest) in a rental project through the entire AHP 15-year retention period or integral involvement in an owner-occupied project, such as exercising control over the planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing of the units. For rental projects where a limited partnership owns or will own the project, and the general partner interest in the limited partnership is held all or in part by a qualified not-for-profit or government entity Sponsor, points are awarded based on the Sponsor's percentage share of ownership of the general partner(s). Points are also awarded to projects where the qualified not-for-profit or agency Sponsor receives at least 25% of the developer fee, if any.

Points will be awarded based on the actual ownership interest and developer fee percentage in place on the AHP application deadline. Points will not be awarded for commitments that are made contingent on receipt of AHP funding that will be documented by future agreements or amendments to the Limited Partnership Agreement or other agreement with the project's investor (LPA). For projects not yet in construction at the time of application, ownership interest and developer fee percentage must ultimately be documented by the LPA, or by an agreement that is referenced within the LPA, to maintain points and receive disbursement of funds. If the project is in construction at the time of application and there is an LPA in place, the ownership interest and developer fee percentage must already be documented by the LPA, or by an agreement that is referenced within the LPA, to receive points.

#### **Calculation of Score**

	<b>Rental</b>	<b>Owner-Occupied</b>
501(c)(3) status or is a government entity, and To meet the threshold for points in this category, the nonprofit Sponsor or government entity Sponsor must have an ownership interest in the project and be able to certify that, taking into account without limitation, all agreements, side letters, and ancillary arrangements with the for-profit entity, it: • Is not controlled or owned by any for-profit entity, and • Is not created by, or managed by, a for-profit entity.	Threshold	Threshold

	<b>Rental</b>	<b>Owner-Occupied</b>
A nonprofit Sponsor must demonstrate that it meets these threshold requirements to the satisfaction of the Bank, at its sole discretion.  If the Sponsor meets the above criteria, the project may earn the following points if the Sponsor possesses:  <b>Rental Projects</b> <ul style="list-style-type: none"><li>• &gt;50% of ownership interest of the project or the general partner(s), the project earns 4 points,</li><li>• &gt;30% and &lt;=50%, the project earns 2 points</li><li>• &lt;=30%, the project earns 0 points.</li></ul> Note: If there is more than one nonprofit entity involved in development of a project, the reviewer will consider the nonprofit entities as "Sponsors" for the purposes of scoring in the calculation of "Nonprofit Percentage of Ownership Interest" for rental projects.	Up to 4 points	n/a
<b>Owner-Occupied Projects</b> Assumes integral responsibilities listed in the AHP application <ul style="list-style-type: none"><li>• Project planning and design</li><li>• Project development</li><li>• Project financing</li><li>• Construction</li><li>• Management of self-help households</li><li>• Pre-purchase counseling</li><li>• Post-purchase counseling</li><li>• Qualification of homebuyers</li></ul> Projects will be awarded 1 point for every element checked, up to the maximum of 4 points.	n/a	Up to 4 points
<b>Rental and Owner-Occupied Projects</b> Receives equal to or greater than 25% of total available developer fee (or if no developer fee is in the project)  Note: To qualify for points in this category, the primary nonprofit project Sponsor must receive at least 25% of any and all developer fee distributions, including investor payouts and/or future cashflow. For projects not yet in construction at the time of application, developer fee percentage must ultimately be documented by the LPA, or by an agreement that is referenced within the LPA, to maintain points. If the project is in construction at the time of application and there is an LPA in place, the developer fee percentage must already be documented by the LPA, or by an agreement that is referenced within the LPA, to receive points.	3 points	3 points
Total possible points	7	7

### **III. Home Purchase by Low-or Moderate-Income Household (i.e., First-Time Homebuyers)**

**7 points maximum, variable**

#### **In General**

Points will be awarded to projects to the degree that they finance housing for First-Time Homebuyers. Only owner-occupied projects may receive points in this category.

No points are awarded for any project with less than 20% of the units **reserved** for First-Time Homebuyers.

#### **Calculation of Score**

The number of First-Time Homebuyer units is divided by the total project units and multiplied by 7.0 points to derive the score. For example, if 25 of 50 units are *reserved* for First-Time Homebuyers, the calculation is:

25 (First-Time Homebuyer units) divided by 50 (total project units) multiplied by 7.0 points, or 3.5 points.

### **Regulatory Scoring Priorities**

#### **IV. Targeting to Lower-Income Households**

##### **20 points maximum, variable**

###### **In General**

The extent to which a project creates housing for very low- and low- or moderate-income households. For purposes of this scoring criterion, the Bank will score rental projects and owner-occupied projects separately.

For occupied rental projects awarded in 2021 and later, households must be income-qualified to meet the AHP targeting commitments at one of two points in time:

- Upon initial occupancy after completion of acquisition or rehab for projects with an approved relocation plan, or
- At application for projects without an approved relocation plan.

This means that grandfathering-in households who were income-qualified at a move-in date prior to the AHP application is not allowed. For households whose incomes have increased during their tenure at the project, and now exceed the unit's original targeting designation, targeting commitments in the AHP application should reflect current household income. For example, the targeting for a unit where the household was income-qualified for a 50% AMI unit at move-in in 2015 who is now earning 80% AMI should be set at 80% AMI, not 50% AMI.

#### **Calculation of Score**

###### **Rental projects**

A minimum of 20% of the units must be occupied by households at or below 50% of the applicable area median income (AMI) to be eligible for AHP funding.

Maximum points will be awarded to projects with 60% or more of the units reserved for households with incomes at or below 50% of the AMI. Projects with less than 60% of the units reserved for households with incomes at or below 50% AMI will be awarded points on a declining scale based on the percentage of units reserved for households with incomes at or below 50% AMI and on the percentage of the remaining units reserved for households with incomes at or below 80% AMI.

Where fewer than 60% of the total units in a project are targeted to households with incomes at or below 50% of the area median, the Bank calculates the targeting score as follows:

Calculate the percentage of total units (*including* any non-targeted or market-rate units) that are targeted to VLI<sup>5</sup> (50% AMI or below). In this example, the project has a total of 55 units targeted to 50% AMI or below, and 100 units total.

Example:  $55 \div 100 = 55\%$

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<sup>5</sup> VLI stands for very- low income unit, which is a unit targeted to 50% AMI or below.

Subtract 20 from the percentage of VLI units in the project:

(The rationale for subtracting 20 is that at least 20% of the units must be targeted to VLI, and therefore those units are excluded from scoring credit.)

Example:  $55 - 20 = 35$

Divide the difference by 2:

Since 60% of the units targeted VLI results in 20 points, and if one is not counting the mandatory 20% of the units at VLI, then effectively, there are really only 40 percentage points optional (beyond the mandatory 20). Therefore, the "base score" gives credit for the percentage of targeted units minus 20 over 40 possible percentage points.

Example:  $\frac{35^*}{40} = \frac{x}{20}$  \* (variable = percentage VLI units minus 20)

Therefore, to solve for x,  $35 * 20 \div 40$  (or  $35 \div 2$ )  
x = base score, which, in the example, is 17.50

Subtract the base score from the total possible points (20) to arrive at the remaining possible points.

Example:  $20.00 - 17.50 = 2.50$

Spread the possible points over a 30-point scale (the difference between 50% and 80% AMI) by dividing the remaining possible points by 30.

Example:  $2.50 \div 30 = .08$

Calculate the WAAMIT<sup>6</sup> for the remaining units targeted between 50 and 80% AMI, *excluding* any non-targeted or market-rate units.

Example:  $(25 \text{ units} \times 60\%) + (10 \text{ units} \times 80\%) = 23$   
 $23 \div (25+10) = .6571, \text{ or } 65.71\%$

Subtract the WAAMIT from 80% (highest possible WAAMIT). Multiply the answer by the remaining possible points divided by 30.

Example:  $80 - 65.71 = 14.29$   
 $.08 \times 14.29 = 1.14$

Add this answer to the base score to arrive at final score

Example:  $1.14 + 17.50 = 18.64 \text{ points}$

### Owner-Occupied projects

An owner-occupied project must have all units restricted at or below 80% of AMI to be eligible for AHP funding. Projects will be scored using the following scale:

- If 20% or more of the units are for households at or below 65% of AMI = 20 Points.
- If less than 20% of the units are for households at or below 65% of AMI = 18 Points.

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<sup>6</sup> WAAMIT stands for weighted average AMI target

Example #1: If 5 of 19 total project units are for households at or below 65% of AMI, then the calculation would be:

$$5 \div 19 = 26.3\%, \text{ or } 20 \text{ points.}$$

Example #2: If 4 of 24 total project units are for households at or below 65% of AMI, then the calculation would be:

$$4 \div 24 = 16.7\%, \text{ or } 18 \text{ points.}$$

## **Underserved Communities and Populations**

### **V. Housing for Homeless Households**

**6 points maximum, variable**

#### **In General**

Points will be awarded for the creation of transitional housing for homeless households permitting a minimum of six months occupancy, or the creation of permanent owner-occupied or rental housing reserving at least 20% of the units for homeless households. Overnight shelters and shelter units within larger projects are excluded from receiving points. Occupied rehabilitation projects may only receive points for units which are vacant at time of application, unless the project is transitional housing or is awarded points under Native Housing. Projects will be awarded points based on the percentage of units in the project reserved for homeless households above and including the 20% minimum. Projects that receive points in Housing for Special Needs Populations are not eligible to receive points in this category.

Homeless<sup>7</sup> household means:

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - a. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - b. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations); or
  - c. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
2. An individual or family who will imminently lose their primary nighttime residence, provided that:
  - a. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
  - b. No subsequent residence has been identified; and
  - c. The individual or family lacks the resources or support needed to obtain other permanent housing;
3. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under the Bank's definition, but who:
  - a. Are defined as homeless under the statutes listed in category (3)(i) under the "Homeless" definition in CFR Title 24 Part 578.3;
  - b. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
  - c. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
  - d. Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or

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<sup>7</sup> "Homeless" means the same as defined under the federal Continuum of Care Program, at 24 CFR 578.3, as may be amended and renumbered from time to time.

General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

4. Any individual or family who:
  - a. Is fleeing, or is attempting to flee domestic violence or other dangerous or life-threatening conditions that has made the individual or family afraid to return to their primary nighttime residence;
  - b. Has no other residence; and
  - c. Lacks the resources or support needed to obtain other permanent housing.
5. An individual:
  - a. With a serious illness or emotional disorder;
  - b. Who would otherwise be considered at risk of homelessness<sup>8</sup>; and
  - c. Who will reside, alone or with their family, in a unit that is funded by a government agency program that specifically defines and serves households meeting the conditions outlined in a and b above.

Note: This definition does not apply to most projects as it must be documented with funding guidelines from a government agency program that specifically serves this population.

6. An individual or family who is defined as homeless under other state, local, or federal rules and regulations, or under guidelines from another project funder.
7. An individual or family:
  - a. Who would otherwise be considered at risk of homelessness per federal, state, or Tribal Admissions & Occupancy Standards (TAOS) definitions; and
  - b. Will reside in a Tribal project that is awarded points under Native Housing.

Unless noted otherwise above, points **will not** be awarded if reserved units are for those who are considered at risk of homelessness, such as those living in overcrowded conditions, living in the home of another individual because of economic hardship, living in a hotel or motel not paid for by charitable funds, or otherwise living in housing that has characteristics associated with instability.

Transitional housing means:

1. Housing for homeless households, as defined above, where the intention is for households to stay for at least six months; and
2. If the project is currently operational, most households do stay for at least six months or move into permanent housing before they reach a six-month stay; and
3. Households do not need to pack up their belongings and vacate the premises during the day; and
4. Supportive services, programs, or other efforts are available to help households transition out of homelessness.

### Calculation of Score

If a project reserves for homeless households **less than 20%** of its total units net of managers' units ("net units"), it receives no points in this category.

If a project reserves for homeless households **exactly 20%** of its net units, it receives exactly 3 points in this category.

If a project reserves **between 20% and 100%** of its net units for homeless households, the project will earn three points plus a pro-rata portion of an additional three points to be determined accordingly:

The units reserved for homeless (or fractions thereof) in excess of 20% of net units shall be divided by 80% of net units to derive a point value. The point value is then multiplied by three. For example:

If total units = 100, managers' units = 2; net units = 98; and

Units reserved for homeless = 50

Then  $50 - (98 \times 20\%) = 50 - 19.6 = 30.4$  = units in excess of 20% threshold

Then  $30.4 \div (98 \times 80\%) = 30.4 \div 78.4 = .38775$

$.38775 \times 3 = 1.163$

Project's score =  $3 + 1.163 = 4.163$

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<sup>8</sup> "At risk of homelessness" means the same as defined under the federal Continuum of Care Program, at 24 CFR 578.3, as may be amended and renumbered from time to time.

If a project reserves **100%** of its net units for homeless, it will receive 6 points.

#### **Documentation Requirements**

At the time of initial monitoring, the Bank will require documentation confirming that the specified units have been reserved for homeless households meeting the Bank's definition. This documentation must include: 1) evidence that the households were referred to the project by an established organization or agency that has been providing services to the homeless for at least three years (a homeless services provider who may be the Sponsor), and 2) certification from the homeless services provider that the person or household referred meets the definition of "homeless households" included in this plan. For transitional housing where the Sponsor is also the homeless services provider, documentation may include an intake form, signed by both the head of household and the Sponsor, which verifies that the household met the Bank's definition of homeless household at move-in.

In order to receive points for projects with units reserved for homeless households that are shown in the application pro forma to generate rents set at the maximums for incomes greater than 30% of the area median, but which have no dedicated source of rental subsidy, the Bank will require that the applicant: 1) explain how the project will be able to absorb the potential cash flow deficit caused by the homeless units during the retention period, and 2) provide documentation from a homeless services provider that sufficient households exist in the target market area that are able to pay the scheduled rent for the units reserved for homeless households.

### **VI. Housing for Special Needs Populations**

**5 points maximum, variable**

#### **In General**

Projects will be awarded points for the creation of housing in which at least 20% of the units are reserved for occupancy by households with special needs, which includes the elderly, mentally or physically disabled persons, persons recovering from physical or substance abuse, and people with AIDS. Projects that receive points in Housing for Homeless Households are not eligible to receive points in this category.

#### **Calculation of Score**

The number of special needs units (including non income-restricted units) is divided by total project units (restricted and non-restricted units), less any manager units, and the result is multiplied by 5.0 points to derive the score. For example:

If 25 of 50 units are *reserved for* special needs households, the calculation is 25 (special needs units) divided by 50 (total project units) multiplied by 5.0 points, or 2.5 points.

No points are awarded for any project with less than 20% of the units *reserved* for special needs households.

Units should not be double-counted if the unit qualifies under more than one special needs category.

The total for special needs units cannot exceed total project units.

### **VII. Housing for Households Requiring Large Units**

**3 points maximum, fixed**

#### **In General**

Projects will be awarded points for the creation of housing in which at least 20% of the total project units (restricted and non-restricted units) have three or more bedrooms.

#### **Calculation of Score**

#### **Rental projects**

Three points are awarded if at least 20% of the total project units (restricted and non-restricted units) have three or more bedrooms.

For example, if 12 of 45 total project units have three or more bedrooms, the calculation would be:

12 (three or more bedroom units) divided by 45 (total project restricted and non-restricted units) equals 27%, or 3.0 points.

#### **Owner-Occupied projects**

Three points are awarded if at least 20% of the total project units, restricted at or below 80% of AMI, have three or more bedrooms.

For example, if 7 of 20 units have three or more bedrooms, the calculation would be:

7 (three or more bedroom units) divided by 20 (total project income-restricted units) equals 35%, or 3.0 points.

### **VIII. Housing in Rural Areas**

**5 points maximum, variable**

#### **In General**

Points will be awarded to projects to the degree that they finance housing located in rural areas, as designated by federal or state government and identified in the AHP application.

#### **Calculation of Score**

The number of rural units is divided by total project units (restricted and non-restricted units) and the result is multiplied by 5.0 to derive the score. For example, if 25 of 50 units are located within rural areas, the calculation would be:

25 (rural units) divided by 50 (total project units) multiplied by 5.0 points, or 2.5 points.

The project application must specify the source of the rural designation. Acceptable rural designations include those promulgated by USDA Rural Development, Farm Credit Bureau, state government program guidelines, or other similar sources.

No points are awarded for any project with less than 20% of the units located in rural areas. Projects may receive partial credit if the project includes multiple sites, with some sites located in defined rural areas, as in owner-occupied scattered-site acquisition programs.

### **Creating Economic Opportunity**

### **IX. Promotion of Empowerment**

**5 points maximum, fixed**

#### **In General**

Points will be awarded to projects in which housing is provided in combination with a program or programs that assist all residents in attaining life skills or moving toward better economic opportunities, such as employment or workforce development readiness, financial literacy education, pre- and post-homeownership counseling, health care, on-site child daycare services, or after-school or out-of-school services.

#### **Calculation of Score**

Only a service or program that promotes economic empowerment of residents or homebuyers qualifies under this scoring criterion. Services or programs must be of a regular ongoing nature and provided to all residents free of charge, except for day care services. Services must be provided on-site except that projects may use off-site services if they have a written

agreement with the service provider enabling the development's residents to use the services free of charge. Referral services will not be eligible for points. Services or programs must be available within six months of the project's placed-in-service date.

No more than 5 points will be awarded in this category. No partial credit will be given. To receive 5 points the project Sponsor must commit to provide at least one empowerment feature from the following list:

<b>Empowerment Features</b>
<b>1. Training and education</b> Should include services such as those listed below. Frequency of service requirements is bi-monthly (once every two months) or equivalent. <ul style="list-style-type: none"><li>• Employment/workforce development readiness services or programs</li><li>• Vocational training</li><li>• Employment/career counseling and job placement</li><li>• Adult-accredited education programs that include English as a second language, GED, and computer classes</li><li>• A life skills education program (rental projects only), including independent living skills such as managing a household, money management, health and nutrition education, and interpersonal skills</li><li>• Financial literacy education programs (rental projects only) including basic financial planning and money management, learning to save, understanding credit reports and individual credit repair, budgeting, and early warning signs of debt problems</li></ul>
<b>2. Pre- and post-purchase homeownership counseling</b> Owner-occupied projects only. Pre-purchasing counseling services should include core curriculum such as credit counseling, budgeting, money management, predatory lending prevention and awareness counseling. Post-purchasing counseling services should include core curriculum such as budgeting, maintaining good credit, calculating and understanding home equity, retirement savings, and foreclosure prevention; workshops on maintenance, repairs, and improvements.
<b>3. Sweat equity contribution/self-help</b> Owner-occupied projects only. Activities required of the homebuyers or their families directly related to the construction of the home. A minimum of 250 hours required.
<b>4. Health care services or programs, including mental and behavioral health services</b> Healthcare management programs that support residents' ability to find or sustain employment or be self-sufficient. Includes provision of medical, dental, mental health services and behavioral health services such as psychiatric, marriage, and family counseling and addictions treatment.
<b>5. On-site child daycare services or programs</b> Physical space must be provided; licensed childcare providing 20 hours or more per week Monday – Friday. Program provides daycare for children ranging in age from infant to 6 years old. Program is distinct from an after-school or out-of-school program provided and described below.
<b>6. After-school or out-of-school services or programs</b> Providing a minimum of 15 hours per week. Program may serve as a substitute for childcare, enabling parents or guardians to find or sustain employment. Program increases a youth's potential for personal and financial success by providing strong, supportive role modeling, supporting constructive behaviors and contributing to a youth's development and interest in education. Program is for school age children or youth ranging in age from 5 to 17 years old. Program is distinct from an on-site child daycare program provided and described above.
<b>7. Bona fide service coordinator/social worker available</b> Documentation supporting the experience and the duties of a service coordinator (not the on-site manager, for example) must be included in the application.

#### **Documentation Requirements**

To receive credit for a “sponsor provided” service, the application must include a plan describing the service or program selected from the above list that will be provided to the residents or homebuyers. The plan must have been completed within one year prior to the application submission deadline date.

To receive credit for a service provided by an organization other than the Sponsor, an executed Memorandum of Understanding (“MOU”), or service contract, or letter of commitment must be completed by the provider of the service or program selected from the preceding list. The MOU, service contract, or letter of commitment must have been executed within one year prior to the application submission deadline date, or clearly still be in effect.

At the time of initial monitoring, the Bank will require documentation to show that at least one qualifying empowerment service or program is in place and appropriately serving residents, including validation of frequency and hours requirements.

### **X. Community Stability, including Affordable Housing Preservation**

**14 points maximum, variable**

#### **In General**

Points will be awarded to projects based on the extent to which they promote community stability, such as by revitalizing neighborhoods by optimizing project site use, preserving affordable housing, being an integral part of a community revitalization or economic development strategy approved by a unit of the state, local, or federal government, promoting transit-oriented development and providing access to community amenities, incorporating the use of sustainable building techniques or standards, increasing economic integration, and not displacing low- or moderate-income households, or if such displacement will occur, assuring that such households will be assisted to minimize the impact of such displacement.

#### **Calculation of Score**

Scores are broken into the elements listed in the following table.

##### **1. Revitalizing Neighborhoods by Optimizing Project Site Use, or Preserving Affordable Housing 3 points maximum**

<b>Project will be awarded three points for meeting one of the following:</b>	<b>Points</b>
<ul style="list-style-type: none"><li>• Development on an Infill Site</li></ul> <p>Development of housing on vacant and undeveloped parcels in dense areas, especially in urban and inner suburban neighborhoods. The development takes advantage of existing infrastructure and promotes compact development that allows undeveloped land to remain open and green. For a site to be considered infill development, it must have been previously developed, or on a vacant site where at least 50% of its perimeter must adjoin parcels that are already developed with existing urban uses (i.e., any residential, commercial, industrial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses). Residential rehabilitation projects are not eligible for points under this criteria, only for points under substantial rehabilitation below.</p> <p>Documentation requirement: A recent aerial photo of the site showing the outline of the entire site.</p>	3
<ul style="list-style-type: none"><li>• Adaptive Reuse of Non-residential Buildings or Structures</li></ul> <p>The conversion to residential use of Non-Residential Buildings or Structures such as, but not limited to, warehouses, schools, hotels, and hospitals. At least 75% of the project's units must be newly created or made operational because of the project. Buildings that are already being operated as transitional or permanent housing do not qualify for points. Scope of work must be significant enough to require a construction permit.</p>	

<p>Documentation requirement: Photos of the existing property or other third-party documentation validating the previous use. Photos or documentation should clearly show the extent to which the project involves adaptive reuse. Application narrative should describe mix of existing and newly created units and confirm scope of work will require a construction permit.</p> <ul style="list-style-type: none"> <li>• Substantial Rehabilitation of Vacant, Abandoned, or Substandard Buildings, which includes the preservation of affordable housing</li> </ul> <p>Renovation scope must be described in the application and hard costs in the development budget must be at least \$25,000 per unit. Scope of work must be significant enough to require a construction permit.</p>	
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## 2. Community Revitalization or Economic Development Strategy 2 points maximum

<b>Project will be awarded two points for being integral to a community revitalization or economic development strategy approved by a unit of the state, local, or federal government or instrumentality thereof, such as, without limitation, the following:</b>	<b>Points</b>
<ul style="list-style-type: none"> <li>• Priority Development Areas</li> <li>• Redevelopment Areas</li> <li>• Federal Place-Based Initiative Areas</li> <li>• Opportunity Zones</li> </ul> <p>To qualify for points for any area that is not an Opportunity Zone, the community revitalization or economic development strategy be memorialized by a Plan that meets the following criteria:</p> <ul style="list-style-type: none"> <li>○ As of the application deadline, a government entity has formally adopted a Plan to revitalize a defined geographic area containing the proposed site. A standard Housing Element or General Plan is ineligible unless it contains a specific revitalization area where the site will be located.</li> <li>○ Completing the project proposed in the application would contribute to one or more of the Plan's stated goals.</li> <li>○ A government entity has made or is committed to making specific investments in non-housing infrastructure, amenities, or services beyond developing the proposed project.</li> <li>○ By being located within the boundaries of the Plan, the project benefits from clear incentives such as a streamlined entitlements process, additional funding, or relaxed design requirements.</li> </ul> <p>All project units, including scattered site projects, must be located within the Plan area or Opportunity Zone.</p> <p>Documentation requirement: For all areas except Opportunity Zones, the Bank's Community Revitalization or Economic Development Plan Area form must be signed by an appropriate planning official and confirm that the Plan meets the criteria above. For Opportunity Zones, provide print outs from <a href="#">HUD's Opportunity Zone map</a> or the website of the Internal Revenue Service (IRS) showing that all of the project addresses are in Opportunity Zones.</p>	2

## 3. Proximity to Transit and Amenities 4 points maximum

<b>Project will be awarded points for being located near one or more of the following:</b>	<b>Points</b>
<ul style="list-style-type: none"> <li>• Transit</li> </ul> <p>Project must be located within a 1/2 mile radius of a transit station, rail station, commuter rail station, bus station, or public bus. One-half point will be awarded for each line or route available, up to a maximum of 2 points.</p>	2

<p>To receive points the transit line must be in place at the time of application. Distances must be measured using a standardized radius from the development site to the target transit line. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the transit line. The radius line may be struck from the corner of development site nearest the target transit line, to the nearest corner of the target transit line. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion.</p> <p>Documentation requirement: A printout from the websites of Google, Mapquest, or Walkscore clearly showing the number of transit lines and the project's distance relative to those transit lines. The map must be legible and have a clear third-party scale, such as Google's "measure distance" tool, and legend. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant transit line. The Bank reserves sole discretion in determining the relevancy of the transit services and the suitability of the documentation in awarding points for this element.</p>	
<p><b>Project will be awarded points for being located near one or more of the following:</b></p> <ul style="list-style-type: none"> <li>• Amenities</li> </ul> <p>Project must be located within 1/2 mile radius of amenities appropriate and accessible to the project's population. Points (0.50 each) will be awarded for each of the following eight items, up to a maximum of 2 points:</p> <ul style="list-style-type: none"> <li>○ public park, recreational facility, or community center</li> <li>○ public library</li> <li>○ a grocery store that sells staples, fresh meat, and fresh produce, this can include similar grocery sections in large multi-purpose stores</li> <li>○ health care facility or medical clinic</li> <li>○ full banking services (check cashing and ATM only, does not apply)</li> <li>○ public school (K-12), community college, or university</li> <li>○ police or fire station, or post office</li> <li>○ retail (clothing store, or department store, or hardware store, or pharmacy)</li> </ul> <p>To receive points, the amenity must be in place at the time of application and relevant to the project population. Distances must be measured using a standardized radius from the development site to the target amenity. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the amenity. The radius line may be struck from the corner of development site nearest the target amenity, to the nearest corner of the target amenity site. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion. Where an amenity such as a grocery store resides within a larger shopping complex or commercial strip, the radius line must be measured to the amenity exterior wall, rather than the site boundary. The resulting distance shall be reduced in such instances by 250 feet to account for close-in parking.</p> <p>Documentation requirement: Printout from the website of Google, Mapquest, or Walkscore clearly showing project's distance relative to amenity. The map must be legible and have a clear third-party scale, such as Google's "measure distance" tool, and legend. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant community amenity. The Bank reserves sole discretion in determining the</p>	2

relevancy of the amenities and the suitability of the documentation in awarding points for this element.	
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#### 4. Sustainable Developments 3 points maximum

<b>Project will be awarded points for obtaining one of the following certifications.</b>	<b>Points</b>
<p>Adaptive reuse projects are <u>not</u> eligible for Sustainable Development points given the difficulty of obtaining certification on these projects.</p> <ul style="list-style-type: none"> <li>• LEED Certified, GreenPoint Certified, Silver State Sustainable Home Tier 1, National Green Building Standard Bronze, or a 20% improvement over the project's pre-rehabilitation Home Energy Rating System (HERS) rating (for rehabilitations of existing residential buildings only).</li> </ul> <p>A maximum of 1 point will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	1
<ul style="list-style-type: none"> <li>• LEED Silver, GreenPoint Silver, Silver State Sustainable Home Tier 2, Enterprise Green Communities, National Green Building Standard Silver, or a 25% improvement over the project's pre-rehabilitation HERS rating (for rehabilitations of existing residential buildings only).</li> </ul> <p>A maximum of 2 points will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	2
<ul style="list-style-type: none"> <li>• LEED Gold or Higher, GreenPoint Gold or higher, Silver State Sustainable Home Tier 3, National Green Building Standard Gold or higher, or a 30% improvement over the project's pre-rehabilitation HERS rating (for rehabilitations of existing residential buildings only). Includes LEED-certified with net-zero certification or Enterprise Green Communities 2020 Plus certification.</li> </ul> <p>A maximum of 3 points will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	3

#### 5. Economic Integration 1 point maximum

<b>Project will be awarded one point for the following feature:</b>	<b>Points</b>
<ul style="list-style-type: none"> <li>• Location in High Resource Areas or Upper-Income Census Tracts</li> </ul> <p>All project units, including scattered site projects, must be located in a census tract(s), or census block group, designated as high or highest resource areas on the most current Opportunity Map, or equivalent area designated by a state or state Qualified Allocation Plan (QAP). If the state or QAP has no officially designated Opportunity Maps or other maps with designated high or highest resource areas, the project must be located in an upper-income census tract(s).</p>	1

Documentation requirement: California projects must provide printout(s) of the state's [Opportunity Map](#)\*. Non-California projects must provide printout(s) of the project census tract(s) from the website of the Federal Financial Institution Examination Council (FFIEC) showing the project's location in an upper-income census tract.

\* An applicant may choose to utilize the census tract(s), or census block group, resource designation from the high or highest resource maps in effect when the initial site control was obtained up to seven calendar years prior to the application.

**6. Preventing or Minimizing Household Displacement** **1 point maximum**

<b>Project will be awarded one point if:</b>	<b>Points</b>
<ul style="list-style-type: none"> <li>• Project site is vacant or unoccupied; or</li> <li>• Project site is occupied and an acceptable relocation plan is in place.</li> </ul> <p>Development of the project must not cause the displacement of households or displacement must be mitigated.</p> <p>Documentation requirement: Provide an explanation of the project's situation if selecting points for a vacant site or unoccupied existing building.</p> <p>For an occupied existing building, including projects involving temporary on-site relocation, provide an acceptable relocation plan along with appropriate expenses allocated for relocation assistance in the development budget. Note that a relocation plan is only required for residential displacement. The Bank will find acceptable, at its discretion, one of the following:</p> <p>Any plan that is approved by federal, state, or local government funder(s) involved in the financing of the project; or</p> <p>A relocation plan containing the following (as applicable to the situation) which may be described in the application:</p> <ul style="list-style-type: none"> <li>○ Resident notification strategy for informing tenants of their relocation with appropriate lead time commensurate with the extent of the renovations and required relocation stay;</li> <li>○ Accommodation (monetary, labor assistance, or other) measures to be implemented. Monetary accommodation should consider reimbursement for extraordinary expenses such as movers, food, utilities, advisory or support services, storage of personal belongings, transportation, and security;</li> <li>○ Temporary relocation planning such as moving within the property to a different unit (either permanently or temporarily), storing of personal property on-site, moving to a hotel for a designated period of time, or other alternatives;</li> <li>○ Permanent relocation planning in the case of an occupant requesting such accommodation;</li> <li>○ A relocation budget categorizing the relocation costs and an anticipated average cost per household.</li> </ul>	1

**Bank District Priorities**

**XI. Project Readiness**

**6 points maximum, variable**

**In General**

Points will be awarded to projects based on the extent to which, at the time of application, they have documented to the Bank's satisfaction that they have met certain development benchmarks.

#### **Calculation of Score**

Points are awarded based on the number of units within a project that satisfy the listed criteria:

<b>Readiness features:</b>	<b>Points</b>
1. Full site control (i.e., full title/ownership)	3.00
2. Partial site control (i.e., sole right to purchase property)	2.00
3. Building permit issuance or building permit ready letter	3.00

The unit or unit-equivalent total for each element is divided by the total project units and multiplied by the maximum scoring category point value to derive the score for the element.

The pro-ration works as follows: if the project has full site control for one of two project parcels on which 60% of the units of a 100-unit project will be constructed, the calculation is:

60 (parcel with full site control) divided by 100 (total proposed project units) multiplied by 3.00 points, or 1.80 points.

Category elements are intended to be progressive (i.e., scoring credit for building permits requires full site control). Credit cannot be awarded for building permits if full site control is not documented.

### **XII. In-District Projects**

#### **8 points maximum, variable**

Points will be awarded to projects where all units are located in the Bank's district, which comprises Arizona, California, and Nevada. Projects located in Arizona will receive 8 points. Projects located in California and Nevada will receive 5 points. No partial credit will be awarded.

### **XIII. Native Housing**

#### **5 points maximum, fixed**

Points will be awarded to projects where all units meet at least one of the following eligibility criteria:

- Have a project owner that is a Tribal Government, an agency of a Tribal Government, a Tribally Designated Housing Entity for the purposes of the Native American Housing Assistance and Self-Determination Act (NAHASDA), or an entity incorporated under or otherwise created in accordance with Tribal law; or
- Include Tribal Funding in the sources of funding for the proposed project, such as, but not limited to, Indian CDBG, Indian CSBG, Indian Health Service funds, NAHASDA funding. The amount of tribal funding included in the sources of funds must be: (1) for Rental Projects, an amount equal to or greater than the lesser of five percent (5%) of the project's total development costs or \$100,000; and (2) for Owner-Occupied Projects, at least \$5,000 per unit (i.e. \$5,000 x total number of units); or
- Be located in a Hawaiian Home Lands housing area.

A Tribal Government includes a Federally Recognized Tribe, a Tribe Awaiting Federal Recognition, or an Alaska Village or Regional Corporation. Federally Recognized Tribe means American Indian and Alaska Native entities legally recognized by the United States Federal government and eligible to receive services from the United States Bureau of Indian Affairs (BIA). Tribe Awaiting Federal Recognition means an American Indian or Alaska Native entity on the BIA list of [Petitioners for Federal Acknowledgement](#) and/or an American Indian entity whose tribal status was revoked under the Rancheria Act of 1958. Alaska Village or Regional Corporation means Alaska Native entities established under the Alaska Native Claims Settlement Act of 1971 (ANSCA) and eligible to receive services from the BIA. These entities may also be known as an Alaska Native Corporation or ANSCA Corporation.

A Hawaiian Home Lands housing area is an area of Hawaiian Home Lands in which the Department of Hawaiian Home Lands is authorized to provide assistance for affordable housing under NAHASDA.

Documentation requirement: Documentation must show that the project meets one of the three eligibility criteria listed above. To receive credit for Tribal Funding, documentation must show that the Tribal Funding is secured at the time of application.

#### **XIV. Subsidy Per Unit**

**4 points maximum, Variable**

##### **In General**

Points will be awarded based on the extent to which a project uses the least amount of AHP subsidy per AHP-targeted unit. For purposes of this scoring criterion, applications for owner-occupied and rental projects will be scored separately.

##### **Calculation of Score**

###### **Rental Projects**

The project's subsidy per unit is the total subsidy requested divided by the number of income-restricted units, with a maximum request of \$65,000 per unit for rental projects.

Example :  $\$1,000,000 \div 32 \text{ units} = \$31,250 \text{ subsidy per unit}$

A project's requested subsidy per unit is scored on a declining scale within the rental range (\$30,000 to \$65,000 per unit), with points decreasing to zero as subsidy per unit increases. The score is calculated using the rental factor, which divides the difference between the high and low ends of the range into the maximum points possible.

Rental factor:  $4/(\$65,000 - \$30,000) = .000114$

The low end of subsidy per unit range is subtracted from the project's subsidy per unit request, the difference is multiplied by the factor to arrive at a product. The product is subtracted from the maximum points possible.

Example:  $\$31,250 - \$30,000 = \$1,250$   
 $\$1,250 \times .000114 = 0.14$   
 $4 - 0.14 = 3.86 \text{ points}$

In cases where the subsidy per unit is less than the low end of the specified range, the project is automatically awarded 4 points. Conversely, if the project's subsidy per unit is the high end of the range, it is granted no points. If the project's subsidy per unit is greater than \$65,000, the project will be ineligible.

###### **Owner-Occupied Projects**

The project's subsidy per unit is the total subsidy requested divided by the total number of units, with a maximum request of \$100,000 per unit for owner-occupied projects.

Example :  $\$600,000 \div 10 \text{ units} = \$60,000 \text{ subsidy per unit}$

Owner-occupied projects will be scored using the following scale:

- If the project's subsidy per unit is \$60,000 per unit or less = 4 points.
- If the project's subsidy per unit is greater than \$60,000 and equal to or less than \$100,000 per unit = 3 points

If the project's subsidy per unit is greater than \$100,000, the project will be ineligible.

## Attachment C

### Targeted Fund Financial Review Guidelines

Pursuant to Section 1291.24 of the Regulation, the Bank has established guidelines for determining need for subsidy, that the project's costs are reasonable, and that the project is feasible. These guidelines serve as a benchmark for evaluating projects and may be used as a basis for setting, adjusting, or rejecting requests for subsidy in the application, modification, and pre-/post-disbursement stages of a project. Variances to these standards will be considered by the Bank on a case-by-case basis based on an evaluation of information and documentation justifying the need for such exception. Considerations for an exception include, but are not limited to, the geographic location of the project, development conditions, extraordinary market conditions, special community characteristics, needs of the project's target population, and alignment with other project funders and stakeholders.

In general, the Bank considers and reviews pertinent project information presented in the application or otherwise provided to the Bank, independently or upon request, during the relevant review process. Information required by the Bank to confirm compliance with project feasibility and need for subsidy standards normally will include the following:

**Sources and uses of funds:** The project's estimated sources of funds shall equal its estimated uses of funds, as reflected in the project's development budget. The difference between the project's sources of funds and uses of funds is the project's need for AHP subsidy, which is the maximum amount of AHP subsidy the project may receive. The requested AHP subsidy must be necessary for the developmental feasibility of the project, as structured at application, disbursement, and completion. A Sponsor should demonstrate need for AHP subsidy by performing a cash sources and uses analysis. The analysis should calculate the gap between the cash costs<sup>9</sup> to complete the project and the sum of (1) any cash sources other than the Sponsor, and (2) any cash contribution by the Sponsor.<sup>10</sup> The gap resulting from this calculation represents the maximum amount of AHP subsidy the Sponsor may receive for the project. In determining developmental feasibility and need for subsidy, the Bank will take into consideration the conformance of the rate of interest, points, fees, and any other charges for all loans financing the project with market rate financing terms available for loans of similar maturity, terms, and risk.

**Prohibited uses of AHP direct subsidy:** AHP subsidy may not be used to pay for: (1) processing fees charged by members for providing AHP direct subsidies to a project; and (2) capitalized reserves such as operating, replacement, transition, or social services; and (3) periodic deposits to reserve accounts, operating expenses, or supportive services expenses.

**Project costs:** Project costs, as reflected in the project's development budget, must be reasonable and customary and within the ranges outlined in these Feasibility Guidelines (including Exhibit 1), which consider industry standards for the project location and the long-term affordability and financial needs of the project.

**Operational feasibility of rental projects:** A rental project must be able to operate in a financially sound manner for the duration of the AHP 15-year retention period, in accordance with the Bank's Feasibility Guidelines, as projected in the project's operating pro forma.

**Member involvement:** The purchase price of property or services, as reflected in the project's development budget, sold to the project by a Member providing AHP subsidy to the project, or, in the case of property, upon which such Member holds a mortgage or lien, may not exceed the market value of such property or services as of the date the purchase price was agreed upon. In the case of real estate owned property sold to a project by a Member providing AHP subsidy to the project, or property sold to the project upon which the Member holds a mortgage or lien, the market value of such property is deemed to

<sup>9</sup> Cash costs are the actual total cash outlay needed to pay for materials, labor, land acquisition, or other costs of completing the project. This does not include in-kind donations of labor, materials, or services.

<sup>10</sup> In the case of homeownership projects where the sponsor extends permanent financing for the homebuyer, the sponsor's cash contribution must include the present value of any payments the sponsor is to receive from the buyer. The present value of payments the sponsor is to receive from the buyer includes any cash downpayment from the buyer, plus the present value of any purchase note the sponsor holds on the unit. If such a note carries a market interest rate commensurate with the credit quality of the borrower (market rate), the present value of the note equals the face value of the note. If the note carries an interest rate below the market rate, the present value of the note can be determined using the market rate to discount the cash flows.

be the “as-is” or “as-rehabilitated” value of the property, whichever is appropriate. That value shall be reflected in an independent appraisal of the property performed by a state certified or licensed appraiser, as defined in 12 CFR 564.2(j) and (k), within 6 months prior to the date the Bank disburses AHP subsidy to the project.

The Bank has identified a set of feasibility analysis standards to use as benchmarks in evaluating a project’s financial and operational feasibility and need for subsidy. These Feasibility Analysis Standards are described in Exhibit 1 to these Guidelines.

## Attachment C – Exhibit 1

### Targeted Fund Feasibility Analysis Standards

#### Benchmarks used to Establish a Project’s Feasibility and Need for Subsidy

	Criterion	Feasibility Benchmark	Oversubsidization Benchmark
Rental Development Budget	Capitalized replacement reserves	\$0 on new construction projects; variable on rehabilitation projects depending on age and condition of building.	Equal to one year of annualized replacement reserve contributions on new construction projects; variable on rehabilitation projects depending on age and condition of building.
	Capitalized operating reserves	\$0	12 months of operating expenses and debt service payments (must be covered by financing sources other than AHP).
	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates included in the application package. Estimates will be based on industry construction cost data, including that provided by the RS Means Company, and drawn from the Bank’s portfolio. When using RS Means’ data, an adjustment factor may be applied at the Bank’s discretion to account for the additional costs of building affordable housing. The Bank may also use other industry construction cost data to determine whether a project’s cost assumptions are reasonable.	
	Developer fee	0%	Not greater than 15% of total residential development costs ( <i>excluding developer fee and all capitalized reserves</i> ) or an amount approved by the Nevada Housing Division in connection with another project funding source.
	Hard cost contingency	New construction - 5% of hard costs Rehab - 7.5% of hard costs	New construction - 10% of hard costs Rehab - 20% of hard costs
	Soft cost contingency	0% of soft costs	10% of soft costs

	<b>Criterion</b>	<b>Feasibility Benchmark</b>	<b>Oversubsidization Benchmark</b>
Rental Operating Budget	Vacancy rate - residential	5% of gross rents, or, if Section 8 project-based certificates, then 3%	10% of gross rents (except with market justification, especially with SRO projects)
	Vacancy rate - commercial	10% of gross rents	50% of gross rents
	Operating reserves	\$0, but if zero, must have adequate debt service coverage ratio	Not greater than \$300 per unit per year
	Management fees	Not less than \$30 per unit per month	Not greater than \$68 per unit per month
	Replacement reserves	\$250 per unit per year	\$600 per unit per year
	Pro forma assumptions for income compared to expense increases	Expenses increase 1% faster than revenues (e.g., 3% income increase versus 4% cost increase)	Expenses increase 2% faster than revenues (e.g., 3% income increase versus 5% cost increase)
	Term of Permanent Financing	N/A	Not less than 15 years
	Interest rate assumptions	To ensure consistent and reasonable rate assumptions, interest rates and spreads should be set in accordance with the Interest Rate Assumptions memorandum included in the application package.	

	<b>Criterion</b>	<b>Feasibility Benchmark</b>	<b>Oversubsidization Benchmark</b>
Ownership	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates included in the application package. Estimates will be based on industry construction cost data including that provided by the RS Means Company and drawn from the Bank's portfolio. When using RS Means' data, an adjustment factor may be applied at the Bank's discretion to account for the additional costs of building affordable housing. The Bank may also use other industry construction cost data to determine whether a project's cost assumptions are reasonable.	
	Developer fee	0%	Not greater than 15% of total residential development costs ( <i>excluding developer fee and all capitalized reserves</i> ) or an amount approved by the Nevada Housing Division in connection with another project funding source.
	Term of mortgage	N/A	Not less than 15 years
	Housing payment including principal, interest, taxes, insurance, and homeowners' dues as percentage of gross income	35%	N/A
	Interest rate assumptions	Must be consistent with single-family mortgage rates in effect at the time the mortgage is funded. For purposes of estimating a rate at the time of application, applicants should base assumptions on single-family mortgage rates as published in the application package.	

## Attachment D

### Targeted Fund Scoring Guidelines

Points awarded in the various criteria will be either fixed or variable. Variable-point criteria are those that can be satisfied to varying degrees by an application. An application meeting a fixed-point criterion will be awarded the total number of points allocated to that criterion.

#### Scoring Criteria

##### I. Use of Donated or Conveyed Government-owned or Other Properties

**5 points maximum, variable**

###### In General

The creation of housing opportunities using a significant proportion (at least 20 percent) of: 1) units or land donated or conveyed by the federal government or any agency or instrumentality thereof; or 2) units or land donated or conveyed for a nominal price (\$1,000 or less) or units or land conveyed at a price significantly below fair market value by any other party. For properties donated or conveyed at a nominal price, or at a price significantly below market value, points are awarded based on the percent of total units or land in the project meeting the above criterion.

Transaction consummation may occur prior to or after the application deadline. For properties that were donated or conveyed at a nominal or below market price prior to application, transaction consummation must have occurred within five years of the application deadline or start of construction, whichever is earlier. If the donation has not yet occurred by the application deadline, documentation of the price and other terms of the future donation must be legally binding. Consummated donation or conveyance at a nominal or below market price must ultimately be documented to maintain points.

###### Calculation of Score

Donations of a significant proportion of land or units from any party are eligible for up to five points (prorated for partial donations) provided that the conveyance of land or units was not from an affiliated party (e.g., transfers from a nonprofit organization to a nonprofit affiliate or from a general partner to a partnership entity). Non-arm's length transactions, as determined at the sole discretion of the Bank, would be ineligible for points, as are rehabilitation projects that do not involve the acquisition of land or existing structures. A pass-through donation from an affiliated party is allowed when the underlying donation was originally from a third party.

Modest expenses related to the conveyance of the property for use by the project may be paid by the recipient in addition to the "nominal price," such as typical closing costs. To receive credit for donation at a nominal price, there must be no additional strings attached to the transfer of property, such as any type of loan, transfer or donation of funds, residual receipts payments (regardless of whether payments are anticipated), or other atypical requirements. A donation of funds or making of a loan to a sponsor or co-developer to be used to purchase property is ineligible for points. A property purchased by a third party from the sponsor or co-developer and then donated back to the sponsor, co-developer, or project is ineligible for points.

Projects with annual land lease and/or administrative payments of \$100 or less will receive full credit, provided there are no other upfront payments or additional annual payments required. This includes, but is not limited to, compliance fees and residual cash flow rent, regardless of whether payments are anticipated.

Properties conveyed by the federal government, its agencies, or instrumentalities free of charge or at any price are automatically awarded one point, provided that the land or units constitute a significant proportion of the project's total units. Long-term leases from a federal government entity greater than or equal to 15 years also qualify for one point.

Properties donated or conveyed for more than a nominal price, but for below fair market value (FMV) may qualify for points in this category. The total price must be 20% of the property's FMV or less. The property's FMV must be

established by an appraisal from a federal, state, or local agency, or by an appraisal prepared by an appraiser certified in the state where the project is located. The appraisal must specify an "as of" valuation date that is within six months of the fully executed acquisition agreement or ultimate acquisition date. The points are awarded as follows:

- Price is > 15% and < or = 20% of FMV = 1 point
- Price is > 10% and < or = 15% of FMV = 2 points
- Price is > 5% and < = 10% of FMV = 3 points
- Price is > \$1,000 and < or = 5% of FMV = 4 points

The points will be prorated based on the number of units conveyed at below FMV as a percentage of total units.

Property donations will be validated by cross-referencing the project development budget acquisition line item and confirming the acquisition cost. Notwithstanding the foregoing, the Bank retains sole discretion as to the determination of the above and awarding of points

## **II. Sponsorship by a Not-For-Profit Organization or Government Entity**

**7 points maximum, variable**

### **In General**

Project sponsorship by a sufficiently documented nonprofit organization, a state or political subdivision of a state, a state housing agency, a local housing authority, or a Native American tribe. Qualified sponsorship must entail an ownership interest (including any leasehold, partnership, or controlling interest) in a rental project through the entire AHP 15-year retention period or integral involvement in an owner-occupied project, such as exercising control over the planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing of the units. For rental projects where a limited partnership owns or will own the project, and the general partner interest in the limited partnership is held all or in part by a qualified not-for-profit or government entity Sponsor, points are awarded based on the Sponsor's percentage share of ownership of the general partner(s). Points are also awarded to projects where the qualified not-for-profit or agency Sponsor receives at least 20% of the developer fee, if any.

Points will be awarded based on the actual ownership interest and developer fee percentage in place on the AHP application deadline. Points will not be awarded for commitments that are made contingent on receipt of AHP funding that will be documented by future agreements or amendments to the Limited Partnership Agreement or other agreement with the project's investor (LPA). For projects not yet in construction at the time of application, ownership interest and developer fee percentage must ultimately be documented by the LPA, or by an agreement that is referenced within the LPA, to maintain points and receive disbursement of funds. If the project is in construction at the time of application and there is an LPA in place, the ownership interest and developer fee percentage must already be documented by the LPA, or by an agreement that is referenced within the LPA, to receive points.

Nevada developer points will be awarded to projects where the primary nonprofit project Sponsor is located in Nevada.

### **Calculation of Score**

	<b>Rental</b>	<b>Owner-Occupied</b>
501(c)(3) status or is a government entity, and	Threshold	Threshold

To meet the threshold for points in this category, the nonprofit Sponsor or government entity Sponsor must have an ownership interest in the project and be able to certify that, taking into account without limitation, all agreements, side letters, and ancillary arrangements with the for-profit entity, it:

- Is not controlled or owned by any for-profit entity, and
- Is not created by, or managed by, a for-profit entity.

A nonprofit Sponsor must demonstrate that it meets these threshold requirements to the satisfaction of the Bank, at its sole discretion.

	<b>Rental</b>	<b>Owner-Occupied</b>
If the Sponsor meets the above criteria, the project may earn the following points if the Sponsor possesses: <ul style="list-style-type: none"> <li>• &gt;50% of ownership interest of the project or the general partner(s) the project earns 3 points,</li> <li>• &gt;=20% and &lt;=50%, the project earns 1.5 points</li> <li>• &lt;20%, the project earns 0 points.</li> </ul> <p>Note: If there is more than one nonprofit entity involved in development of a project, the reviewer will consider the nonprofit entities as "Sponsors" for the purposes of scoring in the calculation of "Nonprofit Percentage of Ownership Interest" for rental projects.</p>	Up to 3 points	n/a
<b>Owner-Occupied Projects</b> Assumes integral responsibilities listed in the AHP application <ul style="list-style-type: none"> <li>• Project planning and design</li> <li>• Project development</li> <li>• Project financing</li> <li>• Construction</li> <li>• Management of self-help households</li> <li>• Pre-purchase counseling</li> <li>• Post-purchase counseling</li> <li>• Qualification of homebuyers</li> </ul> <p>Projects will be awarded 1 point for every element checked, up to the maximum of 3 points.</p>	n/a	Up to 3 points
Receives equal to or greater than 20% of total available developer fee (or if no developer fee is in the project)  Note: To qualify for points in this category, the primary nonprofit project Sponsor must receive at least 20% of any and all developer fee distributions, including investor payouts and/or future cashflow. For projects not yet in construction at the time of application, developer fee percentage must ultimately be documented by the LPA, or by an agreement that is referenced within the Operating Agreement or LPA, to maintain points. If the project is in construction at the time of application and there is an LPA in place, the developer fee percentage must already be documented by the LPA, or by an agreement that is referenced within the LPA, to receive points.	2 points	2 points
<b>Rental and Owner-Occupied Projects</b> Nonprofit sponsors located in Nevada are eligible for points. The Bank retains sole discretion as to the determination of the Sponsor's location and awarding of points.	2 points	2 points
Total possible points	7	7

### **III. Home Purchase by Low-or Moderate-Income Household (i.e., First-Time Homebuyers)**

**7 points maximum, variable**

#### **In General**

Points will be awarded to projects to the degree that they finance housing for First-Time Homebuyers. Only owner-occupied projects may receive points in this category.

No points are awarded for any project with less than 20% of the units **reserved** for First-Time Homebuyers.

#### **Calculation of Score**

The number of First-Time Homebuyer units is divided by the total project units and multiplied by 7.0 points to derive the score. For example, if 25 of 50 units are *reserved* for First-Time Homebuyers, the calculation is:

25 (First-Time Homebuyer units) divided by 50 (total project units) multiplied by 7.0 points, or 3.5 points.

### **IV. Targeting to Lower-Income Households**

#### **20 points maximum, variable**

##### **In General**

The extent to which a project creates housing for very low- and low- or moderate-income households. For purposes of this scoring criterion, the Bank will score rental projects and owner-occupied projects separately.

For occupied rental projects, households must be income-qualified to meet the AHP targeting commitments at one of two points in time:

- Upon initial occupancy after completion of acquisition or rehab for projects with an approved relocation plan, or
- At application for projects without an approved relocation plan.

This means that grandfathering-in households who were income-qualified at a move-in date prior to the AHP application is not allowed. For households whose incomes have increased during their tenure at the project, and now exceed the unit's original targeting designation, targeting commitments in the AHP application should reflect current household income. For example, the targeting for a unit where the household was income-qualified for a 50% AMI unit at move-in in 2015 who is now earning 80% AMI should be set at 80% AMI, not 50% AMI.

#### **Calculation of Score**

##### **Rental projects**

A minimum of 20% of the units must be occupied by households at or below 50% of the applicable area median income (AMI) to be eligible for AHP funding.

Maximum points will be awarded to projects with 60% or more of the units reserved for households with incomes at or below 50% of the AMI. Projects with less than 60% of the units reserved for households with incomes at or below 50% AMI will be awarded points on a declining scale based on the percentage of units reserved for households with incomes at or below 50% AMI and on the percentage of the remaining units reserved for households with incomes at or below 80% AMI.

Where fewer than 60% of the total units in a project are targeted to households with incomes at or below 50% of the area median, the Bank calculates the targeting score as follows:

Calculate the percentage of total units (*including* any non-targeted or market-rate units) that are targeted to VLI<sup>14</sup> (50% AMI or below). In this example, the project has a total of 55 units targeted to 50% AMI or below, and 100 units total.

Example:  $55 \div 100 = 55\%$

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<sup>14</sup> VLI stands for very- low income unit, which is a unit targeted to 50% AMI or below.

Subtract 20 from the percentage of VLI units in the project:

(The rationale for subtracting 20 is that at least 20% of the units must be targeted to VLI, and therefore those units are excluded from scoring credit.)

Example:  $55 - 20 = 35$

Divide the difference by 2:

Since 60% of the units targeted VLI results in 20 points, and if one is not counting the mandatory 20% of the units at VLI, then effectively, there are really only 40 percentage points optional (beyond the mandatory 20). Therefore, the "base score" gives credit for the percentage of targeted units minus 20 over 40 possible percentage points.

Example:  $\frac{35^*}{40} = \frac{x}{20}$  \* (variable = percentage VLI units minus 20)

Therefore, to solve for x,  $35 * 20 \div 40$  (or  $35 \div 2$ )

x = base score, which, in the example, is 17.50

Subtract the base score from the total possible points (20) to arrive at the remaining possible points.

Example:  $20.00 - 17.50 = 2.50$

Spread the possible points over a 30-point scale (the difference between 50% and 80% AMI) by dividing the remaining possible points by 30.

Example:  $2.50 \div 30 = .08$

Calculate the WAAMIT<sup>15</sup> for the remaining units targeted between 50 and 80% AMI, *excluding* any non-targeted or market-rate units.

Example:  $(25 \text{ units} \times 60\%) + (10 \text{ units} \times 80\%) = 23$   
 $23 \div (25+10) = .6571, \text{ or } 65.71\%$

Subtract the WAAMIT from 80% (highest possible WAAMIT). Multiply the answer by the remaining possible points divided by 30.

Example:  $80 - 65.71 = 14.29$   
 $.08 \times 14.29 = 1.14$

Add this answer to the base score to arrive at final score

Example:  $1.14 + 17.50 = 18.64$  points

#### **Owner-Occupied projects**

An owner-occupied project must have all units restricted at or below 80% of AMI to be eligible for AHP funding. Projects will be scored using the following scale:

- If 20% or more of the units are for households at or below 65% of AMI = 20 Points.
- If less than 20% of the units are for households at or below 65% of AMI = 18 Points.

Example #1: If 5 of 19 total project units are for households at or below 65% of AMI, then the calculation would be:

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<sup>15</sup> WAAMIT stands for weighted average AMI target

$5 \div 19 = 26.3\%$ , or 20 points.

Example #2: If 4 of 24 total project units are for households at or below 65% of AMI, then the calculation would be:

$4 \div 24 = 16.7\%$ , or 18 points.

## V. Housing for Homeless Households

### 6 points maximum, variable

#### In General

Points will be awarded for the creation of transitional housing for homeless households permitting a minimum of six months occupancy, or the creation of permanent owner-occupied or rental housing reserving at least 20% of the units for homeless households. Overnight shelters and shelter units within larger projects are excluded from receiving points. Occupied rehabilitation projects may only receive points for units which are vacant at time of application, unless the project is transitional housing or is awarded points under Native Housing. Projects will be awarded points based on the percentage of units in the project reserved for homeless households above and including the 20% minimum. Projects that receive points in Housing for Special Needs Populations are not eligible to receive points in this category.

Homeless<sup>16</sup> household means:

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - a. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - b. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations); or
  - c. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
2. An individual or family who will imminently lose their primary nighttime residence, provided that:
  - a. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
  - b. No subsequent residence has been identified; and
  - c. The individual or family lacks the resources or support needed to obtain other permanent housing;
3. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under the Bank's definition, but who:
  - a. Are defined as homeless under the statutes listed in category (3)(i) under the "Homeless" definition in CFR Title 24 Part 578.3;
  - b. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
  - c. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
  - d. Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;
4. Any individual or family who:

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<sup>16</sup> "Homeless" means the same as defined under the federal Continuum of Care Program, at 24 CFR 578.3, as may be amended and renumbered from time to time.

- a. Is fleeing, or is attempting to flee domestic violence or other dangerous or life-threatening conditions that has made the individual or family afraid to return to their primary nighttime residence;
- b. Has no other residence; and
- c. Lacks the resources or support needed to obtain other permanent housing.

5. An individual:

- a. With a serious illness or emotional disorder;
- b. Who would otherwise be considered at risk of homelessness<sup>11</sup>; and
- c. Who will reside, alone or with their family, in a unit that is funded by a government agency program that specifically defines and serves households meeting the conditions outlined in a and b above.

Note: This definition does not apply to most projects as it must be documented with funding guidelines from a government agency program that specifically serves this population.

6. An individual or family who is defined as homeless under other state, local, or federal rules and regulations, or under guidelines from another project funder.

7. An individual or family:

- a. Who would otherwise be considered at risk of homelessness per federal, state, or Tribal Admissions & Occupancy Standards (TAOS) definitions; and
- b. Will reside in a tribal project that is awarded points under Native housing.

Unless noted otherwise above, points **will not** be awarded if reserved units are for those who are considered at risk of homelessness, such as those living in overcrowded conditions, living in the home of another individual because of economic hardship, living in a hotel or motel not paid for by charitable funds, or otherwise living in housing that has characteristics associated with instability.

Transitional housing means:

1. Housing for homeless households, as defined above, where the intention is for households to stay for at least six months; and
2. If the project is currently operational, most households do stay for at least six months or move into permanent housing before they reach a six-month stay; and
3. Households do not need to pack up their belongings and vacate the premises during the day; and
4. Supportive services, programs, or other efforts are available to help households transition out of homelessness.

### Calculation of Score

If a project reserves for homeless households **less than 20%** of its total units net of managers' units ("net units"), it receives no points in this category.

If a project reserves for homeless households **exactly 20%** of its net units, it receives exactly 3 points in this category.

If a project reserves **between 20% and 100%** of its net units for homeless households, the project will earn three points plus a pro-rata portion of an additional three points to be determined accordingly:

The units reserved for homeless (or fractions thereof) in excess of 20% of net units shall be divided by 80% of net units to derive a point value. The point value is then multiplied by three. For example:

If total units = 100, managers' units = 2; net units = 98; and

Units reserved for homeless = 50

Then  $50 - (98 \times 20\%) = 50 - 19.6 = 30.4$  = units in excess of 20% threshold

Then  $30.4 \div (98 \times 80\%) = 30.4 \div 78.4 = .38775$

$.38775 \times 3 = 1.163$

Project's score =  $3 + 1.163 = 4.163$

If a project reserves **100%** of its net units for homeless, it will receive 6 points.

### Documentation Requirements

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<sup>11</sup> "At risk of homelessness" means the same as defined under the federal Continuum of Care Program, at 24 CFR 578.3, as may be amended and renumbered from time to time.

At the time of initial monitoring, the Bank will require documentation confirming that the specified units have been reserved for homeless households meeting the Bank's definition. This documentation must include: 1) evidence that the households were referred to the project by an established organization or agency that has been providing services to the homeless for at least three years (a homeless services provider who may be the Sponsor), and 2) certification from the homeless services provider that the person or household referred meets the definition of "homeless households" included in this plan. For transitional housing where the Sponsor is also the homeless services provider, documentation may include an intake form, signed by both the head of household and the Sponsor, which verifies that the household met the Bank's definition of homeless household at move-in.

In order to receive points for projects with units reserved for homeless households that are shown in the application pro forma to generate rents set at the maximums for incomes greater than 30% of the area median, but which have no dedicated source of rental subsidy, the Bank will require that the applicant: 1) explain how the project will be able to absorb the potential cash flow deficit caused by the homeless units during the retention period, and 2) provide documentation from a homeless services provider that sufficient households exist in the target market area that are able to pay the scheduled rent for the units reserved for homeless households.

## **VI. Housing for Special Needs Populations**

**6 points maximum, variable**

### **In General**

Projects will be awarded points for the creation of housing in which at least 20% of the units are reserved for occupancy by households with special needs, which includes the elderly, mentally or physically disabled persons, persons recovering from physical or substance abuse, and people with AIDS. Projects that receive points in Housing for Homeless Households are not eligible to receive points in this category.

### **Calculation of Score**

The number of special needs units (including non income-restricted units) is divided by total project units (restricted and non-restricted units), less any manager units, and the result is multiplied by 6.0 points to derive the score. For example:

If 25 of 50 units are *reserved for* special needs households, the calculation is 25 (special needs units) divided by 50 (total project units) multiplied by 6.0 points, or 3 points.

No points are awarded for any project with less than 20% of the units **reserved** for special needs households.

Units should not be double-counted if the unit qualifies under more than one special needs category.

The total for special needs units cannot exceed total project units.

## **VII. Housing for Households Requiring Large Units**

**3 points maximum, fixed**

### **In General**

Projects will be awarded points for the creation of housing in which at least 20% of the total project units (restricted and non-restricted units) have three or more bedrooms.

### **Calculation of Score**

#### **Rental projects**

Three points are awarded if at least 20% of the total project units (restricted and non-restricted units) have three or more bedrooms.

For example, if 12 of 45 total project units have three or more bedrooms, the calculation would be:

12 (three or more bedroom units) divided by 45 (total project restricted and non-restricted units) equals 27%, or 3.0 points.

## Owner-Occupied projects

Three points are awarded if at least 20% of the total project units, restricted at or below 80% of AMI, have three or more bedrooms.

For example, if 7 of 20 units have three or more bedrooms, the calculation would be:

7 (three or more bedroom units) divided by 20 (total project income-restricted units) equals 35%, or 3.0 points.

## **VIII. Housing in Rural Areas**

**5 points maximum, variable**

## In General

Points will be awarded to projects to the degree that they finance housing located in rural areas, as designated by federal or state government and identified in the AHP application.

## Calculation of Score

The number of rural units is divided by total project units (restricted and non-restricted units) and the result is multiplied by 5.0 to derive the score. For example, if 25 of 50 units are located within rural areas, the calculation would be:

25 (rural units) divided by 50 (total project units) multiplied by 5.0 points, or 2.5 points.

The project application must specify the source of the rural designation. Acceptable rural designations include those promulgated by USDA Rural Development, Farm Credit Bureau, state government program guidelines, or other similar sources.

No points are awarded for any project with less than 20% of the units located in rural areas. Projects may receive partial credit if the project includes multiple sites, with some sites located in defined rural areas, as in owner-occupied scattered-site acquisition programs.

## **IX. Community Stability, including Affordable Housing Preservation**

**17 points maximum, variable**

## In General

Points will be awarded to projects based on the extent to which they promote community stability, such as by revitalizing neighborhoods by optimizing project site use, preserving affordable housing, promoting transit-oriented development and providing access to community amenities, incorporating the use of sustainable building techniques or standards, increasing economic integration, and not displacing low- or moderate-income households, or if such displacement will occur, assuring that such households will be assisted to minimize the impact of such displacement.

## Calculation of Score

Scores are broken into the elements listed in the following table.

## 1. Revitalizing Neighborhoods by Optimizing Project Site Use

**5 points maximum**

Project will be awarded five points for meeting one of the following:	Points
<ul style="list-style-type: none"><li>• Development on an Infill Site</li></ul>	5

<p>Development of housing on vacant and undeveloped parcels in dense areas, especially in urban and inner suburban neighborhoods. The development takes advantage of existing infrastructure and promotes compact development that allows undeveloped land to remain open and green. For a site to be considered infill development, it must have been previously developed, or on a vacant site where at least 50% of its perimeter must adjoin parcels that are already developed with existing urban uses (i.e., any residential, commercial, industrial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses). Residential rehabilitation projects are not eligible for points under this criteria, only for points under substantial rehabilitation below.</p> <p>Documentation requirement: A recent aerial photo of the site showing the outline of the entire site.</p> <ul style="list-style-type: none"> <li>• Adaptive Reuse of Non-residential Buildings or Structures</li> </ul> <p>The conversion to residential use of Non-Residential Buildings or Structures such as, but not limited to, warehouses, schools, hotels, and hospitals. At least 75% of the project's units must be newly created or made operational because of the project. Buildings that are already being operated as transitional or permanent housing do not qualify for points. Scope of work must be significant enough to require a construction permit.</p> <p>Documentation requirement: Photos of the existing property or other third party documentation validating the previous use. Photos or documentation should clearly show the extent to which the project involves adaptive reuse. Application narrative should describe mix of existing and newly created units and confirm scope of work will require a construction permit.</p> <ul style="list-style-type: none"> <li>• Substantial Rehabilitation of Vacant, Abandoned, or Substandard Buildings, which includes the preservation of affordable housing</li> </ul> <p>Renovation scope must be described in the application and hard costs in the development budget must be at least \$25,000 per unit. Scope of work must be significant enough to require a construction permit.</p>	
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## 2. Preservation of Existing Affordable Housing

2 points maximum

Project will be awarded two points for preserving existing affordable housing that has an expiring rental subsidy or affordability agreement.	Points
<p>To qualify for points, the project must have a rental subsidy or affordability agreement in place that is expiring within four years.</p> <p>Documentation requirement: A legally enforceable and active rental subsidy or affordability agreement for the property with an expiration date that occurs within four years of the AHP application date. The expiration date must be clearly visible in the agreement, as must confirmation that the agreement will not be renewed. A project whose affordability agreement is threatened by early termination through the Qualified Contract (QC) process, with documentation showing that the QC process has been initiated, may also qualify for points.</p>	2

## 3. Proximity to Transit and Amenities

4 points maximum

Project will be awarded points for being located near one or more of the following:	Points
• Transit	2

<p>Project must be located within a 1/2 mile radius of a transit station, rail station, commuter rail station, bus station, or public bus. One-half point will be awarded for each line or route available, up to a maximum of 2 points.</p> <p>To receive points the transit line must be in place at the time of application. Distances must be measured using a standardized radius from the development site to the target transit line. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the transit line. The radius line may be struck from the corner of development site nearest the target transit line, to the nearest corner of the target transit line. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion.</p> <p>Documentation requirement: A printout from the websites of Google, Mapquest, or Walkscore clearly showing the number of transit lines and the project's distance relative to those transit lines. The map must be legible and have a clear third-party scale, such as Google's "measure distance" tool, and legend. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant transit line. The Bank reserves sole discretion in determining the relevancy of the transit services and the suitability of the documentation in awarding points for this element.</p>	
<p><b>Project will be awarded points for being located near one or more of the following:</b></p> <ul style="list-style-type: none"> <li>• Amenities</li> </ul> <p>Project must be located within 1/2 mile radius of amenities appropriate and accessible to the project's population. Points (0.50 each) will be awarded for each of the following eight items, up to a maximum of 2 points:</p> <ul style="list-style-type: none"> <li>○ public park, recreational facility, or community center</li> <li>○ public library</li> <li>○ a grocery store that sells staples, fresh meat, and fresh produce, this can include similar grocery sections in large multi-purpose stores</li> <li>○ health care facility or medical clinic</li> <li>○ full banking services (check cashing and ATM only, does not apply)</li> <li>○ public school (K-12), community college, or university</li> <li>○ police or fire station, or post office</li> <li>○ retail (clothing store, or department store, or hardware store, or pharmacy)</li> </ul> <p>To receive points, the amenity must be in place at the time of application and relevant to the project population. Distances must be measured using a standardized radius from the development site to the target amenity. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the amenity. The radius line may be struck from the corner of development site nearest the target amenity, to the nearest corner of the target amenity site. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion. Where an amenity such as a grocery store resides within a larger shopping complex or commercial strip, the radius line must be measured to the amenity exterior wall, rather than the site boundary. The resulting distance shall be reduced in such instances by 250 feet to account for close-in parking.</p> <p>Documentation requirement: Printout from the website of Google, Mapquest, or Walkscore clearly showing project's distance relative to amenity. The map must be legible and have a clear third-party scale, such as Google's "measure distance" tool,</p>	2

<p>and legend. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant community amenity. The Bank reserves sole discretion in determining the relevancy of the amenities and the suitability of the documentation in awarding points for this element.</p>	
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#### 4. Sustainable Developments 3 points maximum

Project will be awarded points for obtaining one of the following certifications.	Points
<p>Adaptive reuse projects are <u>not</u> eligible for Sustainable Development points given the difficulty of obtaining certification on these projects.</p>	
<ul style="list-style-type: none"> <li>• LEED Certified, GreenPoint Certified, Silver State Sustainable Home Tier 1, National Green Building Standard Bronze, or a 20% improvement over the project's pre-rehabilitation Home Energy Rating System (HERS) rating (for rehabilitations of existing residential buildings only).</li> </ul> <p>A maximum of 1 point will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	1
<ul style="list-style-type: none"> <li>• LEED Silver, GreenPoint Silver, Silver State Sustainable Home Tier 2, Enterprise Green Communities, National Green Building Standard Silver, or a 25% improvement over the project's pre-rehabilitation HERS rating (for rehabilitations of existing residential buildings only).</li> </ul> <p>A maximum of 2 points will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	2
<ul style="list-style-type: none"> <li>• LEED Gold or Higher, GreenPoint Gold or higher, Silver State Sustainable Home Tier 3, National Green Building Standard Gold or higher, or a 30% improvement over the project's pre-rehabilitation HERS rating (for rehabilitations of existing residential buildings only). Includes LEED-certified with net-zero certification or Enterprise Green Communities 2020 Plus certification</li> </ul> <p>A maximum of 3 points will be awarded for obtaining one of the above certification levels.</p> <p>Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.</p>	3

#### 5. Economic Integration or Economic Development Strategy 2 points maximum

Project will be awarded one point for each of the following features:	Points
<ul style="list-style-type: none"> <li>• Location in Upper-Income Census Tract(s)</li> </ul> <p>All project units, including scattered site projects, must be located in an upper-income census tract(s) or census block group.</p>	1

Documentation requirement: Projects must provide printout(s) of the project census tract(s) from the website of the Federal Financial Institution Examination Council (FFIEC) showing the project's location in an upper-income census tract.	
<ul style="list-style-type: none"> <li>• Location in an Opportunity Zone</li> </ul> <p>All project units, including scattered site projects, must be located in an Opportunity Zone.</p> <p>Documentation requirement: Provide print outs from <a href="#">HUD's Opportunity Zone map</a> or the website of the Internal Revenue Service (IRS) showing that all of the project addresses are in Opportunity Zones.</p>	1

## 6. Preventing or Minimizing Household Displacement 1 point maximum

Project will be awarded one point if:	Points
<ul style="list-style-type: none"> <li>• Project site is vacant or unoccupied; or</li> <li>• Project site is occupied and an acceptable relocation plan is in place.</li> </ul> <p>Development of the project must not cause the displacement of households or displacement must be mitigated.</p> <p>Documentation requirement: Provide an explanation of the project's situation if selecting points for a vacant site or unoccupied existing building.</p> <p>For an occupied existing building, including projects involving temporary on-site relocation, provide an acceptable relocation plan along with appropriate expenses allocated for relocation assistance in the development budget. Note that a relocation plan is only required for residential displacement. The Bank will find acceptable, at its discretion, one of the following:</p> <p>Any plan that is approved by federal, state, or local government funder(s) involved in the financing of the project; or</p> <p>A relocation plan containing the following (as applicable to the situation) which may be described in the application:</p> <ul style="list-style-type: none"> <li>○ Resident notification strategy for informing tenants of their relocation with appropriate lead time commensurate with the extent of the renovations and required relocation stay;</li> <li>○ Accommodation (monetary, labor assistance, or other) measures to be implemented. Monetary accommodation should consider reimbursement for extraordinary expenses such as movers, food, utilities, advisory or support services, storage of personal belongings, transportation, and security;</li> <li>○ Temporary relocation planning such as moving within the property to a different unit (either permanently or temporarily), storing of personal property on-site, moving to a hotel for a designated period of time, or other alternatives;</li> <li>○ Permanent relocation planning in the case of an occupant requesting such accommodation;</li> <li>○ A relocation budget categorizing the relocation costs and an anticipated average cost per household.</li> </ul>	1

## X. Project Readiness 7 points maximum, variable

### In General

Points will be awarded to projects based on the extent to which, at the time of application, they have documented to the Bank's satisfaction that they have met certain development benchmarks.

### **Calculation of Score**

Points are awarded based on the number of units within a project that satisfy the listed criteria:

<b>Readiness features:</b>	<b>Points</b>
1. Full site control (i.e., full title/ownership)	5.00
2. Partial site control (i.e., sole right to purchase property)	2.50
3. Construction in progress (i.e., Notice to Proceed has been issued)	2.00

The unit or unit-equivalent total for each element is divided by the total project units and multiplied by the maximum scoring category point value to derive the score for the element.

The pro-ration works as follows: if the project has full site control for one of two project parcels on which 60% of the units of a 100-unit project will be constructed, the calculation is:

60 (parcel with full site control) divided by 100 (total proposed project units) multiplied by 5.00 points, or 3.00 points.

## **XI. Native Housing**

### **5 points maximum, fixed**

Points will be awarded to projects where all units meet at least one of the following eligibility criteria.

- Have a project owner that is a Tribal Government, an agency of a Tribal Government, a Tribally Designated Housing Entity for the purposes of the Native American Housing Assistance and Self-Determination Act (NAHASDA), or an entity incorporated under or otherwise created in accordance with Tribal law; or
- Include Tribal Funding in the sources of funding for the proposed project, such as, but not limited to, Indian CDBG, Indian CSBG, Indian Health Service funds, NAHASDA funding. The amount of tribal funding included in the sources of funds must be: (1) for Rental Projects, an amount equal to or greater than the lesser of five percent (5%) of the project's total development costs or \$100,000; and (2) for Owner-Occupied Projects, at least \$5,000 per unit (i.e. \$5,000 x total number of units); or

A Tribal Government includes a Federally Recognized Tribe or a Tribe Awaiting Federal Recognition. Federally Recognized Tribe means American Indian entities legally recognized by the United States Federal government and eligible to receive services from the United States Bureau of Indian Affairs (BIA). Tribe Awaiting Federal Recognition means an American Indian entity on the BIA list of [Petitioners for Federal Acknowledgement](#).

Documentation requirement: Documentation must show that the project meets one of the three eligibility criteria listed above. To receive credit for Tribal Funding, documentation must show that the Tribal Funding is secured at the time of application.

## **XII. Small Rental Projects**

### **7 points maximum, fixed**

Points will be awarded to rental projects with fewer than or equal to 25 total units. Projects with greater than 25 total units will receive 0 points.

## **XIII. Subsidy Per Unit**

## **5 points maximum, Variable**

### **In General**

Points will be awarded based on the extent to which a project uses the least amount of AHP subsidy per AHP-targeted unit. For purposes of this scoring criterion, applications for owner-occupied and rental projects will be scored separately.

### **Calculation of Score**

#### **Rental Projects**

The project's subsidy per unit is the total subsidy requested divided by the number of income-restricted units, with a maximum request of \$65,000 per unit for rental projects.

Example:  $\$1,000,000 \div 32 \text{ units} = \$31,250 \text{ subsidy per unit}$

A project's requested subsidy per unit is scored on a declining scale within the rental range (\$30,000 to \$65,000 per unit), with points decreasing to zero as subsidy per unit increases. The score is calculated using the rental factor which divides the difference between the high and low ends of the range into the maximum points possible.

Rental factor:  $5/(\$65,000 - \$30,000) = .000143$

The low end of subsidy per unit range is subtracted from the project's subsidy per unit request, the difference is multiplied by the factor to arrive at a product. The product is subtracted from the maximum points possible.

Example:  $\begin{aligned} \$31,250 - \$30,000 &= \$1,250 \\ \$1,250 \times .000143 &= 0.18 \\ 5 - 0.18 &= 4.82 \text{ points} \end{aligned}$

In cases where the subsidy per unit is less than the low end of the specified range, the project is automatically awarded 5 points. Conversely, if the project's subsidy per unit is the high end of the range, it is granted no points. If the project's subsidy per unit is greater than \$65,000, the project will be ineligible.

#### **Owner-Occupied Projects**

The project's subsidy per unit is the total subsidy requested divided by the total number of units, with a maximum request of \$100,000 per unit for owner-occupied projects.

Example :  $\$600,000 \div 10 \text{ units} = \$60,000 \text{ subsidy per unit}$

Owner-occupied projects will be scored using the following scale:

- If the project's subsidy per unit is \$60,000 per unit or less = 5 points.
- If the project's subsidy per unit is greater than \$60,000 and equal to or less than \$100,000 per unit = 4 points

If the project's subsidy per unit is greater than \$100,000, the project will be ineligible.

## **Attachment E**

### **General Fund and Targeted Fund Compliance Monitoring Guidelines**

The Bank provides monitoring guidelines, which are available on the Bank's website, that set forth respective monitoring obligations for project Members, Sponsors, or Project Owners.

#### **I. Monitoring Prior to Project Completion – Semiannual Survey**

The Bank surveys the Member and Sponsor on the status of each project semiannually until the project is completed. The Bank may take action to cancel the subsidy, pursuant to the guidelines set forth in Sections II.F and III.F above.

## **II. Monitoring After Project Completion – Initial and Long-Term Monitoring**

### **A. Owner-Occupied Projects**

1. Within a reasonable period of time after project completion, the Bank conducts initial monitoring of the project. The Bank considers an owner-occupied project complete if it has met these three criteria:
  - a. AHP subsidies are fully funded;
  - b. construction or rehabilitation of the project is complete; and
  - c. all loans are closed, or all units are occupied.
2. The Bank requests from the Member a certification which states that
  - a. the AHP subsidies have been used according to the commitments made in the AHP application or approved modification(s) and the requirements of the Regulation;
  - b. the services and activities committed to in the AHP application or approved modification(s) have been provided; and
  - c. the AHP-assisted units are subject to AHP retention agreements that meet the requirements of Section 1291.15(a)(7) of the Regulation.
3. The Bank reviews the project's final development budget, unit purchase price, sources and uses of funds, borrower income as committed to in the AHP application or approved modification(s), and any such additional information as the Bank may require to validate the project's actual costs and to determine feasibility and need for subsidy in accordance with the Bank's feasibility guidelines. The Bank also reviews documentation supporting subsidy delivery, financing sources and terms, the existence of legally enforceable retention documents on the units, and third party income verification documents. The Bank will monitor all owner occupied projects, and will at least select a sample of the project's units to review back up documentation such as information on household income pursuant to the Bank's risk-based sampling plan.
4. There is no long-term monitoring required for owner-occupied projects.

### **B. Rental Projects**

1. Initial Monitoring
  - a. Within a reasonable period of time after project completion, the Bank conducts initial monitoring of the project. The Bank considers a rental project complete if it has met these two criteria:
    - 1) AHP subsidies are fully funded; and
    - 2) construction or rehabilitation of the project is complete as evidenced by a habitability document such as a Certificate of Occupancy or Notice of Completion.
  - b. The Bank requests from the project owner a certification which states that:
    - 1) the AHP subsidies have been used according to the commitments made in the AHP application or approved modification(s) and the requirements of the Regulation;
    - 2) tenant rents and incomes are accurate and in compliance with targeting commitments;
    - 3) any services and activities committed to in the AHP application or approved modification(s) have been provided; and
    - 4) the project is subject to AHP retention agreements that meet the requirements of Section 1291.15(a)(8) of the Regulation.

- c. The Bank performs feasibility and need for subsidy analysis of the final development budget, sources and uses of funds, pro forma income and expense projections and any such additional information as the Bank may require to validate the project's actual costs and to determine feasibility and need for subsidy in accordance with the Bank's feasibility guidelines. The Bank reviews the project's rent roll and assesses if rent and income levels meet targeting commitments in the AHP application. Although the Bank conducts initial monitoring of all projects in the General Fund and Targeted Fund, in connection with its analysis of the rent roll, the Bank may review back-up documentation regarding household incomes and rents for selected units based on the Bank's risk-based plan for selecting units to sample. In addition, the Bank reviews documents supporting subsidy delivery, financing sources and terms, and the existence of legally enforceable retention documents on the project.

### **C. Long-term Monitoring**

1. For rental projects that have been allocated federal Low-Income Housing Tax Credits (LIHTC), the Bank will rely on the monitoring by the state-designated housing credit agency administering the tax credits of the income targeting and rent requirements applicable under the tax credit program. The Bank will not obtain and review reports from such agency or otherwise monitor the projects' long-term AHP compliance, except that the Bank will review any LIHTC noncompliance notices received from project owners pursuant to Section 1291.15(a)(5)(ii) of the Regulation during the AHP 15-year retention period.
2. For rental projects that have **not** been allocated tax credit financing,
  - a. The Bank will require project owners to submit annual certifications that household incomes and rents are in compliance with the commitments made in the approved AHP application during the AHP 15-year retention period, along with information on the ongoing financial viability of the project, including whether the project is current on its property taxes and loan payments, its vacancy rate, and whether it is in compliance with its commitments to other funding sources.
  - b. The Bank will use a risk-based sampling plan to determine which rental projects will be subject to long-term monitoring to commence in the second year after project completion during the AHP 15-year retention period. The sampling of projects will be based on one or more risk factors, such as amount of AHP subsidy in the project, type of project, size of project, location of project, Sponsor experience and performance, and any other monitoring of the project provided by a federal, state or local government entity.
  - c. For the projects sampled, the Bank will review:
    - 1) the back-up project documentation regarding household incomes and rents maintained by the project owner, and
    - 2) other project documentation as the Bank deems necessary.

### **III. Site Visits**

The Bank may conduct a site visit at any stage of a project (pre- or post-completion) based on the current status of the project. In determining whether to conduct a site visit, the Bank may consider various factors, including (without limitation):

- A. Whether the project is in compliance with the requirements of the AHP,
- B. The amount of subsidy awarded to the project,
- C. Material changes in the project since approval that could delay the project beyond the Bank's completion deadline, bring into question the project's need for subsidy, or threaten its financial feasibility,
- D. The results of inquiries or site visits conducted by another monitoring entity that come to the Bank's attention.