

**M E M O R A N D U M**

To: Board of Commissioners

From: Mai Lan Riggle, Rental Housing Program Supervisor

Re: 2006 Qualified Allocation Plan Public Hearing

Date: July 13, 2005

Re: Summary of Comments to the 2006 Qualified Allocation Plan (QAP)

---

A public hearing on the calendar year 2006 Qualified Allocation Plan for tax credits took place on Monday, July 11, 2005 in the V. Jean Butler Board Room at the Louisiana Housing Finance Agency, 2415 Quail Drive, Baton Rouge, LA 70808. Below is a summary of the written comments received in advance of the public hearing and the oral comments received at the public hearing by topic and the staff's response:

**I. Written Comments:**

**Butch Richardson :**

- Too many points given for project in a QCT, DDA or RD Target area.
- Selection Criteria DD, points for are too high. Consider the option of obtaining a Resolution or a letter of support.
- Selection Criteria H, clarify percentages and points for four or more bedrooms set aside. Points for large families eliminated but associated Supportive Services requirements are still listed.
- Selection Criteria K, clarify points and percentages for handicap equipped.
- Selection Criteria X, projects that returned credits should be penalized, not awarded points.
- Selection Criteria Z, Louisiana Developer points should be awarded if any General Partner fits the definition, not just the Managing GP.
- Eliminate point section for local non-profit sponsor.
- Application deadlines on page 4 do not agree with deadlines listed on the timetable.
- Is it a requirement to submit a preliminary application for review?
- PHA sub-pool is too large.
- Selection Criteria EE, Government reduces cost. Advantage given to larger metro areas and MSAs. The most needy areas cannot compete.

- Selection Criteria FF, design features shows a maximum of 20 points but only 10-point item remains.
- PHA Pool, Remove the policy by the Agency to set percentages for Partners.

Staff Response:

- QCT, DDA or RD, Staff recommends no change. QAP assigns 10 points to this category.
- Selection Criteria DD, Staff recommends no change.
- Selection Criteria H, Staff has provided clarifying language.
- Selection Criteria K, Staff has provided clarifying language
- Selection Criteria X, Staff recommend no change
- Selection Criteria Z, Staff recommends no change
- Eliminate points local non-profit sponsor. This criterion is not in this QAP
- Application deadlines on page 4 & 7 do not agree. Staff has made appropriate adjustments
- Is it a requirement to submit a preliminary application for review? No. It is a developer's option.
- PHA sub-pool is too large, Staff recommends no changes
- Selection Criteria EE, Staff recommends no change
- Selection Criteria FE, Staff has made appropriate adjustments
- PHA Pool, Staff recommends no change

**Michael Bodaken, National Housing Trust :**

- Urge LHFA to create a set aside for preservation and improvement of existing affordable housing in the State of Louisiana.

Staff Response:

The current QAP provides for set-asides for RD and PHAs. These set-asides may be utilized to preserve existing housing stock through rehabilitation.

**DHH :**

- Selection Criteria J, add “(vi) description of plan to inform the disability community of the availability of set aside units.” The staff will provide the names and locations of housing developments, including the number of set-aside units, via the Agency's website
- Include a representative from the Disability Advisory Board in the application review process. Staff recommends no change.
- Selection Criteria Z, include or add “Contact person listed in application attended Agency sponsored Workshop in Universal Design and ADA requirements.” Staff recommends no change.
- Remove the word “handicapped” and replace the “persons/individuals with disabilities” and replace handicapped equipped units with “units with accessibility features” throughout the QAP Staff recommends no change.

Staff Response:

- Selection Criteria J, The staff will provide the names and locations of housing developments, including the number of set-aside units, via the Agency's website
- Include a representative from the Disability Advisory Board in the application review process. Staff recommends no change.
- Selection Criteria Z, Staff recommends no change.
- Remove the word "handicapped" and replace the "persons/individuals with disabilities" and replace handicapped equipped units with "units with accessibility features" throughout the QAP. Staff recommends no change.

**Teresa Stewart, T.A. Miller, Inc. :**

- Deadlines on page 4 do not match those on page 7. Staff has made the appropriate changes.
- Selection Criteria G, households in poverty addressed. The Glossary provides a definition for Poverty Census Tract but the selection criteria does not provided points for this. The definition has been deleted from the glossary.
- Combine Home and Tax Credit applications. The Tax Credit and HOME Applications are to be combined this funding round.
- The Selection Criteria provides 50 points for SROs, this favors the homeless, but disenfranchises families.

Staff Response:

- Deadlines on page 4 do not match those on page 7. Staff has made the appropriate changes.
- Selection Criteria G, The definition has been deleted from the glossary.
- Combine Home and Tax Credit applications. The Tax Credit and HOME Applications are to be combined this funding round.
- The Selection Criteria provides 50 points for SROs, this favors the homeless, but disenfranchises families. Staff recommends no change.

**Phillip Ellen:**

- Reconsider pooling of tax-credits by Congressional districts. Staff recommends no change
- Selection Criteria DD, Support by local government. Remove this criterion. Staff recommends no change
- Extending the compliance period for 35 years is pointless. Staff recommends no change.

Staff Response:

- Reconsider pooling Congressional districts, Staff recommends no change
- Selection Criteria DD, Staff recommends no change
- The for 35 years compliance period is pointless, Staff recommends no change.

## II. Oral Comments:

- Jack Tolson:

Does bond financing affect the pool?  
Developer Fee and NP should be able to negotiate the fee.  
What does LHFA mean by no binding?  
Date moved up to 9/15/2005 for final application, is this correct?  
Award date should read December 2005.  
Handicapped unit requirement is too high.  
Limit the PHA pool to the PHAs and their affiliates.  
Cost limits should be increased; the national average has increased by 21%.

Staff Response:

Bond financing does not affect the credit ceiling.  
The application can be in a binder; no spiral/permanent binding.  
Final application deadline has been moved up to 9/15/2005.  
Handicapped unit requirement follows the minimums set for by Section 504 of Rehabilitation Act of 1973; the higher points for units in excess of this Act is an option.

- Mark Turrentine:

Why must developer fees to CHDOs be paid in full at the placed in service audit.

Staff Response:

This ensures the Non-profit receives their developer fees.

- Robert Davis:

Increase project limit to match the sub pool.

Staff Response:

The \$313,000.00 per sub pool will change based upon the set aside for the second Economic Development project.

- Mark Turrentine:

Why are for profits limited to 10% while CHDOs get 15%?

Staff Response:

The 15% is for a for-profit collaborating with a non-profit, allowing an additional 5% for the for-profit.

- Robert Davis:

If PHAs are developers why not make them compete on an equal footing, do away with the PHA pool and make them compete on an equal footing?

Staff Response:

LHFA will require PHAs to evidence the use of HOPE VI and CAP Funds.

- Mark Turrentine:

As a for-profit, I can only compete in the General Sub-Pool.

No. As a for-profit, you may compete in the Rural Development, General Sub-Pool, or the Economic Development Project Pools

David Miller:

For-profit should collaborate with the PHA.

Staff Response:

Staff recommends no change.

- Dan Strange:

Pointed out there are no development funds for PHAs coming from HUD, and only PHAs with Section 8 reserves prior to 12/31/2003 could use these reserves for development. The PHA pool is a necessity.

Robert Davis – does not want to impede PHAs

- Nancy Robertson:

Suggested that the Market Study, by mandate, assess the needs for the particular development.

Encourage developers to use universal design features.

Staff Response:

Staff recommends no change

- Toni Brunnini:

There are not enough disabled persons to fill current accessible units, there should not be a mandate for requiring X amount of days to hold a unit for handicapped tenant.

Tammy LeBlanc – add language in the lease requiring a non-handicapped household to move if a disabled household requires the unit.

Toni Brunnini – the language already exists.

Ronald Benitez – suggested LHFA become a clearinghouse to match handicapped units with disabled persons.

Staff Response:

The Agency will use its website to facilitate.

- Charlotte Bourgeois:

What documentation is acceptable that a household is handicapped?

Staff Response:

Staff will finalize the definition and advise developers accordingly.

- Mr. Gibson:

Wanted to point out that there is not a reliable source for statistical information on handicapped persons available.

Pipeline Analysis refers to demolition permits; some cities do not have demolition permits.

Staff Response:

QAP will be changed to reflect demolition permits or equivalent.

- Ronald Benitez:

When does the Public comment period end?

When does the Board would vote on the final QAP?

Where is the second Economic Development project to be located?

Is the workshop still scheduled for July 20, 2005 and are the dates set?

Will LHFA publish the tiebreaker criteria?

Do we have an approved list of Market Study Analysts?

Why does LHFA set aside more than the 10% mandate for non-profits?

Remove the maximum TDC for Bond deals.

Add no maximum square footage for Bond deals.

Staff Response:

Public comment period ends close of business today.

Board to vote on final QAP Wednesday, July 13, 2005.

Second Economic Development project will be added to the QAP prior to final vote.

Workshop is still planned for July 20, 2005, A notice of the workshop will be provided not later than Wednesday, July 13, 2005.

An approved list of Market Study Analysts is available on the website.