



**Louisiana Housing**  
Corporation

# **Board of Directors**

## **Agenda Item #11**

Resolution accepting the proposal of Stifel Nicolaus & Company, Incorporated or such other purchaser as may be designated by the Taxpayer for the purchase of not to exceed Ten Million Dollars (\$10,000,000) Multifamily Housing Revenue Bonds for **Malcolm Kenner** located at 850 Reverend Richard Wilson Drive, Kenner, Jefferson Parish, Louisiana 70062, in one or more series; fixing the parameter terms of said bonds and otherwise providing with respect to said bonds; and providing for other matters in connection with the foregoing.

**July 14, 2021**

## Malcolm Kenner Kenner, Louisiana Jefferson Parish

Construction Type: Acquisition & Rehab

Developer Contact: Marcin Dzido

LEDG Capital, LLC  
1200 5th Avenue Suite 1825  
Seattle, WA 98101

Buildings / Units: 12 / 66

Total Development Costs: \$15,701,913.00

Total Cost / Sq. Ft: \$295.17

Total Cost /Unit: \$237,907.77

\*Excluded from TDC Limit Calculation: Reserves and Community Facilities Costs.

### Narrative

Malcolm Kenner Apartments is an existing multifamily development at 850 Reverend Richard Wilson Drive in Kenner, LA. Malcolm Kenner offers 22 two- and 44 three-bedroom units to families. 65 out of 66 units benefit from project-based Section 8 rental subsidy. The project is located on two sites facing each other. The project has 12 buildings, 9 on one side of Third Street and 3 on the opposite. The 12 buildings are two-story walk-ups. The buildings were constructed in 1969 and are in good condition. Unit amenities include tile flooring, a stove and refrigerator, wall A/C and cable TV access. The units have gas heat, gas water heating, and gas ranges. All utilities except electricity are provided by the owner. Malcolm Kenner will be renovated using LIHTC which will assure that the project remains high quality housing option for low income families for years to come.

**Reason for Requested Approval**

Requesting Approval of Final Sale of:

- \$10,000,000 in Multifamily Housing Revenue Bonds

**Project History and Previous Board Action**

Acquisition Rehab of a Project Based Section 8 Multifamily Development

**Development Team**

Developer - LEDG Capital, LLC  
 Architect - Benton Design Group  
 Builder/Contractor - Wilshire Pacific Builders LLC  
 Attorney - Coats Rose  
 Accountant - Little & Associates  
 Management Company - Latter & Blum Property Management  
 Syndicator - CREA

**Project Specifics**

Construction Costs	Amount
Building Acquisition	\$6,825,000.00
Land Acquisition	\$100,000.00
Total Hard Costs	\$5,443,784.00
Construction Contingency	\$544,378.00
Total Developer's Fee	\$1,826,469.00
Total Soft Costs / Other	\$2,141,111.00
Total Development Cost	\$16,880,742.00
Maximum TDC Limit	\$238,147.33
*Adjusted TDC	\$15,701,913.00

**Unit Mix**

0 BR	1 BR	2 BR	3 BR	4 BR
0	0	22	44	0

**Development Costs**

* Total Development Costs	\$15,701,913
Total Units	66
Total Buildings	12
Total Cost/Unit	\$237,908
Total Square Feet	53,196
Total Cost/Sqft	\$295

\*Excluded from TDC Limit Calculation: Reserves and Community Facilities Costs

**Funding Sources**

FHA	\$10,719,520.00
Deferred Developer Fee	\$1,288,937.00
Estimated LIHTC Equity Proceeds	\$4,872,285.00
Total Sources of Funds	\$16,880,742.00

**2021 Application / 2021 QAP  
Malcolm Kenner 4% LIHTC**

<b>Total Development Cost</b>	<b>\$ 16,880,742</b>	<b>\$ 15,054,273.00</b> Total cost net developer fee 12.66% Developer fee percent
<b>Developer Fee Rehab</b>	<b>35% \$ 5,443,784</b>	
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<b>Total Allowable Developer Fee</b>	<b>\$ 1,905,324</b>	35% of rehab line item
<b>Non profit 20% fee</b>	<b>\$ -</b>	20% of maximum Developer fee
<b>Total Fee</b>	<b>\$ 1,905,324</b>	Maximum permitted Developer fee.
<b>Total Developer Fee</b>	<b>\$ 1,826,469</b>	

**LOUISIANA HOUSING CORPORATION**

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION**

**A resolution accepting the proposal of Stifel Nicolaus & Company, Incorporated or such other purchaser as may be designated by the Taxpayer for the purchase of not to exceed Ten Million Dollars (\$10,000,000) Multifamily Housing Revenue Bonds for Malcolm Kenner located at 850 Reverend Richard Wilson Drive, Kenner, Jefferson Parish, Louisiana 70062, in one or more series; fixing the parameter terms of said bonds and otherwise providing with respect to said bonds; and providing for other matters in connection with the foregoing.**

**WHEREAS**, the Board of Directors (the “**Board**”) of the Louisiana Housing Corporation (the “**LHC** or the “**Corporation**”) on May 12, 2021, adopted a resolution approving and authorizing the issuance of not exceeding Ten Million Dollars (\$10,000,000) of Louisiana Housing Corporation Multifamily Housing Revenue Bonds (Malcolm Kenner Project) in one or more series and authorized the publication of a Notice of Intention to Sell at Private Sale (the “**Notice**”) in connection therewith; and

**WHEREAS**, said bonds are being designated as “Louisiana Housing Corporation Multifamily Housing Revenue Bonds (Malcolm Kenner Project)” in the aggregate principal amount of not to exceed Ten Million Dollars (\$10,000,000) (the “**Bonds**”) and are being issued for the purpose of providing funds to (i) pay the cost for the acquisition, construction, rehabilitation, and/or equipping of a multifamily housing facility serving low and moderate income special needs households in Kenner, Jefferson Parish (the “**Project**”), (ii) fund such reserve accounts as may be required and (iii) pay the costs of issuance associated with the Bonds; and

**WHEREAS**, as set forth in said resolution, the Notice of Sale was published on July 5, 2021 in “*The Advocate*” and in the “*The Daily Journal of Commerce*” for an amount not to exceed Ten Million Dollars (\$10,000,000); and

**WHEREAS**, in accordance with the aforesaid resolution adopted by the LHC on May 12, 2021, the sale of the Bonds was scheduled for July 14, 2021; and

**WHEREAS**, the LHC did meet on July 14, 2021, at 10:00 a.m., Louisiana time, for the purpose of receiving and considering the proposal of Stifel Nicolaus & Company, Incorporated or such other purchaser (the “**Purchaser**”) as may be designated by Malcolm Kenner Partners, LLC, a Louisiana limited liability company (the “**Taxpayer**”), and taking action with respect to the parameter sale of not exceeding Ten Million Dollars (\$10,000,000) of the Bonds pursuant thereto;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the LHC, acting as the governing authority of said LHC, that:

**SECTION 1.** The parameter written terms submitted this day by Stifel Nicolaus & Company, Incorporated or such other purchaser as may be designated by the Taxpayer, for the purchase of bonds designated “Louisiana Housing Corporation Multifamily Housing Revenue Bonds (Malcolm Kenner Project)” in on more series in the aggregate principal amount of not exceeding Ten Million Dollars (\$10,000,000), at an interest rate not exceeding 12% per annum, and for a maturity not exceeding 40 years, authorized under and pursuant to the provisions of a Bond Trust Indenture (the “**Indenture**”), by and between a trustee to be determined (the “**Trustee**”), and the LHC be, and the same are hereby awarded to the Purchaser; provided, however, that the sale and delivery of the Bonds are conditioned upon approval by the State Bond Commission and compliance with any and all approvals and/or certifications required by the Louisiana Attorney General. The sale of the Bonds in accordance with said Indenture is hereby authorized and approved. The Chairperson, Interim Executive Director and/or Secretary of the Corporation are hereby authorized and directed for, on behalf of and in the name of the LHC, to execute, deliver and approve such instruments, documents, and certificates as may be required or necessary, convenient or appropriate to the financing described herein, including, but not limited to, the following described documents for the Bonds on file with the LHC:

- (i) Bond Trust Indenture,
- (ii) Financing Agreement, and
- (iii) Tax Regulatory Agreement.

The aforesaid officers are additionally authorized to approve any changes in the aforementioned documents provided such changes are in accordance with Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, as amended, and with the approval of Counsel to

the LHC or Bond Counsel. As provided in the resolution adopted by the LHC on May 12, 2021, the costs of financing the Project will be paid out of the proceeds from the sale of the Bonds, in one or more series, which shall be special, limited obligations of the LHC, payable solely out of the revenues derived by the LHC with respect to the Project for which financing is made available, and the Bonds and the interest thereon shall never constitute the debt or indebtedness of the LHC, the State of Louisiana (the “State”), or any political subdivision thereof within the meaning of any provision or limitation of the Constitution or statutes of the State, nor shall the same give rise to a pecuniary liability of the LHC or the State or any political subdivision thereof or a charge against their general credit or taxing power, and such limitation shall be plainly stated on the face of the Bonds.

**SECTION 2.** A bank is to be designated by the Taxpayer or LHC as Trustee and Paying Agent with respect to the Bonds in accordance with the provisions of the Indenture.

**SECTION 3.** In order to accomplish the sale of the Bonds in accordance with the terms of this resolution, either the Chairperson, Interim Executive Director and/or Secretary of the Corporation, acting on his behalf, be and they are hereby authorized and directed to execute and deliver, for and on behalf of the LHC, the Indenture in substantially the form thereof which is now before this LHC and filed with the Secretary of this Board of Directors with such revisions or changes as may be approved by Bond Counsel, shall effect the delivery of the Bonds to the Purchaser in accordance with the Indenture, and shall deposit the same with the Trustee under the Indenture in accordance with the provisions thereof.

**SECTION 4.** The Bonds will be dated, will be in the denominations and will have all the terms set forth in the Indenture. The Bonds are limited obligations of the Corporation and

will be payable solely out of the income, revenues and receipts derived from the Project and funds and accounts held under and pursuant to the Indenture and pledged therefor.

**SECTION 5.** The Bonds shall be subject to redemption in accordance with the Indenture.

**SECTION 6.** By virtue of LHC's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

**SECTION 7.** This resolution shall take effect immediately.

This resolution having been submitted to a vote, the vote thereon was as follows:

**YEAS:**

**ABSTAIN:**

**NAYS:**

**ABSENT:**

And the resolution was declared adopted on this, the 14<sup>th</sup> day of July, 2021.

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Chairperson

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Secretary

**STATE OF LOUISIANA**

**PARISH OF EAST BATON ROUGE**

I, the undersigned Secretary of the Board of Directors of the Louisiana Housing Corporation (the “LHC”), do hereby certify that the foregoing pages constitute a true and correct copy of a resolution adopted by said Board of Directors on July 14, 2021, entitled: “A resolution accepting the proposal of Stifel Nicolaus & Company, Incorporated or such other purchaser as may be designated by the Taxpayer for the purchase of not to exceed Ten Million Dollars (\$10,000,000) Multifamily Housing Revenue Bonds for Malcolm Kenner located at 850 Reverend Richard Wilson Drive, Kenner, Jefferson Parish, Louisiana 70062, in one or more series; fixing the parameter terms of said bonds and otherwise providing with respect to said bonds; and providing for other matters in connection with the foregoing.”

**IN FAITH WHEREOF**, witness my official signature and the impress of the official seal of the LHC on this, the 14<sup>th</sup> day of July, 2021.

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Secretary

(SEAL)