



The QAP, Application & LURA

January 9, 2026

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Contact Information

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Announcements

Schedule:

- The webinar and open forum will run from 9:00 am until approximately 11:30 am
- We will take a break mid-morning to shift from the webinar to the open forum
- Staff will be present to answer any questions

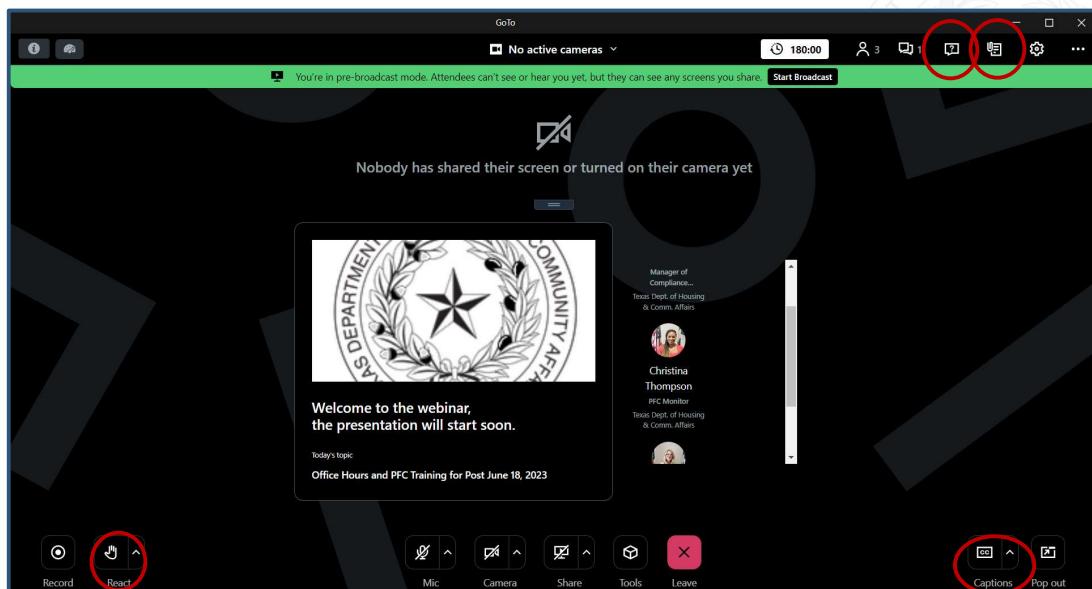
Housekeeping:

- Certificates **will not** be emailed but you will receive an email confirming your attendance, usually within 24-hours in an email from the GoTo Platform, please check your “junk” folders as we cannot reissue these emails
 - If you did not use your emailed link for the training from your registration you will not receive a follow-up email or show as having attended the webinar
- We suggest you silence your phones and put an “out of office” email response to help avoid distractions during the training
- Please pose questions and comments to the “Questions Box”

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GoTo Meeting Platform



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TDHCA Resources

- **TDHCA Main Website**
 - <https://www.tdhca.texas.gov/>
- **Multifamily Housing Programs**
 - <https://www.tdhca.texas.gov/programs/multifamily-housing-programs>
- **Real Estate Analysis**
 - <https://www.tdhca.texas.gov/real-estate-analysis>
- **Multifamily Programs - QAP, NOFAs and Rules**
 - <https://www.tdhca.texas.gov/multifamily-programs-qap-nofas-and-rules>
- **Asset Management**
 - <https://www.tdhca.texas.gov/ms/asset-management>
- **Texas Administrative Code**
 - https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=VIEW_TAC&part=1&title=10



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TDHCA (Multifamily Compliance) Resources

- **Main Compliance Page**
 - <https://www.tdhca.texas.gov/compliance>
- **Compliance Manuals & Rules**
 - <https://www.tdhca.texas.gov/compliance-manuals-and-rules>
- **Compliance Forms**
 - <https://www.tdhca.texas.gov/compliance-forms>
- **Compliance Reports**
 - <https://www.tdhca.texas.gov/compliance-reports>
- **Compliance Utility Allowance Information**
 - <https://www.tdhca.texas.gov/compliance-utility-allowance-information>
- **Income and Rent Limits**
 - <https://www.tdhca.texas.gov/income-and-rent-limits>
- **Compliance Training**
 - <https://www.tdhca.texas.gov/compliance-training>
- **Compliance Frequently Asked Questions (FAQs)**
 - <https://www.tdhca.texas.gov/compliance-frequently-asked-questions-faqs>
- **Compliance Division Staff**
 - <https://www.tdhca.texas.gov/compliance-division-staff>



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If You Need Housing Assistance:

If you need housing assistance, such as rental assistance, utility assistance or finding affordable apartments, please contact:

Phone: (800) 525-0657

Email: info@tdhca.texas.gov

Or visit Help For Texans:

<https://www.tdhca.texas.gov/help-for-texans>



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Background



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QAP & Application vs. Land Use Restriction Agreement (LURA)

- The Qualified Allocation Plan (QAP) is the instruction manual to apply for credits. It is updated annually and the Land Use Restriction Agreement (LURA) templates for that award year will match the QAP and application.
- If the LURA is not in place at the time of the first (or second) monitoring review, the monitor will use the Application and QAP for the award year to determine compliance monitoring requirements.
- What the Owner agrees to in the Application will determine how the property must operate and what requirements will be outlined in the LURA.
- 10 TAC §10.602(a): The Department will provide written notice to the Owner if the Department discovers through monitoring, audit, inspection, review, or any other manner that the Development is not in compliance with the provisions of the **LURA, deed restrictions, application for funding, conditions imposed by the Department, this subchapter, or other program rules and regulations, including but not limited to §42 of the Internal Revenue Code**. All such requirements are the Owner's responsibility, even if the Owner is using a manager or management company's services.

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Links

- **Main Link:** <https://www.tdhca.texas.gov/multifamily-programs-qap-nofas-and-rules>
- **2026 compared to 2025:**
<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/26-QAP-bl.pdf>
- **2026 QAP:**
<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/26-QAP.pdf>
- **MF BOND Rules:**
<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-MFBondRules.pdf>
- **2025 QAP:**
<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-QAP.pdf>

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(5) Common Amenities.

(A) All Developments must include sufficient common amenities as described in subparagraph (C) of this paragraph to qualify for at least the minimum number of points required in accordance with clauses (i) - (vi) of this subparagraph:

- (i) Developments with 16 to 40 Units must qualify for two (2) points;
- (ii) Developments with 41 to 76 Units must qualify for four (4) points;

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- (iii) Developments with 77 to 99 Units must qualify for seven (7) points;
- (iv) Developments with 100 to 149 Units must qualify for ten (10) points;
- (v) Developments with 150 to 199 Units must qualify for fourteen (14) points; or
- (vi) Developments with 200 or more Units must qualify for eighteen (18) points.

(6) Unit Requirements.

(A) Unit Sizes. Developments proposing New Construction or Reconstruction will be required to meet the minimum sizes of Units as provided in clauses (i) - (v) of this subparagraph. These minimum requirements are not associated with any selection criteria. Developments proposing Rehabilitation (excluding Reconstruction) or Supportive Housing Developments will not be subject to the requirements of this subparagraph. If the Development involves both Rehabilitation and Reconstruction or New Construction, the Reconstruction or New Construction Units must meet these requirements. The requirements are:

- (i) four hundred fifty (450) square feet for an Efficiency Unit;
- (ii) five hundred fifty (550) square feet for a one Bedroom Unit;
- (iii) eight hundred (800) square feet for a two Bedroom Unit;
- (iv) one thousand (1,000) square feet for a three Bedroom Unit; and
- (v) one thousand, two-hundred (1,200) square feet for a four Bedroom Unit.

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(7) Resident Supportive Services. The resident supportive services include those listed in subparagraphs (A) - (E) of this paragraph, which are grouped primarily for organizational purposes. Applicants are not required to select a specific number of services from each section. Tax Exempt Bond Developments must select a minimum of eight points; Direct Loan Applications not layered with Housing Tax Credits must include enough services to meet a minimum of four points. The points selected and complete list of supportive services will be included in the LURA and the timeframe by which services are offered must be in accordance with §10.619 of this title (relating to Monitoring for Social Services) and maintained throughout the Affordability Period. The Owner may change, from time to time, the services offered; however, the overall points as selected at Application must remain the same. A Development Owner may be required to substantiate such service(s) if requested by staff. Should the QAP in subsequent years provide different services than those listed in subparagraphs (A) - (E) of this paragraph, the Development Owner may request an Amendment as provided in §10.405(a)(2) of this chapter (relating to Amendments and Extensions). The services provided should be those that will directly benefit the Target Population of the Development. Residents must be provided written notice of the elections made by the Development Owner. No fees may be charged to the residents for any of the services, there must be adequate space for the intended services and services offered

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should be accessible to all (e.g. exercises classes must be offered in a manner that would enable a person with a disability to participate). Unless otherwise specified, services must be provided on-site or transportation to those off-site services identified on the list must be provided. The same service may not be used for more than one scoring item. These services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site leasing staff or property maintenance staff would not be considered a qualified provider. Where applicable, the services must be documented by a written agreement with the provider. Unless otherwise noted in a particular clause, courses and services must be offered by an onsite instructor(s).

<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-QAP.pdf>

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(ii) annual income tax preparation (offered by an income tax prep service) or IRS-certified VITA (Volunteer Income Tax Assistance) program (offered by a qualified individual) that also emphasizes how to claim the Earned Income Tax Credit (1 point);

(iii) contracted career training and placement partnerships with local worksource offices, culinary programs, or vocational counseling services; may include resident training programs that train and hire residents for job opportunities inside the development in areas like leasing, tenant services, maintenance, landscaping, or food and beverage operation (2 points);

(iv) external partnerships for provision of weekly substance abuse meetings at the Development Site (1 point);

(v) reporting rent payments to credit bureaus for any resident who affirmatively elects to participate, which will be a requirement of the LURA for the duration of the

ing and placement service that -based wraparound services to healthcare institution workforce

(3) Resident Supportive Services. (§2306.6710(b)(3) and (1)(G), and §2306.6725(a)(1)) A Development may qualify to receive up to eleven (11) points.

(A) The Applicant certifies that the Development will provide a combination of resident supportive services, which are listed in §11.101(b)(7) of this chapter (relating to Development Requirements and Restrictions) and meet the requirements of that section. (10 points)

(B) The Applicant certifies that the Development will contact local nonprofit and governmental providers of services that would support the health and well-being of the Department's residents, and will make Development community space available to them on a regularly-scheduled basis to provide outreach services and education to the tenants. Applicants may contact service providers on the Department list, or contact

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other providers that serve the general area in which the Development is located. (1 point).

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(B) The Development must commit at least 5% of the total Units to Persons with Special Housing Needs. For purposes of this subparagraph, Persons with Special Housing Needs is defined as a household where one or more individuals have alcohol or drug addictions, is a Colonia resident, a Person with a Disability, has Violence Against Women Act Protections (domestic violence, dating violence,

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sexual assault, and stalking), HIV/AIDS, homeless, veterans, and farmworkers. Throughout the Compliance Period, unless otherwise permitted by the Department, the Development Owner agrees to specifically market Units to Persons with Special Housing Needs. In addition, the Department will require an initial minimum twelve-month period during which Units must either be occupied by Persons with Special Housing Needs or held vacant, unless the Units receive HOME funds from any source. After the initial twelve-month period, the Development Owner will no longer be required to hold Units vacant for Persons with Special Housing Needs, but will be required to continue to specifically market Units to Persons with Special Housing Needs. (2 points)

(C) if the Development has committed Units under subparagraph (B) of this paragraph, the Development must commit at least an additional 2% of the total Units to Persons referred from the Continuum of Care or local homeless service providers to be made available for those experiencing homelessness. Rejection of an applicant's tenancy for those referred may not be for reasons of credit history or prior rental payment history. Throughout the Compliance Period, unless otherwise permitted by the Department, the Development Owner agrees to specifically market the 2% of Units through the Continuum of Care and other homelessness providers local to the Development Site. In addition, the Department will require an initial minimum twelve-month period in Urban subregions, and an initial six-month period in Rural subregions, during which Units must either be occupied by Persons referred from the Continuum of Care or local homeless service providers, or held vacant, unless the Units receive HOME funds from any source. After the initial twelve-month or six-month period, the Development Owner will no longer be required to hold Units vacant but will be required to continue to provide quarterly notifications to the Continuum of Care and other homeless service providers local to the Development Site on the availability of Units at the Development Site. A Development is not eligible under this paragraph unless points have also been selected under subparagraph (B) of this paragraph. (1 point)

(D) if the Development is Supportive Housing and has a proposed occupancy preference or limitation for Veterans or a subgroup of only Veterans that is required or allowed by other federal or state financing by the Full Application Delivery Date. These points are only available to Developments that are proposed to be located on sites owned by the United States Department of Veterans Affairs (1 point).

<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-QAP.pdf>

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(C) Nonprofit Organization. The ownership structure contains a nonprofit organization that meets the requirements of IRC §42(h)(5)(C) on the Application Delivery Date, with at least 51% ownership in the General Partner of the Applicant. (2 points)

(i) The nonprofit organization must maintain Control of the Development and materially participate in the operation of the Development throughout the Compliance Period. Nonprofit organizations that formally operate under a parent organization may assign Control of the Development to that parent organization, so long as it meets the requirements of IRC §42(h)(5)(C).

(ii) The nonprofit organization, or individuals with Control of the nonprofit organization, must provide verifiable documentation of at least 10 years' experience in the continuous operation of a Development that provides services similar to those in the proposed Development.

(iii) The Applicant will provide a minimum of 3 additional points under §11.101(7) of this chapter (related to Resident Supportive Services), in addition to points selected under subsection (c)(3) of this section.

(G) The Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations and will specifically market to the public housing authority (PHA) waitlists for any PHA in the city and/or county the Development is located within and the PHA of any City within 5 miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to veterans and PHA waiting lists. Exceptions to this requirement must be approved by the Department.

(E) The Development Owner agrees to implement a plan to use Historically Underutilized Businesses (HUB) in the development process consistent with the Historically Underutilized Business Guidelines for contracting with the State of Texas. The Development Owner will be required to submit a report of the success of the plan as part of the cost certification documentation, in order to receive IRS Forms 8609 or, if the Development does not have Housing Tax Credits, release of retainage.

<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-QAP.pdf>

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(5) Extended Affordability. (§§2306.6725(a)(5) and (7); 2306.111(g)(3)(C); 2306.185(a)(1) and (c); 2306.6710(e)(2); and 42(m)(1)(B)(ii)(II)) An Application may qualify to receive up to four (4) points for this item.

(A) Development Owners that agree to extend the Affordability Period for a Development to 45 years total. (4 points)

(B) Development Owners that agree to extend the Affordability Period for a Development to 40 years total. (3 points)

(C) Development Owners that agree to extend the Affordability Period for a Development to 35 years total. (2 points)

(47) Elderly Development--A Development that either meets the requirements of the Housing for Older Persons Act (HOPA) under the Fair Housing Act, or a Development that receives federal funding that has a requirement for a preference or limitation for elderly persons or households, but must accept qualified households with children.

<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/25-QAP.pdf>

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2026 Qualified Allocation Plan



Texas Department of Housing and Community Affairs

2026 Qualified
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As Approved, with modifications
December 5, 2013

This Qualified Allocation Plan was approved by Governor Greg Abbott, with a modification, on [REDACTED]. This version of the QAP is provided as a court-stipulated rule, will be posted on the Texas Administrative Code website. Non-substantive differences may exist between this version and the official version posted on the Texas Administrative Code website.

<https://www.tdhca.texas.gov/sites/default/files/multifamily/docs/26-QAP.pdf>

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(F) The Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations and will specifically market to authority (PHA) waitlists for any PHA in the city and/or county the Development must be within and the PHA of any City within 5 miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans, waiting lists and report to the Department in the annual housing report marketing efforts to veterans and PHA waiting lists. Exceptions to this will be approved by the Department.

(5) **Extended Affordability.** §§2306.6725(a)(5) and (7); 2306.111(g)(3)(C); 2306.185(a)(1) and (c); 2306.6710(e)(2); and 42(m)(1)(B)(ii)(II)) An Application may qualify to receive up to graph (B) of this paragraph. . m.

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(A) **Competitive HTC Applications for the Nonprofit Set-Aside** Applications for Housing Tax Credits involving a §501(c)(3) or (4) nonprofit organization to satisfy the Nonprofit Set-Aside requirements, must submit all of the documentation clauses (i) to (v) of this subparagraph and indicate the nonprofit status in the documentation and IRS Forms 8690, (§2306.6706) Application for election to not be treated under the Nonprofit Set-Aside and a certificate to expect to receive a benefit in the allocation of tax credits as a result of being a nonprofit, only need to submit the documentation in subparagraph (B) if the nonprofit is not a tax-exempt organization.

ers that agree to extend the Affordability Period for a
years total. (2 points)

or a subgroup of only Veterans that is required or allowed
using by the Full Application Delivery Date. These point

ments that are proposed to be located on sites owned by the of Veterans Affairs (1 point).

(3) Resident Supportive Services. (§2306.6710(b)(3) and (1)(G), and §2306.6710(c)(1)(ii)). Development may qualify to receive up to eleven (11) points.

(A) The Applicant certifies that the Development will provide a supportive services equaling at least ten points, which are listed in chapter (relating to Development Requirements and Restriction requirements of that section. (10 points).

nth period in Urban areas, during which Units of Care or local entities HOME funds from the Development Owner agreed to continue to provide homeless service units at the Development points have also been committed at least 5% of the total Units to Persons with Special Needs of this subparagraph, Persons with Special Housing Needs I where one or more individuals have alcohol or drug resident, a Person with a Disability, has Violence Against Women violence, dating violence, sexual assault, and stalking), trans, and farmworkers. Throughout the Compliance Period, ed by the Department, the Development Owner agrees to Persons with Special Housing Needs. In addition, the an initial minimum twelve-month period during which Units by Persons with Special Housing Needs or held vacant, unless the Units receive HOME funds from any source. After the initial twelve-month period, the Development Owner will no longer be required to hold Units vacant for Persons with Special Housing Needs, but will be required to continue to specifically market Units

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Application Elections

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Application: Development Owner Certification

Development Owner Certification, Acknowledgement and Consent

All defined terms used in this certification and not specifically defined herein have the meanings ascribed to them in Tex. Gov't Code Chapter 2306, §42 of the Internal Revenue Code, and 10 TAC §11.1(d).

The undersigned, in each and all of the Applicant, Development Owner, Developer, Principal of the Applicant and hereafter whether serving in one or more such capacity, does hereby certify to the Department for consideration of the Development.

Applicant hereby represents, warrants, and certifies to the State of Texas that:

The Development will adhere to the applicable requirements for residential local building codes are in place, then Code.

The Development Owner agrees to implement a plan to use Historically Underutilized Businesses (HUB) in the development process consistent with the HUB Guidelines for contracting with the State of Texas. The Development Owner will be required to submit a report of the success of the plan as part of the cost certification documentation, in order to receive IRS Form 8609 or, if the Development does not have Housing Tax Credits, release of retainage.

The Development will satisfy the minimum point threshold for common amenities as further described in 10 TAC §11.101(b)(5). These amenities must be for the benefit of all residents (market rate and low-income), meet accessibility standards, be sized appropriately to serve the proposed Target Population, be made available throughout normal business hours, and be maintained throughout the Affordability Period. The residents must be provided written notice of the amenity elections made by the Development Owner.

The Development will meet the minimum size of Units as further described in 10 TAC §11.101(b)(6)(A).

The Development will include enough units, development construction, and energy and water efficiency features to meet the minimum number of points as further described in 10 TAC §11.101(b)(6)(B).

The Development will include enough resident supportive services, at no charge to the residents, be accessible to all residents (market rate and low-income), and be maintained throughout the Affordability Period, to meet the required minimum number of points as further described in 10 TAC §11.101(b)(7), and offered in accordance with 10 TAC §10.619. The tenant must be provided written notice of the elections made by the Development Owner.

If income averaging is elected, Unit Designations for all units identified as 20%, 30%, 40%, 50%, 60%, 70%, and 80% Units will be dispersed across all Unit Types to the maximum extent feasible in a manner that does not violate fair housing laws, as required by 10 TAC §10.605(c).

2023 Development Owner's Certification

2023 Development Owner's Certification

2023 Development Owner's Certification

Development Owner will specifically market to veterans through direct marketing or marketing with veterans' organizations, and will specifically market to the public housing (PH) waiting lists for any PHA in the city and/or county the Development is located within or PHA of any City within 5 miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to the PHA waiting lists. Exceptions to this requirement must be approved by the Development Owner.

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Application: Scoring Examples

Competitive Housing Tax Credit Selection Self-Score (10 TAC §11.9)		
This form will self-populate based on scoring selections made throughout the Application. Applicant should refer to this form to ensure scoring selections are accurate prior to submitting the Application. Corrections must be made in the applicable section(s) of the Application.		
Criteria Promoting Development of High Quality Housing		
Point Item Description	OAP Reference	Points Selected
Unit Sizes	§11.9(b)(1)(A)	6
Unit, Development, Construction, and Energy and Water Efficiency Features	§11.9(b)(1)(B)	9
Sponsor Characteristics	§11.9(b)(2)	2
High Quality Housing Total		
Criteria to Serve and Support Texans Most in Need		
Point Item Description	OAP Reference	Points Selected
Income Levels of Residents	§11.9(c)(1)	15
Rent Levels of Residents	§11.9(c)(2)	11
Resident Supportive Services	§11.9(c)(3)	11
Opportunity Index	§11.9(c)(4)	11
Underserved Area	§11.9(c)(5)	4
Residents with Special Housing Needs	§11.9(c)(6)	3
Proximity to Job Areas	§11.9(c)(7)	3
Serve and Support Texans Most in Need Total		
Criteria Promoting Community Support and Engagement		
Point Item Description	OAP Reference	Points Selected
Local Government Support	§11.9(d)(1)	1
Commitment of Development Funding by Local Political Subdivision	§11.9(d)(2)	1
Dedicated Disaster Area	§11.9(d)(3)	10
Countable Community Participation	§11.9(d)(4)	1
Community Support from State Representative	§11.9(d)(5)	1
Input from Community Organizations	§11.9(d)(6)	1
Concerted Revitalization Plan	§11.9(d)(7)	1
Community Support and Engagement Total		
Criteria Promoting the Efficient Use of Limited Resources and Applicant Accountability		
Point Item Description	OAP Reference	Points Selected
Right of First Refusal	§11.9(e)(1)	28
Cost of Development per Square Foot	§11.9(e)(2)	10
Pre-application Participation	§11.9(e)(3)	8
Leveraging of Private, State, and Federal Resources	§11.9(e)(4)	3
Extended Affordability	§11.9(e)(5)	4
Historic Preservation	§11.9(e)(6)	0
Right of First Refusal	§11.9(e)(7)	1
Planning Request Amount	§11.9(e)(8)	0
Efficient Use of Limited Resources and Applicant Accountability Total		
Point Deductions	§11.9(f)	52
Total Application Self-Score		
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Competitive Housing Tax Credit Selection Self-Score (10 TAC §11.9)			
This form will self-populate based on scoring selections made throughout the Application. Applicant should refer to this form to ensure scoring selections are accurate prior to submitting the Application. Corrections must be made in the applicable section(s) of the Application.			
Criteria Promoting Development of High Quality Housing			
Point Item Description	OAP Reference	Points Selected	
Unit Sizes	§11.9(b)(1)(A)	0	
Unit, Development, Construction, and Energy and Water Efficiency Features	§11.9(b)(1)(B)	0	
Sponsor Characteristics	§11.9(b)(2)	0	
High Quality Housing Total			
Criteria to Serve and Support Texans Most in Need			
Point Item Description	OAP Reference	Points Selected	
Income Levels of Residents	§11.9(c)(1)	0	
Rent Levels of Residents	§11.9(c)(2)	0	
Resident Supportive Services	§11.9(c)(3)	0	
Opportunity Index	§11.9(c)(4)	0	
Underserved Area	§11.9(c)(5)	0	
Residents with Special Housing Needs	§11.9(c)(6)	0	
Proximity to Job Areas	§11.9(c)(7)	0	
Serve and Support Texans Most in Need Total			
Multifamily Direct Loan Self-Score (10 TAC §13.6)			
This form will self-populate based on scoring selections made throughout the Application. Applicant should refer to this form to ensure scoring selections are accurate prior to submitting the Application. Corrections must be made in the applicable section(s) of the Application.			
Point Item Description	10 TAC Reference	Points Selected	
Subsidy Per Unit	MFDL Request/ MFDL or NHTF Units = 80,001-100,000	§13.6(4)	4
	MFDL Request/ MFDL or NHTF Units = 60,001-80,000		0
	MFDL Request/ MFDL or NHTF Units ≤ 60,000		0
Rent Levels of Residents	§13.6(5)	12	
Resident Supportive Services	§11.9(c)(3)	11	
Opportunity Index	§11.9(c)(4)	7	
Extended Affordability	§11.9(c)(5)	4	
Historic Preservation	§11.9(c)(6)	0	
Funding Request Amount			
Readiness to Proceed	§11.9(d)(6)	0	
Efficient Use of Limited Resources and Applicant Accountability Total			
Point Deductions	§11.9(f)	0	
Total Application Self-Score			
0			

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Application vs. LURA: Multifamily Direct Loan & BOND

Multifamily Direct Loan Certification (10 TAC Chapter 13)		
<p><input checked="" type="checkbox"/> <i>Multifamily Direct Loan Certification</i> is included behind this tab.</p> <p><input type="checkbox"/> <i>Multifamily Direct Loan Certification</i> is not applicable to this Application.</p> <p>**If applicable, the form should be executed, notarized, and included in the full application document.**</p> <p>The form for the certification will be posted to the Department's website at http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm</p>		
<p>Multifamily Direct Loan Certification</p> <p><input checked="" type="checkbox"/> <i>Multifamily Direct Loan Certification</i> is included behind this tab.</p> <p>**The form should be executed, notarized, and included in the full application document.**</p> <p>The form for the certification will be posted to the Department's website at http://www.tdhca.state.tx.us/multifamily/apply-for-funds.htm</p>		
<p>b. Unit Amenities (For Competitive HTC Applications, see Tab 19 for Unit and Development Features)</p> <p><input checked="" type="checkbox"/> Application is a Tax Exempt Bond Development and will meet a minimum of seven (7) points as outlined in §10.101(b)(6)(B) of the Uniform Multifamily Rules.</p> <p><input checked="" type="checkbox"/> Application is HOME only or other Department Direct Loan and will meet a minimum of four (4) points as outlined in §10.101(b)(6)(B) of the Uniform Multifamily Rules.</p> <p>** Rehabilitation Developments will start with a base score of three (3) points and Supportive Housing Developments will start with a base score of five (5) points. **</p> <p>c. Tenant Supportive Services (For Competitive HTC Applications and Direct Loan Applications seeking to qualify for points under §13.6, see Tab 19 for Tenant Services elections)</p> <p><input checked="" type="checkbox"/> Application is a Tax Exempt Bond Development and will meet a minimum of eight (8) points as outlined in §10.101(b)(7) of the Uniform Multifamily Rules.</p> <p><input checked="" type="checkbox"/> Application is only requesting Direct Loan funds and will meet a minimum four (4) points as outlined in §10.101(b)(7) of the Uniform Multifamily Rules.</p>		

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Application vs. LURA: Development Narrative

Development Narrative

1. The proposed Development is: (Check all that apply)

New Construction	and/or:
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4% or 9% HTC Adaptive Reuse: select New Construction here and Adaptive Reuse in next box. MFDL: select New Construction or Rehab here and Adaptive Reuse in the next.

Previous TDHCA #	If applicable	If Acquisition/Rehab or Rehab, original construction year:
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If Reconstruction: Units Demolished _____ Units Reconstructed _____

If Additional Phase: Development Name: _____ Application Number: _____

2. The Target Population will be:

General	NOTE: If "Elderly Development", review 10 TAC §11.1(d)(47) to ensure compliance.
---------	--

If Elderly is selected (10 TAC §11.1(d)(47)):

<input type="checkbox"/> Development meets the requirements of the Housing for Older Persons Act under the Fair Housing Act. <input type="checkbox"/> Development receives federal funding that has a requirement for a preference or limitation for elderly persons or but must accept qualified households with children. Selection is based on funding from (Include citation)	<input type="checkbox"/> Development will receive other funding that has a requirement for a preference or limitation with regard to the population served. If so, please explain in the box below. <div style="border: 1px solid #ccc; height: 40px; margin-top: 5px;"></div>
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Certification for Supportive Housing Applications

If Supportive Housing is selected (10 TAC §11.1(d)(126)), the Applicant or General Partner confirms that:

<input type="checkbox"/> The proposed Development is intended for and targets occupancy for households in need of specialized and specific non-medical services in order to maintain housing or transition into independent living. <input type="checkbox"/> Supportive services are tailored for members of a household with specific non-medical needs (select all that apply):	There will be 65 units in one 4-story elevator-served building. The units will include 1, 2 and 3 bedroom units. The community space will be located on the first floor of the building, and the remaining three floors are residential areas only. The community area includes leasing offices, a fitness/yoga room, a children's center, a kitchen/community room, a business center, a game room, and a mail area.
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TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

4. Narrative

<input checked="" type="checkbox"/> The Development will not provide continual or frequent nursing, medical or psychiatric services to the residents. <input checked="" type="checkbox"/> The Development does not violate the general public use requirement of Treasury Regulation §1.42-9 regarding units for use by the general public. <input type="checkbox"/> The Development does not violate TR 1.42-9 and the Application includes a private letter ruling (PLR). <input type="checkbox"/> Development financing includes a funding source that specifically allows for the intended Target Population. A copy of that funding sources' authority to target the intended population is included behind this tab. <input checked="" type="checkbox"/> Development does not violate the Department's Integrated Housing Rule under 10 TAC §11.15 regarding restricting occupancy to persons with disabilities or in combination with other populations with special needs.	Briefly describe the proposed Development, including any relevant information not already identified above. If Adaptive Reuse, or Scattered Site, or if any of the three main boxes above are not checked, include detailed information below.
--	--

There will be 65 units in one 4-story elevator-served building. The units will include 1, 2 and 3 bedroom units. The community space will be located on the first floor of the building, and the remaining three floors are residential areas only. The community area includes leasing offices, a fitness/yoga room, a children's center, a kitchen/community room, a business center, a game room, and a mail area.

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Application vs. LURA: Elderly Election

2. The Target Population will be:

Elderly Limitation

Applicants seeking to be scored as Supportive Housing **must** select Supportive Housing on this tab.

§10.3(46) If Elderly Preference is selected, complete the statement below and submit supporting documentation.

Elderly Preference is based on funding from:

Development Narrative

1. The proposed Development is: (Check all that apply)

New Construction	and/or:
------------------	---------

4% or 9% HTC Adaptive Reuse: select New Construction here and Adaptive Reuse in next box. MFDL: select New Construction or Rehab here and Adaptive Reuse in the next.

Previous TDHCA #	N/A	If Acquisition/Rehab or Rehab, original construction year:	N/A
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If Reconstruction: Units Demolished _____ N/A Units Reconstructed _____ N/A

If Additional Phase: Development Name: _____ N/A Application Number: _____ N/A

2. The Target Population will be:

Elderly	NOTE: If "Elderly Development", review 10 TAC §11.1(d)(47) to ensure compliance.
---------	--

If Elderly is selected (10 TAC §11.1(d)(47)):

<input checked="" type="checkbox"/> Development meets the requirements of the Housing for Older Persons Act under the Fair Housing Act. <input type="checkbox"/> Development receives federal funding that has a requirement for a preference or limitation for elderly persons or households, but must accept qualified households with children. Selection is based on funding from (Include citation)	Development will receive other funding that has a requirement for a preference or limitation with regard to the population served. If so, please explain in the box below. <div style="border: 1px solid #ccc; height: 40px; margin-top: 5px;"></div>
--	--

ELDERLY DEVELOPMENT (10 TAC §11.1(d)(47) OF THE 2022 QAP)

This Development meets the requirements of the Housing for Older Persons Act ("HOPA") under the Fair Housing Act (42 U.S.C. §3601, as amended). Throughout the term, unless otherwise permitted by the Department in an amendment to this Declaration, this Development must be a Development which:

- As determined by the HUD Secretary, is specifically designed and operated to assist elderly persons as defined in and provided under any Federal, State, or local government programs; or
- Is intended for, and solely occupied by persons who are sixty-two (62) or older, or
- Is intended and operated for occupancy by at least one (1) person fifty-five (55) years of age or older per Unit, where at least eighty percent (80%) of the total housing Units are occupied by at least one (1) person who is fifty-five (55) years of age or older; and adheres to policies and procedures which demonstrate an intent by Development Owner and manager to provide housing for persons fifty-five (55) years of age or older.

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Application vs. LURA: Set-aside

- At least 20% or more of the residential units in such development are both rent restricted and occupied by individuals whose income is 50% or less of the area median gross income, adjusted for family size.
- At least 40% or more of the residential units in such development are both rent restricted and occupied by individuals whose income is 60% or less of the median gross income, adjusted for family size.
- Applicant elects to use the Average Income for the Development.

SECTION 4 – INCOME RESTRICTIONS/RENTAL RESTRICTIONS

The Development Owner represents, warrants, and covenants throughout the Term of this Declaration and in order to satisfy the requirements of Section 42 of the Code that at least 40% or more of the Units in the Development are and will continuously be maintained as both Rent-Restricted and occupied by individuals whose income is 60% or less of AMGI.

income is 60% or less of the median gross income, adjusted for family size.

- Applicant elects to use the Average Income for the Development.

AVERAGE INCOME RESTRICTION

The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease 100% of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of 54% of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes

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Application vs. LURA: Average Income Details

income is 60% or less of the median gross income, adjusted for family size.

- Applicant elects to use the Average Income for the Development.

AVERAGE INCOME DISTRIBUTION TOOL						
This worksheet may be used for 4% and 9% Applications. This worksheet MUST be included in BOTH the PDF application and the Excel application.						
Total LI Units	78	Number of 30% Units used for 30% Boost (9% Only)	8			
Number of LI Units to be AMFI Average Committed to for Points (9% Only)	70		54%			
Development AMFI Average	48.462	Average will not calculate unless a number is entered for boost Units (even if it is zero) and the table below is completed.				
AMFI Brackets				Total Units by Unit Type (# of Bedrooms)		
20	30	40	50	60	70	80
30% Units entered must be reduced by the number of Units used for 30% boost. (9% Only)						
0						0
1		5	10	23		38
2		3	8	21		32
3						0
4						0
5						0
Total Units	0	8	0	18	44	0
						70

AVERAGE INCOME RESTRICTION						
The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease 100% of the Units in the Development to individuals or families whose imputed incomes do not exceed an average of 54% of the area median gross income (including adjustments for family size), as more specifically provided herein, such Application, and the representations and undertakings set forth therein, being incorporated herein by reference for all purposes						
RENT LEVELS OF TENANTS (SECTION 2306.671.90(H)(1)(D) OF THE TEXAS GOVERNMENT CODE AND TAC §11.4(c) OF THE 2022 QAP)						
The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall lease TEN PERCENT (10%), of all Low-income Units at 30% or less AMI throughout the Affordability Period regardless of the Average Income calculator. The following rent and occupancy restrictions will be included in the income average calculation identified in the section above:						
ADDITIONAL RENT AND OCCUPANCY RESTRICTIONS						
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS				
30% of AMI	30% of AMI	8				
INCREASE IN ELIGIBLE BASIS (30% Boost) (TAC §11.4(c)(3)(D) OF THE 2022 QAP)						
The Development Owner has represented to the Department in the Development Owner's Application, authorized by the Department Rules, that among other things, the Development Owner shall restrict an additional 10% of the Low-income Units for households at or below 30% of AMGI. The following rent and occupancy restrictions will not be included in the income average calculation identified in the section above:						
ADDITIONAL RENT AND OCCUPANCY RESTRICTIONS						
INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS				
30% of AMI	30% of AMI	8				

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Application vs. LURA: Amenities

1. Common Amenities (ALL Multifamily Applications) [10 TAC §11.101(b)(5)]

72 # of Units must qualify for 7 Points

Development will provide sufficient common amenities to qualify for the number of points indicated above, pursuant to 10 TAC §11.101(b)(5). Applications for scattered site developments should refer to 10 TAC §11.101(b)(5)(B).

COMMON AMENITIES (10 TAC §11.101(b)(5) OF THE 2022 QAP)

Owner must provide a minimum of 7 total points worth of common amenities based on the size of the Development. The Development Owner may change, from time to time, the amenities offered; however, the overall points must remain the same. No rent or fees may be charged for any of the amenities selected below throughout the Extended Use Period. The amenities selected must be made available for the benefit of all residents, must be made available throughout normal business hours, must meet accessibility standards (including those adopted by the Department) and spaces for activities must be reasonably adequate based on Dev...

(I) Community Space for Resident Supportive Services – Multifunctional learning and care center(s) or conference room(s) & Service provider office

- Multifunctional learning and care center(s) or conference room(s) with the appropriate furnishings to deliver the Resident Supportive Services pertaining to classes or care for children and selected by the Development Owner. The room(s) devoted to meeting this requirement must equal fifteen (15) square feet times the total number of Units, but need not exceed two thousand (2,000) square feet in total. It must be separate from any other community space but may include a full kitchen. The room(s) must include storage space, such as closets or cabinetry. (4 points).
- Multifunctional learning and care center(s) or conference room(s) with the appropriate furnishings to deliver the Resident Supportive Services pertaining to classes or care for adults and selected by the Development Owner. The room(s) devoted to meeting this requirement must equal ten (10) square feet times the total number of Units, but need not exceed one thousand (1,000) square feet in total. It must be separate from any other community space but may include a full kitchen. The room(s) must include storage space, such as closets or cabinetry. (2 points).
- Service provider in addition to leasing offices (1 point).

(II) Safety amenities include:

- Controlled gate access for entrance and exit areas, intended to provide access that is limited to the Development's tenancy (1 point).
- Secured Entry (applicable only if all Unit entries are within the building's interior) (1 point).
- Twenty-four (24) hour, seven (7) days a week monitored camera/security system in each building. Monitoring may be on-site or off-site (2 points).
- Twenty-four (24) hour, seven (7) days a week recorded camera/security system in each building (1 point).
- The provision of a courtesy patrol service that, at a minimum, answers after-hour resident phone calls regarding noise and crime concerns or apartment rules violations and that can dispatch to the apartment community a courtesy patrol officer in a timely manner (3 points).

(IV) Health / Fitness / Play amenities include:

- Accessible walking/running path, equivalent to the perimeter of the Development or a length that reasonably achieves the same result, separate from a sidewalk and in addition to required accessible routes to Units or other amenities (1 point).

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Application vs. LURA: Additional Restrictions

4. Income Levels of Residents (Competitive HTC Applications only) [10 TAC §11.9(c)(1)]

*30% boost Units and 30% Units used for other scoring items must not be included in the units needed to achieve the Application's scoring elections

Application proposes to use the 20-50 or 40-60 election under §42(g)(1)(A) or §42(g)(1)(B) of the Code, respectively.

22 Total Number of Units at 50% or less of AMI

6 Number of 30% Units used to score points under §11.9(c)(2)*

16 Number of 30% Units used under §11.4(c)(3)(D) regarding an increase in Eligible Basis (30% boost)

22 22% Number of Units at 50% or less of AMI available to use for points under §11.9(c)(1)

COMPLETE THIS SECTION!

CHECK YOUR MATH!

RENT AND OCCUPANCY RESTRICTIONS

INCOME LIMIT	RENT LIMIT	NUMBER OF UNITS
30% of AMI	30% of AMI	6
40% of AMI	40% of AMI	0
50% of AMI	50% of AMI	16
60% of AMI	60% of AMI	50
MARKET	MARKET	0

If at recertification the Tenant's household income exceeds the applicable limit, to maintain compliance, the owner agrees to follow recertification guidance in accordance with the Department Rules as amended from time to time

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Application vs. LURA: Supportive Services – Competitive 9%

6. Resident Supportive Services [Competitive HTC Applications and Direct Loan Applications] [§11.9(c)(3) and §13.6(2)]	
<input checked="" type="checkbox"/> Development will provide a combination of supportive services as identified in §11.101(b)(7) and those services will be recorded in the Development's LURA.	10
<input checked="" type="checkbox"/> Applicant certifies that the Development will contact local service providers, and will make Development community space available to them on a regularly-scheduled basis to provide outreach services and education to the tenants.	1
Application is seeking points for Resident Services.	
Points Claimed: 11	

RESIDENT SUPPORTIVE SERVICES (10 TAC §11.9(c)(3)(A) AND 10 TAC §11.101(b)(7) OF THE 2022 QAP)

The Development Owner has been awarded points based on providing a combination of supportive services appropriate for the proposed residents through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. No fees may be charged to the tenant for providing these services. Services must be provided on-site or transportation to off-site services must be provided, the services should be those that directly benefit the Target Population of the Development, there must be adequate space for the intended services, and services offered should be accessible to all (e.g., exercise classes must be offered in a manner that would enable a person with a disability to participate). Services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site leasing staff or property maintenance staff would not be considered a qualified provider. Where applicable, the services must be documented by a written agreement with the provider. Unless otherwise noted, courses and services must be offered by an onsite instructor(s). Tenants must be provided written notice of the resident services elections made by the Development Owner. Owner must provide at a minimum 10 total points worth of services from the following list (the same service may not be used for more than one (1) scoring item):

RESIDENT SERVICES – OUTREACH & EDUCATION (10 TAC §11.9(c)(3)(B) OF THE 2022 QAP)

The Development Owner will contact local nonprofit and governmental providers of services that would support the health and well-being of the Department's residents, and will make the Development community space available to them on a regularly-scheduled basis to provide outreach services and education to the tenants. The Development Owner may contact service providers on the Department list or contact other providers that serve the general area in which the Development is located.

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Application vs. LURA: Supportive Services – Non competitive 4%

3. Resident Supportive Services [For Competitive HTC Applications and Direct Loan Applications seeking to qualify for points under 10 TAC §13.6(2), see Tab 19 for Resident Services scoring elections]	
<input checked="" type="checkbox"/> Application is a Tax Exempt Bond Development and will meet a minimum of eight (8) points as outlined in 10 TAC §11.101(b)(7).	
<input type="checkbox"/> Application is Direct Loan not layered with Housing Tax Credits and will meet a minimum four (4) points as outlined in 10 TAC §11.101(b)(7).	

Resident Supportive Services (10 TAC §11.9(c)(3)(A) AND 10 TAC §11.101(b)(7) OF THE 2022 QAP)

The Development Owner has been awarded points based on providing a combination of supportive services appropriate for the proposed residents through the Extended Use Period. The Development Owner may change, from time to time, the services offered; however, the overall points must remain the same. No fees may be charged to the tenant for providing these services. Services must be provided on-site or transportation to off-site services must be provided, the services should be those that directly benefit the Target Population of the Development, there must be adequate space for the intended services, and services offered should be accessible to all (e.g., exercise classes must be offered in a manner that would enable a person with a disability to participate). Services are intended to be provided by a qualified and reputable provider in the specified industry such that the experience and background of the provider demonstrates sufficient knowledge to be providing the service. In general, on-site leasing staff or property maintenance staff would not be considered a qualified provider. Where applicable, the services must be documented by a written agreement with the provider. Unless otherwise noted, courses and services must be offered by an onsite instructor(s). Tenants must be provided written notice of the resident services elections made by the Development Owner. Owner must provide at a minimum 8 total points worth of services from the following list (the same service may not be used for more than one (1) scoring item):

(i) Transportation Supportive Services include:

- Shuttle, at least three (3) days a week, to a grocery store and pharmacy or a major, big-box retailer that includes a grocery store and pharmacy, OR a daily shuttle, during the school year, to and from nearby schools not served by a school bus system for children who live at the Development (3.5 points); and
- Monthly transportation to community/social events such as mall trips, community theatre, bowling, organized tours, etc. (1 point).

EXHIBIT C

TENANT SUPPORTIVE SERVICES

The tenant supportive services to be provided must include at least ten (10) points selected from the following list which are grouped primarily for organizational purposes. The Borrower is not required to select a specific number of services from each section. The Borrower may change, from time to time, the services offered; however, the overall points selected at any time must remain the same. Should the Governmental Lender's rules in subsequent years provide different services than those listed below, the Borrower may be allowed to select services listed therein upon written consent from the Governmental Lender, and any services selected must be of similar value to the service the Borrower is intending to replace. The services provided should be those that will directly benefit the Target Population of the Development. Tenants must be provided written notice of the elections made by the Borrower.

(A) Transportation Supportive Services include:

- (i) shuttle, at least three days a week, to a grocery store and pharmacy or a major, big-box retailer that includes a grocery store and pharmacy, OR a daily shuttle, during the school year, to and from nearby schools not served by a school bus system for children who live at the Development (3.5 points); and
- (ii) monthly transportation to community/social events such as mall trips, community theatre, bowling, organized tours, etc. (1 point).

(h) to provide social services which must meet the minimum point requirement and be chosen from the list of Tenant Supportive Services attached hereto as Exhibit C in the manner provided in such Exhibit, or from any additional supportive services added to the Governmental Lender's rules at any future date that are of similar value to the service it is intending to replace as agreed to in writing by the Governmental Lender. The Borrower must maintain documentation satisfactory to the Governmental Lender of social services provided and such documentation will be reviewed during monitoring reviews beginning with the first monitoring review and must be submitted to the Governmental Lender upon request. The Borrower must provide the social services throughout the State Restrictive Period;

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Application vs. LURA: Special Needs & CoC

7. Residents with Special Housing Needs (Competitive HTC Applications only) [§11.9(c)(6)]	2
<p>A. <input checked="" type="checkbox"/> Applicant elects to commit at least 5% of the total Units for Persons with Special Housing Needs. The Units identified for this scoring item may not be the same Units identified previously for the Section 811 PRA Program. The Development Owner agrees to specifically market Units to Persons with Special Housing Needs. The Department will require an initial minimum twelve-month period during which Units must either be occupied by Persons with Special Housing Needs or held vacant, unless the Units receive HOME funds from any source. (2 points)</p> <p>B. <input type="checkbox"/> Applicant elects to commit at least an additional 2% of the total Units to Persons referred from the Continuum of Care or local homeless service providers to be made available for those experiencing homelessness. Applications are not eligible under this paragraph unless points have also been selected under A above. The Development Owner agrees to specifically market the 2% of Units through the Continuum of Care and other homelessness providers local to the Development Site. In addition, the Department will require an initial minimum twelve-month period in Urban subregions, and an initial six-month period in Rural subregions, during which Units must either be occupied by Persons referred from the Continuum of Care or local homeless service providers, or held vacant, unless the Units receive HOME funds from any source. (1 point)</p> <p>C. <input type="checkbox"/> Applicant elects to provide a preference for leasing units to low income veterans. The Development is located in a county with a population of 1 million or more, but less than 4 million, and is located not more than two miles from a veteran's hospital, veteran's affairs medical center, or veteran's affairs health care center, (which include all providers listed under the Veteran's Health Administration categories, excluding Benefits Administration offices, listed at this link https://www.va.gov/directory/guide/fac_list_by_state.cfm?State=TX&idnum=ALL). (1 point)</p>	
Application is seeking points for Residents with Special Housing Needs. (up to 3 po	Points Claimed: 3

TENANT POPULATIONS WITH SPECIAL HOUSING NEEDS (10 TAC§11.9(c)(6) OF THE 2022 QAP)
At least five percent (5%) of Units must be initially set aside for households where one (1) individual meets the definition of "Persons with Special Needs". "Persons with Special Needs" may not be the same Units participating in the Section 811 Project Rental Assistance program and include all of the following:

- The Development must commit at least an additional 2% of the total Units to Persons referred from the Continuum of Care or local homeless services providers for persons experiencing homelessness. The Department requires an initial six (6)-month period (beginning on the same date as defined in the preceding section) during which Units must either be occupied by households referred from the Continuum of Care or local homeless services providers or held vacant, unless the Unit receives HOME funds from any source. Rejection of an applicant's tenancy for those referred may not be for reasons of credit history or prior rental payment history. The Development Owner is required to continue to provide quarterly notifications throughout the Compliance Period regarding available Units at the Development to the Continuum of Care and other homeless service providers local to the Development, unless specifically allowed otherwise by the Department in writing.

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Application vs. LURA: Veterans Preference

7. Residents with Special Housing Needs (Competitive HTC Applications only) [§11.9(c)(6)]	2
<p>A. <input checked="" type="checkbox"/> Applicant elects to commit at least 5% of the total Units for Persons with Special Housing Needs. The Units identified for this scoring item may not be the same Units identified previously for the Section 811 PRA Program. The Development Owner agrees to specifically market Units to Persons with Special Housing Needs. The Department will require an initial minimum twelve-month period during which Units must either be occupied by Persons with Special Housing Needs or held vacant, unless the Units receive HOME funds from any source. (2 points)</p> <p>B. <input type="checkbox"/> Applicant elects to commit at least an additional 2% of the total Units to Persons referred from the Continuum of Care or local homeless service providers to be made available for those experiencing homelessness. Applications are not eligible under this paragraph unless points have also been selected under A above. The Development Owner agrees to specifically market the 2% of Units through the Continuum of Care and other homelessness providers local to the Development Site. In addition, the Department will require an initial minimum twelve-month period in Urban subregions, and an initial six-month period in Rural subregions, during which Units must either be occupied by Persons referred from the Continuum of Care or local homeless service providers, or held vacant, unless the Units receive HOME funds from any source. (1 point)</p> <p>C. <input checked="" type="checkbox"/> Applicant elects to provide a preference for leasing units to low income veterans. The Development is located in a county with a population of 1 million or more, but less than 4 million, and is located not more than two miles from a veteran's hospital, veteran's affairs medical center, or veteran's affairs health care center, (which include all providers listed under the Veteran's Health Administration categories, excluding Benefits Administration offices, listed at this link https://www.va.gov/directory/guide/fac_list_by_state.cfm?State=TX&idnum=ALL). (1 point)</p>	
Application is seeking points for Residents with Special Housing Needs. (up to 3 po	Points Claimed: 1

TENANT POPULATIONS WITH SPECIAL HOUSING NEEDS (10 TAC§11.9(c)(6) OF THE 2022 QAP)

At least five percent (5%) of Units must be initially set aside for households where one (1) individual meets the definition of "Persons with Special Needs". "Persons with Special Needs" may not be the same Units participating in the Section 811 Project Rental Assistance program and include all of the following:

- a "person with disability," as defined in 24 CFR §5.403;
- has alcohol or drug addictions; or
- is a Colonia resident; or
- is a victim of domestic violence, dating violence, sexual assault, or stalking (as defined by the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. §13925 et seq.)); or
- has HIV/AIDS; or
- is homeless; or
- is a veteran; or
- is a farmerworker

The Development must have an initial minimum twelve (12)-month period during which Units must either be occupied by Persons with Special Needs or held vacant unless the Unit receives HOME funds from any source. The twelve (12)-month period will begin on the date each building receives its certificate of occupancy. For buildings that do not receive a certificate of occupancy, the twelve (12)-month period will begin on the placed in service date as provided in the Post Award Activities Manual. After the twelve (12)-month period, the Development Owner will no longer be required to hold Units vacant for Persons with Special Needs, but will be required to continue to specifically market Units to Persons with Special Needs throughout the Compliance Period, unless specifically allowed otherwise by the Department in writing.

At Application, the Development is located in a county with a population of 1 million or more, but less than 4 million, and is located not more than two miles from a veteran's hospital, veteran's affairs medical center, or veteran's affairs health care center, (which include all providers listed under the Veteran's Health Administration categories, excluding Benefits Administration offices, listed at this link https://www.va.gov/directory/guide/fac_list_by_state.cfm?State=TX&idnum=ALL) and the Development Owner agrees to provide a preference for leasing units in the Development to low income veterans (1 point)

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Application vs. LURA: Extended Term

<input type="checkbox"/>	Development will maintain a 35 year Affordability Period.	0
<input type="checkbox"/>	Development will maintain a 40 year Affordability Period.	0
<input checked="" type="checkbox"/>	Development will maintain a 45 year Affordability Period.	4
Application is seeking points for Extended Affordability.		Points Claimed: 4

LONGER EXTENDED USE PERIOD (10 TAC §11.9(e)(5) OF THE 2022 QAP)

In accordance with the Code, each Development is required to maintain its affordability for a fifteen (15) year Compliance Period and, subject to certain exceptions, an additional fifteen (15) year period. Development Owner indicates below that the Development will extend the affordability period beyond the thirty (30) years required in the Code as follows:

The Development will extend its affordability for 15 years, resulting in an Extended Use Period of 45 years.

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Application vs. LURA: Nonprofit

Set-Aside (For Competitive HTC (10 TAC §11.5) and/or Multifamily Direct Loan (10 TAC §13.4(a)) Applications Only) Identify any and all set-asides the application will be applying under with an "x". Set-Asides cannot be added or dropped from pre-application to Full Application for Competitive HTC Applications.																					
<table border="1"> <tr> <td colspan="2" style="text-align: center;">Competitive HTC Only</td> <td colspan="2" style="text-align: center;">Multifamily Direct Loan Only</td> </tr> <tr> <td colspan="2" style="text-align: center;">Select Set-Aside if applicable</td> <td colspan="2" style="text-align: center;">Enter NOFA and Set-Aside</td> </tr> <tr> <td style="text-align: center;">At-Risk</td> <td style="text-align: center;">Nonprofit</td> <td style="text-align: center;">USDA</td> <td style="text-align: center;">Enter NOFA</td> </tr> <tr> <td colspan="2" style="text-align: center;"><input checked="" type="checkbox"/></td> <td colspan="2" style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="4" style="text-align: center;">Enter Set-Aside</td> </tr> </table>		Competitive HTC Only		Multifamily Direct Loan Only		Select Set-Aside if applicable		Enter NOFA and Set-Aside		At-Risk	Nonprofit	USDA	Enter NOFA	<input checked="" type="checkbox"/>		<input type="checkbox"/>		Enter Set-Aside			
Competitive HTC Only		Multifamily Direct Loan Only																			
Select Set-Aside if applicable		Enter NOFA and Set-Aside																			
At-Risk	Nonprofit	USDA	Enter NOFA																		
<input checked="" type="checkbox"/>		<input type="checkbox"/>																			
Enter Set-Aside																					
Selections for At-Risk and USDA are independent of each other. Only select both if both apply.																					
<p>By entering the set-aside above, I, individually or as the general partner(s) or officers of the Applicant, applying for the above-stated Set-Asides and Allocations. To the best of my (our) knowledge and the requirements that make this Application eligible for this (these) Set-Aside(s) and Allocations and eligibility standards for the selected Set-Asides and Allocations.</p>																					
<p>4 Percentage of the aggregate basis financed by tax-exempt bonds (If zero, enter -0-) 12/22/2015</p> <p>5 Date building placed in service</p> <p>6 Check the boxes that describes the allocation for the building (check those that apply):</p> <p><input type="checkbox"/> Newly constructed and federally subsidized <input checked="" type="checkbox"/> Newly constructed and not federally subsidized <input type="checkbox"/> Existing Building</p> <p><input type="checkbox"/> Sec. 42(e) rehabilitation expenditures federally subsidized <input type="checkbox"/> Sec. 42(e) rehabilitation expenditures not federally subsidized</p> <p><input checked="" type="checkbox"/> Allocation subject to nonprofit set-aside under sec. 42(h)(5)</p>																					
<h3>Nonprofit Participation</h3> <p><input checked="" type="checkbox"/> Nonprofit Set-Aside (Competitive HTC Applications Only)</p> <p>Qualification: Must meet the definition of a Qualified Nonprofit Development pursuant to §11.1(d) of the QAP, §42(h)(5) of the Code, and the requirements of §11.5(1) of the QAP.</p> <p>Documentation: Eligibility will be confirmed based upon completion of the Nonprofit Participation and Additional Nonprofit Documentation requirements in this section.</p> <p><input checked="" type="checkbox"/> By selecting this box the Applicant affirms the election to be included in the Nonprofit Set-Aside and certifies that they expect to receive a benefit in the allocation of tax credits as a result of being affiliated with a nonprofit.</p> <p><input type="checkbox"/> By selecting this box the Applicant affirms the election to be excluded from the Nonprofit Set-Aside and certifies that they do not expect to receive a benefit in the allocation of tax credits as a result of being affiliated with a nonprofit.</p> <p>Nonprofit Information (All Applications)</p> <p>Only nonprofit organizations will complete this section. All nonprofit Applicants or Principals must complete to their level of ownership or the set-aside under which the Application was made.</p> <p>Organization Name: [REDACTED]</p> <p>Is the Organization a 501(c)(3) or (4) as of the beginning of the Application Acceptance Period? <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>[REDACTED] (Our Partners) will have an ownership interest of 51% for the development. The nonprofit shall be the 100% owner of the general partner throughout the construction and compliance periods. As noted in the application, [REDACTED] Partners will receive a developer fee and a portion of the cash-flow</p>																					

_____ will have an ownership interest of 51% for the development. The nonprofit shall be the 100% owner of the general partner throughout the construction and compliance periods. As noted in the application, _____ will receive a developer fee and a portion of the cash-flow

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Application vs. LURA: Historically Underutilized Business (HUB)

Pursuant to §11.9(b)(2) of the Qualified Allocation Plan, an Application may qualify to receive up to two (2) points provided the ownership structure meets one of the following requirements in parts 1 OR 2 below:

1. Application is attempting to score as a Qualified Nonprofit or certified HUB with ownership interest and material participation and meets the criteria below:

If attempting to score as a Qualified Nonprofit, Application is applying under the Nonprofit Set-Aside
 Yes If attempting to score as a certified HUB (or HUBs), evidence of the HUB's existence from the Texas Comptroller of Accounts is provided behind this Tab
 Yes The Qualified Nonprofit or certified HUB or HUBs has some combination of ownership interest, cash flow from operations, and developer fee which taken together equal at least 50% and no less than 5% for any category.

Ownership Interest: 40.00%	(Not required for HUD 202 Rehab HUB or Nonprofit.)
Cash flow from operations: 5.000%	
Developer Fee: 5.000%	
Total: 50.00%	(Must equal at least 50% regardless of structure)

Yes The Qualified Nonprofit or certified HUB will materially participate in the Development and the operation of the Development throughout the Compliance Period.
 Yes A detailed narrative describing how that material participation will be achieved is included.

Yes The Qualified Nonprofit or certified HUB has experience directly related to the housing industry.

Mark all that apply

Property Management Construction Development Financing Compliance

Yes A detailed narrative describing experience in each category is included.

No Principals of the Qualified Nonprofit or HUB are related Parties to or Affiliates of any other Principals of the Applicant, Developer, OR
 Evidence of experience in the housing industry and a statement regarding material participation are provided behind this tab. (2 Points)

Certified HUB or Qualified Nonprofit will be involved with the Development Services or in the provision of on-site tenant services during the Development's Affordability Period.

Evidence of experience in the provision of Development Services or in the provision of on-site tenant services as well as a narrative statement indicating how the HUB will provide such services must be included behind this tab. (1 Point)

Points Claimed: **2**

HISTORICALLY UNDERUTILIZED BUSINESS (HUB) (10 TAC §11.9(e)(2)(A) OF THE 2022 QAP)
 Throughout the Compliance Period, unless otherwise permitted by the Department as an amendment to this Declaration, the ownership structure of the General Partner of the Development Owner shall contain a HUB or HUBs certified by the Texas Comptroller of Public Accounts. The HUB or HUBs shall materially participate (regularly, continuously, and substantially provide services integral to the Development Team; providing services as an independent contractor is not sufficient) in the Development and operation of the Development throughout the Compliance Period and have experience directly related to the housing industry. The Development Owner must obtain prior approval from the Department before the HUB can be replaced. The Principals of the HUB cannot be a Related Party to or Affiliate, including the spouse, of any Principals of the Applicant, Developer or Guarantor (excluding another Principal of said HUB). At the time this Declaration is filed, the HUB which holds such interest in the ownership structure is **████████ LLC**.

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NP and HUB: Material Participation

(3) Under IRC §469(h)(1), the nonprofit must participate on a *regular, continuous, and substantial* basis in the development and operation of the project.¹ Although this standard is vague, the legislative history suggests the following guidelines in defining material participation in a business activity:

- Material participation is most likely to be established in an activity that constitutes the principal business/activity of the taxpayer,
- Involvement in the actual operations of the activity should occur. That is, the services provided must be integral to the operations of the activity. Simply consenting to someone else's decisions or periodic consultation with respect to general management decisions is not sufficient.
- Participation must be maintained throughout the year. Periodic consultation is not sufficient.
- Regular on-site presence at operations is indicative of material participation.
- Providing services as an independent contractor is not sufficient.

(4) Accordingly, a nonprofit entity will be considered to materially participate where it is regularly, continuously, and substantially involved in providing services integral to the development and operations of a project.

<https://www.irs.gov/pub/irs-pdf/p5913.pdf>

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QAP & Application vs. LURA: Mitigation for Schools

(iii) Evidence of mitigation for each of the schools in the attendance zone that has a TEA Accountability Rating of "Not Rated: Senate Bill 1365" for 2022 must meet the requirements of clause (iv) which will be a requirement of the LURA for the duration of the Affordability Period and cannot be used to count for purposes of meeting the threshold requirements under subparagraph (7)(B)(ii) of this paragraph.

(iv) Acceptable mitigation requires that the Applicant has committed that it will operate an after school learning center that offers at a minimum 15 hours of weekly, organized, on-site educational services provided to elementary, middle and high school children by a dedicated service coordinator or Third-Party entity which includes at a minimum: homework assistance, tutoring, test preparation, assessment of skill deficiencies and provision of assistance in remediation of those

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N/A The Development Site is located within the attendance zone of an elementary school, a middle school or a high school that had a TEA Accountability Rating of "Not Rated: Senate Bill 1365" for 2022. In districts with district-wide enrollment or choice districts an Applicant shall use the rating of the closest elementary, middle and high school, respectively, which may possibly be attended by the tenants in determining whether or not disclosure is required. Schools with an application process for admittance, limited enrollment or other requirements that may prevent a child from attending will not be considered as the closest school or the school which attendance zone contains the site. School ratings will be determined by the school number, so that in the case where a new school is formed or named or consolidated with another school but is considered to have the same number that rating will be used. A school that has never been rated by the Texas Education Agency will use the district rating. If a school is configured to serve grades that do not align with the Texas Education Agency's conventions for defining elementary schools (typically grades K-5 or K-6), middle schools (typically grades 6-8 or 7-8) and high schools (typically grades 9-12), the school will be considered to have the lower of the ratings of the schools that would be combined to meet those conventions. In determining the ratings for all three levels of schools, ratings for all grades K-12 must be included, meaning that two or more schools' ratings may be combined. Sixth grade centers will be considered as part of the middle school rating. Evidence of mitigation for each of the schools in the attendance zone that has a TEA Accountability Rating of "Not Rated: Senate Bill 1365" for 2022 must meet the two criteria below. By checking these boxes on the Development Owner Certification, the applicant agrees to provide the after-school learning center, which will be a requirement of the LURA.

MITIGATION FOR SCHOOLS (10 TAC §11.101(A)(3)(E)(iii) OF THE 2024 QAP)

Throughout the Affordability Period, the Development Owner commits to operating an after school learning center that offers at a minimum fifteen (15) hours of weekly, organized, on-site educational services provided to elementary, middle and high school children by a dedicated service coordinator or Third-Party entity which includes at a minimum:

- Homework assistance,
- Tutoring, test preparation,
- Assessment of skill deficiencies and provision of assistance in remediation of those deficiencies (e.g., if reading below grade level is identified for a student, tutoring in reading skills is provided),
- Research and writing skills,
- Providing a consistent weekly schedule,
- Provides for the ability to tailor assistance to the age and education levels of those in attendance, and
- Other evidence-based approaches and activities that are designed to augment classroom performance.

Up to twenty percent (20%) of the activities offered may also include other enrichment activities such as music, art, or technology. The services above cannot be used to count for purposes of meeting the threshold requirements for Resident Supportive Services in 10 TAC §11.9(C)(3)(A) and 10 TAC §11.101(B)(7) of the 2024 QAP.

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Application vs. LURA: The Utility Allowance

If tenants will be required to pay any other mandatory fees (e.g. renter's insurance) please provide an estimate, description and documentation of those as well.

Utility	Who Pays	Energy Source	0BR	1BR	2BR	3BR	4BR	Source of Utility Allowance & Effective Date
Heating	Tenant							
Cooking	Tenant							
Other Electric	Tenant		\$ 55.87	\$ 70.88	\$ 78.69			Enercon Consumption Model
Air Conditioning	Tenant							2/11/22
Water Heater	Tenant							Approved by TDHCA
Water	Tenant		\$ 3.30	\$ 7.34	\$ 9.44			
Sewer	Tenant		\$ 19.90	\$ 21.46	\$ 23.95			
Trash	Landlord							
Flat Fee	Tenant							
Other	Tenant							
Total Paid by Tenant			\$ -	\$ 80.00	\$ 100.00	\$ 113.00	\$ -	

APPLICABLE PROGRAM RENT		
Gross Rent	Utility Allow	Max Net Program Rent
\$417	\$80	\$337
\$695	\$80	\$615
\$834	\$80	\$754
\$500	\$100	\$400
\$833	\$100	\$733
\$1,000	\$100	\$900
\$1,000	\$100	\$900
\$1,000	\$100	\$900
\$578	\$113	\$465
\$963	\$113	\$850
\$963	\$113	\$850
\$1,156	\$113	\$1,043
\$1,156	\$113	\$1,043

Once a property is underwritten with a Utility Allowance, that UA is allowed to be used until the building reaches 90% occupied for a period of 90 days, the end of the first year of the Credit Period, or the Owner requests a change from the underwritten UA.

When the 1st building (BIN) hits the 90% occupied mark the Owner should submit a UA package to have it ready to implement after 90 days.

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Application vs. LURA: Physical Attributes

1. Common Amenities (ALL Multifamily Applications §10.101(b)(5))

279	# of Units	must qualify for	22	Points
-----	------------	------------------	----	--------

Development will provide sufficient common amenities to qualify for the number of points indicated above, pursuant to §10.101(b)(5) of the Uniform Multifamily Rules. Applications for scattered site developments should refer to §10.101(b)(5)(B) of the Uniform Multifamily Rules.

2. Unit Requirements (ALL Multifamily Applications §10.101(b)(6)(A) and (B))

A. Unit Sizes

Bedroom Size	0	1	2	3	4
Square Footage	500	600	800	1,000	1,200

COMMON AMENITIES

Owner must provide a minimum of 22 total points worth of common amenities based on the size of the Development. The Development Owner may change, from time to time, the amenities offered; however, the overall points must remain the same. No rent or fees may be charged for any of the amenities selected below throughout the Extended Use Period. The amenities selected must be made available for the benefit of all tenants, must be made available throughout normal business hours, must meet accessibility standards and spaces for activities must be sized appropriately based on Development size. Non-contiguous, scattered site housing (excluding non-contiguous single family sites) will have the points applied based on the number of Units per individual site and must be distributed proportionately across all sites. Additional phases of a Development cannot claim the same points for shared amenities for which another phase has previously received points for purposes of meeting this requirement. All amenities must be accessible and must be available to all units via an accessible route. Amenity items can be counted towards total point values only once, and tenants must be provided written notice of the Development Owner's elected amenities.

MF RCV 8/24 @ 9:32 AM SPECIFICATIONS AND BUILDING/UNIT TYPE CONFIGURATION

Unit types should be entered from smallest to largest based on " # of Bedrooms" and " Sq. Ft. Per Unit." "Unit Label" should correspond to the unit label or name used on the unit floor plan. "Building Label" should conform to the building label or name on the building floor plan. The total number of units per unit type and totals for "Total # of Units" and "Total Sq. Ft. for Unit Type" should match the rent schedule and site plan. If additional building types are needed, they are available by un-hiding columns 7 through AD.

Specifications and Amenities (Check all that apply)

Building Configuration	Single Family Construction	SRO	Transitional (per §42)(i)(B))	Duplex
(Check all that apply)	Scattered Site	Pouplex	X	> 4 Units Per Building
Development will have:	<input checked="" type="checkbox"/> Fire Sprinklers	<input checked="" type="checkbox"/> Elevators	1	# of Elevators
Free	Paid	Free	Paid	
Number of Parking Spaces (consistent with Architectural Drawings):	Shed or Flat Roof Carport Spaces	Attached Garage Spaces	Detached Garage Spaces	Detached Garage Spaces
	89	89	Spaces	Uncovered Spaces
Floor Composition/Wall Hdg	100 % Carpet/Vinyl/Resilient Flooring	9' Ceiling Height		
	% Ceramic Tile	Upper Floor(s) Ceiling Height (Townhome Only)		
	% Other	Describe: _____		

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Application vs. LURA: Accessibility Requirements

4. Development Accessibility Requirements (ALL Multifamily Applications) [10 TAC §1.207]; [10 TAC §11.101(b)(6)]

Development will meet all specifications and accessibility requirements reflected in the Certification of Development Owner form pursuant to 10 TAC §11.101(b)(8).

Yes

All Units accessed by the ground floor or by elevator (affected units) comply with the visibility requirements in clauses (i) – (iii) of 10 TAC §11.101(b)(8)(B), regardless of building type.

and

Development will meet all specifications and accessibility requirements reflected in 10 TAC Chapter 1, Subchapter B, §1.207.

Yes

Development has a minimum of 5% of all units in the development set aside for the mobility impaired and an additional 2% set aside for the hearing and/or visually impaired.

ACCESSIBILITY REQUIREMENTS:

A minimum of five percent (5%) of the total dwelling Units (always rounded up if not a whole number) or at least one (1) Unit, whichever is greater, shall be made accessible for persons with mobility impairments. A Unit that is on an accessible route and is adaptable and otherwise compliant with 2010 ADA Standards for Accessible Design with the exceptions listed in "Nondiscrimination on the Basis of Disability in Federally Assisted Programs and Activities" Federal Register (79 FR 29671) meets this requirement. Accessible Units must, to the maximum extent feasible and subject to reasonable health and safety requirements, be distributed throughout the Development and site and shall be made available in a sufficient range of sizes and amenities so that the choice of living arrangements of qualified persons with Disabilities is, as a whole, comparable to that of other persons eligible for housing assistance under the same program. An additional 2% of the total dwelling Units, or at least one (1) Unit, whichever is greater, shall be accessible for persons with hearing or vision impairments. The following Units are fully accessible in accordance with the 2010 ADA standards with the exceptions listed in 79 FR 29671:

Mobility Accessible: 113,314

Hearing and Visual Impairment Accessible: 214

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Application vs. LURA: Floodplain

7. Zoning (10 TAC §11.204(11)) and Flood Zone Designation (10 TAC §11.101(a)(1)) [All Programs]

Development Site is appropriately zoned?	<input type="checkbox"/> No
Zoning Designation: LC-Local Commercial	
Flood Zone Designation:	<input checked="" type="checkbox"/> X
Entire Development Site is outside the 100 year floodplain. <input type="checkbox"/> Yes	
Farmland Designation (To be completed if requesting MFOL funds.)	

7. Zoning (10 TAC §11.204(11)) and Flood Zone Designation (10 TAC §11.101(a)(1)) [All Programs]

Development Site is appropriately zoned?	<input type="checkbox"/> No
Zoning Designation: Commercial - Hale County	
Flood Zone Designation:	<input checked="" type="checkbox"/> X/AE
Entire Development Site is outside the 100 year floodplain. <input type="checkbox"/> No	
Farmland Designation (To be completed if requesting MFOL funds.)	

DEVELOPMENTS IN FLOOD PLAINS (10 TAC §11.302(g)(2)(B) OF THE 2022 QAP)

Development Owner will maintain flood insurance for the buildings within the 100-year floodplain.

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QAP & Application vs. LURA: Marketing to Veterans

(G) The Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations. The Development Owner will be required to identify how they will specifically market to veterans and report to the Department in the annual housing report

2022 Development Owner's Certification - notarized

The Development Owner will specifically market to veterans through direct marketing or contracts with veterans' organizations. The Development Owner will be required to identify how they will specifically market to veterans and report to the Department in the annual housing report on the results of the marketing efforts to veterans. Exceptions to this requirement must be approved by the Department.

on the results of the marketing efforts to veterans. Exceptions to this requirement must be approved by the Department.

MARKETING (10 TAC §11.204(1)(G) OF THE 2022 QAP)

For affirmative marketing activities, all affirmative marketing plans must provide affirmative marketing to persons with disabilities. For general marketing activities, the Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations. The Development Owner will be required to identify how they will specifically market to veterans and report to the Department in the annual housing report on the results of the marketing efforts to veterans. Exceptions to this requirement must be approved in writing by the Department.

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QAP & Application vs. LURA: Marketing to PHAs

(G) The Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations and will specifically market to the public housing authority (PHA) waitlists for any PHA in the city and/or county the Development is located within and the PHA of any City within 5 miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to veterans and PHA waiting lists. Exceptions to this requirement must be approved by the Department.

(H) The Development Owner will comply with any and all notices required by the Department.

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2024 Development Owner's Certification

The Development Owner will specifically market to veterans through direct marketing or contracts with veterans' organizations, and will specifically market to the public housing authority (PHA) waitlists for any PHA in the city and/or county the Development is located within and the PHA of any City within 5 miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to veterans and PHA waiting lists. Exceptions to this requirement must be approved by the Department.

MARKETING (10 TAC §11.204(1)(G) OF THE 2024 QAP)

For affirmative marketing activities, all affirmative marketing plans must provide affirmative marketing to persons with disabilities. For general marketing activities, the Development Owner will specifically market to veterans through direct marketing or contracts with veteran's organizations and will specifically market to the public housing authority ('PHA') waitlists for any PHA in the city and/or county the Development is located within and the PHA of any City within five (5) miles of the Development. The Development Owner will be required to identify how they will specifically market to veterans and the PHA waiting lists and report to the Department in the annual housing report on the results of the marketing efforts to veterans and PHA waiting lists. Exceptions to this requirement must be approved in writing by the Department.

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Application vs. LURA: Supportive Housing

The Application meets the following exception(s). Applicant is required to enter school rating information above and disclose the presence of the Neighborhood Risk Factor, but no mitigation is required. (§11.101(a)(3)(B)).

- Elderly Development
- Development encumbered by a TDHCA LURA on the first day of the Application Acceptance Period or date the pre-application is submitted (if applicable)
- Supportive Housing SRO Development or Supportive Housing Development where all Units are Efficiency Units

Certification for Supportive Housing Applications	
If Supportive Housing is selected (10 TAC §11.1(d)(22)), the Applicant or General Partner confirms that:	
<input checked="" type="checkbox"/> The proposed Development is intended for and targets occupancy for households in need of specialized and specific non-medical services in order to maintain housing or transition into independent living.	
<input checked="" type="checkbox"/> Supportive services are tailored for members of a household with specific non-medical needs (select all that apply):	
<input checked="" type="checkbox"/> Homeless or Persons at-risk of homelessness	
<input checked="" type="checkbox"/> Persons with physical, intellectual, and/or developmental disabilities	
<input checked="" type="checkbox"/> Youth aging out of foster care	
<input checked="" type="checkbox"/> Persons eligible to receive primarily non-medical home or community-based services	
<input checked="" type="checkbox"/> Persons transitioning out of institutionalized care	
<input checked="" type="checkbox"/> Persons unable to secure permanent housing elsewhere due to high barriers	
<input checked="" type="checkbox"/> Persons with Special Housing Needs (alcohol and/or drug addictions, VAWA protections, HIV/AIDS, Veterans with Disabilities)	
<input checked="" type="checkbox"/> Other target populations that are served by a federal or state housing program (provide documentation behind this Tab)	
Describe: <input type="text"/>	
<input type="checkbox"/> Services will be provided by the Applicant or an Affiliate of the Applicant.	
<input type="checkbox"/> Services will be provided by a Third Party provider and evidence that the provider has at least a three-year record of providing substantive services similar to those proposed in the subject Application in residential settings is provided behind this Tab.	

Development Narrative	
Proposed Development is: (Check all that apply)	
<input type="checkbox"/> New Construction <small>Or reuse New Construction here and adaptive reuse in next box)</small>	
<small>TDHCA #</small> <input type="checkbox"/> If applicable <small>Instruction, Units Demolished</small> <input type="checkbox"/> If Acquisition/Rehab or Rehab, original construction year: <input type="text"/> <small>Units Reconstructed</small>	
Target Population will be:	
<input type="checkbox"/> Supportive Housing	
<small>NOTE: If "Elderly Development", review 10 TAC §11.1(d)(47) to ensure compliance.</small>	

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Application vs. LURA: Supportive Housing

SUPPORTIVE HOUSING DEVELOPMENT (10 TAC §11.1(b)(12) OF THE 2021 QAP)

Throughout the Extended Use Period, the Development will operate as a Supportive Housing Development. Supportive Housing is defined as a residential rental Development and Target Population meeting the requirements of subparagraphs (A) - (E) of this paragraph.

(A) Be intended for and targeting occupancy for households in need of specialized and specific non-medical services in order to maintain housing or transition into independent living;

(B) Be owned and operated by a General Partner that must:

(i) have supportive services provided by the Owner, an Affiliate of the Owner, or a Third Party provider if the service provider is able to demonstrate a record of providing substantive services similar to those proposed in the Application in residential settings for at least three (3) years prior to the beginning of the Application Acceptance Period;

(ii) secure sufficient funds necessary to maintain the Supportive Housing Development's operations throughout the entire Affordability Period;

(iii) provide evidence of a history of fundraising activities reasonably deemed to be sufficient to address any unanticipated operating losses;

(iv) provide a fully executed guaranty agreement whereby the Owner or its Affiliate assume financial responsibility of any outstanding operating deficits, as they arise, and throughout the entire Affordability Period, and

(v) have Tenant Selection Criteria that fully comply with 10 TAC §10.802 (regarding Written Policies and Procedures), which require a process for evaluation of prospective residents against a clear set of credit, criminal conviction, and prior eviction history that may disqualify a potential resident. This process must also follow 10 TAC §1.204 (regarding Reasonable Accommodations).

(i) The criminal screening criteria must not allow residents to reside in the Development who are subject to a lifetime sex offender registration requirement and provide at least, for:

(-a) Temporary denial for a minimum of seven (7) years from the date of conviction based on criminal history at application or recertification of any felony conviction for murder related offense, sexual assault, kidnapping, arson, or manufacture of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(-b) Temporary denial for a minimum of three years from the date of conviction based on criminal history at application or recertification of any felony conviction for aggravated assault, robbery, drug possession, or drug distribution.

(ii) The criminal screening criteria must include provisions for approving applications and recertification despite the tenant's criminal history on the basis of mitigation evidence. Applicants/tenants must be provided written notice of their ability to provide materials that support mitigation. Mitigation may be provided during initial tenant application or upon appeal after denial. Mitigation may include personal statements/certifications, documented drug/alcohol treatment, participation in case management, letters of recommendation from mental health professionals, employers, case managers, or others with personal knowledge of the tenant. In addition, the criteria must include provision for individual review of permanent or temporary denials if the conviction is more than seven (7) years old, or if the applicant/resident is over fifty (50) years of age, and the prospective resident has no additional felony convictions in the last seven (7) years. The criteria must prohibit consideration of any previously accepted criminal history or mitigation at recertification, unless new information becomes available. Criminal screening criteria and mitigation must conform to federal

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General Notes



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How does TDHCA Monitor a Property before the LURA?

- How will monitors conduct the review before the recorded LURA is in place:
 - TDHCA will monitor using the application for funds and the applicable QAP for the award year on developments that do not have a recorded LURA at the time of the first monitoring review.
 - It is important for onsite and compliance staff to know and understand the application and QAP requirements to begin property operations and lease-up.
 - The training will present examples from applications and QAPs along with the corresponding section of the LURA to better explain the correlation.
 - Items covered will be marketing to veterans, unit designations, extended term, elderly requirements, HUB and Nonprofits, tenant supportive services, set-aside, special needs, and continuum of care.
 - It is the Owner's responsibility to comply with program requirements.

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Qualified Allocation Plan (QAP) & Application

- There are other items that might be required which are not all fully covered in the previous slides:
 - Elderly Limitation/Preference
 - Mitigation for Schools
 - Marketing to Applicable Public Housing Authority
 - Supportive Housing Requirements
 - Accessibility Requirements
 - Unit and Development Features
- It is also important to know what is in the QAP for the award year to know the background for what is in the LURA and required during property operations.

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Thank you!

QAP, Application and LURA

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