2016 Qualified Allocation Plan Comment Form

For the 2016 Qualified Allocation Plan (QAP) Public Hearing, Thursday, November 12, 2015, 9:00 a.m.-12:00 noon.

Persons may submit written comments during the comment period, which starts on Monday, October 12, 2015 and ends at 5:00 p.m. (PDT) Friday, October 30, 2015. The Division will consider all 2016 QAP comments received during the comment period.

Deadline for all comments: Friday, October 30, 2015, 5 p.m.

From: ________Corey Checketts______________ Company/Agency/Organization _______Community Development, Inc.___________
Name

Email: _______coreyc@cdinet.us _______________ Preferred phone number 208.459.8522

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	81		DD. Smoke-Free Housing	How many points is the Division proposing for this project amenity? We would suggest 1 or 2 points.
2	82		Maximum Amenities Points - 26	This total is stated as one point higher than the category summary on page 80. We request that the Division clarify this discrepancy.
3	87		14.12 Superior Project/Application Points A. "The 6/3 points is available to only two projects in Clark County/ Washoe County/ Other counties/ USDA/ and Washoe County Housing initiatives set-aside."	What is the "Washoe County Housing initiatives set-aside"? Is this the same as the "Northern Nevada Housing" set-aside? It is not clear in the QAP if these are the same or different set-asides. Second, would a proposed development competing in the non-profit set aside not be able to claim these points? We suggest the Division revise this language to allow developments in the non-profit set-aside to be able to claim these points.
4	92		14.13 F. Resident Property in a Commercial Zone	Is this the same project type as "Mixed Use" identified in Section 11 Eligible Project Categories? It is not clear in the QAP if these categories are the same. We request that the Division utilize the same language to consistently identify these project types throughout the QAP.

5	103-104		Staff can authorize up to a 30% boost for projects that have the following project criteria: 1. Projects which provide deep rent targeting in which the rent for all restricted units in the project does not exceed 45% of the Area Median Income Rent Level (maximum of 15% of the units may be market rate) 2. Projects in non-CDBG eligible communities. 3. Projects designated in a special set-aside provision in the QAP. The 2016 QAP has designated the Washoe County Housing Expansion Set-Aside project to be eligible for the 30% basis boost.	Is it the Division's intent to make Mixed-Income Projects ineligible for the basis boost? The definitional requirement for Mixed-Income project classification in Section 11 Eligible Project Categories is at least 20% market rate units. However, to be eligible for the basis boost a project can have no more than 15% market rate units. We propose that the Division revise one to be consistent with the other so a Mixed-Income Projects could be eligible for the basis boost under deep rent targeting. As identified above, it is confusing that the QAP refers to the Washoe County Housing Expansion set-aside which is not defined elsewhere in the QAP. Is this the same set-aside as the "Northern Nevada Housing" set-aside? We suggest that the Division clean up the language to be consistent and clearly identify which set-aside is being targeted here. To be eligible for the discretionary basis boost does a project need to meet each of the three identified project criteria? It is not clear based on the language provided that satisfying one and not the others would make a project eligible or if the project must meet all three project criteria. If a project must meet all three criteria then no project will receive the discretionary boost since Washoe County is a CDBG eligible community. We suggest the Division revise the language to state that a proposed development "must satisfy at least one of the following project criteria:".

6	7	8		**Maximum Tax Credits** **Project and Developer Limits:** No project will be reserved Credits in excess of $1,000,000 from the 2016 credit ceiling. No Developer, including related persons thereof or agents thereof or any person having an identity of interest with any such Developer, related persons thereof or agents thereof or any combination of the foregoing shall be reserved tax credits in excess of $1,000,000 under the 2016 housing credit ceiling. **INDEPENDENT QUALIFIED HOUSING CONSULTANT:** A disinterested professional housing consultant who has no identity of interest with any Builder or Developer participating in the Housing Tax Credit Program in any state and who by virtue of academic training, licensing and/or experience is a recognized expert skilled in the requirements of conducting a market survey and demand study.	Proposed revision to Section 18 of the QAP, to include tax credit limits for related parties, persons having an identity of interest with any Developer, including Consultants. The final determined limits should be subject to thresholds that NHD deems appropriate.

7	2 9		15 **4. NORTHERN NEVADA HOUSING EXPANSION SET -ASIDE** 16 Due to the planned Northern Nevada economic expansion impacting Washoe, Storey and 17 Douglas Counties, the need for affordable housing will be critical. It is the division's intention to 18 be proactive and to begin to meet the need. A proposed 10% set-aside of the gross total tax 19 credit ceiling will be created for the new construction of family housing, with a mix of 1, 2 and 3 20 bedroom units. The target will be 60 new units. The allocation for this set-aside will be 21 processed in a separate round.	We request clarification from NHD in the QAP to detail the "separate round" process, and how a determination will be made as to which proposed "Northern Nevada Housing" development will receive an allocation of LIHTC. Will the allocation go to the highest scoring "Northern Nevada Housing" proposal? When will this separate round occur? Based on the amount of annual credits reserved for this set-aside, and the suggested number of units, this deal will potentially be infeasible. With rising construction costs in most of the Northern Nevada market it will be difficult to a 60 unit development with only $652,992 in annual credits. With a basis boost limited to deals with only 15% or less market rate units, the challenges to funding the 60 units sought. Is the Division's intent to have this proposed development include 20% or more market rate units? Is this proposed development restricted to sites located in Washoe, Storey, and Douglas Counties, or can a proposal located elsewhere compete in this set-aside?

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Insert rows as needed.

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From: Frank Hawkins Jr. Company/Agency/Organization Community Development Programs Center
Name

Email: Frankh@cdpcn.com Preferred phone number 702 - 400 - 8995

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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1	6	26	be complete and must <u>materially match</u> other applications for funding that relate to the project	Please define Materially match
2	8	15	The Division <u>may</u> reject an application if:	Application should be denied not “may” Please explain in detail This is Capricious and arbitrary, need to be more definitive.
3	11	15	Deadline for Applications for Additional Tax Credits	Why is date different for additional credits
4	14	Table	Please see attached comments regarding Northern Nevada Set a side	Table comments added to end of these comments, along with tables from 2015,2014, 2013, 2012.
5	15	18	Division will, pursuant to the annual plan, make an initial apportionment of the total allocation of tax credits in the following order	If there are credits left over in the north can they go into the north setaside pool first and vice a versa.
6	1 5	29	The Division may establish and utilize set -aside accounts other than those specified in subsection 2 into which the Division will place tax credits after the minimum tax credits for nonprofit projects specified in that subsection have been set aside by the Division.	Why? Related to page 14 credit authorization and allocation plan.
7	1 6	4	Clark County, then the Division will transfer any surplus tax credits remaining in that subaccount to the subaccount for Washoe County.	How does the State ensure Clark County receives not less than 72.78% per the population and the code. The spirit of the law should be maintained.
8	1 6	6	Awards are made to the applications which receive the 5 highest scores within the set-aside and/or geographic categories they elect to compete in, based 6 on the remaining balance of tax credits available and the conditions in this QAP	Why No Clark County
9	1 6	8	If the Division does not apportion remaining tax credits to the accounts or subaccounts described to this point, then the Division will place the remaining tax credits into a general pool account.	Bad deal for Clark County, credits should go back to Clark County first.

10	1	7	13	If the amount requested by the Applicant is reduced by 5% and the available balance equals or exceeds that amount, then the Applicant may elect to receive that amount if the Applicant confirms in writing to the satisfaction of the Division that its project will still be viable and financially feasible with the 5% less tax credits than were originally requested	Some developers have applied for 5% credits, playing a game. Will this be allowed to continue? Please provide example
11	2	0	42	Allocation of Tax Credits to the project(s) with the highest score in the USDA RD set-aside	Why?
12	2	3	15	**NORTHERN NEVADA HOUSING EXPANSION SET-ASIDE** 16 Due to the planned Northern Nevada economic expansion impacting Washoe, Storey and 17 Douglas Counties, the need for affordable housing will be critical. It is the division's intention to 18 be proactive and to begin to meet the need. A proposed 10% set-aside of the gross total tax 19 credit ceiling will be created for the new construction of family housing, with a mix of 1, 2 and 3 20 bedroom units. The target will be 60 new units. The allocation for this set-aside will be 21 processed in a separate round.	We are opposed to this as written, there should be a project first, we would support a forward commitment when there is a project ready.
13	2	4	2	Unreserved amounts from the Clark County Geographic Subaccount, if any, will be placed for distribution into the Washoe County Geographic Subaccount.	Should be the other way. Why not Clark County?
14	2	4	14	Remaining unreserved amounts, if any, from the Other Nevada Counties Geographic Subaccount will be placed for distribution into the General Pool Account.	Credits are taken away but never returned in writing, so CC never receives 72.78% of credits.
15	2	4	19	Allocations which have been placed in the General Pool shall be distributed according to the following manner. At the discretion of the Administrator, Tax Credits in the General Pool may be allocated to fund:	We oppose "discretion of the Administrator"
16	2	4	31	A partial commitment to a project with a corresponding forward commitment for the balance of 32 credits may be made at the discretion of the Division Administrator.	We oppose, Goal is to remove all uncertainty from process.

17	2	7	14	Mixed Income Project, a minimum of **20%** of the units in the project must be unrestricted, 15 market-rate dwelling units.	Typo, should be 10%, please refer to Page 69, Line 13
18	6	1	DD	**Smoke-Free Housing**	Should be 3 points
19	6	5	14.12	Project is anticipated to most efficiently use tax credit resources as measured by multiplying 1.5 persons per bedroom x # of bedrooms; and dividing the total number of people into the amount of tax credits requested	Delete this section, The focus shouldn't be on cost but quality and long term service? All 2 bedrooms aren't the same? Most build 2 bed 1 bath, what about 2 bedroom and 2 full baths that cost more than ½ bath or 1 bath.
20	7	0	43	This will be 2 determined by dividing the total amount of Tax Credits requested by the total project costs.	Why is this different than seniors for breaking the tie?
21	7	1	1	.30 < .35	Delete this Section
22	8	8	Section 30	The Nevada Housing Division reserves the right to amend or modify the QAP after adoption and 9 posting, including its compliance and monitoring provisions,	We oppose any changes to QAP after adoption.

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From: ____James Gregory______ Company/Agency/Organization _Gregory Development Group___________
Name

Email: ____jim@weststates.org______ Preferred phone number _775___ - _738____ - 8000 x 109___

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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1	19	10-12	Projects that have not closed within 270 days from the date of the reservation letter, or which have been granted a 45-day extension and have not closed within the 45-day extension period, will have their reservation of Tax Credits terminated.	***This section needs to be either removed or enforced!*** The Division has, on several occasions, failed to follow its' own rules.
2	20	9-11	Applicant, if awarded tax credits under this set-aside, will be required to continually provide documentation of "material participation"…i.e., regular, continuous, and substantial involvement with the project.	The Division needs a method to determine that this rule is being followed. I am aware of several occasions, in the past, where the Non-Profit had almost no participation.
3	49	30-39	a**.** *Low Income Housing Experience:* The Applicant/Co-Applicants must submit an Exhibit to the application providing a description of at least three prior low income housing projects which the Applicant/Co-Applicants developed and operated. The information in the addendum must include, at a minimum: (i) the name of the project and its location; (ii) the date the allocation of Tax Credits, or funds or financing to promote low income housing, was received; (iii) for prior low income housing projects located outside the State of Nevada, the identification of the allocating or administering authority and the contact person at the allocating or administrating authority; (iv) the placed in service date ; (v) the period of time from commencement of lease-up to stabilized occupancy ; (vi) current occupancy levels; and (vii) the permanent financing sources.	Checking with previous administrations, this was done to assure the Division that in fact the experience was there and the Division carefully scrutinized each application to verify the veracity of the applicant. Based on last year's allocations, I have doubts as to the thoroughness of the inquiries.

4	14	Table 1	***Reduction in the USDA Set aside***	The Division's errors in not re-capturing the credits given to Sonoma Springs, in contradiction of the wording contained in the QAP for the last several years, should not be a reason to decrease the set aside. Rather, any reduction in the total number of credits statewide, should be taken from the entire pool and the resulting applicable percentages applied to each category.

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From: ____James Gregory______ Company/Agency/Organization _Gregory Development Group___________
Name

Email: ____jim@weststates.org______ Preferred phone number _775___ - _738____ - 8000 x 109___

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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5	7 3	10 29-30	**SECTION 14.14.5 LOW CONTRACTOR FEE** The Division considers contractor fees greater than 14% excessive. Any contractor fee in excess 30 of 14% will be taken out of the Gap Calculation for determination of the Final Tax Credit, etc.	We have argued for years that 14% for Overhead, General Requirements and Profit is not the industry standard. It should be increased by at least 4% in order to avoid contractors applying costs incorrectly to realize reasonable fees.
6	7 2	10 22-24	The Developer Fee will no longer be calculated utilizing the 30% Metropolitan/Non-Metropolitan DDA / QCT boost and/or the state authorized basis boost in the 2016 QAP	This provision is not reasonable. The 30% Boost means the developer will be doing additional work and the boost should be included in the Developer Fee.

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From: Holly Gregory Company/Agency/Organization Gregory Development Group
Name

Email: holly@weststates.org Preferred phone number _775 - 738 – 8000 x 107

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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1	14		(less adjustment)	We do not think the Division should "punish" the RD Setaside as it should have excess when NHD revoked Cornforth's credits because he didn't follow the QAP (twice) with the 270 day rule. The QAP is loud and clear. This cut in RD funds will cut out one project. We think it should come off the top.
2	17	32	November 7 2016	Shouldn't that be –[2017
3	23	16	Douglas County	We think Lyon County should be added to the list/Douglas struck
4	61	DD	Smoke Free Housing	There's no points
5	6 2		Rating Factors	Applicant maintains an office in Nevada/the Division should do a better job of checking that out. Care free living got NV based and used a unit in a building they were applying for acquisition credits. We also think NHD should check previous participation from out of State Developers.

	6	9	1,2,3	Rating factors	I think NHD should either give to the points to those that qualify and not limit the number of applicant's that can apply On page 66 E This may be difficult in rural areas. On page 70 line 18 "Keeping project costs down" the Division should limit the amenities and request smaller units. Page 45 line 22-27 If an IOI company, the applicant shall demonstrate that proposed costs are no higher. We think the Division has the BEST comps with all of the final tax credit applications and cost certs Page 72 lines 20 – 24 The developer fee will no longer be calculated utilizing the 30% boost. We fail to see this point as we are doing 30% more work. Is this a way to reduce the fee?

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From: ___Lisa Dayton______________________ Company/Agency/Organization ____Dayton & Assoc.____________________
Name

Email: _daytonassoc@gmail.com___________________________ Preferred phone number 775 - 772 - 4245

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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1	14	38	Applicants are required to include in their Market Study a reconciliation or explanation of the impacts and mitigation factors regarding the proximity of the proposed project to nearby existing tax credit projects to ensure viability of the existing nearby projects.	Does the Division have a threshold in mind to determine when an area is over-saturated with affordable housing?
2	29		**4. NORTHERN NEVADA HOUSING EXPANSION SET-ASIDE** Due to the planned Northern Nevada economic expansion impacting Washoe, Storey and Douglas Counties, the need for affordable housing will be critical. It is the division's intention to be proactive and to begin to meet the need. A proposed 10% set-aside of the gross total tax credit ceiling will be created for the new construction of family housing, with a mix of 1, 2 and 3 bedroom units. The target will be 60 new units. The allocation for this set-aside will be processed in a separate round.	Since this is for expansion, should we assume this means new construction only. The estimated available credits of 641,731 would fall considerably short of funding 60 units. Does the Division also plan to fund additional soft debt to bridge the gap?
3	88		***Projects allocated credits in 2016 and winning points in Sections 14.12 A and/or B above will not be eligible for additional credits in the 2017 and/or 2018 round**	I would assume from this provision that the Division feels some developers have misrepresented their project budgets in order to score these points only to then come back in subsequent rounds to request additional credits. This is not a strategy employed by all developers and now puts the developer in a lose/lose situation. Developers would now have to choose between underscoring their project to preserve this safety net or submitting their most competitive application which exempts the projects from recourse should costs escalate beyond what the project can absorb. Could the Division instead identify chronic abusers and put a limit on how many rounds or possibly back-to-back rounds you can apply for additional credits?

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From: ______________________________ Company/Agency/Organization _________________________________
Name

Email: _____________________________ Preferred phone number ____ - _____ - ___

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1	66	Above Washoe	Insert under Clark to level playing field: Projects for individuals $100,000-$105,000 8 preference points $105,001-$110,000 6 preference points $110,001-$115,000 4 preference points $115,001- $120,000 1 preference point	Costs per unit are likely to average less per unit for studios and 1s vs 2s and 3s.
2	42	14	The Division requires that the study be prepared by a qualified analyst**, approved by the Division,**	
3			Lower rehab cost requirement	
4			Split acq and rehab to allow pure rehab If rehab is over the IRC minimum (around $6k) and below $____ and less than a total of $____ (not bond feasible) then allow it to come apply for 9% TC.	
5			Change commercial	Change commercial to zoning that enables walkable communities facilitates easy walking among uses * See Smart Design Section 14.11. In category description Identify of interest cost reasonableness page, pg 45 F. Threshold F / 7. Insert property selection deadline 2 months before so staff have time to physically inspect property. This can help if there are issues regarding the location of the project and its viability. Put all Market instructions in one location

10	81 of 132	P.	Automatic door openers on doors which are required by the building code to have automatic closers, where providing access to common area rooms intended for use by tenants and their guests, that are on an accessible route. Excluded doors are those of the apartments, rooms intended to be used primarily by property management and maintenance staff, and those for corridors and stairwells where the use of automatic doors is prohibited by the building code. Only one door per room shall be required to have an automatic door opener. For the purposes of allocating these points to a project, "common area rooms" are those within the project available for common use by all tenants, or their guests.	The intent of this item is to ensure that residents can gain access to common area rooms for enjoyment, where doors may be hard to open. Hard to open doors are those that have closer hardware, such as hydraulic or spring closers. The building code requires closers and latching locks on some doors, most commonly found in the path of egress to protect the residents from the spread of fire and smoke. Doors that are not required to have closers require little pressure or force by the user to open, and can be left open without being in violation of the building code. It is reasonable to assume that if a resident can open their apartment doors that do not have closers, they are similarly capable of opening common area room doors that also do not have closing hardware. Also, there are rooms that have multiple doors, and at a cost of approximately $3,000 per, automatic door openers are expensive initially, not to mention the long term costs of maintenance. Thus a proliferation of these devices, where unnecessary, will add long-term cost to the building operations, and result in their removal due to the lack of funding to maintain or replace over time. Where appropriate, these automatic openers are invaluable to those needing assistance.
11	86 of 132	D.	One point for foam board wall sheathing used on exterior walls (minimum R-4 nominal in southern Nevada and R-5 nominal in northern Nevada), or for blowin/spray fiberglass, cellulose or foam wall insulation blow-in/spray fiberglass, cellulose or foam wall insulation.	The brand STAR R has a range of R-Value for 1" thick board ranging from 3.6 to 4.2.Thus, if it's decided that an R-value is wanted for this product in the QAP, adding the word "nominal" to the R-Value would allow for these varying ranges.

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From: __**Eddie R. Hult, Director Real Estate**___ Company/Agency/Organization ___**Nevada Rural Housing Authority**_____
Name

Email: __**ehult@nvrural.org**________ Preferred phone number _**775**_ - _**887**_ - _**1178**_

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

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From:______________ Company/Agency/Organization
Name

Email: Preferred phone number

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1	14	2 (schd)	USDA-RD SET-ASIDE 10.00% (Less Adjustments) ** (< 3. 72% >) (=) USDA-RD SET-ASIDE (Net) (= 6.28%)	There is no basis stated in the QAP for this adjustment. Our understanding is that it is a forward allocation of credits to compensate for an improper award from last year's distribution. Our position is that this "adjustment" should be taken from the final credit ceiling prior to the credits being allocated to the various set-asides and apportionments.
2	20	37+	USDA-RD SET-ASIDE	Because this is a "USDA-RD Set-Aside," it is our opinion that language and priorities provided by USDA RD be utilized in the QAP. It is important that prior to any allocation of credits from the USDA set-aside, a certification from USDA be obtained that an application for transfer and assumption has been filed with the agency.
3	23	16 & 17	... impacting Washoe, Storey & Douglas Counties, ...	The "Northern Nevada economic expansion" may have an incidental impact on Douglas County, but the impact will be far more substantial in Lyon County. We strongly recommend that Douglas County be replaced with Lyon County in this paragraph. Also to be considered, within 50 miles of the TRIC park is Fallon, so Churchill could be considered and we would consider Carson City County to be as (somewhat) affected like Douglas if the QAP wants to leave in Douglas County.
4	45	17	9) 14°/o limitation on builder/s contractors' profit, overhead and general requirements.	This is too tight for any arms-length transaction. It's really too tight for an identity of interest transaction. This is causing too small of competition for bid by contractors, especially those that may work under a CMAR (Construction Manager at Risk) to help work in value engineering needs in cases of rising construction costs. If this scale could be increased by 2-3°/o, we feel this would help in more competitive bids. Surveys of other states show a higher ceiling than the current QAP standard range denotes.

5	53	6-8	Security. All Tax Credit projects must provide appropriate security systems and improvements to reasonably safeguard the safety of residents. For the purposes of this section, security systems include but are not limited to:	Does this stipulate that every project is required to provide all of these security measures? If not, then the QAP should have more concise language, such as: "For the purposes of this section, security systems should contain one or more of the following, but are not limited to:"
6	6 1	Amenity Chart	DD. Smoke Free Housing	< Missing Points for this Line item >
7	6 2	NV based Applicant chart	A> Applicant/Co-Applicant maintains an office in Nevada from which a ... Conducts business.	Instead of "conducts business," should say "maintains an office in Nevada which is his/her primary place of business. Business cards and letterhead should refer to this business address.
8	6 6	B Chart (14.2)	Acquisition/rehab project (costs scale)	In today's rising costs, these figures seem low to do a major rehab on a property 25+ years old; how long since these cost-figures were increased, as our last two acq/rehab projects have seen costs increase by 11-15°/o (about $14k - $20k per unit)

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Insert rows as needed.

2016 Qualified Allocation Plan Comment Form

For the 2016 Qualified Allocation Plan (QAP) Public Hearing, Thursday, November 12, 2015, 9:00 a.m.-12:00 noon.

Persons may submit written comments during the comment period, which starts on Monday, October 12, 2015 and ends at 5:00 p.m. (PDT) Friday, October 30, 2015. The Division will consider all 2016 QAP comments received during the comment period.

Deadline for all comments: Friday, October 30, 2015, 5 p.m.

From: David Paull   Company/Agency/Organization Name   Nevada HAND

Email: dpaull@nevadahand.org   Preferred phone number 702 - 410 - 2706

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	45	15-16	a minimum of 20% of the units in the project must be unrestricted, market rate dwelling units	Page 91 line 33 still shows threshold of 10% in scoring section.
2	80-82	5	A maximum of 25 points will be awarded for the following project and tenant amenities	In the table on P.82, Maximum Amenities Points equals 26.
3	87-88	B	Acquisition/rehab projects	By awarding points for rehabilitation projects that have lower costs, this rewards projects that invest less money into the rehabilitation. With the expectation that the tax credit equity must make the project viable for 30-50 years, reduced rehabilitation work will be insufficient to meet this timeframe.
4	91	E	Mixed Income/Mixed Use Projects	Split into two different sections
5	92	F	Residential Property in a Commercial Zone	Needs clarity. Residential units are not intended for commercial zoned land.
6	92	H	Housing for Veterans	Should be moved into Standard Scoring Factors or Section 14.14 Special Scoring Factors
7	96	4	RATING FACTORS POINTS >.30 and <.35 8 .35 and <.40 6	Points for Low Income Targeting below .40 should require rental subsidies/project-based vouchers due to the inherent risk of long-term operational deficits. Additionally, Low Income Targeting below .40 should not be eligible for 14.8 Affordability Period points, even with vouchers/subsidies as they cannot be guaranteed for more than 30 years.
8	98	Footnote 27	Proposed for review in 2016 QAP regarding: 2 points – service coordinator; 2 pts – classes; 2 pts – Health & Wellness services and programs; 2 pts – Transportation services; 2	We agree with this change. We believe Section 14.14.3 Supportive Services should be revamped as per our attached Supportive Services Point proposal.

			pts – after school program.	
9	105	22-26	4) The Administrator may temporarily increase or lift the Project Cap and the Maximum Allocation for all new project submissions and requests for additional Tax Credits to address market downturns and/or other financial situations when such action would assist in keeping the Tax Credit program viable and supporting housing projects that create affordable housing. Any changes to the Project Cap and Maximum Allocation will be noticed simultaneously or separately on the Division's website at least 45 days prior to the Application Deadline.	Suggested Language: The Administrator may temporarily increase or lift the Project Cap and the Maximum Allocation for all new project submissions and requests for additional Tax Credits at its discretion. ~~to address market downturns and/or other financial situations when such action would assist in keeping the Tax Credit program viable and supporting housing projects that create affordable housing. Any changes to the Project Cap and Maximum Allocation will be noticed simultaneously or separately on the Division's website at least 45 days prior to the Application Deadline.~~ Justification: NHD should have the flexibility to exceed the developer cap at its discretion after evaluating all applications.

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Insert rows as needed.

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From: David Paull

Company/Agency/Organization Name: Nevada HAND

Email: dpaull@nevadahand.org

Preferred phone number 702 - 410 - 2706

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	38-39	35-37, 1-9	10. If the Division makes a reservation of tax credits until an applicant whose application is ranked next in order of priority requests an amount of tax credits that exceeds the amount available in an account, including as described in the Five-Percent rule, the Division may award tax credits to an applicant: (a) Whose application is ranked next in order of priority to that application; and (b) Who requests an amount of tax credits that is equal to or less than the remaining balance in the account, and within the Five-Percent rule. If an application is not considered for a reservation of tax credits pursuant to this subsection, the Division will consider the application for a reservation of tax credits against another account based on the number of preference points awarded to the applicant.	This removed language was also removed from the NAC but should still be included in the QAP. The purpose of the Geographic Apportionments is to ensure each geographic area receives a proportional amount of tax credits. Without this language, each geographical area may not fully maximize its apportionment and instead credits will likely go to other areas.

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Insert rows as needed.

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Deadline for all comments: Friday, October 30, 2015, 5 p.m.

From: Lorri Murphy (Name) Company/Agency/Organization Ovation Development

Email: LorriM@OvationDev.com Preferred phone number 702-990-2335

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	27	14,15	14 Mixed Income Project, a minimum of **20%** of the units in the project must be unrestricted,	Increasing the percentage to 20% will make the economics of the deal more challenging because the increase in NOI and potential loan frequently does not offset the loss of equity. Increasing the percentage may therefore have the effect of reducing the number of mixed income projects that are developed. Also, on page 77 the additional DDA boost limits the percentage of market rate units to 15. We would recommend changing the minimum here to 15% to match the DDA boost limit.
2	59	Table	C. Plan/Permits “Permit Ready”. To receive these points, a letter from the local building department must be submitted with the application stating the plans are approved, subject only to payment of any fee which may be required. No points will be awarded to Acq’/Rehab’ projects for this factor. This factor may be modified or deleted in the 2016 QAP.	We recommend removing this as a point score area. We are assuming that leaving this in was an oversight. If you remember, there was much discussion about this in the 2015 QAP hearings because it was felt to be an undue burden for developers and not needed to ensure that projects are can be completed by the 270 day deadline. In 2015, many developers had already invested substantial sums to become permit ready so it was decided that the change would be made in 2016 instead. Leaving this in as a point score for 2016 would be patently unfair for developers who, relying upon the discussions that this would no longer be a point score, did not invest in getting the project permit ready. At this late date it would be impossible to get permit ready by the deadline.
3	64	Table	C. One point for each item used: interior paint with no Volatile Organic Compounds (VOC); low VOC carpeting, padding; low VOC adhesives; lowurea-formaldehyde particle board, **installed kitchen and bath cabinets are** **low VOC.**	We recommend changing the requirement for no VOC interior paint to Low VOC paint. No VOC paints increase operating expenses significantly because they are more expensive and less available than low VOC paints. Expenses that increase faster than revenues causing “negative trending” in these projects is a significant concern for their longterm viability and this exacerbates that problem without significant benefits.

4	66	table	***Projects allocated credits in 2016 and winning points in Sections 14.12 A and/or B above will not be eligible for additional credits in the 2017 and/or 2018 round**	We applaud the concept, but recommend that the Division leave room for exceptions for market conditions with extraordinarily large cost increases such as occurred in 2005 & 2006.
5	7 2	23,24	The Developer Fee will no longer be calculated utilizing the 30% 23 Metropolitan/Non-Metropolitan DDA / QCT boost and/or the state authorized basis boost in the 24 2016 QAP.	We strongly recommend deleting this change. These projects generally take 3 to 4 years of work from land purchase & feasibility studies to taking the project through entitlement, to overseeing financing, construction, lease up and conversion to permanent loans. The developer also has to provide financial guarantees for construction and tax credit deliveries. Because the cash flow on these projects is so small, especially in later years, the developer fee is the only economic benefit to the developer to cover his time, costs and risks. In addition, a portion of the developer fee is often used to cover the cost of the service coordinators and transportation that are a point score area and integral to the success of these communities. The project cashflow is often not sufficient to cover these costs. Reducing these fees would make projects less viable, especially smaller projects whose fees are already barely sufficient to cover costs. Awarding low cost per unit and efficient use of tax credits is a much better way to ensure that agencies get the most from the resources available.
6	1 6	1-5	5. The Division will make reservations 1 of tax credits from the geographic subaccounts specified in subsection 4 based on the location of the project. If, during the first reservation round, the Division does not reserve all of the tax credits placed into the subaccount for: (a) Clark County, then the Division will transfer any surplus tax credits remaining in that subaccount to the subaccount for Washoe County.	This language appears to indicate that if there are insufficient credits to fund the next project in line in Clark County then the remaining tax credit would go to Reno/Washoe county. We recommend leaving the language as it was in the 2015 QAP giving developers the opportunity to reduce their request for tax credits or skipping to the next highest scoring developer in the geographic area that can use the tax credits.

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Insert rows as needed.

SNRHA
Southern Nevada Regional Housing Authority

Post Office Box 1897
Las Vegas, NV 89125
(702) 922-6800
TTY (702) 387-1898

November 9, 2015

Mike Dang
Chief of Federal Programs
Nevada Housing Division
7220 Bermuda Road, Suite B
Las Vegas, NV 89119

RE: SNRHA Comments on 2016 Draft QAP released for the November 12th Public Hearing

Dear Mr. Dang,

I am writing on behalf of the Southern Nevada Regional Housing Authority (SNRHA) in regards to the 2016 Draft QAP released for the November 12, 2015 Public Hearing. We feel that there are several proposed changes, or a lack of changes, that will critically impact the ability of an acquisition/rehabilitation project to score comparable to a new construction project in the 2016 round thereby precluding the preservation of existing affordable housing.

For example, a new construction project site can be selected to maximize location points, guaranteeing that the project is located in a non-CDBG census tract or is covered under a local/state revitalization plan and garnering preference points. The site can also be selected with smart design categories of location in mind to maximize these points as well. Additionally, project and unit amenity points can be maximized in a way that acq/rehab projects, which are limited by existing spatial layouts, cannot. For these reasons, maintaining the QAP point score areas targeting acq/rehab projects is crucial to maintaining the balance of new construction and preservation projects in the State of Nevada.

Specifically, below are the SNRHA's comments relating to individual QAP items:

- Pg. 59 Section 14.4 Project Readiness, Item C, "Permit Ready"
    - During the 2015 QAP hearings, there was discussion of removing this item from the QAP. Because acq/rehab projects are not eligible to receive these points, and because this category encourages risky behavior among developers, we recommend removing these points. Doing so would level the playing field among new construction and acq/rehab projects.

- Pg. 65 Section 14.12 Superior Project/Application Points, Item B
    - Existing language indicates: "Projects showing the most efficient use of tax credits by having the lowest overall cost (excluding land acquisition costs; include conditioned and unconditioned common area costs) per unit will be awarded preference points…" We recommend adding a note that for acq/rehab projects, the total acquisition cost (including land and building acquisition) may be deducted, as long as it is offset by seller financing.
- Pg. 65 Section 14.12—Superior Project/Application Points
    - In the 2015 QAP, 8 points were provided for projects including a project based rental assistance contract for at least 25% of the units. We would like to see these points maintained in the 2016 QAP as they allow developers to target the lowest income residents and special needs populations that could not otherwise be served.
- Pg. 66 Section 14.12 – Superior Project/Application Points, Item D, Preservation of Existing Affordable Housing
    - If the 8 points for project-based rental assistance must be removed, we recommend editing item D to include the underlined text: "Project includes the acquisition/rehabilitation of an existing multi-family or scattered-site project <u>with at least 25% rental assistance</u> that will preserve existing affordable housing."
- Pg. 66 Section 14.12 – Superior Project/Application Points, Item F, Owner Paid Utilities
    - Projects serving populations below 30% and 40% of AMI do not generate enough cash flow to pay tenant utilities, and thus those projects serving the populations most in need cannot claim these points. Furthermore, we feel that this encourages irresponsible energy consumption. For these reasons we recommend removing these points.

The SNRHA's housing portfolio consists of over 3,600 public and assisted housing units. With an estimated $200 million in capital needs across its portfolio, and steep declines in Federal support for public housing, the low income housing tax credit program has become an extremely important financing tool for the Authority in preserving its aging housing stock. We believe that preserving existing affordable housing, especially those projects serving households with incomes below 30% and 40% of AMI, is an important goal for Clark County and the State of Nevada and hope that the 2016 QAP will continue to incentivize these important projects.

Please feel free to contact me at (702) 922-6855, or Amparo Gamazo, the SNRHA's Director of Development/Modernization, at (702) 922-6071 should you have any questions.

Sincerely,

John N. Hill
Executive Director

cc: Amparo Gamazo, Dev/Mod

2016 Qualified Allocation Plan Comment Form

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Deadline for all comments: Friday, October 30, 2015, 5 p.m.

From: ____Eric Novak___________________________ Company/Agency/Organization ____Praxis Consulting Group___________
Name

Email: __eric@praxisreno.com______________ Preferred phone number _775____ - __786___ - _2003__

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	6	32-34	For purposes of NAC 319.974(2)(b) as amended by R115-14P the division considers the following circumstances to be grounds for rejection of an application for failure to comply with requirements of the QAP.	Wording is awkward. Propose: "For purposes of NAC 319.974(2)(b) as amended by R115-14P, the Division considers failure to comply with requirements of the QAP to be grounds for rejection of an application."
2	6	29-30	Applicants must check all category and geographic boxes which the Applicant elects to compete in.	Recommend removal of requirement to check geographic areas. Since applicants now qualify for geographic set-aside in addition to categorical set-aside, a checkbox is redundant.
3	7	18	(c) Information or documentation is missing or incomplete information1	Footnote 1 is empty - remove
4	8	21	…scoring documents in Volume One, marked with appropriate tabs, and the Market Study and any Environmental/Engineering documents in Volume Two.	Recommend adding direction that appraisals (when appropriate and available) get put in Volume II …scoring documents in Volume One, marked with appropriate tabs, and the Market Study, Appraisals (when available), and any Environmental/Engineering documents in Volume Two.
5	10	35-38	The Division publishes an annual Apartment Facts report on its website. Potential applicants may consult this publication as part of their research on market conditions. The Division will review submitted third-party market studies as well as its own internal publications in determining the needs of an area and alignment between proposed projects.	Delete? Is this report being produced anymore?
6	10	42-43	The components of "Project Readiness" are outlined further in Section 14.4 Project Readiness.	The components of "Project Readiness" are outlined further in Section 14.4 Project Readiness and Section 12. H & I
7	14	"Additional Tax Credits"	"State Population Estimate Allocations (%)" for Additional Tax Credits 2.5%	Construction costs are increasing enormously in Northern and rural Nevada. Recommend returning to 5%.
8	16	32	(b) Allocate in accordance with Section 10.C.	(b) Allocate in accordance with Section 10. (There is no 10.C.)
			the application must be accompanied by a resubmission	the application must be accompanied by a resubmission fee

9	16-17	35-2	fee equal to 75% of the initial application submission fee.	equal to 75% of the initial application submission fee. – Add fee to Section 21.
10	17	9-12	… specified in this section, the Division may implement the following. The Division may make reservations of tax credits until the remaining available balance of tax credits for the next application is insufficient to cover the amount requested in the category for which tax credits are being allocated.	… specified in this section, the Division will implement the following. The Division will make reservations of tax credits until the remaining available balance of tax credits for the next highest scoring application is insufficient to cover the amount requested in the category for which tax credits are being allocated, except as noted below.
11	17	32	The Project Sponsor must meet the 10% test by November 7, 2016.	The Project Sponsor must meet the 10% test by November 7, 2017.
12	18	5; 12	Pursuant to NAC 319.989(11); has closed pursuant to NAC 319.971	Pursuant to NAC 319.981; has closed pursuant to NAC 319.981
13	19	16-19	The DRC for all projects which receive a reservation must be recorded: (i) when the project receives a Carryover Allocation; or (ii) before the commencement of construction, whichever occurs first. All Applicants/Co-Applicants and Project Sponsors agree to cooperate with the Division to timely record the DRC.	Not practical for many projects. Many applicants do not own the property or it is not transferred to the LP until closing and the DRC cannot be recorded until then.
14	19	24-30	This category includes sub categories for projects which must (§ 42) or may be funded before the geographic or general pool allocations. Applications submitted under set-asides which do not receive funding from the set-aside category(ies) selected in the application may be eligible to, and may, compete for an allocation of Tax Credits in the geographic category—as long as the application indicated it was submitted to also compete in the geographic category.	Reword: The set-aside allocations will be funded in sequential order before the allocations to the geographic areas or general pool. Applications submitted under set-asides that do not receive funding from the set-aside category(ies) selected in the application will be eligible to compete for an allocation of Tax Credits in the geographic category~~—as long as the application indicated it was submitted to also compete in the geographic category~~. All set-aside categories are subject to the 5% rule.
15	19	30-32	…to also compete in the geographic category. 1. § 42 NONPROFIT SET-ASIDE	…to also compete in the geographic category. [Add]Allocations in the set-aside accounts will be made in the following order: 1. NONPROFIT SET-ASIDE…

16	20	34	remaining balance may be carried over into subsequent rounds as a minimum Tax Credit to be	remaining balance will be carried over into subsequent rounds as a minimum Tax Credit to be
17	20	38-40	The Division will set-aside 10% of the state ceiling with a preference for one or more United States Department of Agriculture Rural Development (USDA-RD) projects and consider their recommendations.	Please clarify what "consider their recommendations" means
18	21	12-15	If the USDA-RD is unable to issue a certification stating the availability of federal funding by the date the Division receives notice that National Pool Tax Credits are available, said reservations will be cancelled and the USDA-RD set-aside will be credited to the General Pool account for distribution.	If the USDA-RD is unable to issue a certification stating the availability of federal funding (for those USDA projects requiring new federal funding) by the date the Division receives notice that National Pool Tax Credits are available, said reservations will be allocated to the next highest scoring USDA-RD project, if any, or if not, cancelled and the USDA-RD set-aside will be credited to the General Pool account for distribution.
19	21	20-22	Applicant must also include in the Tax Credit application a letter or other written indication (emails are acceptable) from the local USDA-RD confirming receipt and authorization to proceed.	Applicant must also include in the Tax Credit application a letter from the local USDA-RD confirming that the project meets the USDA RD's requirements for new construction or rehabilitation and is recommended for funding under the tax credit program.
20	21	37	a complete application; therefore, applicants are encouraged to submit their application and	a complete application; therefore, applicants are required to submit their application and
21	21	39-41	project must also meet the Division's definition for substantial rehabilitation that for this particular set-aside is an investment of at least $10,000 per unit prior to funds invested to meet the Division's energy requirements.	project must also meet the Division's definition for substantial rehabilitation as stated in Section 11.1. [Recommend that USDA-RD projects have same rehab requirements as all other rehab projects under the QAP]
22	22	2-5	The Division will set-aside 2.5% of the state ceiling with a preference for one or more projects applied for by organizations which have had reasonably unforeseeable increased construction costs or decreases in credit pricing that result in a financing gap, after the prior year application, and subject to the conditions of this section.	The Division will set-aside 5.0% of the state ceiling with a preference for one or more projects awarded credits in 2014 or 2015 and have not yet placed in service which have had reasonably unforeseeable increased construction costs or decreases in credit pricing that result in a financing gap, and subject to the conditions of this section. [NOTE: 2.5% is too low. Recommend 5.0%]

23	22	17	Projects may be awarded not more than 10% of the underlying project's prior year (if applicable) award	Projects may be awarded not more than 10% of the project's total prior award(s)
24	22	27	Applicants must include working copies of the original prior year Excel application and a copy of	Applicants must include working copies of the original Excel application and a copy of
25	23	3	Additional Tax Credits exclude Developer Fees.	Additional Tax Credits exclude increases in Developer Fees.
26	25	9-14	A. Projects for Individuals.	Recommend deleting entire category. Fair housing law does not allow designation of non-senior housing for individuals. (Children must be allowed.) If the intent of this section is to promote housing for special needs single populations, then applicant should apply in special needs category. If the intent is to promote worker housing for service employees, the record has not been very positive in NV of these LIHTC developments. Not clear who the target population is for this category.
27	25	31-32	D. USDA-RD Projects This category is treated in the Set-aside section.	USDA-RD projects will be at a disadvantage in the General Pool and Geographic set-aside, if they cannot compete for points in as a Project Category. Recommend deleting.
28	25	41	received in writing well in advance of	received in writing 45 days prior to
29	37	8-9	The format for itemizing planned expenses by component category is in Appendix A, Planned Expenses by Component Category.	Please ensure that Appendix A is included in the 2016 Application or delete requirement. (It was not included in 2015)
30	44	38-39	Recommended minimum debt service coverage ratio of 1:15 on all combined debt excluding notes not requiring repayment until the sale of the property	Recommended minimum debt service coverage ratio of 1:15 on all combined debt excluding notes requiring payment out of residual cash flow or not requiring repayment until the sale of the property
31	45	8	15 % limitation on Developer Fees9 of the eligible basis involving third-party land transactions;	15 % limitation on Developer Fees9 of the eligible basis not including boost involving third-party land transactions; [to be consistent with Section 14.14.4

32	49	1	I. Threshold #9 1 – Zoning and Phase 1 Environmental Study for Project	I. Threshold #9 1 – Zoning, Phase 1 Environmental Study, and Phase II Testing (if required) for Project
33	49	5-7, 15-16	All Applicants or Co-Applicants must also submit a complete Phase I Environmental Study for all portions of the real property on which the proposed project is to be located. (lines 15-16)	MOVE LINES 15-16 AFTER LINE 5
34	55	11-13	…participate in all data and other surveys sponsored by the Division, including, but not limited to, the Apartment Facts Survey produced by the Division for the life of the affordability period and the Affordable Housing Data…	CONFIRM THAT APARTMENT FACTS SURVEY IS STILL BEING PUBLISHED.
35	59	Section 14.4 C & D	C. Plan/Permits "Permit Ready". To receive these points, a letter from the local building department must be submitted with the application stating the plans are approved, subject only to payment of any fee which may be required. No points will be awarded to Acq'/Rehab' projects for this factor. This factor may be modified or deleted in the 2016 QAP. D. Minimum two year commitment for Medicaid and/or Service Vouchers for assisted living secured.	Recommend deleting these two categories. We had discussed at the 2015 QAP hearings removing building permits as a scoring category because it encourages risky behavior among developers in Southern Nevada. With land acquisition and building permit, the developer is required to incur as much at $1.0 to $1.5 million in predevelopment costs prior to application in order to be competitive. We think that this is atypical of QAPs around the country. The Medicaid Service Voucher points have never been used to my knowledge and should be removed as a point score category—espcially with the deletion of the assisted living project category.
36	60	Section 14.5 T	T. Covered patio area on concrete slab with roof that is a minimum of 64 square feet. (applies to Tenant Ownership Projects only) or Patio or balcony area that is a minimum of 48 square feet (applies to all other project types). – 2 points	Recommend increasing to 3 points
37	61	Section 14.5 FF & DD	FF. Storage cabinets in attached garage in units for eventual tenant ownership (minimum of 2 cabinets each) 17 DD. Smoke-Free Housing	Footnote 17 should be attached to item DD instead of FF

38	61	Section 14.5 MM	MM. Projects that opt to exceed the HUD 5%/2% accessibility requirement by ensuring that every unit size (based on # of bedrooms) is fully accessible.	MM. Projects that opt to exceed the HUD 5%/2% accessibility requirement by ensuring that 20% of units (based on # of bedrooms) are fully accessible. We think 100% fully accessible is excessive and only applicable to special needs projects.
39	65	Section 14.12 B	B20. Project has most efficient use of tax credits. Cost Per Unit Preference points: Projects showing the most efficient use of tax credits by having the lowest overall cost (excluding land acquisition costs;	B20. Project has most efficient use of tax credits. Cost Per Unit Preference points: Projects showing the most efficient use of tax credits by having the lowest overall cost (excluding land acquisition costs; [Add footnote here:] On Acquisition/rehabilitation projects, the total acquisition cost may be deducted, as long as it is off-set by seller financing.
40	66	Section 14.12 B Washoe & Other Counties Acquisition/rehab	Washoe and all other counties Acquisition/rehab projects $95,000-$100,000 (or lower) 8 preference points $100,001-$105,000 6 preference points $105,001-$110,000 4 preference points $110,001-$120,000 1 preference point	Increase all Washoe & other counties acq/rehab projects by $45k in all categories (to be consistent with increase in new construction categories): $140,000-$145,000 (or lower) 8 preference points $145,001-$150,000 6 preference points $150,001-$155,000 4 preference points $155,001-$165,000 1 preference point
41	66	Section 14.12 B	*Projects allocated credits in 2016 and winning points in Sections 14.12 A and/or B above will not be eligible for additional credits in the 2017 and/or 2018 round	Remove. Most projects will gain at least 1 point in these categories. With rising construction costs, it is very likely that a project receiving these points might still need additional credits. Exceptions should be made for extreme circumstances in which the developer has made a good faith effort to keep costs low.
42	66	Section 14.12 C.	C. Project includes the acquisition/rehabilitation of a foreclosed, vacant, or abandoned building, or the reuse/conversion of an existing nonresidential building. Awarded to any eligible project21. (footnote 21: Proposed to remove Item D.)	C. Project includes the acquisition/rehabilitation of a foreclosed, vacant, or abandoned building, or the reuse/conversion of an existing nonresidential building. Awarded to any eligible project21. (footnote 21: Proposed to remove Item C.)
43	66	Section 14.12 D	D. Project includes the acquisition/rehabilitation of an existing multifamily or scattered-site project that will preserve existing affordable housing.	Either add rental assistance points back in (8 points) as a separate point score category, or edit D. to only provide points to existing multifamily or scattered-site project with at least 25% project-based rental assistance that will preserve existing

				affordable housing.
44	66	Section 14.12 F	F. Applicant/Co-Applicant or Project Owner or Sponsor paid electric, gas, and heating and/or cooling utility charges.[22]	Remove this category. Owner-paid utilities have been shown by HUD and the Department of Energy to encourage excessive energy consumption.
45	67	12-13	no other unit, regardless of the number of bedrooms, can exceed 850[23] square feet additionally, Footnote: [23] It is requested to set this equal to the Project for Individuals maximum of 700sf. Because these are different project types the differences will remain for the 2015 QAP.	Footnote contradicts information on page 68 line 15 stating that no unit shall exceed 850 sq.ft. Footnote is confusing—delete.
46	68	13-34	C. Projects for Individuals… Applicant #1 receives 10 points, applicant # 2 receives 5 points	Remove entire category and all associate text. Section does not serve any specified purpose.
47	68	36	D. Projects for Individuals with Children/Families with	Reword: D. Family Housing Projects
48	69	12-13	Mixed Income Projects will be ranked based upon the percentage of market-rate units in the project that exceed the minimum requirement of 10%.	Listed as 20% in Section 11 F, page 27, line 14
49	69	26-41	Mixed Use Projects will be ranked on the highest… second highest scoring project will receive five points.	Lines 26-33 fit better under category F. Residential Property in a Commercial Zone, move to p. 69 line 42 These sections do not correspond to Section 11G
50	71	Section 14.14.1 A	Special scoring points will be awarded in the amounts specified in the following table. >.30 and <.35 8 points	Add back in requirement for rental assistance in order to claim 8 points in this category. See 2014 QAP.
51	71	21	A maximum of eight points will be awarded based upon the number of supportive services	A maximum of six points will be awarded based upon the number of supportive services. (Category only adds up to 6 right now.)
52	72	7	Special scoring points are awarded as described below[24]: Footnote [24]: 24 Proposed for review in 2016 QAP regarding: 2 points—Service Coordinator; 2 pts—Classes; 2 pts—Health and wellness services and programs; 2 pts Transportation Services; 2 pts—After	Recommend not adding these points—the categories are too vague and letters are easy to obtain from providers for applications without the owner actually following through on services. These services are too difficult to verify.

			school program.	
53	72	20	The Developer Fee must not exclude 15% of eligible basis of the project	The Developer Fee must not exceed 15% of eligible basis of the project
54	72	26-30	The cost certification must reflect the Developer Fee percentage disclosed within the original application and may not be changed for any reason. Staff will take the Developer Fee percentage to two decimal places and will not round up or down. The amount of the Developer fee may change (increase) as long as it does not deviate from the percentage claimed in the original application (carried to three decimal places).	Do you want to add language that fee amount cannot be increased if requesting Additional Tax Credits, per Section 8.3?
55	74	Section 14.14.5 A	A. An arm's length donation of land from any governmental or private source or a parcel of land transferred at a nominal cost from a governmental unit or private source of a long-term lease of at least 50 years provided to the Applicant/Co-Applicants at a nominal or discounted costs from a governmental unit (federal, state or local).[25] – worth 2 points	Recommend increasing to 5 points to incentivize local jurisdictions to donate land.
56	74	Section 14.14.5 B	3) HUD 202 or 811	3) HUD 202 or 811 or USDA-RD 515
57	75	7-8	(including land costs and excluding Developer Fees)	Would prefer original 2015 QAP language. This gives the wrong incentives to developers
58	77	8-10	Applicant/Co-Applicants with projects located in these hypothetical SADDAs are authorized to utilize 130% of eligible basis as a factor in determining the adjusted eligible basis for the 2016 QAP.	Add back in the QCT language and QCT designations
59	77	28	Projects which provide deep rent targeting in which the rent for all restricted units	Projects which provide deep rent targeting in which the weighted average rent for all restricted units
60	78	4	N/A	Add boost for other counties and in the USDA-RD set-

				aside. Deals do not work without boost and deep income targeting is not practical on rural projects.
61	78	20	is being paid consulting fees,[27] Footnote 27: For example, the Division notes the North Carolina HFA QAP: "The total amount of any consulting fees and developer fees shall be no more than the maximum developer fee allowed to that project." 2014 QAP- NC, page 26.	Not sure the purpose of footnote.
62	85	4	Final allocation application (at a cost of $2,500	Final allocation application (at a cost of $3,000 (PER 21.A)
63	86	9	A $1,000 fee payment is required at the time of the request for approval of any changes.	Add to Sec. 21
64	86-87	16 p. 86- 3 p. 87	Examples of changes of which the Division must be notified: 1) Site control or rights of way are lost… 11) Any other factor deemed material by the Division in its reasonable judgment	Consider revisiting the bullets in this section, since most projects experience some of these routinely, and should not be required to seek approval from NHD, whereas other changes would definitely be considered material.

To prevent ambiguity and reduce interpreting errors, if you are proposing any language changes to the QAP, then be sure to insert your proposed language above, along with the page and line numbers.
Insert rows as needed.

USDA

United States Department of Agriculture

10 November 2015

USDA Rural Development suggested revisions to Nevada Housing Division QAP for 2016
Reference: RD Setaside

Page 20, Lines 38-40, revision makes it 38-41:

38 The Division will set-aside 10% of the state ceiling with a preference for one or more United States Department
39 of Agriculture Rural Development (USDA-RD) projects and ~~consider their recommendations~~ **utilize USDA-RD's**
40 priority rankings, giving highest priority to applications from projects in Category 1, then Category 2,
41 and finally Category 3. USDA-RD's priority rankings, updated annually, are appended to this QAP.

Page 21, Revision of Lines 12

12 If the USDA-RD is unable to issue a certification stating the availability of **necessary** federal funding by the

Page 21, Strike Current Lines 17-22, Replace with 17-26:

17 Applications submitted to the RD Set-aside must present at the time of application to the Division evidence that
18 the applicant has submitted a complete application to USDA-RD for a Transfer and Assumption, a Multi-Family
19 Preservation and Rehabilitation (MPR), or a Section 538 Loan Guarantee, including evidence the applicant has
20 authorized USDA-RD to release to the Division a copy of the application to USDA-RD. Applicants who are lacking
21 a complete application to USDA-RD must alternatively submit to the Division and to USDA-RD a Letter of Intent
22 to make application to USDA-RD that is accompanied by significant supporting evidence, such as a
23 Comprehensive Needs Assessment (CNA), an appraisal, and/or a professional market study. If the application
24 referenced in the Letter of Intent is not completed and submitted to USDA-RD within the 270 day Tax Credit
25 Performance period, any award of tax credits received would be withdrawn and provided to the next eligible
26 applicant to the RD Set-aside.

Page 21, Lines 24-29: Strike; unnecessary

Page 21, Strike Current Lines 31-41, Replace with 31-37:

31 Acquisition/Rehabilitation projects must be in accordance with USDA-RD regulations and must substantially
32 rehabilitate or change the project to accommodate the housing needs in the jurisdiction in which the project is
33 located. Applications to the USDA-RD set-aside for Acquisition/Rehabilitation projects will require a letter from
34 USDA-RD indicating that the rehabilitation is warranted, that the scope of the comprehensive needs assessment
35 is acceptable and that the rehabilitation meets USDA-RD's definition for substantial rehabilitation. The project
36 must also meet the Division's definition for substantial rehabilitation, which for the USDA-RD set-aside is an
37 investment of at least $10,000 per unit prior to funds invested to meet the Division's energy requirements

2016 Qualified Allocation Plan Comment Form

For the 2016 Qualified Allocation Plan (QAP) Public Hearing, Thursday, November 12, 2015, 9:00 a.m.-12:00 noon.

Persons may submit written comments during the comment period, which starts on Monday, October 12, 2015 and ends at 5:00 p.m. (PDT) Friday, October 30, 2015. The Division will consider all 2016 QAP comments received during the comment period.

Deadline for all comments: Friday, October 30, 2015, 5 p.m.

From: Lona Cavallera Company/Agency/Organization: Washoe County Health District

Email: lcavallera@washoecounty.us Preferred phone number 775 - 328 - 6140

Send all comments to: Mike Dang, MDang@housing.nv.gov Copy: Mark Licea, MLicea@housing.nv.gov

Please use this form for all comments. Highlight or otherwise mark your proposed language to add or to remove.

	QAP Page #	Line#	Existing language or proposed language you are commenting about (cut and paste)	Comment
1	61	DD	**Smoke-Free Housing:** Owners must establish a no-smoking policy for all buildings (including all indoor common areas, units, and balconies/patios) and within 25 feet of buildings. A non-smoking clause must be included in the lease for each household.	The Washoe County Health District and the Nevada Tobacco Prevention Coalition propose the wording written in the column to the left, for the smoke-free housing policy. The organizations also propose that one point be awarded to properties that establish a smoke-free housing policy. We wanted to clarify this because this year's proposed wording was placed at the bottom of page 61 next to last years proposed wording (in the footnote). Therefore, it looks like the proposed wording is: "Promoting a healthy environment for all residents by implementing a no smoking policy for 100 percent of the building, units, and all common areas (last year's wording). Owners must establish a no-smoking policy for all buildings (including all indoor common areas, units, and balconies/patios) and within 25 feet of buildings. A non-smoking clause must be included in the lease for each household (this years wording)." However, the proposed wording we would like to see adopted is not the above, but rather: "Smoke-Free Housing: Owners must establish a no-smoking policy for all buildings (including all indoor common areas, units, and balconies/patios) and within 25 feet of buildings. A non-smoking clause must be included in the lease for each household." This language is more concise and clear. Also, footnotes 17 and 18 appear to not correspond to the correct line item.
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To prevent ambiguity and reduce interpreting errors, if you are proposing any language changes to the QAP, then be sure to insert your proposed language above, along with the page and line numbers.
Insert rows as needed.