EditBy

QAP Comments

Comment Received

Comment Phone

Comment From

John Sullivan

Comment Firm

Comment Email

Linda Mizell <bnlmizell@yahoo

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

QAP Comments

Comment Received

Comment Phone

Comment From

Timothy W Delaney

Comment Firm

Comment Email

Timothy W Delaney <tdelaney

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.
Tim Delaney

QAP Comments

Comment Received

Comment Phone

Comment From

Robert Kocher

Comment Firm

Comment Email

Robert Kocher <rkocher12@g

I’m urging you to establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Robert Kocher
New Orleans

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Ryan Herringshaw		Ryan Herringshaw <rherringsh

1050 S. Jefferson Davis Pkwy., Ste. 301 • N 70125
P: 504 .821.7222 • F: 504 .821. 7213
www.providencecommunityhousing.org

June 19, 2020
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808
Delivered via email to: qapcomments@lhc.la.gov
RE: Draft 2021 QAP

To Whom It May Concern:
Please find below a list of comments from Providence Community Housing regarding the Louisiana Housing Corporation's (LHC) Draft 2021 Qualified Allocation Plan (QAP):

1. Funding Pools

Section II.A, page 4

Providence supports the consolidated pool structure that is proposed which provides three distinct pools for Non-Profit, New Construction, and Rehabilitation. We believe this adequately splits resource to the production of new housing as well as preservation of existing housing units in a manner fair to all developers in all locations. We encourage and support the LHC actively working to encourage permanent affordability and enhance the 4% LIHTC program and associated funding sources to promote the long-term retention of affordable housing. Such measures will allow 9% credits to be better focused to create new, significantly expand existing, and support disaster affected affordable housing and increase the overall affordable housing stock in the state.

Providence does not support the 50% set-aside in the Rehabilitation and New Construction General Pools for projects in rural areas. This practice does not adequately assess project quality, feasibility, or demonstrated need based on population count alone.

Further, Providence does not support a 50% set aside specifically in the Non-Profit pool as the pool is usually not large enough to make a significant number of awards. This pool is specifically designed to support Non-Profits and CHDO's outside of the larger general pool mechanics and should prioritize only the highest scoring projects with demonstrated need.

2. Project Threshold Requirements – Negative Neighborhood Features

Section IV.A.5, page 11

It should be the focus of LHC and the development community to promote positive neighborhood features but also recognize the built environment of existing urban, suburban, and rural communities make it near impossible to provide high quality affordable housing without falling within the established radius. Negative points cause otherwise qualified and needed projects to go unfunded, which ultimately hurt the most vulnerable of our communities.

However, Providence strongly opposes the threshold requirement that restrict new construction projects within a half mile radius of selected incompatible uses. While previous negative point values were detrimental to a project's ability to secure an allocation, the variety of defined incompatible uses creates a far too restrictive map in most communities that would disqualify many qualified projects outright. We recommend this threshold be removed, or at minimum reduced significantly.

Providence supports a threshold requirement that no project whole or in part be located directly next to or contiguous to any of the listed incompatible uses for all parishes, and not only the listed "Metropolitan" parishes.

1. Project Threshold Requirements – Washers and Dryers

Section IV.A.9, page 12

Providence recommends not implementing the provision of washers and dryers as a mandatory threshold requirement for new construction properties. While these are valued amenities, they are not universally valued in all markets and tenant populations as well as present long term operating replacement cost factors. Providence recommends reducing the threshold requirement to the provision of washer dryer hookups in new construction properties and reinstating the selection point criteria to provision machinery in both new construction and rehabilitation properties.

1. Project Threshold Requirements – Universal Design
Various, undetermined
The 2021 QAP is unclear on its requirements for Universal Design, but notes point selection criteria available for rehabilitation projects. Providence requests that LHC clarify its stance on this item.

Should Universal Design be noted as mandatory threshold for new construction projects, Providence recommends exempting single family and duplex homes. Universal Design should not be required in scattered site new construction projects due to the extraordinary cost to install certain accessibility systems at each location above and beyond the designated accessible units. Mandatory items such as stepless entrances in raised homes, minimum clear landing spaces, and required interior width and clear spaces can provide unnecessary challenges in designing infill housing lots. In addition, for raised homes common in southern Louisiana, the provision of stepless entries and 5x5 clear landings would be extremely cost prohibitive.

1. Terms Required for Cash Flow Notes
Section IV.D.4, page 15

Providence recommends clarifying that Developer Fee Cash Flow Notes must mature in 15 years, with unpaid principal balance paid via free cash or made as a capital contribution to the project.

1. 30% AMI and Target Populations
Section IV.D.8.b, page 15

Providence requests that LHC confirm the availability of Permanent Supportive Housing vouchers to support this required tenant population. Providence supports deep affordability within LIHTC developments as a facet of mixed income communities, but also acknowledges the significant reduction in rental income limits debt capacity and can provide a need for additional gap financing.

1. Developer Fees
Section IV.D.13, page 16

Providence strongly opposes the defined maximum limits on developer fees. This practice disincentives larger projects which carry a larger financial capacity requirement and a larger guarantee requirement while prioritizing smaller projects that are unlikely to be operationally feasible. All projects, regardless of scale or location, should be eligible for a full 15% developer fee (as structured and defined in previous QAP's) if the development team is able to find such resources to appropriately finance. Arbitrary limitations are in no way effective in providing the income necessary to support development overhead and risk associated with the development and delivery of LIHTC funded projects, especially given the timeframe of project maturity. Providence acknowledges the need for cost controls and reasonableness policies, and encourages the LHC to seek alternate measures to enact such policies that reduce the direct cost of affordable housing development and not the livelihood of the development community carrying out this work.

1. Maximum Unit Development Cost
Section IV.D.20, page 16

Providence recognizes that cost reasonableness is a cornerstone of the LIHTC program, however, we find that the TDC caps established in this QAP are overreaching in a way that limits or prohibits development. In many cases, due to the maturity timeline of projects, increased costs become tradeoffs that affect a projects long term viability: ex. Reducing project reserves, value engineering to cheaper and less durable materials, not adequately addressing the needs of the project. Not only are these actions dangerous or the project, they can be outright rejected by the threshold requirements of the QAP and the limited partner investor community which effectively kills deals that could otherwise provide the capital sources required.

Providence recommends that the LHC eliminate the TDC caps as structures, which are based on HUD Public Capital cost limits that do not translate well to the structure of LIHTC development, and instead focus on how developers and their projects best leverage critical LHC resources. No project should suffer an arbitrary cap if funding is reasonably available, especially if LHC's commitment is minimized in light of other resources.

1. Selection Criteria – Construction Type
Appendix A.I.C, Page 30

Providence recommends establishing Adaptive Reuse as a selection criteria eligible construction typology with comparable points in the Rehabilitation & Preservation category. Adaptive reuse projects, historic or not, have a tremendous impact in their communities including returning underutilized and vacant community assets to commerce, reducing blight and vagrancy, and increasing neighborhood value.

1. Selection Criteria – Extended Affordability Agreement
Appendix A.III.A, page 31

Providence applauds the LHC for incentivizing long-term affordability as a way to ensure these public/private partnerships serve communities long into the future. Providence recommends that the point criteria for extended affordability be increased to represent the importance of such a decision, and also that the LHC add a criteria option for permanent affordability.

1. Selection Criteria – Government Priorities
Appendix A.III.C, page 31

Providence recommends re-establishing the Government Priority selection criteria points for developments located in Qualified Census Tracts in item (i). Removal of points for QCT's would potentially deprive federally designated census tracts from much needed investment in affordable housing.

Providence recommends eliminating item (ii) completely on the basis that all of these demographic thresholds appear to be at best case arbitrarily selected or at worst case meticulously selected to exclude certain parishes and do not appropriately depict if the referenced population is underserved and need of housing investment. Should the LHC decide to keep these points, Providence requests that the mechanism and reasoning to establish these threshold metrics be disclosed within the QAP.

1. Selection Criteria – Optional Amenities
Appendix A.V.B.(i), page 32

In conjunction with item 3 above, Providence recommends not implementing the provision of washers and dryers as a mandatory threshold requirement for new construction properties. While these are valued amenities, they are not universally valued in all markets and tenant populations as well as present long term operating replacement cost factors. Providence recommends reducing the threshold requirement to the provision of washer dryer hookups in new construction properties and reinstating the selection point criteria found in Appendix A.V.B.(i) to include both new construction and rehabilitation properties.

1. Unit Size Limitations
Appendix B, page 34

Providence strongly recommends returning the Minimum Square Footage listed to the standards set forth and accepted in the 2017 QAP. Minimum Square Footage was increased in the 2018 QAP by 50 SF for Efficiency and 1 Bedroom units, and 100 SF for 2 Bedroom units and larger. This increase is unrelated to the provision of "decent, safe and sanitary" housing and results in unnecessary increased cost which are in direct opposition of the push for greater efficiency and leverage of LHC resources. Furthermore, the increase in minimum unit size above what is established by local jurisdictions results in the loss of potential affordable units as unit square footage is increased yet applicable zoning regulations for maximum floor area ratios, height, or other physical setbacks are not. The loss of units also presents an operations underwriting concern as income is reduced and fixed costs are spread over fewer units.

Providence further recommends that LHC establish a waiver for minimum unit size for existing units, which under the current structure would be held to the same standards as new construction. Most existing units are nonconforming to these requirements and would represent a severe limitation of held to the same standards.

Providence further recommends expanding the aforementioned waiver pending the approval from the local jurisdiction, or any source providing federal funds or operating subsidies to the project. Average property and unit/home sizes are

not standardized across the state and are subject to a variety of circumstance, land use patterns, lot size, and market demands. LHC should rely on the oversight and expertise of local jurisdictions to effectively address their own zoning and building code compliance.

Thank you for your consideration of these written comments. If additional information or clarification is needed please do not hesitate to contact me at (504) 821-7229 or rherringshaw@providencech.org.

Ryan Herringshaw
Director of Real Estate Development Providence Community Housing

Cc: Terri B. North, President & CEO

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Danny K. Cottonham	SILC CHAIRMAN	dcottonham <dcottonham@ya

I would like to support establishing an underwriting Guideline requiring a Deposit to Reserve of $800.00 per newly constructed affordable residential unit and $1200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Sincerely,
Danny K. Cottonham
SILC CHAIRMAN

Sent from my Verizon, Samsung Galaxy smartphone

QAP Comments

Comment Received

Comment Phone

Comment From
Showalter Knight

Comment Firm

Comment Email
showalter knight <joeeques@h

I am urging you to establish an Underwriting Guideline requiring a Deposit of Reserves of $800,000 per newly constructed affordable residential unit and $1,200,000 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Showalter Knight
3015 Royal St.
New Orleans
LA 70117

QAP Comments

Comment Received | **Comment Phone**

Comment From
Anita Gray

Comment Firm

Comment Email
Anita Gray <anitacgray@gmail.

Please establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Kindest Regards,
Anita Gray
Ms. Wheelchair Louisiana 2013

QAP Comments

Comment Received

Comment Phone

Comment From

Comment Firm

Comment Email

Kevin George <georgekevin768

The Louisiana Housing Corporatiom establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit for low-income families! And the corporation established $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Meghan Elder		Meghan Elder <info@laahp.or

Mr. Keith Cunningham, Executive Director Louisiana Housing Corporation
2415 Quail Drive

Baton Rouge, LA 70808

RE: 2020-2021 QAP

Dear Mr. Cunningham:

On behalf of the LAAHP board of directors and our# members, I want to thank you and your staff for working with the affordable housing development community to maximize our impact in serving Louisiana citizens. Over the last few years, you and your team have met with stakeholders from around the state, listened to suggestions and concerns, and made changes to the QAP. We appreciate your openness to making QAP adjustments in response to feedback from advocates who represent underserved communities, developers, investors, lepders, and residents.

We are aware that the process of input to create the 2021QAP has begun. And, with that knowledge, we want to offer these overarching comments in hopes that it will assist staff in formulating a document that is well received and achieves LHC's goals of producing strong affordable rental projects to serve the people of Louisiana.

The QAP is the document that governs the awardin of both 4% and 9% low-income housing tax credits (LIHTC). LIHTC is used in public/private partnerships to produce affordable rental units. It is most important that the LHC as the public entity setting the policy for awarding tax credits has considered what the private investors, lenders, and developers consider to be the best ways to maximize the effectiveness of the tax credits. Below are some concepts that LAAHP endorses:

- Instead of total development cost and unit cost limits, use the number of state resources used/ tax credits requested as a benchmark as a cost limit. This will eliminate any penalty against areas of the state where the development costs are higher, but tihe developer can bring in additional resources to cover the higher costs.

-Eliminate negative neighborhood threshold items and any penalty for negative neighborhood features. Instead, offer points as incentives for positive neighborhood features and require the local/municipal district to support the location of the project. Local governments know their needs and should govern where projects are built.

)

-Do not have threshold requirements that require amenities that are unnecessary to the housing. Again, you can offer points for added amenities as an incentive but requiring items like washers and dryers in units and large square footage footprints add cost to these projects. These projects often have funding gaps that need to be filled. And, as mentioned before you can also offer points for amenities/positive neighborhood features being available nearby.

-Eliminate any threshold items that require serving special needs populations. Instead, offer incentive points to projects that are willing to provide such housing. To be clear, we are not referring to legal requirements to build to provide units to serve those with physical disabilities. We are referring to tenants that require services that the landlord cannot control, like permanent supportive housing.

-Projects with competitive LIHTCS may qualify for a 15% boost in the draft QAP. Basis boost determination should be 30% to maximize credits available to projects.

-LHCwill disqualify applications if an applicant fails to provide original documents within 72 hours after receiving the Corporations request. We feel this is not enough time to send documentation

-Please note in the QAP that the evaluation of competitive applications should be based upon score and discretion.

-Please clarify LHC intent in the draft QAP regarding projects with federal funds or insurance.

-In the draft QAP regarding Energy Efficiency: remove The Corporation and keep Capital Needs Assessment.

-Please clarify in the draft QAP -Developer Experience: clarify if the developer or a team member has this experience.

-Developer Fees adjustment: There is no incentive for developers to do large projects for minimal reward. The reward for syndicators is often deferred and will create large gaps putting Louisiana at a large disadvantage. Arbitrarily reducing eligible developer fees is not an effective way to control costs; it is an effective way to discourage the best practitioners from doing development in Louisiana. Adjusting expectations on what is required to be built is better control.
-Syndication Cost in draft QAP: Need clarification on equity or bonds for the developer fee.

-Maximum Unit Development Cost in draft QAP: If LHC will not consider changing its methodology on cost as described above please correct to reflect HUD 2020-unit total development cost instead of 2019.
- Proposed Carryover/Carry-Forward Allocation of Tax Credits: Turnaround for the documentation is too fast, please allow more time.

-Please do not incentivize developments with highe than 20% of the units available for market -rate units. Developments with more than 20% of market-rate units are hard to clear market on the equity side.

-The QAP should not penalize developments where there is additional ODR needed above $3,600 per unit to meet the 6 months of operating expenses, R4R, and debt service.

Thank you for your consideration of these recomm ndations. Sincerely,
Meghan Elder

ector
Meghan Elder

Executive Director

P.O. Box 4058
Monroe, Louisiana 71201
t: 601-992-9933
e: info@laahp.org
Louisiana Association of Affordable Housing Providers
www.laap.org

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Joshua Branch		Joshua Branch <joshua@jaclo

Dear Louisiana Housing Corporation ("LHC"),

We write in response to a call for public comment regarding LHC's Qualified Allocation Plan used in contracts with developers. As the largest affordable housing program in the state, we encourage LHC to use contracts that ensure developers use a more inclusive criminal background screening tool. Further, we believe these requirements should be applicable for all Low Income Housing Tax Credit ("LIHTC") developments moving forward. This would be a step in the right direction for all Louisianans towards equity and stable housing.
The Justice & Accountability Center of Louisiana provides legal services and information to individuals returning from incarceration or contact with the criminal legal system. One of the primary barriers to upward mobility for the re-entry population is stable housing. Individuals with criminal records often face increased scrutiny and discrimination based on prior behaviors that have no bearing on current realities. With stable housing comes a sense of pride, community, and family that cannot be replicated in other sectors of our society. It is critical that LHC include these policies that will support formerly incarcerated people and enable family reunification so that they can have a supportive environment--one they can call home--while also reducing the likelihood of recidivism.
Louisiana holds the distinction of the most incarcerated state in the country and its rates are higher than most other countries. In recent years, Louisianans have fought hard to say in unison that a criminal record should not be a trap to perpetual poverty. A more inclusive criminal background screening tool is in alignment with these trending beliefs. It is also in alignment with Governor John Bel Edwards's legislative efforts to address mass incarceration and justice reinvestment. Similar policies are recommended by the federal government to ensure compliance with the Fair Housing Act. Further still, these policies would level the playing field for people of color. As LAFHAC's fair housing testing report shows, criminal backgrounds are largely used as a proxy for race. In half the cases black individuals with criminal records faced harsher screening policies than their white peers with the same records.At the end of the day, this is simply an equitable policy that gives all Louisianans the chance at affordable and stable housing without fear of discrimination.

For these reasons we believe LHC should adopt policies that would insert language in the QAP, and any other contracts with developers receiving LHC subsidies, requiring owners to use an admissions policy that includes an inclusive criminal background screening policy, specifying that:

- Arrests, juvenile records, or any expunged, vacated, or sealed convictions will be excluded from consideration.
- The housing provider will only consider felony offenses or misdemeanor sex offense convictions that have taken place within the past three years.
- The housing provider will make their screening policy available publicly and a copy of any completed background check report available to the applicant.
- The housing provider will perform an individualized assessment that involves the consideration of mitigating circumstances.
- Denial letters should include language about the availability of a reasonable accommodation for tenants with disabilities.

We also separately recommend that housing providers be required to include language in their lease that they will not terminate tenancy based solely on an arrest.

Respectfully submitted,
Josh Branch
--
Josh Branch
Program Policy Manager
joshua@JACLouisiana.org

Justice and Accountability Center of Louisiana
4035 Washington Avenue, Suite 203
New Orleans, Louisiana 70125

w: 504-322-4050 ext. 202
www.JACLouisiana.org

Subscribe to JAC's monthly newsletter!

QAP Comments

Comment Received

Comment Phone

Comment From

Graffiti Graphics

Comment Firm

Comment Email

Graffiti Graphics <graffitisigns

I’m urging you to establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.--

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Carolyn		Carolyn <carolyn@slic-la.org>

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

QAP Comments

Comment Received	Comment Phone
	770.481.0853

Comment From	Comment Firm	Comment Email
Gary Hammond	Landbridge Development, LLC	Gary Hammond <grh@grhco.c

To Louisiana Housing Corporation:

1. Please consider setting aside credits, say $1,000,000, for awarded and closed projects with cost increases [and source/use gaps] beyond the control of the applicant. Applicants would apply on a first-come, first-served basis as soon as the QAP is finalized and LHC can award as quickly as possible without following the QAP calendar. Any unallocated funds would be added to this set aside after the competitive pools are funded.

2. The credit cap per project ($750,000) should be increased over time to allow for inflation and larger projects that are more efficient to operate. I would recommend $800,000 this year, $850,000 next year, and so on. LHC can look historically at the average units per deal and credit per unit to determine the justified amount. Projects of 50-60 units are more efficient to operate than 30-40 units and would allow for a lower tax credit per unit because of a higher loan per unit.

3. Please clarify Appendix A.I.A.(i) Project Diversity regarding whether Income Average is permitted to earn these points. For example, could you have 40% of the project set aside at 70% AMI to earn 8 pts?

4. Appendix A.V.C Project Amenities - LHC should offer amenities up to a certain max score, such as 10, so that sponsors can select the most appropriate amenities for the location, design, and tenancy and not try to claim them all, which they will do! For example, there are 14 amenities listed now and Basketball and Tennis Court are listed -- so everyone will claim both, which is not good policy for certain projects. And, applicants proposing senior housing will feel compelled to choose a basketball court, which is not an age appropriate amenity; there needs to be a way for family and senior projects to be able to select age-appropriate amenities for a similar score. Finally, you should also allow sponsors to apply for substitute amenities within the discretion of LHC. For example, pickle ball, bocce ball, shuffle board, yoga lawn…

5. LHC should remove Appendix A.V.F. TDC Below Max as a scoring criteria and assess its effectiveness in improving the overall rate of closings [and reduction in reprocessing and material change applications]. Is this scoring criteria causing numerous issues with developers being unable to close projects as applied? In my experience, these "efficient use of resource" points have unintended consequences for developers taking unreasonable risk with cost. LHC already has cost containment measures in requiring TDC to be within the HUD Cost Limits. Removing these points should cut down significantly on projects needing reprocessing and additional credits.

6. Appendix A.V.G. HUD Defensible Space - I would recommend removing because 1) it creates issues for certain designs, like elevator senior independent living-type designs (particularly with front yards, main entries, and parking) and 2) although noble in intent, it is pretty obscure and does not appear to be used often around the county other than in public housing re-development. LHC already has security points in the QAP, which provide for design mitigation measures when design cannot accommodate main entries feeding to front yards at a public street or parking.

7. The Mandatory Universal Design elements are increasing costs. For example, you have to have keyless entry at all units, front-loading kitchen appliances, front loading washer and dryers on pedestals, motion detector light switches in certain spaces, and remote control HVAC. We are already selecting points for a greater percentage of ADA units, why is Universal Design necessary in a constrained cost and equity environment? If LHC feels compelled to keep, then it should either move to a requirement for applicants to 1) select 30 features from your current list (you currently have 42) or 2) LHC should change the mandatory items to ones that clearly do not increase costs.

Thank you for all you do for Louisiana Housing. You run a great program and we are honored to participate.

We are expecting additional comments from our design and construction partners and will provide as received.

Gary

Gary R. Hammond, Jr.
Landbridge Development, LLC

7000 Peachtree Dunwoody Road
Suite 4-100
Atlanta, GA 30328

770.481.0853 phone
678.638.4230 efax
404.543.0855 cell
www.landbridgedevelopment.com

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Jim Daniels	East Baton Rouge Parish Housi	Janel Young <jyoung@lhc.la.go

June 7, 2020
Mr. E. Keith Cunningham, Jr. Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808
Re:

Comments from East Baton Rouge Housing Authority and Partners Southeast

Dear Mr. Cunningham:

The East Baton Rouge Housing Authority (EBRHA) and its developer affiliate, Partners Southeast, Inc. participated on the zoom call held on June 1, 2020 for the LHC 2021 QAP Focus Group Session. I would like to compliment you and your team for hosting the call to provide insight on the objectives to bring focus on the key issues. Attendees had an opportunity to provide feedback on concerns, strategy and approach for a plan that will enrich the lives of the families we serve, in an effort to benefit communities across the state.

We join LHC in the goal to leverage resources and garner public -private partnerships that align with maximizing resources. EBRHA is a recipient of a Choice Neighborhood Initiative Implementation Grant(CNI),a highly competitive award of funds administered by the U. S. Department of Housing and Urban Development (HUD) whereby there is a concentrated neighborhood improvement plan in the area of Housing, People and Neighborhood. The approved revitalization strategy contemplates new construction units developed via a public- private relationship utilizing syndicated tax credit financing. It is our hope to be able to “cash- in” on the CNI grant for the citizens of Louisiana. It is crucial that HUD’s CNI recipients invoke tax credits as a source to couple with the federal and other grant funds, e.g., FHLB AHP, in order to seek HUD approval of the disbursement of its CNI grant dollars. Thus, we wish to share what we believe to be appropriate priority criteria under the 2021 QAP, for your consideration.

Awards from federal sources, such as the HUD CNI program, that are targeted to assist in housing production and neighborhood revitalization have delivery deadlines. EBRHA submits that the efforts surrounding the CNI grant is one that warrants support under the LHC Qualified Allocation Plan for the reasons set forth below. Further, attached hereto is a list of recommendations to the QAP that we respectfully request for consideration and inclusion in

the 2021 QAP that will allow the state to benefit from 1) federal funds, otherwise not available in our communities; 2) the master planning; 3) enriched social services; and 4) participation of the partners under the CNI Grant award. The EBRPHA partners are the City-Parish of Baton Rouge and East Baton Rouge Parish, Build Baton Rouge, The Ascent Project, the Baton Rouge Community College, EBR Schools and YWCA. An identified barrier to housing is insufficient funds to assist a demographic of families who are considered housing poor due to both scarce inventory and lack of quality affordable housing options. The BR Choice Transformation Plan is one that not only [preserves housing] but increases housing units by 450 to 550 housing units. The $30M in federal funds granted to EBRPHA will leverage over $330M in additional investments.

We look forward to visiting with you and your leadership team. Please let us know if we may provide any resource materials surrounding the CNI grant or answer any questions. We appreciate your thoughtful consideration of these comments.

Very truly yours,

J. Wesley Daniels, Jr.

Encl:

cc: Brad Sweazy Louis Russell Janel A. Young David Summers

4731 NORTH BOULEVARD BATON ROUGE, LOUISIANA 70806

Targeted Project Type:

Section C.1: Rehabilitation and Preservation Expand definition to include new construction that will serve as replacement housing for older/obsolete housing currently occupied by low income residents. Many PHA units were built in the 1970's or earlier and need to be replaced. Within the definition of Federally funded projects, ensure that this includes public housing or new construction units that preserve already identified public housing units.

Targeted Project Type: Section C.1: Blighted Housing Expand definition to include currently occupied housing that has been deemed obsolete or in a state of disrepair by a qualified 3rd party inspector.

Section 5C: Amenities need to be updated to compliment senior developments. The scoring category should be broken out. Add flexibility within the amenity requirements for seniors and add amenities more suited for that population. For example: Gazebo, Game Room, Yoga/Meditation Room, Medical Exam Room, etc.

Extremely Low Income Targeting Allow projects with PBRA or HAP to qualify for these points.

Neighborhood Features: Adjust points so that item within .5 mile get two points, 1 mile get 1 point, and within 2 miles get .5 point

4731 NORTH BOULEVARD
BATON ROUGE, LOUISIANA 70806

East Baton Rouge Housing Authority (EBRHA), 2020 Recipient, HUD Choice Neighborhood Initiative Planning Grant Awardee – Recommendation to the 2021 QAP

2019 QAP Recommendations to LHC

Targeted Project Type:

n lower income comm

Weighting of projects within high income areas vs CNI areas (11 vs 1)

s where the need is extremely high. There is no way to combat the points accessible to the higher income areas. A point increase in the CNI communities could possibly help. There were no 2019 awards given in East Baton Rouge and Orleans Parish. The following language should be added:

Section A.1 "Unless this is senior housing development maximized with housing authority PBV"

Low amount of points for projects located within a HUD identified Choice Neighborhood Planning and Implementation Grant Areas Create set-aside for projects in CNI area or increase points awarded. Alternatively, give preferences / points to differentiate projects that leverage sources other than LHC, particularly federally funded grants.

Weighting of high-income area versus redevelopment projects
(10 - 11 pts versus 3) For projects that qualify as a redevelopment of significant impact, reward with points similar to high income area

Qualified Non-Profit/CHDO Pool Allow Non-Profits flexibility in how they partner with developers. Remove/reduce the requirement of 51% developer fee. If anything, make requirements around GP cash flow participation.

Section A.2 “Unless part of a federally funded revitalization grant”

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Andrea P. Lowe		Andrea P. Lowe <andrea@aan

QAP Comments

There is a connection between accessibility and resiliency. In this time of COVID-19, it is important that we create an accessible and inclusive environment that may lead to a more resilient and sustainable future for the next generation. Building by “intentional design” is critical to accommodating the change of residential requirements and a unit or building’s ability to accommodate technical changes and the change of use.

Therefore, I would like to suggest that we **establish underwriting guidelines requiring a deposit to reserves of $800.00 for every newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit** that will be utilized for units, buildings, renovationss or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Thank you so much for your review and considreration

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
John Sullivan		Sullivan, John <jsullivan@enter

June 19, 2020
Keith Cunningham
Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808

RE: Comments to Draft 2021 State of Louisiana Low Income Housing Tax Credit Qualified Allocation Plan

Dear Mr. Cunningham,

Enterprise Community Partners is pleased to offer feedback on the draft 2021 State of Louisiana Low Income Housing Tax Credit Qualified Allocation Plan (QAP). At Enterprise, we understand the importance of the Low Income Housing Tax Credit (LIHTC) as the nation's primary tool for providing affordable rental housing. We have over 30 years of experience creating opportunity through affordable housing connected to jobs, education, and healthcare facilities. In Louisiana, Enterprise has invested nearly $240 million in tax credit equity to support the development of more than 2,000 affordable homes.

We offer the following comments on this year's draft QAP:

Change the Allocation Pools to 50% Metropolitan and 50% Rural and remove the Rehabilitation and New Construction Pools
The change to allocate roughly equally between Metropolitan and Rural Parishes is a needed improvement. For the sake of clarity and simplicity, the Rehabilitation and New Construction pools should be removed and the only allocation pools should be the Metropolitan and Rural categories.

Rehabilitation and new construction projects receive equal scoring in the Selection Criteria; allow these projects to compete against each other and award the highest-scoring, most deserving projects. The state will benefit more from the best projects being awarded, not from maintaining a 50-50 split between rehabilitation and new construction.

Removing the rehabilitation and new construction pools will also make the pool structure simpler to administer and clearer for applicants. Having pools within pools is complicated and leaves doubt as to how projects will be ranked and selected from the waitlist.

We recommend changing the Allocation Pools to 50% Metropolitan and 50% Rural and allow rehabilitation and new construction projects to compete against each other in those pools.

Allow cost increases more than 15% if there is a commitment of local funding to offset costs For many years, LHC included provisions in the QAP that funding from other sources were not be included when calculating the Maximum Unit Development Cost. This gave developers the flexibility to build developments in all areas suitable for affordable housing development if the developer is able to secure funding from other sources. The purpose of this provision can be accomplished by removing the limitation of 15% cost increases for projects that have a commitment of other funding.

The draft QAP includes a provision that LHC may approve up to costs in excess of the cost caps up to 15% if there is a "commitment of local funding to offset the costs." This provision makes sense, as local governments often have projects they deem a priority and are willing to put their own funding into those projects. Projects may be considered priorities because the locations are in areas of opportunity, which will mean the project will incur higher land costs and construction costs. Projects may be a priority because they involve buildings that are hard to develop and have sat as vacant eyesores for many years because of the increased costs and difficulty in bringing those properties back to life. Historical rehabilitation projects using Historic Tax Credits will often fall under this category.

LHC can still ensure its LIHTC resources are being used cost-efficiently if it limits the cost cap to the allocation of credits and allows local sources to fill in gaps for more expensive projects.
Applying the HUD TDC limits only to the LIHTC-funded portion of the project ensures the agency is using its allocation cost efficiently. Allowing for marginally higher construction costs when other sources are applied ensures the agency is responsive to local government priorities and varying market conditions.

We ask that LHC maintain the provision that higher costs may be approved if the project has a commitment of other funding to offset costs and remove the 15% cap on such cost increases.

Remove the cap on Developer Fees
The structure for calculating developer feeds for rehabilitation and new construction projects is good; our concern is that a hard cap on the developer fees will make it extremely difficult for certain projects to be feasible. In particular, larger 4% projects may not happen with the $1.5 million cap. We recommend that the calculation structure be maintained but that the developer fee caps be removed.

Reinstate the Prohibition on Qualified Contracts
The draft QAP is missing the following provision that was in the 2019 QAP: "To ensure that new LIHTC properties remain affordable for the duration of the extended use period, LHC will require all applicants to waive their right to submit a qualified contract as a condition of receiving an allocation of tax credits." We ask that this provision be reinstated.

The purpose of the Low Income Housing Tax Credit program is to build housing affordable for low-income renters over at least a 30-year span; qualified contracts are a loophole that undermine this goal. The provision from the 2019 QAP should be reinstated.

Clarify Negative Neighborhood Features
The change from the ¼ mile radius to an adjacent proximity for negative neighborhood features in Metropolitan parishes is a much-needed change and should remain. Many areas had been prevented from being served by good projects because a salvage yard or electric substation was a few blocks away. Thank you for changing this provision.

We ask that you clarify that projects in Metropolitan parishes are only subject to the adjacent standard and not the ½ mile standard. We also ask that you more clearly define "adjacent" so that developers understand how close is "nearby."

We appreciate LHC for providing definitions for heavy industrial and prisons and ask that the other negative neighborhood features be clearly defined as well. The other features, such as salvage yards and distribution facilities, remain open to wide interpretation.

The Total Development Cost Limits as currently written should not apply to Four Percent Developments
If 4% LIHTC deals come in over the total development cost limits (without the benefit of subtracting outside funding sources), there will be a valid reason for doing so. Since these projects will require more funding from outside sources than 9% deals, developers will have less incentive to build more expensively and will be also limited by investors. If a project is over the cost limits it is likely because the project is particularly difficult to develop or rehabilitate or a source of funding requires building techniques or standards beyond LHC's threshold requirements. Also, 4% credits are not limited in quantity, so there is less reason to impose strict cost limits.

The TDC limits as currently written should not apply to 4% LIHTCs.

The Total Development Cost Limits should not apply to Major Historic Rehabilitation Projects
As stated above, major rehabilitation projects may likely have other sources of funding and many will find it impossible to meet the TDC limits. The HUD standards do not consider historic gut rehabs as a development type and projects of this type typically cost significantly more than similar new construction developments.

Four Percent Developments should not Be subject to a Minimum Score
We recommend removing the requirement that 4% LIHTC deals score a minimum of 40 points to be considered for funding since the availability of 4% credits is unlimited.

Allow for Debt Service for Soft Debt Sources in the Required Debt Service Ratios
In the section on Underwriting Guidelines under Required Debt Service Ratios on page 20, the draft QAP states, “The maximum debt service ratio for a project is 1.4.” This is a change from the 2017 QAP language, “Debt Service Ratios during the credit period with respect to all
debt exceeds 1.4, the excess cash flow must be deposited to the Reserves for Replacement or used to prepay hard debts.”

It is unclear if cash flow contingent debt service for soft sources is included in this ratio. If only hard debt is used in this ratio, projects with significant soft sources of debt would have extreme difficulty meeting the 1.4 standard.

Please clarify that cash flow contingent debt service for soft sources is included when calculating the debt service ratio or that a project may have a DSC ratio above 1.4 if they use the excess cash flow to service soft debt.

The Pre-Award Appeals Process Should Be Completed Before Awards are Determined
The QAP states that the remedy for a successful appeal of a preliminary score is placement on the waiting list, and then if the waiting list is expired, then the awarding of five points to the application in the next funding round. The appeal process does not contemplate scoring corrections resulting in awards in the current round. Scoring appeals should be completed before awards are determined and scoring changes should be applied to determine awards in the current funding round.

Keep Required Deposit to Reserves for Replacement at $300 for New Construction Developments for Families and Developments Involving Rehabilitation Instead of Raising to $400
The agency increased the reserve threshold for certain projects to $400 from $300. Enterprise’s reserve standards are lower than $400 for both types of developments. Raising the reserve limit will decrease financial feasibility for projects. The agency should keep the reserves requirement at
$300 and leave it to investors to increase the reserves if they deem appropriate.

Reinstate the 30% Basis Boost for Developments in Qualified Census Tracts
Many developments in Qualified Census Tracts (QCTs) would be difficult or impossible without the full 30% Basis Boost, particularly in the context of the LHC not providing any soft funding to 9% projects and in the context of potentially higher construction costs based on new threshold requirements and potentially higher replacement reserve requirements. Although QCTs are by definition places with relatively high concentrations of low income or impoverished households, they are often in urban locations with higher costs of development and they are often places with fewer opportunities to cross subsidize lower income rents with market rate or other higher revenue units. They are also often located in urban areas in close proximity to central business districts and are in the path of gentrification and displacement. Reducing the basis boost for these locations will make many projects that are consistent with goals of the QAP more difficult or impossible to execute.

Require More Inclusive Criminal Background Screening Policies
The QAP can reflect the state’s priority for criminal justice reform and releasing prisoners back to their communities by adopting inclusive criminal background screening policies for LIHTC developments. Many places around the country are implementing such policies to ensure the formerly incarcerated have access to housing once they are released. The Housing Authority of New Orleans is implementing a criminal background screening policy for its developments that you can reference.

Enterprise Green Communities
One technical correction: Can you change "Green Communities" to "Enterprise Green Communities" in the Green Building section. We appreciate LHC continuing to use the Enterprise Green Communities standard.

Once again, thank you for the opportunity to provide recommendations for the 2021 QAP. Please do not hesitate to contact us if you have any questions.
Sincerely,
John Sullivan
Senior Director for State and Local Policy, Gulf Coast

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Nathan Lott		Nathan Lott <nlott@prcno.org

Good afternoon. I look forward to participating in the upcoming teleconference public meeting on the 2021 QAP. I would like to request clarification on the following items noted in LHC's Summary of Proposed Changes document.

- If a project combines building reuse with adjacent new construction on one parcel of record (such as reuse of a school with a new wing added on the grounds), would that qualify as infill provided adjacent parcels were already developed?
- Pease provide some examples of a "concerted community revitalization plan" for purposes of three bonus points. Is a city- or parish-wide master plan / comprehensive plan ineligible? Might such a plan qualify if it identifies target corridors or districts?

Thank you in advance for addressing these topics in next week's public meeting. I appreciate it.

Nathan Lott
Policy Research Director & Advocacy Coordinator
Preservation Resource Center of New Orleans
923 Tchoupitoulas Street
New Orleans, LA 70130
504-636-3049 o 804-370-7972 m
www.prcno.org

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Joseph Walker		jwwfour@gmail.com

To Whom It May Concern:

I'm urging you to establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Sincerely,

Joseph Walker
1525 Aline Street
New Orleans, LA

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
J. Layne Mandros		Layne Mandros <lmandros@c

I'm requesting that an underwriting guideline be established that requires a deposit to reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

--
J. Layne Mandros
Lead Teacher, Opportunities Academy
703.853.3090

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Ella Mcculloch		ELLA mcculloch <esmcculloch

I’m urging you to establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Portico Construction, Inc.
office: 504-861-1737
fax: 504-861-6441
Mail: P.O. Box 791966, NOLA 70179
cell: 504-416-0572
Ella McCulloch
504-975-4102 cell

QAP Comments

Comment Received	Comment Phone
	318.473.7962

Comment From	Comment Firm	Comment Email
Scott Pousson	Louisiana State Office, Rural D	Pousson, Scott - RD, Alexandri

June 16, 2020
Mr. Keith Cunningham Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808 Dear Mr. Cunningham:
Louisiana USDA Rural Development (RD) would like to take this opportunity to present an item for consideration for development of the 2021 Qualified Allocation Plan (QAP).

In Louisiana, USDA RD has an outstanding affordable housing portfolio of approximately 370 multi-family housing properties consisting of over 12,000 units. This represents an investment by the federal government of nearly $340 million in rural affordable housing for the state of Louisiana.

A survey of our Section 515 owners in January 2017 revealed that approximately 90 properties with 3,000 units were in need of rehab. Since this survey was conducted, only 20 RD properties with 728 units received assistance to complete the needed rehab.

RD is committed to working with Louisiana Housing Corporation (LHC) in an effort to achieve the goal of both agencies; that of providing affordable housing which is decent, safe and sanitary to those residents of our state.

Therefore, we are requesting consideration of the following:

A statewide RD pool specifically for rehabilitation of existing RD financed properties or a pool structure which allows a setaside for projects in rural areas.

LHC has been critical to the mission of our program through the Low Income Housing Tax Credit Program. Funding opportunities with LHC have enabled developers to successfully leverage LHC funds with RD funds or other third-party funding to complete necessary rehabilitation.

RD is committed to working with LHC in an effort to achieve the goals of both agencies; that of providing affordable housing which are decent, safe and sanitary to the residents of our state. We appreciate the opportunity to share our comments on the development of the 2021 QAP.

QAP Comments

Comment Received	Comment Phone
	832.941.5354

Comment From	Comment Firm	Comment Email
Will Moyers		will moyers <will.moyers@itex

Mr. Keith Cunningham Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Dr, Baton Rouge, LA 70808
RE: Comments to the Louisiana Housing Corporation's 2021 Draft Qualified Allocation Plan

The ITEX GROUP, LLC (ITEX) has reviewed the Louisiana Housing Corporation's (LHC) 2021 draft Qualified Allocation Plan (QAP). Please review and consider our comments listed below:

1. Section IV – Threshold Requirements, D. Underwriting Requirements, Page 16:

13. Developer Fees: *The maximum Developer Fee is the amount determined below, $1,000,000.00, or $1,500,000.00 for projects utilizing tax-exempt bonds.*

1. For Rehabilitation projects the Developer Fee will not exceed thirty percent (30%) of the rehabilitation hard cost line-item.
2. For New Construction Projects the Developer Fee will not exceed $25,000 per LIHTC unit.
3. Applications must include a Development Services Agreement.
4. LHC will not allow increases to the developer fee as submitted in an application

Comment: Limiting or capping developer fees would likely result in limiting developer participation in the program. It is recommended that this item be removed from the QAP in its entirety.

1. Choice Neighborhood Set-Aside

ITEX would recommend a set-aside within the QAP, either in the New Construction General Pool, or as Choice Neighborhoods allocation pool. As LHC is aware, Choice grantees have a limited window to deliver their housing comments in their award. That is why it is absolutely critical for Choice Neighborhood developments to receive the needed funding from LHC in order to meet HUD's objectives. ITEX is also in support of comments from our Housing Authority Partners regarding dedicated funding for Choice Neighborhood Projects. That is why we propose this set aside be sized to award those projects who have received a Choice Implementation Grant from HUD at the $750,000 LIHTC project cap.

1. Appendix A – Selection Criteria, Page 30:

Targeted Project Type – A. Deconcentration Projects

1. Geographic Diversity: Project is located in a census tract in which the median household income exceeds one of the following:

1. 80% of the Area Median Income for the MSA (10 pt.)
2. 100% and above of the Area Median Income for the MSA (11 pt.)

Comment: Consider adding CNI as a target area (12pts)

www.ITEXgrp.com
9 Greenway Plaza, Ste. 1250
Houston, TX 77048
P: 713.963.8660 **F:** 713.963.8164

4. Appendix A – Selection Criteria, Page 31:

III PRIORTY DEVELOPMENT AREAS – C. Government Priorities

1. Project Located in a Difficult Development Area (DDA) or Choice Neighborhood Initiative (CNI) Census Tract (1 pt.)

Comment: Given the urgent need to ensure Choice Neighborhood projects receive funding in order to meet HUD's timeline, we suggest considering either 1) adding additional points for CNI awarded projects (i.e. 5pts) or 2) omitting *Project Located in a Difficult Development Area (DDA)* all together.

1. Project located in a parish where:

- *Percentage of Persons who are 65 and older exceeds 14% (1 pt.)*
- *Percentage of Persons who are disabled exceeds 15% (1 pt.)*
- *Percentage of renters experiencing cost burden exceeds 53% (1 pt.)*

- *Percentage of persons who are children under 5 in poverty exceeds 32%, or Percentage of persons in poverty exceeds 20% (1 pt.)*
- *Median Household Income is at or below $46,000 (1 pt.)*

Comment: Given the urgent need to ensure Choice Neighborhood projects receive funding in order to meet HUD's timeline, we suggest considering adding an additional point item for project sponsored by a Choice Neighborhoods Grantee (i.e. 5pts)

Thank you for taking the time to review and consider our above comments to the draft QAP. If you would like to discuss further, please feel free to reach out to me directly at 409.284.6362 or by email at will.moyers@itexgrp.com.
Thank You,

Will Moyers

Will Moyers, VP The ITEX Group

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Len Reeves		Len Reeves <lreeves@ridgewo

Dear LHC,

Thank you for the opportunity to submit comments prior to finalizing the 2021 QAP.

Please see the following comments for consideration:

Section II: A(5) Allocation Pools

- Please clarify the percentages listed in the table. I believe the intent is for 10% of the credits to go towards nonprofits and that the remaining 90% will be split evenly between Rehabs and New Construction. Then, within both the Rehab and New Construction Pools, the allocation amounts will be split 50/50 between Metro and Rural.

Appendix A-Selection Criteria I: B(ii) Concerted Community Revitalization Plan:

- I understand the intent behind making CCRP a priority and have worked with local municipalities to create similar plans. The positives of developing in an area that is part of a CCRP are, (a) the local government is usually supportive of the proposed development, and, (b) the development fits into a larger community plan. However, I also believe that, similar to some states giving points for obtaining community support letters, this scoring opportunity unintentionally gives local municipalities the power to block the construction of affordable housing to areas that would otherwise be competitive. These three points will likely be critical to the success of an application and I think we need to be cautious about giving that much power to a local government.

Appendix A-Selection Criteria I: D(ii) Infill Project:

- Please clarify if points in this section will only be awarded to infill projects. The description states "New Construction Infill/Scattered site," which could be interpreted as an applicant being able to score in this category for having an infill site OR a scattered site.

Appendix A-Selection Criteria IV: A(i), Neighborhood Features:

- Please clarify the maximum number of points allowed within this section. In the past, applicants could select a combination of services to achieve a maximum of 10 points. Providing multiple paths for applicants to score full points in this category creates a level playing field and prevents a situation where an award is determined by whether or not it is close to a fruit stand, or the Agency having to make decisions on the credibility of a questionable service listed on the application.

Appendix A-Selection Criteria V: C, Project Amenities:

- Please clarify the maximum number of points allowed within this section. I would encourage the agency to put a cap on the number of points to this section or consider removing one or more options such as tennis courts, which require a significant amount of space and maintenance.

Thanks!

Len Reeves

QAP Comments

Comment Received	Comment Phone
	318-387-2662

Comment From	Comment Firm	Comment Email
James Freeman	Standard Enterprises, Inc.	James Freeman <JamesF@stan

June 17, 2020

Mr. Louis Russel Program Administrator
Louisiana Housing Corporation

Re: 2021 QAP Comments

The draft 2021QAP offers a new developer fee calculation and hard limit for both 9% and 4% projects. While the proposed developer fee calculation and limitation on 9% pro jects ($1,000,000) is somewhat in line with IRS regulations, the 4% limi tation ($1,500,000) is not. In Louisiana 4% projects utilizing tax exempt bonds has historically been undersubscribed. In most cases to make a 4% project feasible without the use of soft funds the development has to be large to generate enough debt to off-set the reduced equity. By placing a hard fee limitation on 4% projects it will likely discourage developers from taking the risk associated with these transactions.

The developer fee limitation on 4% projects also put PHA's at a huge disadvantage. Many PHA' s are in the process of utilizing the RAD program to rehabilitate their portfolio and move out from under public housing. In many cases PHA's will partner with a developer to structure their project and provide required financial guarantees. More often than not the project will utilize 4% credits with tax-exempt bonds. The cap on developer fees will hinder developer's interest in partnering on these projects and thereby prevent the PHA from being able to reposition their housing stock.

The developer fee earned in a LIHTC transaction is justifi able. There are many requirements that come with a LIHTC deal not seen in conventional real estate. Unlike Market Rate tran sactions, there is limited backend upside for the Developer of a LIHTC project, so the developer fee is the primary financial benefit to the Developer for the life of the project. Rents are controlled and residual value to the Developer is negligible. Market rate development is incentivized by building, getting the rents up and selling for a profit. Tax Credit development requires a long term hold of 15 years, has limited rent appreciation and most of the residual value accruing to the tax credit investor, not the developer.

P.O. Box 4086 • Monroe, Louisiana 71211 • (318) 387-2662 • Fax (318) 322-1945 3104 Br ear d Str eet • Monroe, Louisiana 71201
E-Mail jamesf@standa rdent e rpr ises .com

Tax credit development shares the same risk as market rate development, but with additional risk on top of that. Recapture of t ax credits in the event of non-compliance is in place for 15 years. The compliance requirements also result in higher operating costs and complexity not associated with market rate developments.

Following is a summary of guarantees and risk associated with Low Income Housing Tax Credit Development. In most cases, the only financial benefit to the developer is the developer fee and sharing in cash flow with the investor. Due to IRS rules governing capital accounts, most, if not all, of the sales proceeds upon selling the property after the compliance period goes to the Invest or, not the developer.

Construction Completion Guarantee - The developer is responsible for completion of construction in accordance with the plans and specifications.Although contractors are generally required to post a bond or letter of credit, these mechanisms do not guarantee timely completion and can result in years of litigation. In the meantime, the developer must complete the project. Therefore, the developer has to contend with getting the project finished timely to mitigate equity tim ing adjusters and completion in time so as to not lose the tax credit allocation. Projects generally have t wo years from the date of an allocation of tax credits to place the project in service or lose the tax credits.

Operating deficit guarantees -The developer is responsible for making sure the project operates profitably for at least 15 years. Rents are limit ed by median income. It is not uncommon for expense growth to outpace rent growth.

Tenant compliance guarantee and tax credit recapture - The developer is responsible for making sure all tenants are in compliance with IRS section 42 rules governing qualified tenants for 15 years. If a tenant is deemed not qualified and tax credits are recaptured, the developer has to repay the investor for the recaptured tax credits.

Lease-up risk - In addition to normal lease-up risk on market rate properties, the tax credit developer not only bears the risk of leasing up the property, but is also responsible for delivering a predetermined amount of tax credits in the first year of operations. If lease up is slo wer than projected, the developer pays a tax credit timing adjuster to the investor.

Payment of Developer Fee - Many times the developer has to carry a note for unpaid portions of the developer fee. This note is payable from cash flow from the property during the 15 year compliance period . In the event the note is not fully repaid after the 13th year, which is the IRS lit mustest for payment of the fee, then the developer has to take that fee as phantom income for tax purposes.

Development cost guarantee - The developer guarantees that the development can be completed for a certain costs. Any overruns of that cost comes from the developer's fee, and if that is not enough to cover the overrun, the developer must fund it out of pocket.

Development team overhead and costs - The Developer's overhead is not a qualified project cost. Cost of office space,utilitie s, insurance, travel, payroll, etc. is covered by the developer fee. Any prospectin g for transactions that does not come to fruition is paid out of the developer's pocket.

10% Carryover Risk - It is not uncommon to spe nd over $500,000 prior to closing a transa ction to satisfy the IRS 10% carryover requirements. This usually takes place before the investor is admitted to the part nership . This inv olves having to purchase the land/ buildings and/or pre-purchasing material that then has to be stored in a bonded/insured warehouse. If the transaction does not close for any reason, the developer can be stuck with this land and material and no project to build.

Placed in Service Deadlines - The developer has two years to place a project in service from the date of the Tax Credit allocation. It can take 6-12 months from the date of allocation to get the partnership closed and construction start ed. If this deadline is not met, the project is subject to complete surrender of the tax credits. In this event, the developer completion guaranteekicks in requiring complete repayment of all funds invested by the investor or funded by any bank construction loans. The Housing Finance Agency does have the authority to re-issue the credits, but is under no obligation to do so.

Tax credit pricing risk. During the financial crises of 2008 and tax reform under Trump in 2018, credit pricing went down substantially, severely impacting feasibility of projects awarded credits but not closed. The Trump tax cuts are still impacting feasibility today. Many of these projects had hundreds of thousands of dollars invested in them for 10% carryover purposes. Developers had to decide to do the transactions with large deferred developer fees or walk away from the transactions resulting in large loses.

Thank you for the opportunity to submit comments relative to the creation of the 2021 QAP.

QAP Comments

Comment Received	Comment Phone
	504-828-1253

Comment From	Comment Firm	Comment Email
James E Neville	Neville Development	James E. Neville <jamie@nevill

Under Project Characteristics, there are 14 Project Amenities that are currently listed that all can earn one point each, and only one (1) point can reasonably be attained by a Scattered Site project. There are 13 points available to traditional multi-family projects, renovations or new construction that will clearly put their score far ahead of any others. A traditional multi-family project already has an advantage with 2 points for Community Facilities, and 3 points for HUD Defensible Space. I understand the desire to provide as many Amenities as possible, but a Scattered Site project will once again not be funded for the 4th QAP cycle. A Scattered Site project has not been funded by the agency since 2017.

Perhaps consider setting aside a pool of funds if the agency would like to see more traditional housing being built for affordable residents.

QAP Comments

Comment Received	Comment Phone
	Donnell H. McGhee

Comment From	Comment Firm	Comment Email
Donnell H. McGhee		Donnell McGhee <DMcGhee@

June 7, 2020
Mr. E. Keith Cunningham, Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Drive
Baton Rouge, LA 70808
Re: Louisiana Housing Corporation 2021 Qualified Allocation Plan
Comments from East Baton Rouge Housing Authority and Partners Southeast
Dear Mr. Cunningham:
The East Baton Rouge Housing Authority (EBRHA) and its developer affiliate, Partners Southeast, Inc. participated on the zoom call held on June 1, 2020 for the LHC 2021 QAP Focus Group Session. I would like to compliment you and your team for hosting the call to provide insight on the objectives to bring focus on the key issues. Attendees had an opportunity to provide feedback on concerns, strategy and approach for a plan that will enrich the lives of the families we serve, in an effort to benefit communities across the state.
We join LHC in the goal to leverage resources and garner public -private partnerships that align with maximizing resources. EBRHA is a recipient of a Choice Neighborhood Initiative Implementation Grant(CNI),a highly competitive award of funds administered by the U. S. Department of Housing and Urban Development (HUD) whereby there is a concentrated neighborhood improvement plan in the area of Housing, People and Neighborhood. The approved revitalization strategy contemplates new construction units developed via a publicprivate relationship utilizing syndicated tax credit financing. It is our hope to be able to “cashin” on the CNI grant for the citizens of Louisiana. It is crucial that HUD’s CNI recipients invoke tax credits as a source to couple with the federal and other grant funds, e.g., FHLB AHP, in order to seek HUD approval of the disbursement of its CNI grant dollars. Thus, we wish to share what we believe to be appropriate priority criteria under the 2021 QAP, for your consideration.
Awards from federal sources, such as the HUD CNI program, that are targeted to assist in housing production and neighborhood revitalization have delivery deadlines. EBRHA submits that the efforts surrounding the CNI grant is one that warrants support under the LHC Qualified Allocation Plan for the reasons set forth below. Further, attached hereto is a list of recommendations to the QAP that we respectfully request for consideration and inclusion in

4731 North Boulevard
Baton Rouge, Louisiana 70806

the 2021 QAP that will allow the state to benefit from 1) federal funds, otherwise not available in our communities; 2) the master planning; 3) enriched social services; and 4) participation of the partners under the CNI Grant award. The EBRPHA partners are the City-Parish of Baton Rouge and East Baton Rouge Parish, Build Baton Rouge, The Ascent Project, the Baton Rouge Community College, EBR Schools and YWCA. An identified barrier to housing is insufficient funds to assist a demographic of families who are considered housing poor due to both scarce inventory and lack of quality affordable housing options. The BR Choice Transformation Plan is one that not only [preserves housing] but increases housing units by 450 to 550 housing units. The $30M in federal funds granted to EBRPHA will leverage over $330M in additional investments.
We look forward to visiting with you and your leadership team. Please let us know if we may provide any resource materials surrounding the CNI grant or answer any questions. We appreciate your thoughtful consideration of these comments.
Very truly yours,
J. Wesley Daniels, Jr.
Encl:
cc: Brad Sweazy
Louis Russell

Janel A. Young
David Summers
4731 North Boulevard
Baton Rouge, Louisiana 70806

East Baton Rouge Housing Authority (EBRHA), 2020 Recipient, HUD Choice Neighborhood Initiative Planning Grant Awardee – Recommendation to the 2021 QAP

2019 QAP Recommendations to LHC

Targeted Project Type:
Weighting of projects within high income areas vs CNI areas
(11 vs 1)

Balance out point opportunities for projects in lower income communities where the need is extremely high. There is no way to combat the points accessible to the higher income areas. A point increase in the CNI communities could possibly help. There were no 2019 awards given in East Baton Rouge and Orleans Parish. The following language should be added:
Section A.1 "Unless this is senior housing development maximized with housing authority PBV"
Section A.2 "Unless part of a federally funded revitalization grant"

Low amount of points for projects located within a HUD identified Choice Neighborhood Planning and Implementation Grant Areas

Create set-aside for projects in CNI area or increase points awarded. Alternatively, give preferences / points to differentiate projects that leverage sources other than LHC, particularly federally funded grants.

Weighting of high-income area versus redevelopment projects
(10 - 11 pts versus 3)

For projects that qualify as a redevelopment of significant impact, reward with points similar to high income area

Qualified Non-Profit/CHDO Pool Allow Non-Profits flexibility in how they partner with developers.
Remove/reduce the requirement of 51% developer fee. If anything, make requirements around GP cash flow participation.

Targeted Project Type:
Section C.1: Rehabilitation and Preservation

Expand definition to include new construction that will serve as replacement housing for older/obsolete housing currently occupied by low income residents. Many PHA units were built in the 1970's or earlier and need to be replaced. Within the definition of Federally funded projects, ensure that this includes public housing or new construction units that preserve already identified public housing units.

Targeted Project Type:
Section C.1: Blighted Housing

Expand definition to include currently occupied housing that has been deemed obsolete or in a state of disrepair by a qualified 3rd party inspector.

Section 5C: Amenities need to be updated to compliment senior developments. The scoring category should be broken out.

Add flexibility within the amenity requirements for seniors and add amenities more suited for that population. For example: Gazebo, Game Room, Yoga/Meditation Room, Medical Exam Room, etc.

Extremely Low Income Targeting Allow projects with PBRA or HAP to qualify for these points.

Neighborhood Features: Adjust points so that item within .5 mile get two points, 1 mile get 1 point, and within 2 miles get .5 point

Targeted Project Type:
Weighting of projects within high income areas vs CNI areas
(11 vs 1)

out the need is extremely high.

There is no way to combat the points accessible to the higher income areas. A point increase in the CNI communities could possibly help. There were no 2019 awards given in East Baton Rouge and Orleans Parish. The following language should be added:

Section A.1 "Unless this is senior housing development maximized with housing authority PBV" Section A.2 "Unless part of a federally funded revitalization grant"

Additional Financial Support Per the QAP Listening Session on 6/1/2020, leveraging of additional financial capital is a goal of LHC. Therefore, this category should provide more points, and provide higher points to more difficult to procure support. Federal funds should carry a higher weight as they are more difficult to come by.

Weighting of high-income area versus redevelopment projects (10 - 11 pts versus 3) For projects that qualify as a redevelopment of significant impact, reward with points similar to high income area

Qualified Non-Profit/CHDO Pool Allow Non-Profits flexibility in how they partner with developers. Remove/reduce the requirement of 51% developer fee. If anything, make requirements around GP cash flow participation.

Targeted Project Type:

Section C.1: Rehabilitation and Preservation Expand definition to include new construction that will serve as replacement housing for older/obsolete housing currently occupied by low income residents. Many PHA units were built in the 1970's or earlier and need to be replaced. **Within the definition of Federally funded projects, ensure that this includes public housing or new construction units that preserve already identified public housing units.**

Targeted Project Type: Section C.1: Blighted Housing Expand definition to include currently occupied housing that has been deemed obsolete or in a state of disrepair by a qualified 3rd party inspector.

Targeted Population Type Allow points from both sections I and ii. Make the maximum points = 12.

Extremely Low Income Targeting Allow projects with PBRA or HAP to qualify for these points.

Neighborhood Features: Adjust points so that item within .5 mile get two points, 1 mile get 1 point, and within 2 miles get .5 point

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Chris Clement	hricommunities.com	Chris Clement <cclement@hrip

June 19, 2020

Mr. Louis Russell
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808

Re: Comments to Draft 2021 Qualified Allocation Plan Dear Mr. Russell,
Please accept this letter and the comments herewith for consideration as LHC prepares the 2021 Qualified Allocation Plan (QAP).

1. In regards to Section II. (B.) “Maximum LIHTCs,” we offer the following:

Revise the LIHTC Per Project Cap to increase the maximum competitive LIHTC that any single project may receive to $1,000,000 for projects competing in the New Construction / Adaptive Re-use Pool.

New Construction / Adaptive Re-use projects require more construction and development resources than those required to acquire and rehabilitate an existing residential building. Additionally, New Construction / Adaptive Re-use projects that eliminate blight and have a catalytic impact on a neighborhood are, by necessity, higher- cost projects due to the added consideration and expense to appropriately address the preservation, economic, infrastructure, security and environmental concerns associated with effective blight elimination and infill development. To accomplish this, increasing the Per Project Cap to $1,000,000 for New Construction / Adaptive-Re-use projects will assist developers in leveraging the needed other financial resources specifically made available for such new, catalytic projects that have significant positive impact on a community.

In connection with our comment above, the language for the LIHTC Per Developer Cap should also be revised to limit developers to reservations of competitive LIHTC for no more than two (2) projects rather than a stated dollar amount of credits.

2. In regards to Section II. (C.) “Basis Boost Determination,” we offer the following:

Reconsider the language that limits the basis boost for Qualified Census Tracts (QCTs) to 15%.

Projects in a QCT are no less likely to need the full 30% basis boost than projects in a DDA to which the full 30% boost is available. While an equally appropriate application of the full basis boost, the project located in a QCT, in terms of establishing financial feasibility, is at a disadvantage to a project located in a DDA, despite both enduring similar difficulties in housing development. Allowing the 30% basis boost to projects within a QCT is; (a) consistent with the requirement for administering an Allocation Plan under Section 42(m)(1)(B) of Section 42 to give preference in funding credit dollar amounts to projects in a QCT; and (b) applies LIHTC resources to the very communities identified to be in the most need of affordable housing investment and those where such investment promises the greatest positive impact.

3. In regards to Section IV. (D.) (7) "Maximum Rents," we offer the following:

Reconsider the restriction requiring pro forma rents not to exceed HUD's fair market rents (FMR).

HUD's published fair market rents are typically established for a greater metropolitan area so, as general benchmarks for a general area, may not reflect the specifics of a particular project or neighborhood which evidence achievable rents in excess of those averaged across a large geographic area. In these instances, restricting underwritten rents to those of the HUD FMR discourages development of projects that would benefit from realistically higher market rents and the ability to leverage additional private debt. This restriction will also create difficulty in underwriting for a project benefitting from the use of income-averaging based on its location and further discourages the development of mixed-income housing which is elsewhere prioritized by the 2021 Draft QAP. To ensure realistic underwriting, the maximum pro forma rents should be set to the lower of (i) the rents determined by a project's market study or (ii) the maximum rents permitted by either Section 42 or other subsidy program(s) applicable to the project.

4. In regards to Section IV. (D.) (13.) "Developer Fees," we offer the following:

Revise the Draft 2021 QAP to remove the restrictions on developer fee.

The Draft 2021 QAP contains a maximum Developer fee of $1,000,000 or $1,500,000 for projects utilizing tax-exempt bonds, 30% of hard costs for Rehabilitation projects and $25,000 per LIHTC unit for New Construction projects. We respectfully offer that this developer fee restriction is detrimental to the LIHTC program's intent to provide sufficient quality housing options to low-income citizens in need. Large-scale projects involve

exponentially greater risk including guarantee exposure and larger debt balances, but by reducing the incentive for a developer to increase its exposure, the Draft 2021 QAP discourages the pursuit of large impactful and often more difficult projects that accomplish more and better public policy outcomes. Additionally, by restricting the basis eligible developer fee, the Draft QAP reduces the ability for a project to generate additional LIHTC and HTC basis, which results in less resource leveraging for a project.

The LIHTC program specifically intends to align developers' financial interests and motivations to the public policy objective of creating affordable housing. The program unavoidably relies on the ability to provide a financial incentive to attract private investment and participation in affordable housing development. Acknowledging that private participation is essential to the LIHTC program, the developer fee incentive must satisfy the very real obligations and risks affecting shareholders and principals as a result of the project.

Considerations include:

- The timeframe for a typical LIHTC development often spans more than a year (many times over 2-years) from predevelopment activities to financial closing when a developer is first able to receive a portion of developer fee. Up until financial closing, all predevelopment costs, overhead and associated risk/exposure have been absorbed by the developer. A private organization must recognize the opportunity cost of tying up significant and otherwise non- reimbursable resources over this extended period of time.

- Given the reduced (affordable) rents restricted as such for at least 30-years, LIHTC housing developments offer minimal financial incentive for a developer through operations. A developer's only significant avenue of cost reimbursement and financial benefit is through developer fees.

We appreciate why LHC may look to set a maximum developer fee, however the limits imposed by the Draft 2021 QAP will discourage investment in larger, more difficult catalytic projects. We strongly believe that if LHC intends to move forward with a cap, an acceptable maximum developer fee should only be applicable to projects applying for the competitive 9% LIHTC and should be set as the lesser of $1,500,000 or $40,000 per unit for the project's total unit count, either of which fee calculation would be reasonable per common standards and consistent with LHC's intended cost-control. This limit would not apply to 4% LIHTC transactions where imposing a developer fee cap reduces basis eligible fee and deferred fee, which works against the feasibility of larger tax-exempt bond

developments and thus arguably in contrast to LHC's interest in providing affordable housing.

5. In regards to Section IV.(D.) (20.) "Maximum Unit Development Cost," we offer the following:

Reconsider the application of HUD 2019 Unit Total Development Cost Limits to define maximum TDC for projects submitting under the 2021 QAP, and reinstate the ability to exclude Government Grants, Historic Syndication Proceeds and Certain Other Funds in TDC calculations for the 2021 QAP.

The Draft 2021 QAP restricts per unit costs to those set by the HUD TDC Limits, but in doing so misapplies the HUD limits as follows:

- HUD limits are intended to cap only the HUD funds used in a project, so do not include, nor are they concerned with, non-HUD sources in its TDC calculation. The HUD TDC Calculator (Form 50156) confirms this through its instructions as well as in the HCC/TDC Calculator itself where HUD first specifically instructs the respondent to include only HUD funds in the calculation and then does not even allow the inclusion of non-HUD funds in the calculator itself.
    - HUD acknowledges, permits, and expects a project's overall (all- inclusive) TDC to exceed their own published limits by the amount of non-HUD sources needed to implement the project so does not even consider other sources in calculating a project's costs.
    - LHC applies the HUD limits to a project's overall TDC, including all project sources, thus creating a much more restrictive cost limit than intended by HUD in setting their limits.

- HUD establishes cost limits to consider costs applicable to only the minimum square footage per unit type (e.g. 1-bedroom = 700s.f.; 2-bedroom = 900s.f.) and assumes/expects that other sources of funding will provide for construction of required community and common spaces (elevator lobbies, hallways, etc.).
    - By applying the HUD limits to the overall (gross) square footage of a project and including all "other" funding sources in the TDC calculation, the QAP is essentially requiring that community spaces, parking, hallways, elevators, electric/equipment rooms be built for free.

- Indicative of a problem applying the HUD limits in the manner reflected in the Draft QAP are the inconsistencies of ranges between high versus low benchmarks seen in HUD's limits as opposed to those in the required Davis Bacon wage rates paid to major construction trades:

- HUD 1-Bedroom HCC 2019 limits in Louisiana range from:
  - Low (Monroe) $92,119/unit
  - High (New Orleans) $97,308/unit

  As shown above, HUD limits propose that it costs $5,189 more to build a 1-Bedroom unit in New Orleans than it does in Monroe. This is a **5.6%** cost increase.

- The average Davis Bacon Wage Hourly Rates for Mechanical, Electrical, Plumbing (MEP) labor in Louisiana range from:
  - Low (Winn) $11.69/hour
  - High (Jefferson) $40.12/hour

  As shown above, Davis Bacon Wage Rates, which are often applicable to LIHTC/Piggyback projects, mandate that just MEP labor alone costs **343%** more in certain Parishes of the state (Jefferson, Lafourche, Bossier, etc.) than it would in other areas (Winn, St. Martin, Vernon, etc.).

  To translate the drastic variance in MEP labor costs across the state into HCC for comparison to the HUD HCC limits, we use the industry assumption that MEP labor costs generally account for 15% of total construction costs.

  Understanding that required Davis Bacon Wages may demand up to a 343% increase in labor costs applied to just the MEP portion of overall construction costs (15%), it's clear that Davis Bacon may dictate up to a **21% increase** in total construction costs based on the Parish in which the project is located. Just this variance in MEP labor costs far exceeds the 5.6% cost difference between HUD's low HCC limit in Louisiana and the HUD high HCC limit in Louisiana. As the range of variance in HUD limits do not consider and accommodate the very wage requirements imposed on all HUD projects, the use of HUD limits as prescribed in the Draft QAP appears flawed.

6. In regards to "Selection Criteria and Evidentiary Materials," we offer the following:

1. Targeted Project Type: (C.) "Rehabilitation & Preservation":

Change Selection Criteria I.(C.) to allow for a total maximum of 18-points by:

- **(i) Project Type:**
  - **Maintain 7-points scoring for selections (a) – (e) with applicants limited to one selection under (a) – (e).**
  - **Revise selection (f) to "Preservation of Historic Property" rather than "Preservation of Residential Historic Property" and establish this characteristic as a separate selection criteria eligible for 3-points in addition to the 7-points maximum in items (a) – (e).** By excluding non-residential historic properties from preference under the selection criteria, the QAP provides no priority for the rehabilitation of many certified historic properties as required by Section 42(m)(1)(C) of Section 42. Consistent with Code requirements and fitting within the context of the QAP, establishing a separate point preference for all certified historic properties appropriately differentiates the rehabilitation of historic properties per Secretary of the Interior Standards from non-historic acq./rehab. projects.
- **(ii) Tenant Assistance:**

- **Revise to include selection of this 1-point for projects evidencing a new HAP contract (other than a PSH contract).** Scoring for this selection aims to prioritize projects aiming to preserve existing affordable housing. For existing residential projects able to secure new rental assistance resources, the focus on preservation of affordable housing is promoted and ensured equally, if not more so, than projects with existing HAP contracts already afforded points under this criteria. Accordingly, scoring eligibility for projects evidencing new rental assistance resources is appropriate under the "Tenant Assistance" selection.
- **Revise to delete the preclusion of selections under both this criteria and those for "Increased Unit Affordability" at Selection Criteria III.B.** The specific affordability set-asides provided under Selection Criteria III.(B.) do not necessarily apply to projects selecting points for "Tenant Assistance," so selections under both criteria should not be mutually exclusive.

- **Create new selection criteria "(iii) Repayment of Previous LHC Loan" with scoring consideration of 7-points:**
  - To reward satisfaction of previous affordable housing loan commitments and the generation of Program Income, allow scoring of 7-points, in addition to scoring available under above criteria I.(C.)(i) and I.(C.)(ii), for Rehabilitation and Preservation Projects providing for the repayment of previous LHC loan assistance as part of their refinancing/recapitalization.

III. Priority Development Areas and Other Preferences: (C.) "Governmental Priorities":

Revise this selection criteria for applicability to all Projects providing public housing replacement units under the HUD CNI program, regardless of census tract, and increase the scoring from 1 point to 5 points. Being in a DDA or in a CNI alone does not achieve a Governmental Priority or advance the HUD objectives under the Choice Neighborhoods Program. Providing public housing replacement units (whether ACC or Project Based Section 8) is the critical activity of priority to HUD and should be the criteria for scoring preference.

V. Project Characteristics: (C.) "Project Amenities":

Limit the maximum points available under V. C. Project Amenities to 10 points. Limiting the reasonable expectations of actually providing these amenity selections is consistent with LHC's cost control efforts and acknowledges the very low likelihood that selection of all amenities under this criteria to maximize scoring will correspond to the appropriate provision of each amenity in the completed project.

HRI appreciates the opportunity to provide feedback and respectively requests that LHC consider these comments in drafting the 2021 QAP. Should you have any questions or if you would like to discuss further, please do not hesitate to contact me at (504)566-0204.

Sincerely,

Christopher Clement Senior Vice President

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Bobby R. Collins		Janel Young <jyoung@lhc.la.go

Housing Authority
OF THE
City of Shreveport
TELEPHONE: 318.698.3600 2500 LINE AVENUE, SHREVEPORT, LOUISIANA 71104 FAX: 318.841.1074

Mr. Keith Cunningham Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Dr, Baton Rouge, LA 70808

RE: Proposed revisions to the Louisiana Housing Corporation's Qualified Allocation Plan

The Housing Authority of the City of Shreveport (HACS) has reviewed LHC's approved 2019 Qualified Allocation Plan (QAP) in anticipation of a draft 2021 QAP. Over the last several years, HACS has significantly accelerated its development activities through the asset repositioning of its public housing portfolio, as well as the implementation of its Choice Neighborhood Initiative (CNI). LHC has been a tremendous partner in these efforts, providing tax credits and other funding resources to support leveraged, strategic, and quality affordable housing investments in northern Louisiana.

Our agency and its partners have been particularly encouraged by LHC's recent promotion of CNI, which embodies many of LHC's priorities and goals, such as:

- Strategically linking LHC investments with broader community revitalization efforts
- Leveraging tax credits and LHC funding sources with other private and public commitments
- Placing affordable housing resources in areas of opportunity

No other federally-funded initiative is better suited to deliver on these stated goals. CNI is unique in its focus on leveraged, coordinated, and comprehensive revitalization of low-income neighborhoods. It is further unique in its success in transforming these areas into diverse communities of opportunity, where residents can thrive. Within a short period of six years, CNI asks its Implementation grantees to deliver on a series of targeted planned investments in economic development, supportive services, and multiple phases of mixed-income housing. This task is simply not feasible without the continued support of LHC. This task is made even more difficult, albeit a welcomed challenge, given Louisiana's success in securing three out of 35 national CNI Implementation Grant awards.

In the spirit of LHC's commitment to CNI and the initiative's compatibility with LHC's objectives, HACS is requesting that the 2021 QAP support CNI-affiliated projects through a dedicated set-aside for CNI Implementation Grant housing. Alternatively, HACS would request revisions in several key categories
within the QAP's Selection Criteria to meet a similar goal. We have included our recommendations as an attachment to this memorandum. We look forward to your review of the attached. To continue this dialogue and to answer any questions or concerns you may have, we would appreciate the opportunity
to meet with you prior to the adoption of the 2021 QAP.

Please feel free to call or email me at any time to discuss this possibility and this memorandum further. We look forward to hearing from you.

Sincerely,

Bobby R. Collins
Chief Executive Officer
Housing Authority of the City of Shreveport 2500 Line Ave, Shreveport, LA 71104 brcollins@hacsla.com
(318) 709-0024

ATTACHMENT: HACS 2021 QAP Comments

The following includes proposed additional and edited language for the 2021 Qualified Allocation Plan (QAP), using the 2019 QAP as a guide. QAP page numbers, to the extent they are referenced in this attachment, are derived from the final LHC-approved 2019 QAP.

Choice Neighborhood Set-Aside

Given LHC's stated commitment to the Choice Neighborhood Initiative (CNI), its compatibility with the goals of LHC, and the program's reach in three areas of the state (New Orleans, Shreveport, and East Baton Rouge), HACS is proposing a set-aside within the New Construction General Pool, as noted below. We propose this set aside be sized to award three projects at the LIHTC project cap of $750,000.

Part I: Program Rules, Page 7 **New Construction General Pool:** Credits from the 2019 Credit Ceiling will be awarded to the highest scoring projects competing in the New Construction General Pool until such time that insufficient credits are available to award the next highest ranked project in that pool. Any balance remaining will collapse into the Statewide Collapsed Pool.

Note: 25% of the LIHTC allocated for the New Construction Pool will be set aside for projects located in rural areas. *Add: 42% of the LIHTC allocated for the New Construction Pool will be set- aside for applicants who are also Choice Neighborhood Implementation grantees.*

Alternative Revisions

If the above proposed CNI set-aside is found not to be acceptable for the 2021 QAP, HACS would like to recommend the following revisions and additions.

Part II: Selection, Page 47 **Targeted Project Type**

Deconcentration Projects.1

- Geographic Diversity: Project is located in a census tract in which the median household income exceeds one of the following:
  - 80% of the Area Median Income for the MSA (10 pt.)
  - 100% and above of the Area Median Income for the MSA (11 pt.)

Add CNI to option (b) in order to
demonstrate LHC's belief that CNI results in a community of opportunity and choice, where residents can thrive:

b. 100% and above of the Area Median Income for the MSA or within a Choice Neighborhood Planning or Implementation Grant area (11 pt.)

Part II: Selection, Page 47 **Targeted Population Type**

(ii) Elderly Households - 100% of the project units are designated for Elderly Households (6 pt.)
Increase to 10 points to offset points lost under Project Diversity for senior deals that are 100% subsidized. Fully (or substantially) subsidized senior developments are common industry practice and allowable by HUD. These developments have been found to not produce the same dynamics as fully subsidized family developments and should not be penalized.

This increase in points will also underscore LHC's commitment to additional affordable housing for seniors.

Part II: Selection, Page 48 **Government Priorities (Max 6 points)**

Project Located in a Difficult Development Area (DDA) or Choice Neighborhood Initiative (CNI) Census Tract (1 pt.).1
:Project located in a parish where.2
Percentage of Persons who are 65 and older exceeds 14% (1 pt.).1
Percentage of Persons who are disabled exceeds 15% (1 pt.).2
Percentage of renters experiencing cost burden exceeds 53% (1 pt.).3
Percentage of persons who are children under 5 in poverty exceeds 32%, or Percentage of persons in poverty .4
exceeds 20% (1 pt.)
Median Household Income is at or below $46,000.5
(1 pt.)

Revise to increase CNI points to demonstrate LHC's commitment to CNI:

Project located in a Difficult Development Area (1 pt.).1
Project sponsored by a Choice Neighborhood Implementation Grantee (10 pts).2

Part II:
Selection, Page 48 Additional financial support (Max 4 points)

Additional Financial support reduces project development costs by providing Philanthropic donations, CDBG, HOME, or other governmental assistance/funding in the form of loan, grants, rental assistance, or a combination of these forms or by:
Increase points allotted in this section to 10 points to underscore LHC commitment to leveraged projects

- *4%-7% of total project cost….4 points*
- *7-10% of total project cost 6 points*
- *Greater than 10% total project costs 10 points*

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Kathy Laborde		Kathy Laborde <laborde@gchp

ii GCHP

June 19, 2020

Mr. Keith Cunningham, Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Drive
Baton Rouge, LA 70808

RE: 2021 Draft Qualified Allocation Plan Dear Mr. Cunningham:

We have reviewed the draft 2021 draft Qualified Allocation Plan and provide the following writt en comments for consideration by the Louisiana Hou sing Corporation:

Threshold Comments

The $750,000 per project cap with the basis boo st for 80%+ AMI census tracts and the extensive amenity options tend to generate small unit count projects that are marginal operationally.

Prior QAPs incentivized experienced developers partnering with new LIHTC developers by allowing only their pro rata share of developer fee to count toward to the per-developer credit cap. That is, if a developer were collecting half of the developer fee on three projects requesting $600,000 each in credits, that would only count as (3 *½ * $600,000 =) $900,000 of credits toward the $1,500,000 per developer cap, instead of $1,800,000.

On page 5, the QAP limits basis boost to 15% in QCT, why? On page 6, th e QAP indicates that 4% deals in QCTs and DDAs will be eligible for up to a 30% basis boost. If it is not LHC's intent to apply t his boost selectively , the "up to" language should be removed.

On page 8, the QAP outlines a process for correcting scoring err ors through an appeals process, but does not include a similar process of reviewing errors made with regard to threshold items.

On page 8, the QAP grant s LHC the authority to rescind reservations without providing any explanation for the rationale by which LHC might evaluate the need to take this extraordinary action.

On page 11, t he QAP states that New Construction Project must not be "within½ mile radius" of any negative neighborhood featur es, then later states that they cannot be "adjacent to" project s in several specific parishes. "Adjacent" is defined later as "nearby, but not necessarily t ouching ". "Pro cessing plants" and "Distribut ion facilities" are undefined terms within the list of negative neighborhood features. There is too much amb iguit y regarding what proximity and what facilit ies disqualify a site upon which applicants are being asked to spend thousands of dollars speculative ly. This section should be revised as follows:

> *Certain negative neighborhood features render some sites inappropriate for new affordable housing development. The specific impact of any given feature must be evaluated as part of a holistic determination of the site's marketabilit y, including*
>
> - *the need for affordable housing in that market,*
> - *the relative acceptance of different uses in different locales,*

> - *any mitigation proposed by the developer (e.g., additional acoustical insulation near airports), and*
> - *the potential value of these uses as a source of employment to residents of the development (e.g., warehouse distribution facilities).*
>
> *The market analyst shall include the following statement in their market study: "I have evaluated the presence of potentially negative neighborhood features, including junk yards, processing plants, high voltage substations, solid waste disposals, heavy industrial area, pig/chicken farms, distribution facilities, airports, salvages yards and prisons, as well as any proposed mitigation from the applicant and {do I do not] believe these will present an undue challenge to marketing, operating and leasing this property as proposed."*

The language on appraisals is now found under the heading "Acquisition/Rehab Project Threshold Requirements". Is LHC's intent to require appraisals for new construction projects acquiring land in excess of $500,000?

Underwriting Guidelines #9 states that operating expenses will be underwritten at the greater of $3,600 PUPA or "an amount based on similarly-situated projects in LHC's portfolio." Is that figure available?

Capping developer fee at $25,000 per unit incentivizes development of efficiencies and one-bedroom units. The prior QAPs also provided a special carve-out for partnerships with nonprofit developers, which allowed the developer fee to increase beyond the limits applied to projects without these partnerships. This should be reinstated and the developer fee formula should be modified to incentivize development of all unit sizes.

The note on Extraordinary Site Costs seems to have some words missing near the end of the paragraph. It is unclear what the statement "...staff as

recommended by the project's Architect/Engineer." applies to.
The Carryover allocation date requires Part 2 SHPO approval 10 days after LIHTC award.

The QAP requires that rents are underwritten to FMR, but does not specify if that is on a gross rent or net rent basis. This should be clarified, as LHC underwriters are applying it inconsistently.

Scoring Criteria Notes:

There should be more point differentiation between 80% AMI and 100% AMI categories and an additional category should be added for 150% AMI census tracts that allows it to overcome the likely amenity disadvantage that being in a high land cost location would generate.

Under I.C.i.d. it is unclear if New Construction deals can qualify for Blighted housing remediation and/or replacement points. If not, the language "and/or replacement" should be removed. If so, this should be broken out in section D. and be worth fewer points. It is also confusing that a new construction mixed income deal in a 100% AMI census tract that replaces blight would appear to collect 35 points but then be constrained to 34 by the overall category limit.

The note at I.D. says only one selection is permitted from i.a., which is unclear, since i.a. has only a single selection available.

Are infill projects on contiguous sites eligible for points under I.D.ii? Are they eligible for community facility points? The notes regarding when a community facility cannot be provided are ambiguous. In some locations 'scattered site' projects are excluded, while in the other locations that note refers specifically to 'non-contiguous scattered site' projects. LHC should clarify that only non-contiguous scattered sites are ineligible for these points.

There is a note at the bottom of Section II regarding Permanent Supportive Housing. Does this apply to whether PSH units could toward special needs set-asides or to whether supportive services must be provided to PSH units?

IV.A. Why grant up to 17 points for neighborhood features? Either a site is close to "stuff" or it's not. The difference between a site that is close to 10 of these items and a site that is close to all 17 of them seems like a marginal difference for something that amounts to a giant scoring differential. This category should be capped at eight points, similar to prior QAPs.

IV.A. What does the note "(5 MILES FOR RURAL)" mean? Do rural projects get the full point for anything within five miles, or just the half point?

V.C. Taxpayers should have the option to pick up to four project amenities for points. Providing points for all 14 of these items

- diverts scarce housing funding away from housing construction;
- drives down the unit counts that can be constructed within the $750,000 credit cap; and
- penalizes sites with high land costs

V.D. There is a dramatic shortage of housing for individuals with disabilities. This category should be more valuable.

V.E. Gates have limited impact on crime and committing to employing a security guard throughout a 45-year compliance period is an unrealistic commitment for LHC to expect to enforce.

We will participate with public comments, as well, during the upcoming public hearing. And we look forward to continuing to work in partnership with LHC to provide affordable housing for our citizens.

Sincerely,

l<athy Laborcle
President & CEO

cc: Tom Champion David Harms

QAP Comments

Comment Received

Comment Phone

Comment From

Charles Tate

Comment Firm

Comment Email

Charles Tate <charles.tate@ya

2021 QAP Comments and Suggestions
June 26, 2020

1. **Green Energy and Energy Efficient protocols**. To the extent Energy Star or other copyright Green standards incorporated directly or by reference, indirectly, please permit certification by architect e.g. to have minimum Energy Star equivalent etc performance (analogous to being able to buy generic medicine).

Outcome equivalent, but with cost savings.

2. Emphasize Preservation of Affordable Housing with Project Based Rental Assistance above all others.

1. Scoring Criteria.
2. 30% Basis Boost.
3. No Disadvantage to HUD Choice Neighborhood.

Rationale:

Our needs to serve the lowest income residents of our State is staggering regardless of whose perspective we view it.

We know that SSI beneficiaries in 2020 Louisiana receive $783 per month.

We know that Federal housing policy suggests that such households should not pay more than 30% of their income, $235, for *both* Rent and Utilities. From a resident's perspective, this amounts to homelessness in 2020 Louisiana in the absence of rental assistance.
https://nlihc.org/sites/default/files/SHP_LA.pdf

Against this $235 SSI renter's income, we know from LHC's own underwriting standards that operating expenses for rental units alone total no less than $300 per month, plus an additional $25 for Replacement Reserves. Thus we also know that from an Owner's perspective, accepting such tenants without rental assistance will break a development and all of its residents, not only the SSI recipient's.

We know that new Section 8 portable vouchers are not being made available to cover the difference between what low income Louisiana households bring in and what it costs for them to house their families.

We also know that with the exception of LHC's recently awarded PSH contracts shockingly little new Project Based Rental Assistance (PBRA) has been made available for more than 30 years.

As a consequence, we know that only 23% of US citizens *who by our own Federal standards to be eligible for either* portable or PBRA (e.g. Section 8 or USDA Rental Assistance) actually receives it:

https://www.cbpp.org/three-out-of-four-low-income-at-risk-renters-do-not-receive-federal-rental-assistance

We know that while LHC is able to fund new developments' brick and mortar needs, we also know that those new developments do not come with project-based Section 8 or similar rental assistance.

We know that Preservation Rehab projects are more cost effective on a per unit basis than New Constructions.

Thus if a primary objective of the 2021 QAP will again be to Preserve Affordable Housing, **especially Affordable Housing with Project Based Rental Assistance**, the 2021 QAP should pull out all stops to do so: **30% Basis Boost, Scoring Criteria** (without regard to whether the tenant beneficiaries of prior Federal resources live in a DDA or HUD Choice Neighborhood, in a wealthy area or in a QCT, because we **know the folks who live in these developments are exactly the folks LHC needs to prioritize**).

3. Scoring Criteria and definitions. "**Redevelopment Project**" and "Redevelopment Properties." ***Strike the requirement that requires such Projects to be situated in an impoverished Qualified Census Tract (QCT).*** These developments need to be preserved wherever they are found because we know their residents are vulnerable, and were long before Covid 19 ever arrived.

Besides there is *Federal jurisprudence* encompassing Louisiana's territorial limits that suggests that such LIHTC resources should not be steered from more affluent areas, which is precisely the effect of the definitions requiring QCT status for *Redevelopment Project points*.

Again this housing needs to be Redeveloped (i.e. preserved) regardless of whether it is in an impoverished QCT or not.

4. Developer Fees. No changes are warranted, either on a per Project or on a Per QAP Year basis, especially as they pertain to Nonprofit Developers.

Prior Per Project 18% Developer Fee Limits involving Nonprofit Developers **provided Nonprofits enjoyed a minimum of share. This provision must be continued if LHC's goal is to encourage more nonprofit Development Capacity.** The reason is simple: Tax Credit Investors require financial guaranties by parties with some $5 Million in Assets, $2 Million liquid. Few Louisiana nonprofits have such capital. (One would guess no Louisiana CHDO's do.) **If LHC does not reinstitute its prior Fee Cap, it will be inadvertently killing off future development capacity, not creating it.**

Second, at least with respect to Nonprofit Developers, there should be no maximum total amount of Developer Fees that are awarded under the 2021 QAP. Projects should have to stand on their own merits, and **the more applications that are submitted, the better for the Louisiana resident**.

Alternatively, if an overall 2021 Developer Fee Cap is to be instituted, the cap should apply only to a **Developer's share of Developer Fees across the projects it is involved with**.
Our State needs to encourage larger Developers to partner with smaller developers who originate projects in exchange for sweat equity and a share of such projects' Developer Fees.

If the 2021 QAP does not revert to longstanding practice in this respect, larger Developers of goodwill will be put in the position of having to decline requests from well intentioned, less experienced and smaller, less capitalized developers who approach them with good projects. This (predictable) outcome would be antithetical to the LHC's own goals of encouraging more worthwhile applications, not fewer, and encouraging more development capacity, not less.

Respectfully,

Charles Tate

QAP Comments

Comment Received

Comment Phone

Comment From

Jimmy Lancaster <jlancaster@pnpmgmt.com>

Comment Firm

Comment Email

Jimmy Lancaster <jlancaster@

Hello,

What are the options for a developer who has not received 8609s in the last 5 years? I worked for my father and we did many deals in Louisiana but none in the last 5 years. Is the only option to partner with a developer who has completed a deal recently? I have a great site in a QCT.

Jimmy Lancaster
601-622-0511
Jlancaster@pnpmgmt.com

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Colleen Kane Gielskie <colleen@vote-nola.org>		Colleen Kane Gielskie <colleen

Please see attached.

Thank you,

Colleen Kane Gielskie
(she/her/hers)
Special Projects Manager
VOTE *From Chains to Change.*
4930 Washington Ave
New Orleans, LA 70125
504.450.8181 | vote-nola.org
colleen@vote-nola.org

SUPPORT CRIMINAL JUSTICE REFORM
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Edsell Keith Cunningham, Jr., Executive Director
Louisiana Housing Corporation
2415 Quail Drive Baton Rouge, Louisiana 70808 Telephone: (225) 763-8700
Re: 2021 QUALIFIED ALLOCATION PLAN
Submitted via: QAPCOMMENTS@LHC.LA.GOV
June 25, 2020
Dear Director Cunningham,

Voice of the Experienced (VOTE) is an organization originally created inside Angola Penitentiary in 1986, and is currently led by formerly incarcerated people with four chapters throughout the state. We are recognized for our policy expertise regarding, among other things, discrimination faced by people with criminal records. Our report, “Communities, Evictions, and Criminal Convictions,” has been cited by HUD, and our coalition work in New Orleans led to the HANO background screening policy.

We hope that you are fully aware of the blanket restrictions that openly exist for aspiring renters with criminal convictions in their families. These policies, which often include a non-refundable background check fee between $30 to $50 (despite the police charging $5 for a background check), serve the same exact purpose as Redlining. They are no different than Jim Crow laws. Now, however, these decades old exclusions cloak themselves in a moral, or “safety,” justification rather than a racial justification. However, it is well established that the criminal legal system is racially biased at every stage, from choices on where to deploy police, and then the ensuing discretion of police officers, magistrates, prosecutors, judges, parole boards, and probation officers combine with the subconscious (and overt) bias of witnesses and, in this case, housing investors.

U.S. Supreme Court caselaw from *Texas Dept. of Housing and Community Affairs v. Inclusive Communities*, 576 U.S. __ (2015), should put all housing investors and providers (such as the Louisiana Housing Corporation) on notice that blanket discrimination policies are likely violations of civil rights law, both for disparate impact and discriminatory intent. This is even more blatant when considering the written guidance from the EEOC (2012) and the series of acknowledgements by HUD under Shaun Donovan. There are several hundred thousand people in Louisiana being locked out of housing, forced to fib on the lease, hide family members, or settle for housing that should be condemned.

If housing investors refuse to take the money from people with jobs, with rent money in hand, how then can Louisiana seriously attempt to overcome issues of poverty, affordable housing and reentry? Put simply: We can’t.

So what can be done?

First, it is imperative for all to acknowledge that “landlords” are not simply allowed to do what they want. These entities (as most units are run by corporations created for business purposes) and individuals are engaging in commerce. They chose to invest in housing rather than gold or pharmaceutical products. They are subject to regulation (including the Fair Housing Act) and, for the most part, fully accept this point. However, this new Jim Crow discrimination is cloaked in feigned rationale that serves to exclude a high percentage of low-income people in the world’s most incarcerated state.

Second, and to the point of this specific testimony, public programs have always utilized RFP language, contract funding, or tax credits to influence behavior. Those who do not want the contract, or the tax credit, can choose to do otherwise. The rise of mass incarceration, from prison construction, to drug prohibition enforcement, to militarized police forces (including police in schools) were tied to federal funding with restrictions and strings attached such as the elimination of parole or mandatory minimum sentences.

Finally, a Low Income Housing Tax Credit needs to recognize and correct specific forms of discrimination that are rampant among people needing low income housing. Convictions, including those that do not result in imprisonment, perpetuate the cycle of poverty. Even people accused of petty crimes can be left in jail for weeks, if not months, only to have the charges dismissed. As COVID-19 has taught us, very few people can miss a single paycheck. Now imagine missing five paychecks, missing two car payments, having your cell phone shut off, the rent payment, and having a sheriff put your property out on the curb while you fight for your freedom. And then getting out to not only fines and fees, but late fees to Entergy, Cox Cable, T-Mobile, the car note, and a blanket ban on the affordable housing units which were subsidized through your LIHTC. This, to some, is called a “second chance.”

Wherefore LHC holds the power to influence behavior through regulations and funding, we call on you to enact very explicit regulations that reward good actors and hinder bad ones. We are under no illusions that you hold a magic wand to end racism or other forms of discrimination. We do, however, expect you to reinforce a commitment to creating housing for low-income families, particularly Black families, in Louisiana; including those who have been struck by the all-encompassing punishments of the criminal legal system.

We are happy to submit specific policy recommendations, and/or work with others to create an array of tools that will further housing security, and racial equity, in Louisiana.

Sincerely,

Bruce Reilly, JD
Deputy Director, Voice of the Experienced
bruce@vote-nola.org

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Paul Irons <pirons@nolarp.com>		Paul Irons <pirons@nolarp.co

Please see the letter attached to our comments post public hearing.

Thank you
Paul Irons
Managing Member

Mr. Russell,

Pertaining to the definitions/descriptions on page 5 of the QAP:

2.Rehabilitation Pool: Applications proposing only the acquisition and rehabilitation of existing housing.

3. New Construction Pool: All other applications, including adaptive reuse.

Which category would a project be considered as, if the majority of the total unit count is in the form of rehabilitation units that were formerly for residential housing and the minority unit count in the form of new construction units?

Then;

If it is considered as New Construction concerning section IV.A.5 (pg 11): **Negative Neighborhood Features** we ask that you consider **:**

The definition of New Construction not to include sites where a project with the characteristics mentioned above be included in the Rehabilitation Pool and not subject to New Construction guidelines in the **Negative Neighborhood Features** section of the QAP.

We are of the opinion that this would unfairly disqualify sites in Urban cities that were previously inhabited for residential use and limit its ability to be maximally developed out of fear of being included in the New Construction pool based on the addition of new construction units/infill to the project site. This also subjects rehabilitation sites with infill that are near negative neighborhood features to requirements from the LHC that are inequitable to sites that are rehabilitation sites without infill.

Thank you for considering our feedback. If you have any questions or concerns please don’t hesitate to contact me at (504) 621-6773 or pirons@nolarp.com.

Sincerely,
Paul Irons
Managing Member
C: (504) 621-6773

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Clara Potter		clara.potter@splcenter.org

Hello,

Please find attached a written comment from the SPLC Action Fund on the LHC's Qualified Allocation Plan in advance of Friday's public hearing. Please let me know if you have any questions or require any additional information.

Thanks very much in advance.

Best regards,
Clara Potter

https://www.splcenter.org/

Clara Potter she/her/hers

Law Fellow | Legal

To Whom it May Concern:

The Southern Poverty Law Center (SPLC) urges the Louisiana Housing Corporation (LHC) to adopt more equitable policies for individuals with criminal records by mandating the use of more inclusive criminal background screening tools in its forthcoming Qualified Allocation Plan (QAP). To that end, LHC should require that all projects which qualify for the Low Income Housing Tax Credit (LIHTC), and any other contracts entered into with developers receiving LHC subsidies, have criminal background screening policies which do the following:

- Exclude arrests, juvenile records, or any expunged, vacated or sealed convictions;
- Consider only felony offenses or misdemeanor sex offense convictions that have occurred within the past three years;
- Make the screening policies publicly available;
- Provide any completed background check report to the applicant;
- Perform an individualized assessment of each candidate for housing, including the consideration of mitigating circumstances;[1]
- Include language about the availability of a reasonable accommodation for tenants with disabilities in any denial letter.[2]

Additionally, SPLC recommends that housing providers be required to include language in their lease that tenancy cannot be terminated based solely on an arrest.

The Governor has a stated commitment to furthering legislative efforts that will end mass incarceration and advance justice reinvestment in the state of Louisiana. But for too long the LIHTC—Louisiana's largest affordable housing program—has implemented background check policies that do not align with these goals. Including an inclusive background check requirement in the QAP would do a lot to combat this problem. By enabling more individuals with criminal records to move into affordable housing, these policies will help formerly incarcerated individuals reunify with their families. This in turn will promote greater stability during the reentry process and reduce the likelihood of recidivism.

1 The SPLC also urges that any individualized assessments have built-in measures to counteract the potential biases which may influence case-by-case determinations.

2 These recommendations are based on the Housing Authority of New Orleans' current policy as well as on previously-drafted local legislation crafted by two local organizations, VOTE and Stand with Dignity.

201 St. Charles Avenue Suite 2000

New Orleans, LA 70170

What's more, the Louisiana Fair Housing Action Center conducted an investigatory audit of housing access in Louisiana and found that criminal backgrounds are often used as a proxy for race.[3] In fact, their findings demonstrate that in a full half of cases, screening policies are harsher for Black people with criminal records than for their white counterparts. This insidious impact has been singled out by HUD's own guidance as potentially violative of the Fair Housing Act.[4]

The LHC need not look far to find successful models for more inclusive background check policies. For instance, the Housing Authority of New Orleans (HANO)—which serves approximately 20,000 households—has had a comparable policy in place since March 2016.
According to data collected by HANO in bi-annual reports, the policy has been very successful in New Orleans. Additionally, other states, including Georgia and Ohio, have adopted similar policies.[5] The LHC should therefore follow suit to advance a more equitable policy that offers low-income Louisianans with criminal records a fair shot at receiving stable housing for themselves and their families as they rebuild their lives after contact with the criminal punishment system.

Sincerely,

Clara Potter
SPLC Action Fund

3 "Locked Out: Criminal Background Checks as a Tool for Discrimination," Greater New Orleans Fair Housing Action Center, available at : https://storage.googleapis.com/wzukusers/user-33549461/documents/5b465f279eaa5ynw5Wrs/Criminal_Background_Audit_FINAL.pdf

4 "Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions," U.S. Dep't. of Housing and Urban Development, April 4, 2016, available at: https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF

5 In Georgia, the QAP requires an inclusive screening policy. *See*, State of Georgia 2019 Qualified Allocation Plan, Georgia Housing Credit Program, Home Investment Partnership Program Funds, at p. 30 "Screening Criteria," available at: https://www.dca.ga.gov/sites/default/files/2019_qualified_allocation_plan.pdf . In Ohio, the QAP awards points for an inclusive screening policy. *See* Ohio Housing Finance Agency, 2020-2021 Qualified Action Inclusive Tenant Screening Plan." available at: https://ohiohome.org/ppd/documents/2020-21-QAP-BoardApproved.pdf

Southern Poverty Law Center

T 504.526.1549

clara.potter@splcenter.org | www.splcenter.org

Admitted in Louisiana

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Paul Irons		Paul Irons <pirons@nolarp.co

Please find attached my letter of comments in regards to the 2021 QAP Draft. Please let me know if you require any further information.

Thanks,

Paul Irons
Managing Member

Dear Mr. Russell,
Please find below our questions and comments regarding the draft of the 2021 Qualified Allocation Plan.
1. Concerning section IV.A.5: **Negative Neighborhood Features** we ask that you consider **:**
Negative Neighborhood Features have always been controlled by the local zoning administration in the attempt to facilitate suitable development patterns in appropriate environments. Therefore, we feel that the determination of where affordable housing can be developed in an urban city like New Orleans where almost all of the existing housing stock is within ¼ of a mile of one of the listed Negative Neighborhood Features should be determined by the local zoning administration because otherwise many projects will be unfairly disqualified from being developed using Low Income Housing Tax Credits.
Case and point, we have a rehabilitation/new construction site that has 23 units housed in a 20,000 square foot blighted residential building that prior to Katrina housed many low income families in the Hollygrove neighborhood. This project is also proposing a 20,000 square foot new construction building that will house an additional 20 units. This site however, is located diagonally across the street from a High Voltage Substation. This is a traditional New Orleans residential neighborhood and to our knowledge this does not present an immediate danger to the residents. Our principal has first hand experience growing up a block from this site. If the negative neighborhood features are allowed to stand as is in the 2021 draft, based upon the subjective language of what is "adjacent", it does not appear that this important project would qualify for 9% LIHTC. This would be unfortunate because this is a catalytic project that would be transformational for the long forgotten Hollygrove neighborhood and its residents.
We conclude that our project and one's like it should not be disenfranchised from using Low Income Housing Tax Credits as market rate development is quickly coming into this neighborhood and pushing out more affordable housing.
2. Concerning Section IV.C.1:b *have received Forms 8609 for a project in any state of comparable size and financing complexity within the last five (5) years.*
Section II.B.2.: A Developer that has never been issued a Form 8609 is eligible to receive only one (1) award.
We submit that the statement in Section IV.C.1:b *have received Forms 8609 for a project in any state of comparable size and financing complexity within the last five (5) years* **be removed** as it disqualifies first time LIHTC investors in the state of Louisiana to compete for an award and contradicts *Section II.B.2.: A Developer that has never been issued a Form 8609 is eligible to receive only one (1) award* ***this statement*** **should remain.**
Thank you for considering our feedback. If you have any questions or concerns please don't hesitate to contact me at (504) 621-6773 or pirons@nolarp.com.
Sincerely,
Paul Irons

Managing Member
C: (504) 621-6773

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Judith Jones Moran		Judith.JonesMoran@mccorma

Please find attached comments from McCormack Baron Salazar on the Draft 2021 QAP. Thank you for the opportunity to comment.

Judith

Judith Jones Moran
Vice President
McCormack Baron Salazar, Inc.
Judith.JonesMoran@mccormackbaron.com

+1-314-335-2820 (direct)
+1 (504) 450-7637 (cell)
720 Olive Street, Suite 2500, St. Louis, Missouri 63101
www.mccormackbaron.com

June 26, 2020

Mr. E. Keith Cunningham Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808 Dear Mr. Cunningham,

McCormack Baron Salazar (MBS) appreciates having the opportunity to submit comments on the 2021 draft Qualified Allocation Plan (QAP). Please see our comments and recommendations below.

1. Application Deadline – We recommend that the deadline for accepting applications be moved from September to November to give developers, lenders and investors more time to assess the impact this COVID19 crisis will have on the housing market.
2. Application Pools – Placing metro and rural applicants in separate pools is a step in the right direction for creating a balance of awards throughout the state.
3. LIHTC Per Project Cap - The maximum LIHTC award per project should be increased from $750**,000** to $1,000,000. The $750,000 cap limits larger projects by leaving a gap in financing or requiring projects be split into multiple phases.
4. Basis Boost – We recommend a return to the one level of basis boost at 30% for all projects in Qualified Census Tracts (QCT) and Difficult to Develop Areas (DDA) and census tracts with AMI above 80% as opposed to the proposed 15% QCT and 30% DDA or CT with 80% AMI for 9% deals. All these target areas are critical to support the provision of affordable housing.
5. Negative Neighborhood Features – We recommend that the negative neighborhood features be eliminated from the threshold requirements. Negative Neighborhood Features have always been controlled by the local zoning administration in the attempt to facilitate suitable development patterns in appropriate environments. Therefore, we feel that the determination of where affordable housing can be developed in an urban city like New Orleans where almost all of the existing housing stock is within one-fourth of a mile of one of the listed Negative Neighborhood Features should be determined by the local zoning administration because otherwise many projects will be unfairly disqualified from being developed using Low Income Housing Tax Credits.
6. Developer Fee – We do not find the proposed maximum Developer Fee in the amount of $1,000,000.00, or $1,500,000.00 for projects utilizing tax-exempt bonds acceptable as it does not fairly compensate developers for their work and particularly on large and complex projects. We recommend that LHC allow a maximum of 12% of total development/project costs less developer fee, less reserves for all projects, which is in accordance with the HUD Cost Control and Safe Harbor Standards developer fee calculation. It is important to consider that larger deals require larger developer guarantees therefore developers need to be fairly compensated to support these requirements. Larger deals provide greater efficiencies in development costs also because generally soft costs are the same cost no matter the deal size. Larger deals make a

bigger impact. I didn't know what you thought about the max rent conversation, if that is something we need to consider.

MBS Development, Inc. ✍ 720 Olive Street ✍ Suite 2500 ✍ Saint Louis, Missouri 63103 314.621.3400 Main 314.436.0071 Main Fax www.mccormackbaron.com

7. Maximum Unit Development Cost – The draft QAP proposes following the HUD 2019 Unit Total Development Cost to establish maximum unit development cost. We recommend that LHC delete any unit development cost cap as the cost to build varies so significantly from locale to locale. If LHC elects to keep the HUD cost guide, please remember that while HUD does use this document, only HUD federal funds are included in the equation to determine the maximum development cost. We recommend that in a similar manner, LHC apply only the tax credit equity funding when calculating the maximum unit development cost. The QAP also states that LHC may increase TDC 15% above max unit development cost for: 1) cost increase necessary for production of affordable housing; or 2) based on the local municipality requirements. This requires submission of an application based on the assumption that the increase will be allowable otherwise the project is thrown out. We recommend that the language be changed to allow for costs above TDC when costs above the total development costs are funded through other sources.

8. Community Facilities – Points are not awarded for onsite community facilities for multi-phased projects if they were constructed during another phase of development. We recommend that LHC change this language to reflect that if the capacity of the facilities developed in a previous phase supports the total population of the currently proposed phase, both phases of development can receive points. The fact that the facilities and amenities are available to the residents should drive the award of points and not when the facilities were built.

9. Deconcentration Projects – A maximum score of 21 points is far too many points for deconcentration projects as it places these projects at an extremely high advantage over more affordable ones. There is a great need for affordable housing in this state and projects that offer a high percent of affordable units cannot fairly compete for credits against projects offering a high count of market rate units. These points should be reduced by 50% and/or a new criterion should be established to award similar points for projects that offer a high percentage of affordable units.

10. Rehabilitation & Preservation – New construction projects that are replacing previous affordable housing units should receive points under this criterion. For example, a project that replaces demolished public housing units, regardless of whether the new development is on or off the site of the original housing, should be awarded these points. Affordable housing is being preserved through the replacement of demolished units, similarly to the restoration of an existing building that previously contained affordable housing units.

11. Government Priority – One point is awarded to projects located in Difficult to Develop Area of a Choice Neighborhood Initiative Census Tract. We recommend that this language be changed to more appropriate HUD CNI language. The language should read: *Projects located in a HUD identified Choice Neighborhood Initiative (CNI) Planning or Implementation Grant Area that are included in the approved CNI Program.* The geographic area for CNI programs can include several census tracts and census tract data is not the defining criteria for selecting neighborhoods. The area is selected based on its needs and its opportunities for total revitalization. CNI programs include onsite and offsite housing that address the area's housing needs and replace demolished federally subsidized units with new or rehabilitated subsidized ones. CNI Projects can include only replacement housing or a combination of replacement and mixed-income units. We also request that this be separate scoring criterion worth a total of 10 points as was the case in the 2017 QAP. It is important to point out that CNI projects are selected by HUD based on their ability to leverage other

funding and the funding plan for CNIs always include LIHTC awards. HUD expects local and state governments to support these projects, leveraging local, state and federal funds with private dollars. CNI programs are separate and distinct from DDAs and our recommendation is that these are two separate criteria and that a project should be eligible for points in both categories.

12. Green Building and Universal Design - New construction continues to not be allowed points for green building or universal design yet both are added costs to the project. If no points are allowed, the projects should be allowed an increase in unit development cost.

13. Project Amenities – With one exception, the project amenities that qualify for one point each require square footage either in the building or onsite. Smaller sites/projects are unfairly unable to achieve competitive points because they can't fit as many amenities onsite. This unevenly awards credits to larger suburban and less dense project sites. We recommend that the number of amenities be reduced to a maximum of 5, and that the selection better reflects that of affordable housing. Many of the amenities proposed can only be afforded in

luxury apartment communities. We recommend that nearby amenities like parks, trails, tennis courts, and picnic areas should be able to count as amenities and gain points if open and available to the public.

We ask that the Louisiana Housing Corporation consider our comments to the Draft 2021 Qualified Allocation Plan. We believe that our proposed changes will help to ensure equity in the award of credits throughout the state and a higher yield of affordable housing units. Thank you for your consideration of these comments and recommendations for the final 2021 QAP. If you have any questions or concerns, feel free to contact me at 504- 450-7637.

Sincerely,

Judith Jones Moran

Vice President

QAP Comments

Comment From	Comment Received	Comment Phone
Jim Daniels		

Comment Firm	Comment Email

Keith
Please find attached the HUD Choice Neighborhood support letter from Mayor Broome. Thanks.

J.

June 23, 2020

Mr. E. Keith Cunningham, Jr. Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808

Re: Louisiana Housing Corporation 2021 Qualified Allocation Plan Dear Mr. Cunningham:
HUD awarded the City of Baton Rouge and the East Baton Rouge Parish Housing Authority (EBRPHA) a Fiscal Year 2018 Choice Neighborhood Implementation grant in the amount of $29.5 million to support our Transfonnation Plan, BR Choice, developed for the East Fairfield, Smiley Heights and Melrose East neighborhoods. The Choice Neighborhoods program is designed to address struggling neighborhoods with distressed public housing and/or other HUD-assisted housing through a comprehensive approach to neighborhood transformation. The program helps communities transform neighborhoods by revitalizing severely distressed housing and investing and leveraging support to resident services, high quality public schools and education programs, high quality early education programs, crime prevention strategies, public assets, public transportation, and improved access to jobs. Choice Neighborhoods Implementation Grants are highly competitive, with only ten percent of all applications receiving an award. The City of Baton Rouge/EBRPHA are one of only four grantees to receive an award in FY 2018.

I join LHC in the goal to leverage resources and gamer public -private partnerships that align with maximi zing resources. The approved revitalization strategy contemplates new construction units developed via a public- private relationship utilizing syndicated tax credit financing. It is our hope to be able to "cash-in" on the CNI grant for the citizens of Louisiana. It is crucial that HUD's CNI recipients invoke tax credits as a source to couple with the federal and other grant funds, e.g., FHLB AHP, in order to seek HUD approval of the disbursement of its CNI grant dollars. Thus, we wish to share what we believe to be appropriate priority criteria under the 2021 QAP, for your consideration.

Awards from federal sources, such as the HUD CNI program, that are targeted to assist in housing production and neighborhood revitalization have delivery deadlines. The City of Baton Rouge

submits that the efforts surrounding the CNI grant is one that warrants support under the LHC Qualified Allocation Plan for the reasons set forth below.

The 2021 QAP that will allow the state to benefit from 1) federal funds, otherwise not available in our communities; 2) the master planning; 3) enriched social services; and 4) participation of the partners under the CNI Grant award. The City of Baton Rouge and EBRPHA partners are Build Baton Rouge, The Ascent Project, the Baton Rouge Community College, EBR Schools and YWCA. An identified barrier to housing is insufficient funds to assist a demographic of families who are considered housing poor due to both scarce inventory and lack of quality affordable housing options. The BR Choice Transformation Plan is one that not only [preserves housing] but increases housing units by 450 to 550 housing units. The approximately $30M in federal funds granted to EBRPHA will leverage over $330M in additional investments.

I look forward to visiting with you and your leadership team. I appreciate your thoughtful consideration of these comments.

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Andreanecia M. Morris,		

Janel A. Young
Director, Policy & Strategic Initiatives
LOUISIANA HOUSING CORPORATION
o. (225) 763 - 8846 Ext 213

From: GNOHA
Sent: Wednesday, June 24, 2020 2:25 PM
To: Keith Cunningham
Cc: Andreanecia Morris ; Janel Young ; Bri Foster ; bspillers@mrcdc.com; Bradley Sweazy ; d.edwards@derrickedwards2016.com; HighPointClays@aol.com; jennifervidrine@hotmail.com; js@johnschroder.com; Larry Ferdinand ; Tammy.Earles@EdwardJones.com; Treasurer John Schroder ; wrack3020@yahoo.com
Subject: GNOHA QAP Comments

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Good afternoon,

Please see the Greater New Orleans Housing Alliance 2021 QAP Comment Letter attached.

Thank you,

Greater New Orleans Housing Alliance (GNOHA)
4640 S. Carrollton Ave, Suite 160
(504) 224-8300
Facebook | Twitter | Website | Amazon Smile

Mr. E. Keith Cunningham Louisiana Housing Corporaon 2415 Quail Drive
Baton Rouge, LA 70808 Dear Mr. Cunningham,

The Greater New Orleans Housing Alliance (GNOHA) would like to thank you for incorporang some of our previous recommendaons into the 2021 dra Qualified Allocaon Plan (QAP). However, we are sll concerned with the systemac disinvestmentin LIHTC awards for parcular jurisdicons by the Louisiana Housing Corporaon (LHC), occurring as a result of the language contained in the dra QAP. We hope that you will implement the following recommendaons to address the sll exclusive language that remains.

The risks associated with homelessness, housing insecurity, and cost burden amid the COVID-19 crisis prove that we need to #PutHousingFirst in Louisiana. Our homeless and housing insecure residents have been idenfied as some of the highest risk populaons for contracng and spreading COVID-19 due to the conflaon of insufficient shelter, hygiene, and healthcare. As medical professionals are calling for the immediate housing of unsheltered individuals, it is crical to idenfy safe and stable housing for all individuals.

There has been an immense failure at the statewide level to implement programs, policies, adequate funding to serve Louisiana communies and provide affordable housing, and our residents are currently paying the price.

We are calling on the LHC to intervene on this issue and address the uneven impact of the current QAP. LIHTC funding is, by law, intended to be awarded based on populaon. With some of the most populous jurisdicons in the state being effecvely disqualified from receiving funding, it is evident that the LHC has not properly appropriated LIHTC funds. This misallocaon of LIHTC funds not only violates the implementaon standards of federally funded programs, but also the biases within QAP that prohibit funding projects in certain jurisdicons violates fair housing laws.

We believe the following components of the QAP have made it more difficult for developers in urban or more densely populated regions to qualify for funding. We are confident that if these changes are made, many developers working to create affordable rental opportunies for Louisiana residents will be more likely to submit applicaons for 2021 with the sincere prospect of receiving the crically important 9% LIHTC for the
projects that are so urgently needed for our cizens.

1. Application Deadline - We ask that you delay taking applications until October or November, so that developers will have a better understanding of the market for the housing that they are planning to build. Accepting QAP applications in the midst of this COVID crisis is premature as we are not yet fully aware the impact on the market. We recommend changing the deadline for applications from September to October or November..
2. TDC Caps - The maximum LIHTC award per project should be increased from $750K to $1M. The $750K cap limits larger projects by leaving a gap in financing or requiring projects be split into phases.
1. Basis Boost - We would like to return to the one level of basis boost at 30% for all projects in Qualified Census Tracts (QCT) and Difficult to Develop Areas (DDA) and census tracts with AMI above 80%. All of these target areas are critical to support the provision of affordable housing.
2. Scattered Sites/ Infill development – Scattered site or infill development projects should be allowed to fully qualify for the basis boost if at least 70% of the project is in the eligible census tract. In other areas of the QAP, if 70% of the project is in the eligible census tract, the project qualifies (geographic diversity for instance). This impacts both scattered site and infill projects on nearby sites.
3. Negative neighborhood features –Instead of limiting development based on undefined terms, we recommend that if the local zoning prevail. If the zoning in a jurisdiction allows residential in an area, that zoning should prevail. Heavy industrial, Distribution Centers, High-voltage substations and airports are problematic and undefined terms and should be removed from the negative features as these are common features in urban areas.

If these negative neighborhood features are not removed:

- Please clearly define 'distribution facility' - the parameters for what qualifies as a distribution facility need to be clearly defined as older zoning may allow a warehouse to remain in an urban residential neighborhood.
- The term "adjacent" is problematic and vague - Based on the verbiage used, the urban parishes are not allowed to have any of the negative neighborhood features "adjacent" to the property. The definition of adjacent is defined by the QAP glossary as 'nearby, but not necessarily touching', which is subjective. Again we recommend that residential zoning prevail as the guideline.

1. Project team – Page 21 states that the developer must have received an 8609 for a project of comparable size previously. This conflicts with the wording on page 5 which states "A Developer that has never been issued a Form 8609 is eligible to receive only one (1) award." We support allowing new developers to apply.
2. Developer Fee - Maximum developer fee is capped at $1M and cannot exceed 30% of rehab hard costs or $25K per unit for new construction. We recommend this cap be removed as there are other areas in the QAP that limit developer fee already (through TDC cap for example).
3. LHC may increase TDC 15% above max unit development cost for"1) cost increase necessary for production of affordable housing; or 2) based on the local municipality requirements. This requires submission of an application based on the assumption that the increase will be allowable otherwise the project is thrown out. We recommend that the language be changed to allow for costs above TDC when costs above the total development costs are funded through other sources (housing authority funding, HTC, soft subsidy).
4. Define infill - (separate from scattered sites) development. Our proposed definition is - one or more nearby parcels containing more than 2 units on each parcel, may be in separate census tracts if nearby. The combined properties can share amenities and facilities).
5. Define Community Service facility - (as distinguished from Community Facilities). The distinction between Community Service Facilities and Community Facilities is unclear.
1. Community Facilities - Community facilities onsite are excluded if they were part of another phase of development. This forces building more community space than is necessary. If the capacity in the previous phase supports the total population of both projects, it should be counted and points should be earned for all phases that make use of facilities developed in a prior phase. The fact that the facility and amenities are

available to the residents should drive the point award and not when the facility was built. This is more cost effective for the project as well.

1. Define the parameters for 'Concerted Community Revitalization Plan' - New construction requires a Concerted

Community Revitalization Plan to get Community Redevelopment points. Please elaborate on what qualifies for projects not part of a Choice Neighborhood Initiative (CNI), as this is not a typically understood and defined programmatic term. For example, would the HousingNOLA Ten Year Plan be an acceptable Concerted Community Revitalization Plan for New Orleans?

2. Green Building and Universal Design - New construction continues to not be allowed points for green building or universal design yet both are added costs to the project. If no points are allowed, the projects should be allowed an increase in unit development cost.

3. Project amenities – all but one of the project amenities requires square footage either in the building or onsite to get points. Smaller sites/projects are unfairly unable to achieve competitive points because they can't fit as many amenities onsite. This unevenly awards larger suburban and less dense project sites. Nearby amenities like parks, trails, tennis courts, and picnic areas should be able to count as amenities and gain points if open and available to the public.

4. Background checks – the LHC should require projects receiving 9% LIHTC to adopt and implement more nuanced criminal background check policies that do not unnecessarily bar citizens who were formerly incarcerated from becoming housed. The policy should focus on reducing harm to the community and while still being able to house persons who were formerly incarcerated.

1. Arrests, juvenile records, or any expunged, vacated, or sealed convictions will be excluded from consideration.

1. The housing provider will only consider felony offenses or misdemeanor sex offense convictions that have taken place within the past three years.

2. The housing provider will make their screening policy available publicly and a copy of any completed background check report available to the applicant.

3. The housing provider will perform an individualized assessment that involves the consideration of mitigating circumstances.

1. Denial letters should include language about the availability of a reasonable accommodation for tenants with disabilities.

2. The housing provider will include in the lease that they will not terminate tenancy based solely on arrest.

We urge the Louisiana Housing Corporaon to consider making these changes to the Qualified Allocaon Plan to create a beter funconing program that results in more affordable housing opportunies for Louisianans. We look forward to your mely response. If you have quesons, or need any more informaon, please feel free to contact me at (504) 224- 8301.

Sincerely,

Andreanecia M. Morris,

President/Chairwoman

QAP Comments

Comment From	Comment Received	Comment Phone
Janelle Brown, CNI Director		

Comment Firm	Comment Email
	jbrown3@ebrpha.org

Janel A. Young
Director, Policy & Strategic Initiatives
LOUISIANA HOUSING CORPORATION
o. (225) 763 - 8846 Ext 213

From: Janelle Brown
Sent: Thursday, June 25, 2020 4:16 PM
To: Keith Cunningham
Cc: Bradley Sweazy ; Louis Russell ; Janel Young
Subject: 2021 QAP - HUD Comments

Mr. Cunningham,

Please find attached U.S. Dept of HUD's comments to the 2021 QAP.

Thank you, in advance, for your consideration.

Janelle

Janelle Brown, CNI Director
Housing Authority of EBRP
4731 North Blvd.
Baton Rouge, LA 70806
P 225.923.8100 x 2001
jbrown3@ebrpha.org

Mr. Edselle Keith Cunningham, Jr. Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, Louisiana 70808
SUBJECT: Choice Neighborhoods Program Funding Commitment
Dear Mr. Cunningham,

I am writing to express The Department of Housing and Urban Development's (HUD) support for the allocation of Low Income Housing Tax Credits LIHTC) to the State's two current Choice Neighborhoods grants. HUD recently awarded Choice Neighborhoods Implementation Grants to projects located in Shreveport and Baton Rouge. The City of Shreveport and the Housing Authority of the City of Shreveport received $24.2 million grant in 2017. The City of Baton Rouge and the East Baton Rouge Parish Housing Authority received a $29.5 million grant in 2018. Both of these grants have the opportunity to not only build LIHTC units, but with the Choice Neighborhoods funds create vibrant mixed income neighborhoods with strong supports for residents.

As you are aware, the Choice Neighborhoods 2011grant of $34.5 million to the City of New Orleans and the New Orleans Housing Authority has been a huge success, completely transformed the Iberville Neighborhood into an exciting mixed income community for families with broad range of income while at the same time raising resident income substantially. In New Orleans, every $1 of Choice Neighborhoods leveraged $7 of other private and public funds to create 682 units of mixed-income housing on the former

Iberville public housing site. None of this could have been done without the strong support of the Louisiana Housing Corporation (LHC).

The Choice Neighborhoods program is designed to address struggling neighborhoods with distressed public housing and/or other HUD-assisted housing through a comprehensive approach to neighborhood transformation. The program helps communities transform neighborhoods by revitalizing severely distressed housing and investing in and leveraging support for resident services related to employment, education and health, as well as key neighborhood initiatives impacting local schools, early education programs, crime prevention, public infrastructure, public transportation, and other economic development activities.

Choice Neighborhoods projects are funded through a variety of private and public funding sources. LIHTCs are a critical component of the financing for housing redevelopment element of the Choice Neighborhoods program. Without them, many of Choice Neighborhoods projects would be unable to move forward. Choice Neighborhoods funds are made available by Congress for only a 5-6 year time frame, which cannot be extended. Therefore, the timely award of tax credits is critical. We encourage LHC to consider the prioritization of Choice Neighborhoods projects in the 9% Low Income Housing Tax Credit QAP.

Choice Neighborhoods Implementation Grants are highly competitive, with only ten percent of all applications receiving an award. HUD makes only four to five awards each year. There have been only 35 Choice Neighborhoods grants awarded nationally. The State of Louisiana is fortunate to be one of three state to receive three grants.

HUD is committed to working with our Choice Neighborhoods grantees and their partners. Should you have any questions regarding the Choice Neighborhood program, please feel free to reach out to me at (202) 402-4191 or Unisa Barr e, the Housing Specialist for both the Shreveport and Baton Rough grants, at (202) 402-5573.

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Janelle Brown, CNI Director		jbrown3@ebrpha.org

Janel A. Young
Director, Policy & Strategic Initiatives
LOUISIANA HOUSING CORPORATION
o. (225) 763 - 8846 Ext 213

From: Janelle Brown
Sent: Tuesday, June 23, 2020 3:48 PM
To: Keith Cunningham
Cc: Bradley Sweazy ; Louis Russell ; Janel Young
Subject: 2021 QAP - City of Baton Rouge Comments

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Mr. Cunningham,

Please find attached the City of Baton Rouge's comments to the 2021 QAP.

Thank you, in advance, for your consideration.

Janelle

Janelle Brown, CNI Director
Housing Authority of EBRP
4731 North Blvd.
Baton Rouge, LA 70806
P 225.923.8100 x 2001
jbrown3@ebrpha.org

June 23, 2020

Mr. E. Keith Cunningham, Jr. Executive Director
Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808

Re: Louisiana Housing Corporation 2021 Qualified Allocation Plan Dear Mr. Cunningham:
HUD awarded the City of Baton Rouge and the East Baton Rouge Parish Housing Authority (EBRPHA) a Fiscal Year 2018 Choice Neighborhood Implementation grant in the amount of $29.5 million to support our Transfonnation Plan, BR Choice, developed for the East Fairfield, Smiley Heights and Melrose East neighborhoods. The Choice Neighborhoods program is designed to address struggling neighborhoods with distressed public housing and/or other HUD-assisted housing through a comprehensive approach to neighborhood transformation. The program helps communities transform neighborhoods by revitalizing severely distressed housing and investing and leveraging support to resident services, high quality public schools and education programs, high quality early education programs, crime prevention strategies, public assets, public transportation, and improved access to jobs. Choice Neighborhoods Implementation Grants are highly competitive, with only ten percent of all applications receiving an award. The City of Baton Rouge/EBRPHA are one of only four grantees to receive an award in FY 2018.

I join LHC in the goal to leverage resources and gamer public -private partnerships that align with maximi zing resources. The approved revitalization strategy contemplates new construction units developed via a public- private relationship utilizing syndicated tax credit financing. It is our hope to be able to "cash-in" on the CNI grant for the citizens of Louisiana. It is crucial that HUD's CNI recipients invoke tax credits as a source to couple with the federal and other grant funds, e.g., FHLB AHP, in order to seek HUD approval of the disbursement of its CNI grant dollars. Thus, we wish to share what we believe to be appropriate priority criteria under the 2021 QAP, for your consideration.

Awards from federal sources, such as the HUD CNI program, that are targeted to assist in housing production and neighborhood revitalization have delivery deadlines. The City of Baton Rouge

submits that the efforts surrounding the CNI grant is one that warrants support under the LHC Qualified Allocation Plan for the reasons set forth below.

The 2021 QAP that will allow the state to benefit from 1) federal funds, otherwise not available in our communities; 2) the master planning; 3) enriched social services; and 4) participation of the partners under the CNI Grant award. The City of Baton Rouge and EBRPHA partners are Build Baton Rouge, The Ascent Project, the Baton Rouge Community College, EBR Schools and YWCA. An identified barrier to housing is insufficient funds to assist a demographic of families who are considered housing poor due to both scarce inventory and lack of quality affordable housing options. The BR Choice Transformation Plan is one that not only [preserves housing] but increases housing units by 450 to 550 housing units. The approximately $30M in federal funds granted to EBRPHA will leverage over $330M in additional investments.

I look forward to visiting with you and your leadership team. I appreciate your thoughtful consideration of these comments.

Sincerely,

ron Weston Broome
Mayor-President Baton Rouge/East Baton Rouge Parish

cc: Brad Sweazy Louis Russell Janel A. Young

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Holly Knight <holly@bgcadvantage.com>		Holly Knight <holly@bgcadvan

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Developer Fee cap on 4%

We would like to see the developer fee for 4% Tax Exempt Bond Transaction be calculated as it has been for previous QAPs, but be raised to 20%. The 4% transaction only raises about 30% equity for a project in comparison to the 9% transactions. This floating 4% means much less equity funding for tax exempt transactions as compared to the sister 9% transaction which means the project needs much more soft funds to be viable. LHC has made a big commitment to providing soft funds (CDBG, HOME, Disaster funds etc.). We applaud those efforts and believe that has assisted with additional affordable housing development and redevelopment in the state. However, we will be embarking on an unpresented need for low income housing following the COVID pandemic. The 20% developer fee is an actual financing tool for the projects that doesn't use any state funds. The higher developer fee can be used as a deferred developer fee and serve as soft funding for the project as well as assist to meet investor underwriting requirements. This higher developer fee would help address the 4% gaps that occur and make more transaction feasible without allocating additional State grant funds/loans.

COVID Impact – Next two years will see decreased investor equity because the market is in such fluctuation. So plan for addressing for soft costs that aren't reliant on LHC funds. More money to LA projects is better for everyone residents and local economy. COVID will also bring a new wave of affordable housing need to an already overburdened market. How can LHC support rehab projects that expand the units available (like buildings in disreapair, unoccupied) and new construction starts. Increase the number or units or bring units back on line to serve the upcoming need.

Choice Neighborhood
We support LHC and their effort to address Choice Neighborhood Initiatives (CNI) methodologies while understanding that the CNI grants from HUD are extremely limited and typically serve the urban area. As noted in the attachment Baton Rouge, Shreveport, New Orleans. The Implementation grants are so large that they could fund an entire LIHTC project or two. Shreveport -$24 This one point gives 3 City areas an unfair advantage for funding where they have already received much more funding than other communities and they are large entitlement Cities with their CDBG and HOME grant funds. We believe that this point should be removed. We support the allocation division by rural and large City as change and believe that should be enough to address where projects should be funded.

Holly Knight
CEO

1000 Highland Colony Parkway
Suite 5203
Ridgeland, MS 39157
202-699-1998
318-224-2997 ext 1011
bgcadvantage.com

Project
State Project City

FY

Awarded

Lead Grantee
Target Housing

Target
Neighborhood

Grant Amount

1 AL Mobile 2014 Mobile Housing Board Roger Williams
Homes Three Mile Trace $375,000

2 AL Mobile 2014 Mobile Housing Board Thomas James Place Thomas James
Place $457,500

3 AL Phenix City 2018 Housing Authority of the
City of Phenix City Frederick Douglass
Homes Frederick
Douglass $250,000

4 AR Little Rock 2011 Housing Authority of the
City of Little Rock Sunset Terrace and
Elm Street Southeast of
Downtown $300,000

5 AZ Phoenix 2015-2016 City of Phoenix Sidney P. Osborn Homes, A.L. Krohn Homes, and Frank
Luke Homes Edison-Eastlake $1,500,000

6 AZ Tucson 2018 City of Tucson Tucson House Oracle $1,300,000

7 CA Los Angeles 2013 Youth Policy Institute Las Palmas Gardens and Castle Argyle
Apartments Los Angeles $500,000

8 CA Los Angeles 2017 Housing Authority of the City of Los Angeles Rancho San Pedro and Rancho San
Pedro Extension Barton Hill -
Downtown San Pedro $1,300,000

9 CA Sacramento 2013 Housing Authority of Sacramento Alder Grove and Marina Vista Upper Land Park - Broadway $500,000

10 CA Sacramento 2011 Housing Authority of the County of Sacramento Twin Rivers River District- Railyards $300,000

11 CA San Francisco 2012 BRIDGE Housing
Corporation Potrero Terrace and
Potrero Annex South Potrero $300,000

12 CA San Francisco 2012 Sunnydale Development Co., LLC Sunnydale-Velasco Sunnydale/ Visitacion Valley $300,000

13 CO Denver 2013 Housing Authority of the City and County of Denver Sun Valley Homes and Annex Sun Valley $500,000

14 CT Meriden 2013 Housing Authority of the
City of Meriden Mills Memorial
Apartments Mills Memorial
Apartments $500,000

15 CT Norwalk 2010 Housing Authority of the
City of Norwalk Washington Village South Norwalk $250,000

16 DC Washington 2012 District of Columbia Housing Authority Barry Farm Dwellings and Wade
Apartments Barry Farm $300,000

17 DC Washington 2011 District of Columbia Housing Authority Kenilworth Courts and Kenilworth Parkside Resident Management
Corporation units Parkside- Kenilworth $300,000

18 FL Dade City 2012 County of Pasco Cypress Villas II Lacoochee-Trilby $300,000

Project
State Project City
FY
Awarded
Lead Grantee
Target Housing
Target
Neighborhood
Grant Amount

19 FL Opa-locka 2011 Opa-locka Community Development Corporation The Gardens Nile Gardens $300,000

20 FL Sanford 2015-2016 Sanford Housing Authority Castle Brewer Court (including William Clark Court), Edward Higgins Terrace (including Cowan Moughton Terrace), and Lake Monroe Terrace Goldsboro $500,000

21 GA Albany 2010 Housing Authority of the
City of Albany McIntosh Homes West Central
Albany $250,000

22 GA Atlanta 2010 Housing Authority of the City of Atlanta University Homes Atlanta University Center $250,000

23 GA Savannah 2011 Housing Authority of Savannah Robert Hitch Village
and Fred Wessels Homes East Savannah Gateway $300,000

24 HI Honolulu 2012 The Michaels Development Company I, L.P. KPT low rises and Kuhio Homes Kuhio Park $300,000

25 IL Chicago Heights 2017 Housing Authority of Cook County Sunrise Manor East Side (use "Downtown-
Eastside") $350,000

26 IL East St Louis 2018 Urban Strategies, Inc. Samuel Gompers
Homes Downtown East
St Louis $350,000

27 IL Rockford 2011 Rockford Housing
Authority Fairgrounds Valley Fairgrounds/ Ellis
Heights $300,000

28 IN Gary 2014 City of Gary Colonial Gardens #1
and #2 University Park
East $500,000

29 KY Louisville 2014 Louisville Metro Housing
Authority Beecher Terrace Russell $425,000

30 KY Louisville 2015-2016 Louisville Metro Housing
Authority Beecher Terrace Russell $1,000,000

31 LA Baton Rouge 2013 City of Baton Rouge/Parish of East Baton Rouge Ardenwood Village Melrose East- Smiley Heights
$500,000

32 LA Shreveport 2010 Northwest Louisiana Council of Governments Jackson Heights and Galilee Majestic Arms Allendale and
Ledbetter
Heights $250,000

33 LA Shreveport 2015-2016 City of Shreveport Naomi Jackson Heights Allendale/ Ledbetter Heights/ West
Edge $1,000,000

34 MA Boston 2012 Boston Housing Authority Whittier Street
Apartments Whittier $300,000

Project
State Project City

FY

Awarded

Lead Grantee
Target Housing

Target
Neighborhood

Grant Amount

35 MA Springfield 2011 City of Springfield Marble Street Apartments, Concord Heights, and Hollywood Apartments I & II South End $300,000

36 MD Baltimore 2010 Jubilee Baltimore, Inc. Pedestal Gardens Central West Baltimore $213,000

37 MD Baltimore 2018 Housing Authority of Baltimore City Poe Homes Poppleton-Hollins Market $1,300,000

38 ME Lewiston 2017 City of Lewiston Maple Knoll Development Downtown/Tree Streets $1,300,000

39 MI Flint 2014 City of Flint Atherton East South Saginaw $500,000

40 MO Kansas City 2010 Housing Authority of the City of Kansas City Chouteau Courts Paseo Gateway $250,000

41 MO St. Louis 2014 Urban Strategies, Inc. O'Fallon Place Near North Side $500,000

42 MO Wellston 2013 County of St. Louis Wellston public housing North Wellston $474,000

43 MS Meridian 2011 Housing Authority of the City of Meridian George Reese Court East End $242,500

44 NC Durham 2012 Housing Authority of the City of Durham McDougald Terrace Southeast Central $300,000

45 NC New Bern 2013 Housing Authority of the City of New Bern Craven Terrace and Trent Court Greater Five Points $400,000

46 NC Salisbury 2010 Housing Authority of the
City of Salisbury Civic Park Apartments West End $170,000

47 NC Wilmington 2010 Housing Authority of the
City of Wilmington Hillcrest Southside $200,000

48 NC Wilson 2011 Housing Authority of the
City of Wilson Whitfield Homes Center City $200,000

49 NC Winston-Salem 2013 Housing Authority of the City of Winston-Salem Cleveland Avenue Homes Cleveland Avenue
$500,000

50 NJ Asbury Park 2015-2016 Asbury Park Housing
Authority Lincoln Village West Side $500,000

51 NJ Camden 2012 Housing Authority of the City of Camden Clement T. Branch Village and J. Allen
Nimmo Court Mt. Ephraim Corridor $300,000

52 NJ Camden 2018 Housing Authority of the
City of Camden Ablett Village Cramer Hill $350,000

53 NJ Jersey City 2010 Jersey City Housing Authority Montgomery Gardens McGinley Square
– Montgomery
Corridor $250,000

54 NJ Newark 2012 Newark Housing Authority Seth Boyden Terrace Dayton Street $300,000

55 NV North Las Vegas 2014 City of North Las Vegas Rose Gardens Urban Core $485,000

Project
State Project City

FY
Awarded

Lead Grantee
Target Housing

Target
Neighborhood

Grant Amount

56 NY Buffalo 2010 Buffalo Municipal Housing
Authority Perry Homes Perry $250,000

57 NY New York 2012 New York City Housing
Authority Betances Mott Haven
(Bronx) $300,000

58 NY Yonkers 2012 Municipal Housing Authority for the City of Yonkers Cottage Gardens Croton Heights/ Cottage Place Gardens $300,000

59 OH Cincinnati 2011 Cincinnati Metropolitan
Housing Authority English Woods Fairmount $201,844

60 OH Cleveland 2011 Cuyahoga Metropolitan
Housing Authority Cedar Extension Central Choice $300,000

61 OH Cleveland 2017 Cuyahoga Metropolitan
Housing Authority Woodhill Homes Buckeye-
Woodhill $350,000

62 OH Columbus 2011 Columbus Metropolitan
Housing Authority Poindexter Village Near East Side $300,000

63 OH Dayton 2015-2016 Greater Dayton Premier
Management DeSoto Bass Courts
and Hilltop Homes DeSoto Bass $1,500,000

64 OK Tulsa 2010 Community Action Project of Tulsa County, Inc. Brightwaters Apartment Complex Eugene Field $250,000

65 PA Philadelphia 2013 Philadelphia Housing
Authority Norman Blumberg
Apartments Sharswood/
Blumberg $500,000

66 PA Philadelphia 2010 Mt. Vernon Manor, Inc. Mt. Vernon Manor
Apartments Mantua $250,000

67 PA Philadelphia 2017 Philadelphia Housing
Authority Bartam Village Kingsessing $1,300,000

68 PA Pittsburgh 2015-2016 Housing Authority of the City of Pittsburgh Bedford Dwellings Bedford Dwellings/Hill District $500,000

69 RI Providence 2010 Providence Housing
Authority Manton Heights Olneyville $250,000

70 RI Woonsocket 2012 The Woonsocket Neighborhood Dev. Corp. d/b/a NeighborWorks Veterans Memorial Housing Development Our Neighborhoods' Planning District $300,000

71 SC Columbia 2012 Housing Authority of the City of Columbia Allen Benedict Court and Gonzales Gardens East Central Columbia $250,000

72 SC Spartanburg 2012 Housing Authority of the City of Spartanburg Archibald Rutledge Highrise and Oakview Apartments Northside $300,000

73 TN Jackson 2010 Jackson Housing Authority Allenton Heights Allenton Heights $167,000

74 TN Kingsport 2012 Kingsport Housing & Redevelopment Authority Robert E. Lee Apartments Midtown $300,000

Project
State Project City

FY
Awarded

Lead Grantee
Target Housing

Target
Neighborhood

Grant Amount

75 TN Memphis 2010 Memphis Housing Authority Foote Homes Vance Avenue Neighborhood $250,000

76 TN Nashville 2015-2016 Metropolitan Development and Housing Authority JC Napier Homes and Tony Sudekum Homes Napier/ Sudekum $500,000

77 TX Austin 2012 Housing Authority of the City of Austin Rosewood Courts Rosewood $300,000

78 TX Brownsville 2015-2016 Housing Authority of the City of Brownsville Buena Vida Buena Vida $500,000

79 TX San Antonio 2010 San Antonio Housing Authority Wheatley Courts Eastside $250,000

80 VA Newport News 2015-2016 City of Newport News Ridley Place Marshall/Ridley $500,000

81 VA Norfolk 2010 Norfolk Redevelopment and Housing Authority Tidewater Park Gardens Expanded St. Paul's Area $250,000

82 VA Roanoke 2012 City of Roanoke Redevelopment and Housing Authority Lansdown Park and Melrose Towers Loudon-Melrose/ Shenandoah West $200,000

83 VA Suffolk 2011 Suffolk Redevelopment and Housing Authority Parker Riddick and Cypress Manor East Washington Street $255,656

84 WI Milwaukee 2018 Marquette University College Court Near West Side $1,300,000

85 WV Huntington 2017 City of Huntington Northcott Court Fairfield $350,000

Choice Neighborhoods Planning Grant Funding Awarded: $37,966,500

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Linda Kocher		Linda Kocher <lindabkocher@g

We're asking that you establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

This will change the world for many people in Louisiana.

Thank you,
Linda and Robert Kocher
New Orleans

QAP Comments

Comment From	Comment Firm	Comment Email	Comment Received	Comment Phone
Donnell McGhee <DMcGhee@integral-online.com>		Donnell McGhee <DMcGhee@		

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Good afternoon Mr. Russell,

I hope that all is well with you. Per our conversation last week, and the public comment period from earlier today, please find attached the written comments from Integral Development, East Baton Rouge Parish Housing Authority, and Partners for Progress. Also, I went ahead and scored two applications to illustrate the difficulty our projects will likely face in overcoming the point differential between the higher income areas, and federally designated redevelopment areas.

I understand the benefit of placing affordable housing in higher income areas and communities with many amenities. However, many of your public housing agencies own property in lower income communities. These communities rely heavily on revitalization efforts to create a long lasting sustainable community. In many cases, this effort starts with housing, which is why capturing a coveted 9% tax credit award is so important in removing the stigma around certain communities and kicking off the Choice Neighborhood Revitalization plan. We are looking forward to our continued partnership with LHC.

Thank you, in advance, for your consideration.

Best regards,

Donnell H. McGhee, MBA | Development Manager
Integral Development LLC
Direct: 404.224.1875
Mobile: 470.733.4710

191 Peachtree Street NE, Suite 4100, Atlanta, Georgia 30303
Main: 404.224.1860 | Email: DMcGhee@integral-online.com
Website: http://www.integral-online.com | *"Realizing the Full Potential of Urban Living"*

Please think about the environment before you print this email.

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Mylinda Elliott		Mylinda Elliott <mylindaelliott

Dear Louisiana Housing Corporation,
I would like to submit comment on the Qualified Allocation Plan draft and specifically how the Low-Income Housing Tax Credit will be allocated to projects for affordable housing. I am in my late 50's and am experiencing the need for accommodations to assist me in continuing to live independently. I also have a daughter with disabilities who lives in her own apartment who has inexpensive accommodations to the apartment to continue to remain independent.

I am recommending you add establishing an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

This Deposit to Reserves would go a long way in helping people like my self and my daughter continue to be independent. You may contact me at the number below if I can provide any other information. I appreciate your consideration of this request.

Sincerely,
Mylinda Elliott
105 David Street
Iowa, LA 70647
337-661-9456

Let's Get Social!
www.facebook.com/MylindaElliott
www.twitter.com/MylindaElliott
www.linkedin.com/in/MylindaElliott
www.pinterest.com/MylindaElliott
www.youtube.com/c/MylindaElliott
www.instagram.com/MylindaElliott

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Mitch Iddins		Mitch Iddins <2521nhilc@gma

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design. Thank you.

Mitch Iddins

Sent from Mail for Windows 10

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Hannah Adams		Hannah Adams <hadams@slls.

Baton Rouge • Covington • Hammond • Harvey • Houma • New Orleans
1340 Poydras St. Suite 600 • New Orleans, Louisiana 70112 • Telephone: (504) 529-1000 • Fax: (504) 596-2241 www.slls.org • www.louisianalawhelp.org • http://tinyurl.com/sllsfacebook

June 19, 2020

Louisiana Housing Corporation 2415 Quail Drive
Baton Rouge, LA 70808

By Electronic Mail to qapcomments@lhc.la.gov

Re: Comments on LHC's 2021 Draft Qualified Allocation Plan

To Whom it May Concern,

Southeast Louisiana Legal Services ("SLLS") is the free civil legal aid organization providing representation to low-income families across twenty-two parishes. SLLS has offices in New Orleans, Harvey, Houma, Hammond, Baton Rouge, and Covington, and runs a help desk in St. Charles Parish. The majority of SLLS's clients are low-wage workers, families with children, people with disabilities, and seniors on a fixed income who struggle to afford rental housing. SLLS applauds LHC for its ongoing commitment to serving the needs of our most vulnerable clients.

SLLS has reviewed LHC's draft 2020 QAP and submits the following comments:

1. **Tenant Selection Plan and Criminal Background Screening Requirements:** Because Louisiana has one of the highest rates of incarceration per capita in the nation, many of SLLS's low-income clients are formerly incarcerated. Housing is essential for people in reentry to rejoin their communities, secure and maintain employment, pursue education, and reunite with families. Although critical to a successful and stable reentry, formerly incarcerated persons are routinely denied access to affordable housing based on their criminal records. Overly restrictive criminal background policies also disproportionately impact racial minority groups — in particular in Louisiana, African Americans are convicted and incarcerated at higher rates than the general population.[1] In its section on Tenant Selection Plans, SLLS recommends that LHC require applicants to adopt Tenant Selection Plans with criminal background screening policies compliant with HUD's 2016 guidance on "Application of Fair Housing Act Standards to the Use of Criminal Records

[1] Data available at: https://ucr.fbi.gov/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/tables/table- 3

by Providers of Housing and Real Estate-Related Transactions."[2] The Georgia Housing and Finance Authority recently codified specific parameters in line with this guidance. Specifically, LHC should:

1. Reject Tenant Selection Plans that contain a blanket ban on applicants with criminal records;
2. Reject Tenant Selection Plans that allow for denial based simply on an arrest record;
3. Reject Tenant Selection Plans that consider juvenile records;
4. Require that Tenant Selection Plans call for an individualized assessment of each applicant that includes consideration of mitigating circumstances, including but not limited to evidence of rehabilitation efforts, post-conviction conduct, whether the conviction in question was related to an applicant's disability and any risk could be mitigated or eliminated by reasonable accommodation, and whether the conviction arose from the applicant's status as a survivor of domestic violence, sexual assault, dating violence, or stalking;
5. Require that Tenant Selection Plans limit their lookback period for criminal records to a maximum of three years; and
6. Provide for an appeal process where an applicant is denied based on criminal records.

2. **<u>Tenant Selection Plan and Eviction Screening Requirements</u>:** Many low and middle income tenants are barred from obtaining future housing due to records of past evictions. According to a report by Jane Place Neighborhood Sustainability Initiative based on data gathered from New Orleans eviction courts, in 2017, the eviction rate for New Orleans was 5.2%, approximately twice the national average.3 One out of every 19 renter households in New Orleans faced a court-ordered eviction in 2017. This is in part due to the high percentage of renters who are cost-burdened, and the lack of tenant protections in Louisiana landlord-tenant laws. Those evicted in New Orleans are disproportionately Black women.4 SLLS routinely has clients who are denied housing at LIHTC properties because they have an eviction on their record. Many people have evictions on their records when they were not, in fact, evicted, but challenging a record is a time consuming and challenging process that often requires an attorney. In its section on Tenant Selection Plans, SLLS recommends that LHC require applicants to adopt Tenant Selection Plans that do not bar access to people with evictions on their records, or at the very least require consideration of mitigation circumstances.

2 Document available at https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF

3 Jane Place Neighborhood Sustainability Initiative, *New Orleans' Eviction Geography*; available at https://storage.googleapis.com/wzukusers/user-27881231/documents/5c95369d185a9kbj1pY4/JPNSI_Evictions_Final.pdf

4 Jane Place Neighborhood Sustainability Initiative, *Unequal Burden, Unequal Risk: Households Headed by Black Women Experience Highest Rates of Eviction*; available at https://storage.googleapis.com/wzukusers/user-27881231/documents/1b0abaecc16347ae90699173731e91ae/Unequal%20Burden%2C%20Uneq ual%20Risk%20Eviction%20Report%20JPNSI%20Final.pdf

1. **<u>Length of Extended Use Period</u>**: SLLS applauds LHC for requiring that all applicants commit to irrevocably foregoing the Qualified Contract process as a precondition to receipt of credits. This requirement is necessary to prevent premature displacement of low-income tenants. However, we at SLLS believe that a thirty-year commitment period is still too short to meet the substantial need across the region in a long-term and sustainable way. SLLS recommends that LHC require applicants to commit to a longer Extended Use period of a minimum of forty years, with priority for developers who can commit to longer term or permanent affordability. Last year, the Pennsylvania Housing Finance Agency increased its minimum affordability period to 40 years in response to data showing that, as of 2017, at least eleven states held 100% of their LIHTC properties to affordability periods of over 30 years, and at least two states held 100% of their LIHTC properties to affordability periods of over 50 years. Exhibit A. At least twenty- two states with available data hold at least a percentage of their LIHTC properties to an affordability period of longer than 30 years. LHC's commitment to long term affordability would be better served by a minimum affordability period of more than 30 years.

2. **<u>Applicants with Previously Funded Projects Not Subject to the "Irrevocably Forgo" Requirement</u>**: The QAP should specify that applicants with LIHTC properties awarded credits in years prior to LHC's implementation of its requirement to irrevocably forgo the Qualified Contract process, and who apply for a Qualified Contract, or otherwise seek early termination of its restrictive covenant, are not eligible for credits moving forward. This will help prevent loss of affordable units that may be nearing expiration of their initial fifteen years of compliance and are not bound to the full thirty years. Suggested language:

The Agency may reject an Application from any Applicant (or related entity) who participates in a transaction or program to achieve early termination of a Restrictive Covenant Agreement (or other document(s) evidencing long term restrictions applicable to the Tax Credit Program) as determined by the Agency in its sole discretion. Such action may include rejection of the Application, termination of processing, recapture of Tax Credits (if an IRS Form 8609 has not been issued) or, if applicable, issuance of an IRS Form 8823 or notification to the appropriate governmental authorities.

1. **<u>5% Set-Aside</u>**: According to 2018 data from the National Low Income Housing Coalition, the supply of affordable housing in Louisiana meets or exceeds the demand for low-income families living at 80% of Area Median Income ("AMI"). However, as the AMI percentage decreases, so does the supply of housing. For

every 100 families living at 50% of AMI, there are only 58 affordable and available homes. For every 100 families living at 30% of AMI (HUD "Extremely Low Income" status), there are only 42 affordable and available homes.5 Clearly, the greatest affordable housing need is at the lowest end of the income spectrum. Accordingly, SLLS commends LHC on its requirement that projects applying for nine percent credits commit to 5% of their units for families at 30% AMI or below, with a priority for elderly, disabled, and veteran families. That being said, LHC should require that applicants commit to a higher percentage of

5 Data available at: https://nlihc.org/housing-needs-by-state/louisiana

deeply affordable units in order to better address the statewide affordable housing need, which is more acute at 30% AMI than it is at 60%.

1. **Lease Addendum**: SLLS attorneys frequently see LIHTC leases that are noncompliant with federal requirements. Specifically, many LIHTC form leases contain clauses that permit termination at expiration without cause in violation of federal law and LHC's LIHTC Regulatory Agreement. A recent review of eviction filings showed that for one LIHTC property, over one third of the evictions in 2019 were illegal no-cause evictions at lease expiration. LHC should require that management companies use a lease addendum like the ones attached from other jurisdictions (see Exhibit B) that specifies, at minimum:
    1. Landlords are prohibited from terminating tenancy except for "Good Cause," defined as serious and repeated violations of the lease by the Tenant, even at lease expiration
    2. Grievance procedures (see #5)
    3. Tenant protections under VAWA
    4. Tenant protections under the Fair Housing Act, including reasonable accommodation

1. **Grievance Procedures**: Nearly all other subsidized tenancies require the owner of a project to provide the tenant an opportunity to dispute a termination prior to the judicial eviction proceeding. *See, e.g*., 42 U.S.C.A. § 1437(k), 24 C.F.R. §§ 966.50-966.57 (requiring a grievance hearing in public housing units); 42 U.S.C.A. § 12755(a) (providing that HOME funded units must have an approved grievance procedure). A tenant's right to dispute or grieve also extends to other potentially adverse actions, such as the denial of admission or a reasonable accommodation or an incorrect rent determination. *See, e.g*., 24 C.F.R. § 982.555(a)(1)(i) (providing that a Public Housing Authority must provide an informal hearing for PHA calculation for tenant income). Without a grievance procedure, a tenant's only recourse against an incorrect termination is to raise a defense in court and risk an eviction judgment. Eviction judgments are an all- but- prohibitive barrier to renting safe and decent housing for the individuals and families that qualify for LIHTC Housing. Other states have implemented grievance-type procedural requirements for LIHTC housing; for example, the Michigan housing finance agency requires that owners provide a 10-day period for tenants to request a meeting with the owner regarding a termination notice. SLLS recommends that LHC require that its LIHTC recipients implement a grievance process for LIHTC tenants, as well as a right to review their tenant files prior to such proceeding, and that the grievance procedure be included in a required Lease Addendum (see #4).

1. **VAWA:** SLLS applauds the inclusion of VAWA compliance requirements in the 2019 and 2020 QAPs, and the requirement of a VAWA emergency transfer plan. LHC should require that LIHTC leases include a VAWA addendum or provision so that tenants are informed of, and can enforce, their rights (see #5, above).

1. **CARES Act Compliance:** SLLS has made several reports to LHC regarding properties that have not complied with the CARES Act prohibitions on evictions and late fees during COVID-19. Owners of noncompliant properties and their management companies

should not be eligible for future awards, or should receive a points deduction for noncompliance. All LIHTC owners and management companies must be warned that their compliance with COVID-19-related restrictions will be considered in future award cycles.

Thank you in advance for your review of our comments. Please contact Hannah Adams with any questions or comments at (504) 529-1000 x.258 or hadams@slls.org.

Sincerely,

Laura Tuggle Executive Director

SLLS Suggested Form submitted to LHC

Louisiana Housing Corporation
TAX CREDIT PROGRAM ADDENDUM

THIS RESIDENTIAL LEASE ADDENDUM (hereinafter referred to as the "Addendum") is made and entered into this day of , 20_, to that certain Residential Lease Agreement dated , 20_(hereinafter referred to as the "Lease") and is entered into by and between ______________________ (hereinafter referred to as "Lessor") and (hereinafter referred to as "Lessee") for the unit located at in the Apartment Complex commonly referred to as (the "Premises").

NOW THEREFORE, not withstanding any other provisions to the contrary contained in the Lease, the parties hereto covenant and agree that the Lease shall be modified and amended as follows:

1. THE PARTIES ACKNOWLEDGE AND AGREE that the Premises participates in the federal Low Income Housing Tax Credit Program. This means the provisions of Section 42 of the Internal Revenue Code of 1986, as amended, are applicable to this Lease including, without limitation:

- Lessor may not terminate a lease or refuse to renew a lease except for "good cause." Good cause is defined as a serious or repeated violation of the lease by the Tenant.
- Lessee is protected by the Violence Against Women Act ("VAWA"), as amended from time to time. Incidents of domestic violence, dating violence, or stalking, or criminal activity directly relating to abuse, do not constitute "good cause" for termination of the victim's tenancy.
- Lessee is protected by the Fair Housing Act, as amended from time to time. Under the Fair Housing Act a tenant with disabilities is entitled to a "reasonable accommodation," or exception to normal rules and policies, when certain conditions are met as enumerated in the Act.

1. THE PARTIES ACKNOWLEDGE AND AGREE that the subject Premises are specifically identified and under the administrative control of the Section 42 Low Income Housing Tax Credit Program (hereinafter referred to as the "Program"), which limits occupants to an annual income level and provides lower rent rates to households who meet certain Program criteria (hereinafter referred to as "Qualified Households").

1. THE PARTIES ACKNOWLEDGE AND AGREE that under the Low Income Housing Tax Credit program the Lessor may not charge rent in excess of the maximum allowable rents annually revised and published by the U.S. Department of Housing and Urban Development ("HUD"). participation in the Program allows the owner or its agent to increase the monthly rent rate based upon maximum allowable rents annually revised and published by the U.S. Department of Housing and Urban Development ("HUD"). Lessor reserves the right to increase rent rates in accordance with Program guidelines, subject to thirty (30) days written notice to Lessee, effective for the balance of said lease term. **Comment [HA1]:** Why does LHC permit mid-term rent increases? Is this necessary based on LHC policies?

1. THE PARTIES ACKNOWLEDGE AND AGREE that participation in the Program also requires that Qualified Households must meet certain income limitations based upon the number of persons residing in the Premises and Lessee(s) agrees to notify Lessor immediately of any increases or decreases in the number of persons residing in the Premises.

1. THE PARTIES ACKNOWLEDGE AND AGREE and agrees that participation in the Program requires re-certification by the Lessee every twelve (12) months as required by the Program. Lessee(s) agrees to submit all necessary documentation required by the Program to Lessor for the purpose of insuring that Lessee(s) remains a Qualified Household. In the event that Lessee(s) fails to deliver such information thirty (30) days prior to re-certification deadline, Lessor reserves the right to issue a written Notice to Vacate to Lessee(s). Lessee has the right to provide the requested documents and thereby correct the default at any time before a judgment of eviction is rendered. Lessee acknowledges that he/she has received the information on the Program re-certification and understands such requirements.

1. THE PARTIES ACKNOWLEDGE AND AGREE and agrees that participation in the Program is limited to specific restrictions with respect to students and that qualification to remain a Qualified Household is at all times dependent upon the household meeting all student status requirements. Should Lessee(s) fail to meet these requirements at any time, Lessee(s) will be deemed an unqualified household and will be subject to immediate eviction and shall be issued a written thirty (30) day notice to vacate. Lessee(s) agrees to notify Lessor immediately of any change in student status by any member of the household.

Except as otherwise modified and amended herein, all other terms and conditions shall remain in effect under the original lease. This addendum is enforceable by the parties as part of the lease agreement. To the extent that any portion of this addendum conflicts with the lease agreement, this addendum controls.

LESSOR:

By:
Title:
Date:

LESSEE(S):

By:
Title:
Date:

QAP Comments

Comment Received

Comment Phone

Comment From

Katie Duym

Comment Firm

Comment Email

Katie Duym <kduym@collegiat

I'm requesting that an underwriting guideline be established that requires a deposit to reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

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Katie Duym
Special Education Coordinator, Opportunities Academy
Phone: 504-503-1421
Cell:610-850-2517

QAP Comments

Comment Received

Comment Phone

Comment From
Cynthia Heying

Comment Firm

Comment Email
Cynthia Heying <cheying@bpc

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Cynthia Heying

Sent from my iPhone

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Tarj Hamilton		Tarj Hamilton <tarjsellshomes

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Clear2Close Realty, LLC
Mrs. Tarj Hamilton - REALTOR®
10044 Hooper Rd. Suite C
Central, La 70818
225-439-8443 Cell
225-306-4100 Office

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Roszella Viltz		Roszella Viltz <roszellaviltz@ya

As an advocate and parent of a youth with disability, I ask that you establish an underwriting guideline requiring a Deposit of Reserves of $800.00 per newly constructed affordable residential unit and $1200.00 per renovated affordable residential unit to be utilized for unit, building or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

I ask this in the name of all individuals with special needs.

Respectfully,

Roszella Jefferson Viltz

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Jamie Duplechine		Jamie Duplechine <duplechinej

Establish an Underwriting Guideline requiring a Deposit to Reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Molly Mulhern		Molly Mulhern <mmulhern@c

Hello,

I'm requesting that an underwriting guideline be established that requires a deposit to reserves of $800.00 per newly constructed affordable residential unit and $1,200.00 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

Thanks,

Molly Mulhern
Transition Coordinator
Opportunities Academy
Collegiate Academies
c. 610.390.9588
www.opportunitiesacademy.org

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Maxwell Ciardullo		Maxwell Ciardullo <mciardullo

To: Keith Cunningham, Executive Director of the Louisiana Housing Corporation
From: Louisiana Fair Housing Action Center Date: June 19, 2020
Re: Comments on the 2021 Qualified Allocation Plan
Please accept the following comments on behalf of the Louisiana Fair Housing Action Center (LaFHAC) on the 2021 Qualified Allocation Plan.

We are pleased that LHC is interested in moving forward with implementing protections for residents in LIHTC properties with criminal and arrest records. This is an important step that will have a positive impact on access to housing for people who are hardest hit by the pandemic, the economic downturn, and the racial unrest in our state. Adjusting criminal record requirements is just one of the adjustments to the QAP that will ensure that tax payer dollars are being used by LHC to affirmatively further fair housing.

Below, we have listed a number of additional improvements that will strengthen the QAP:

1. Require Safe and Fair Criminal Background Screenings

In 2016, the Department of Housing & Urban Development (HUD) released joint guidance with the Department of Justice (DOJ) that explains how standard criminal background screenings are overwhelmingly used in a way that violates the Fair Housing Act. The pattern of practice generally results in African American home-seekers being routinely denied for housing as a result of blemishes on their criminal and arrest records, despite white home-seekers with similar records receiving more favorable outcomes.[1] We recommend that LHC amend the QAP to require developers to institute screening procedures that meet the criteria spelled out in this guidance.
Since 2016, the Housing Authority of New Orleans (HANO) has been using a process that complies with this guidance with successful results. We are asking LHC to include the following provisions:

- Arrests, juvenile records, or any expunged, vacated, or sealed convictions will be excluded from consideration.
- The housing provider will only consider felony offenses or misdemeanor sex offense convictions that have taken place within the past three years.
- The housing provider will make their screening policy available publicly and a copy of any completed background check report available to the applicant.
- The housing provider will perform an individualized assessment that involves the consideration of mitigating circumstances.
- Denial letters should include language about the availability of a reasonable accommodation for tenants with disabilities.
- The housing provider will include in the lease that they will not terminate tenancy based solely on arrest.

1. Tenant Selection Plan and Eviction Screening Requirements

Many low and middle income tenants are barred from obtaining future housing due to records of past evictions. According to a report by Jane Place Neighborhood Sustainability Initiative based on

1 *Locked Out: Criminal Background Checks as a Tool for Discrimination*. Louisiana Fair Housing Action Center. September 28, 2015. Available: https://lafairhousing.org/blog/study-finds-criminal-background-policies-
r-for-discrimination.

data gathered from New Orleans eviction courts, in 2017, the eviction rate for New Orleans was 5.2%, approximately twice the national average.[2] One out of every 19 renter households in New Orleans faced a court-ordered eviction in 2017. This is in part due to the high percentage of renters who are cost-burdened, and the lack of tenant protections in Louisiana landlord-tenant laws. Those evicted in New Orleans are disproportionately Black women.[3] Southeast Louisiana Legal Services routinely has clients who are denied housing at LIHTC properties because they have an eviction on their record. Many people have evictions on their records when they were not, in fact, evicted, but challenging a record is a time consuming and challenging process that often requires an attorney. In its section on Tenant Selection Plans, LaFHAC recommends that LHC require applicants to adopt Tenant Selection Plans that do not bar access to people with evictions on their records, or at the very least require consideration of mitigation circumstances.

3. Ensure Urban Areas have a Fair Chance at Securing LIHTCs

LaFHAC joins the Greater New Orleans Housing Alliance (GNOHA) in their deep concern about exclusive language in the QAP that has prevented urban jurisdictions like New Orleans from receiving any new construction 9% tax credit deals in the past three years. There's no doubt there is a pool of qualified developers in New Orleans and an urgent need for affordable housing, so it is disconcerting that city has been excluded recently. Even if these results are based on facially neutral policies in the QAP, such exclusion of urban areas that are disproportionately African American may trigger fair housing liability under the disparate impact theory upheld by the U.S. Supreme Court.

One of those facially neutral policies is the inclusion of negative neighborhood characteristics as a project threshold requirement. We appreciate the narrowing of this requirement since the 2019 QAP, but remain concerned that some of the "incompatible uses" may still disqualify projects located in many areas we consider areas of opportunity. As part of New Orleans Assessment of Fair Housing (AFH) plan, LaFHAC worked closely with the City of New Orleans and the Housing Authority of New Orleans (HANO) to produce a plan that prioritizes affordable housing development on high ground and in high opportunity neighborhoods. Many of these areas are along the Mississippi River in neighborhoods that have seen dramatic displacement of African Americans since Katrina and rising housing prices. They are some of the highest opportunity areas in the city, but they are also in close proximity to facilities that may fit the definition of heavy industrial, processing plants, or distribution facilities that exist as part of the port or other wharves.

In particular, some of the port areas produce loud noises like containers being offloaded, train whistles, or ship horns that travel a significant distance. The definition in the QAP says that they must not travel "beyond the boundaries of the entire district," but it's not clear what district is being referenced. The QAP does not provide definitions of processing plants or distribution facilities so it's difficult to understand what developments might be prohibited by their inclusion in the list of negative neighborhood characteristics.

2 Jane Place Neighborhood Sustainability Initiative. *New Orleans' Eviction Geography*. 2019. Available at https://storage.googleapis.com/wzukusers/user- 27881231/documents/5c95369d185a9kbj1pY4/JPNSI_Evictions_Final.pdf.

3 Jane Place Neighborhood Sustainability Initiative. *Unequal Burden, Unequal Risk: Households Headed by Black Women Experience Highest Rates of Eviction*. 2020. Available at https://storage.googleapis.com/wzukusers/user-27881231/documents/1b0abaecc16347ae90699173731e91ae/Unequal%20Burden%2C%20Unequal%20Ri sk%20Eviction%20Report%20JPNSI%20Final.pdf.

It's important to build in areas without environmental hazards, but it's equally important to ensure that people have the option to live close to jobs that pay well. We believe that it's possible for LHC to encourage both, in part by doing the following:

1. Better clarify the definitions of these characteristics.
2. Consider revising this list and removing "heavy industrial, processing, and distribution" facilities from this list.

In addition to this policy, we also join GNOHA is their recommendations around non-contiguous multifamily sites, basis boost eligibility, raising the TDC cap, removing the developer fee cap based on unit count, incentivizing high impact projects, and changing the scoring criteria for facilities and amenities.

- **Further Incentivize and Better Define High-Opportunity Areas**

For "De-concentration Projects" (the project type for developments in higher-opportunity areas), the 2021 QAP should weigh high-income areas far more than the mix of incomes in the planned development. A vast body of research suggest that access to opportunity is directly related to exposure to poverty and the resources available in one's neighborhood, including jobs, high- performing schools, transit, grocery stores, and green space. The income diversity directly within the apartment building one resides in has little to nothing to do with it. Therefore, we strongly suggest making 15 points available for "geographic diversity" and only three points available for "project diversity."

The 2021 QAP also muddies the thresholds in the Geographic Diversity section. Instead of 10 points for a project where the median income in the census tract exceeds 100% of the parish median income or 12 points for 120% of the parish median income, points are now awarded when the median household income in the development census tract exceeds 80% AMI for the MSA or 100% AMI for the MSA. To begin with, this section now mixes measurements, using the median household income for the census tract of the development but AMI for the MSA. AMI is a far different measure that takes household size into account and can often be twice as high as the median household income for the same area. Changing the measurement from the parish to the MSA will often also raise the income as suburban areas generally have higher incomes than urban parishes. These changes make it difficult to understand if more points are being awarded for developments in comparatively lower-opportunity neighborhoods and we therefore suggest that LHC revert to the measures in the 2019 QAP.

Currently, the "project diversity" category awards more points if only 40% of units are affordable and less if the development includes more affordable units in a high-opportunity area. This incentive is backwards and ensures fewer affordable units and the maintenance of segregated living patterns in areas of opportunity.

- **Length of Extended Use Periods**

We fully support LHC's requirement that applicants waive the Qualified Contract process as a precondition to the use of credits, which effectively preserves affordable housing options. However, we find it pertinent that LHC increase the Extended Use period to a minimum of 40 years. It would also be helpful to prioritize developers who can commit to longer term affordability. Several states have committed their LIHTC properties to affordability periods of over 30 years. At LaFHAC we

believe that 30 years is an insufficient period of time to ensure long-term and sustainable affordability in the region.

1. Lease Addendum for No Cause Evictions

LaFHAC is aware that plenty of no cause evictions occur within LIHTC properties, violating federal law and LHC's LIHTC Regulatory Agreement. No cause evictions, even at the termination of the lease, are not permitted under federal law that governs the use and expenditure of LIHTC funds.
LHC should prohibit lease clauses that permit no cause evictions, including termination at expiration to better protect access to affordable housing for low income and vulnerable populations in our region.

1. Require More Deeply Affordable Units

In our state, there is greater need for affordable housing at the lower ends of the income spectrum, 30% AMI, than there is at 60% and 80%. However, LHC's current requirements create more affordability options for tenants at 80% AMI than 30% AMI. Currently, developers applying for 9% tax credits are only required to set aside 5% of their units for families living at or below 30% AMI. We support this initiative, but would like for LHC to make this requirement match the need by increasing the set aside for deeply affordable units.

1. Grievance Procedure

The health and economic impacts of the COVID-19 pandemic will be with us for a while, especially as Louisiana has one of the highest unemployment rates in the country. With that said, LaFHAC finds it reasonable to advance policies that help renters, when possible, avoid eviction court. An
eviction determination can have an irreversible effect on a family's ability to qualify for not only LIHTC units, but almost any type of rental (subsidized or market-rate) or homeownership opportunities in the future. LHC can address this issue by requiring LIHTC recipients to implement a grievance procedure in a lease addendum. The grievance procedure should be available for tenants and prospective tenants to use not only to challenge lease terminations, but also for other adverse actions, including but not limited to, denial of admission, a reasonable accommodation, or an incorrect rent determination. It's fairly common for subsidized housing programs to protect the tenant's right to challenge adverse actions by the owner outside of court before taking civil action.

1. VAWA

LaFHAC applauds the inclusion of VAWA compliance requirements in the 2019 and 2020 QAPs, and the requirement of a VAWA emergency transfer plan. LHC should require that LIHTC leases include a VAWA addendum or provision so that tenants are informed of, and can enforce, their rights.

1. Modifications for People with Disabilities

LaFHAC supports a recommendation from the Governor's Office of Disability Affairs, Housing Committee to support people with disabilities who need reasonable modifications to their LHC rental homes. We suggest establishing an underwriting guideline requiring a deposit to reserves of
$800 per newly constructed affordable residential unit and $1,200 per renovated affordable residential unit to be utilized for unit, building, or site modifications to accommodate accessibility needs of individual residents beyond those accommodated by universal design.

11. CARES Act Compliance
LaFHAC is deeply concerned that landlords may be violating federal CARES Act provisions prohibiting evictions and late fees through August 24th. Our partners are Southeast Louisiana Legal Services have made several reports to LHC regarding properties that have not complied with the CARES Act prohibitions on evictions and late fees during COVID-19. Owners of noncompliant properties and their management companies should not be eligible for future awards, or should receive a points deduction for noncompliance. All LIHTC owners and management companies must be warned that their compliance with COVID-19-related restrictions will be considered in future award cycles.

We appreciate the time you've taken to read and consider our comments. Please contact Maxwell Ciardullo with any questions at mciardullo@lafairhousing.org or 504-266-2494.
Sincerely,
Cashauna Hill
Executive Director

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Bobby Collins		Bobby R. Collins <brcollins@ha

Housing Authority
OF THE
City of Shreveport
TELEPHONE: 318.698.3600 2500 LINE AVENUE, SHREVEPORT, LOUISIANA 71104 FAX: 318.841.1074

Mr. Keith Cunningham Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Dr, Baton Rouge, LA 70808

RE: Proposed revisions to the Louisiana Housing Corporation's Qualified Allocation Plan

The Housing Authority of the City of Shreveport (HACS) has reviewed LHC's draft 2021 Qualified Allocation Plan (QAP). Over the last several years, HACS has significantly accelerated its development activities through the asset repositioning of its public housing portfolio, as well as the implementation of its Choice Neighborhood Initiative (CNI). LHC has been a tremendous partner in these efforts, providing tax credits and other funding resources to support leveraged, strategic, and quality affordable housing investments in northern Louisiana.

Our agency and its partners have been particularly encouraged by LHC's recent promotion of CNI, which embodies many of LHC's priorities and goals, such as:

- Strategically linking LHC investments with broader community revitalization efforts
- Leveraging tax credits and LHC funding sources with other private and public commitments
- Placing affordable housing resources in areas of opportunity

No other federally funded initiative is better suited to deliver on these stated goals. CNI is unique in its focus on leveraged, coordinated, and comprehensive revitalization of low-income neighborhoods. It is further unique in its success in transforming these areas into diverse communities of opportunity, where residents can thrive. Within a short period of six years, CNI asks its Implementation grantees to deliver on a series of targeted planned investments in economic development, supportive services, and multiple phases of mixed-income housing. This task is simply not feasible without the continued support of LHC. This task is made even more difficult, albeit a welcomed challenge, given Louisiana's success in securing three out of 35 national CNI Implementation Grant awards.

In the spirit of LHC's commitment to CNI and the initiative's compatibility with LHC's objectives, HACS is requesting that the 2021 QAP support CNI-affiliated projects through a dedicated set-aside for CNI Implementation Grant housing. Alternatively, HACS would request revisions in several key categories within the QAP's Selection Criteria to meet a similar goal. We have included our recommendations as an attachment to this memorandum. We look forward to your review of the attached. To continue this dialogue and to answer any questions or concerns you may have, we would appreciate the opportunity to meet with you prior to the adoption of the 2021 QAP.

Please feel free to call or email me at any time to discuss this possibility and this memorandum further. We look forward to hearing from you.

Sincerely,

Bobby R. Collins
Chief Executive Officer
Housing Authority of the City of Shreveport 2500 Line Ave, Shreveport, LA 71104 brcollins@hacsla.com
(318) 709-0024

ATTACHMENT: HACS 2021 QAP Comments

The following includes proposed additional and edited language for the 2021 Qualified Allocation Plan (QAP). QAP page numbers, to the extent they are referenced in this attachment, are derived from the draft 2021 QAP.

Choice Neighborhood Set-Aside

Given LHC's stated commitment to the Choice Neighborhood Initiative (CNI), its compatibility with the goals of LHC, and the program's reach in three areas of the state (New Orleans, Shreveport, and East Baton Rouge), HACS is proposing a set-aside within the New Construction General Pool, as noted below. We propose this set aside be sized to award three projects at the LIHTC project cap of $750,000.

Section II, A. Division of Available LIHTCs

, Page 5 **3. New Construction Pool:** All other applications, including adaptive reuse.

Add:

42% of the LIHTC allocated for the New Construction Pool will be set- aside for applicants who are also Choice Neighborhood Implementation grantees.

Allocation Pools Percent Awarded

Nonprofit/CHDO 10% as taken from Rehab and New

Rehabilitation 50% split between Metro and Rural

New Construction 50% plus remainder of Rehabilitation, split between Metro and Rural

Other Revisions

Section IV, D. Underwriting Requirements, Page 16

• Developer Fees: The maximum Developer Fee is the amount determined below, $1,000,000.00, or $1,500,000.00 for projects utilizing tax-exempt bonds.

- For Rehabilitation projects the Developer Fee will not exceed thirty percent (30%) of the rehabilitation hard cost line-item.
- For New Construction Projects the Developer Fee will not exceed $25,000 per LIHTC unit.
- Applications must include a Development Services Agreement.

Replace with:

> *Developer Fees: Shall not exceed fifteen percent (15%) of the Developer Fee Base plus either five percent (5%) of the Acquisition Cost Base or 8% of the Acquisition Cost Base in the case of the following project types: RD, PHA or HUD distressed properties.*

The proposed developer fee caps, as presented in the 2021 QAP draft, would effectively limit the size of

d. LHC will not allow increases to the developer fee as submitted in an application *projects, thereby increasing the number of LIHTC transactions necessary to complete large-scale development efforts, such as Choice Neighborhoods. Additionally, the proposed cap would reduce the total amount of developer fee that a housing authority partner could earn and reinvest in much-needed*
affordable housing development. .

Appendix A, Selection Criteria, Page 30 **Targeted Project Type**

1. Deconcentration Projects

- Geographic Diversity: Project is located in a census tract in which the median household income exceeds one of the following:
  - 80% of the Area Median Income for the MSA (10 pt.)
  - 100% and above of the Area Median Income for the MSA (11 pt.)

Add CNI to option (b) in order to demonstrate LHC's belief that CNI results in a community of opportunity and choice, where residents can thrive:

b. 100% and above of the Area Median Income for the MSA or within a Choice Neighborhood Planning or Implementation Grant area (11 pt.)

Appendix A, Selection Criteria, Page 30 **Targeted Population Type**

(ii) Elderly Households - 100% of the project units are designated for Elderly Households (6 pt.)
Increase to 10 points to offset points lost under Project Diversity for senior deals that are 100% subsidized. Fully (or substantially) subsidized senior developments are common industry practice and allowable by HUD. These developments have been found to not produce the same dynamics as fully subsidized family developments.

This increase in points will also underscore LHC's commitment to additional affordable housing for seniors.

Appendix A, Selection Criteria, Page 31 **Government Priorities (Max 6 points)**

1. Project Located in a Difficult Development Area (DDA) or Choice Neighborhood Initiative (CNI) Census Tract (1 pt.)
2. Project located in a parish where:
   - Percentage of Persons who are 65 and older exceeds 14% (1 pt.)

Revise to increase CNI points to demonstrate LHC's commitment to CNI and to remove "CNI census tract" language:

1. Project located in a Difficult Development Area (1 pt.)
2. Project sponsored by a Choice Neighborhood Implementation Grantee (10 pts)

1. Percentage of Persons who are disabled exceeds 15% (1 pt.)
2. Percentage of renters experiencing cost burden exceeds 53% (1 pt.)
3. Percentage of persons who are children under 5 in poverty exceeds 32%, or Percentage of persons in poverty exceeds 20% (1 pt.)
4. Median Household Income is at or below $46,000 (1 pt.)

Appendix A, Selection Criteria, Page 31 **Additional financial support (Max 4 points)**

Additional Financial support reduces project development costs by providing Philanthropic donations, CDBG, HOME, or other governmental assistance/funding in the form of loan, grants, rental assistance, or a combination of these forms or by:

1. Waiving water and sewer tap fees;
2. ·Waiving building permit fees;
3. ·Foregoing real property taxes during construction;
4. ·Contributing land for project development;
5. Providing below market rate construction and/or permanent financing;
6. Providing an abatement of real estate taxes; PHA contributions or other governmental contributions;

Increase points allotted in this section to 10 points to underscore LHC commitment to leveraged projects

- *4%-7% of total project cost….4 points*
- *7-10% of total project cost… 6 points*
- *Greater than 10% total project costs. 10 points*

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Bobby Collins		Bobby R. Collins <brcollins@ha

Louisiana Housing Council

"We are limited not by our abilities but by our vision"

Bobby R. Collins, President
P.O. Box 283 Hammond, LA. 70404 P: 866-210-1883 F: 562-269-5646 Website: www.lanahro.org

Mr. Keith Cunningham Jr.
Executive Director
Louisiana Housing Corporation
2415 Quail Dr, Baton Rouge, LA 70808
RE: Proposed revisions to the Louisiana Housing Corporation's Qualified Allocation Plan

The Louisiana Housing Council (LANAHRO) has reviewed the Louisiana Housing Corporation's (LHC) draft 2021 Qualified Allocation Plan (QAP). Based on this review, LANAHRO would like to request and advocate for several revisions to the QAP in order to prioritize and elevate the priorities of our members throughout the state.
One area of particular importance to our housing authority members is HUD's recent prioritization of the asset repositioning of public housing sites to the Rental Assistance Demonstration (RAD) program or other Housing Choice Voucher (HCV) alternatives. This effort is primarily driven by the dire need to
inject outside private and public dollars into the nation's public housing portfolio, which collectively has an estimated $35 billion backlog of capital needs. These asset repositioning programs largely depend on Low Income Housing Tax Credits (LIHTC) and other funds offered by state Housing Finance Agencies to address these needs and preserve these vital affordable housing resources.
According to HUD's RAD Resource Desk, Louisiana has 24 projects covering 2,499 units currently in the RAD conversion process. Out of these, over half intend to utilize either 4% or 9% LIHTC to facilitate rehabilitation or new construction as part of their conversion. These numbers are likely to rise as HUD continues to encourage housing authorities to exit the public housing program.
Therefore, with this information in mind, LANAHRO is requesting that the 2021 QAP further support housing authorities in their efforts to preserve their affordable housing resources and meet the priorities of our HUD partners. We have included an attachment, which outlines recommended edits

and additions to meet this goal. We look forward to your review of the enclosed attachment and your continued support. Please feel free to call or email me at any time to discuss this further.

Bobby R. Collins, LHC President

ATTACHMENT: LANAHRO 2021 QAP Comments

The following includes proposed additional and edited language for the 2021 Qualified Allocation Plan (QAP). QAP page numbers, to the extent that they are referenced in this attachment, are derived from the draft LHC 2021 QAP.

Public Housing Asset Repositioning Set-Aside

Section II, A. Division of Available LIHTCs
, Page 5 **2. Rehabilitation Pool:**
Applications proposing only the acquisition and rehabilitation of existing

Housing. *Add:*
25% of the LIHTC allocated for the Rehab Pool will be set aside for public housing authority-related projects undergoing asset repositioning activities, such as a Rental Assistance Demonstration (RAD) conversion, Section 18 disposition, Section 22 Voluntary Conversion, or similar HUD- sanctioned program.

Allocation Pools Percent Awarded

Nonprofit/CHDO 10% as taken from Rehab and New

Rehabilitation 50% split between
Metro and Rural

New Construction 50% plus remainder of Rehabilitation, split between
Metro and Rural

Other Revisions

Section IV, D. Underwriting Requirements, Page 16
1. Developer Fees: The maximum Developer Fee is the amount determined below, $<u>1,000,000.00</u>, or <u>$1,500,000.00</u> for projects utilizing tax-exempt bonds.
    1. For Rehabilitation projects the Developer Fee will not exceed thirty percent (30%) of the rehabilitation hard cost line-item.
    2. For New Construction Projects the Developer Fee will not exceed
        $25,000 per LIHTC unit.
    1. Applications must include a Development Services Agreement.
    2. d. LHC will not allow increases to the developer fee as submitted in an application

Replace with:

> *Developer Fees: Shall not exceed fifteen percent (15%) of the Developer Fee Base plus either five percent (5%) of the Acquisition Cost Base or 8% of the Acquisition Cost Base in the case of the following project types: RD, PHA or HUD distressed properties.*

The proposed developer fee caps, as presented in the 2021 QAP draft, would effectively limit the size of projects, thereby increasing the number of LIHTC transactions necessary to complete large-scale development effort. Additionally, the proposed cap would reduce the total

amount of developer fee that a housing authority could earn and use to invest in additional affordable *housing development.*

Appendix A, Selection Criteria, Page 30 **Targeted Project Type**

C. Rehabilitation and Preservation

ii. Tenant Assistance Project is an existing Federally Funded Project with HAP Contracts, or USDA/RD with PBRA (not eligible for points for increased affordability)

Add existing public housing units to this criterion to assist housing authorities that are looking to reposition their public housing assets through rehab.

Increase the points in this section to 10 in order to offset losses in Part A under the Project and Geographic Diversity sections, as a housing authority's existing stock would likely miss out on these points.

Appendix A, Selection Criteria, Page 31 **Government Priorities (Max 6 points)**

1. Project Located in a Difficult Development Area (DDA) or Choice Neighborhood Initiative (CNI) Census Tract (1 pt.)
2. Project located in a parish where:
    1. Percentage of Persons who are 65 and older exceeds 14% (1 pt.)
    2. Percentage of Persons who are disabled exceeds 15% (1 pt.)
    3. Percentage of renters experiencing cost burden exceeds 53% (1 pt.)
    4. Percentage of persons who are children under 5 in poverty exceeds 32%, or Percentage of persons in poverty exceeds 20% (1 pt.)
    5. Median Household Income is at or below $46,000 (1 pt.)

Add:

If a set-aside is determined not to be feasible, add a governmental priority for public housing authority-related projects undergoing asset

QAP Comments

Comment Received	Comment Phone

Comment From	Comment Firm	Comment Email
Sarah Omojola	Vera Institute of Justice, New	Sarah Omojola <somojola@ver

June 26, 2020

Keith Cunningham
Executive Director
Louisiana Housing Corporation

Dear Mr. Cunningham,

Please accept the following comments from the Vera Institute of Justice on the 2021 Qualified Allocation Plan (QAP)

Vera's collective mission is to urgently build and improve justice systems that ensure fairness, promote safety, and strengthen communities. Since housing is a social determinant of health, and a central component in all of our lives, housing policies that impact Louisiana residents with ties to our criminal justice system are of utmost concern to us.

We support housing policies that adhere to HUD's 2016 Guidance on the Use of Criminal Records by Housing Providers. We encourage LHC to require all landlord and developer recipients of Low Income Housing Tax Credits (LIHTC) or other housing subsidies to institute inclusive criminal background screening policies. These policies will support formerly incarcerated people and increase community safety by enabling family reunification so that people with criminal records can move in with family after they're released and reduce recidivism by ensuring people have a stable home. These policies also complement the Governor's legislative efforts to address mass incarceration and justice reinvestment. As we all adapt to COVID-19, it's also incumbent up on the state to consider ways to create a more equitable recovery so that the same groups are not routinely left behind.

Inclusive criminal background screening policies follow HUD guidance by excluding arrests, and considering the nature, severity, and recency of any criminal conduct. These policies also require the housing provider to make their screening policy available publicly and a copy of any completed background check report available to the applicant.

Other jurisdictions have seen success with more inclusive policies. In 2015 and 2016, Vera worked very closely with the Housing Authority of New Orleans (HANO) staff, residents, developers, and advocates to build a policy that gives formerly incarcerated people a chance to live in public housing while still ensuring public safety.

HANO enlisted Vera's help and expertise to develop screening guidelines for housing and employment applications. The new process, implemented in 2016, considers individual circumstances while using objective criteria to determine a person's risk level to the community. Through this process of careful consideration, more people with criminal records are now allowed housing and employment access—helping to end mass incarceration by creating a stable support system for people reentering society, and reducing the cycle of recidivism.

Thanks to the support of Vera and community partners, HANO now uses a set of criteria based on the severity of the crime and the time since conviction to determine if an applicant should be admitted to HANO-subsidized housing or evaluated further. As a result, no applicant is denied housing because of her criminal record without consideration of individual and present circumstances. For serious and/or recent convictions, a panel reviews the application and makes a decision based on the person's criminal history, rehabilitation efforts, community ties, and employment history. This process has proved immensely successful for the past four years.

The following recommendations will ensure LHC's LIHTC and other housing programs comply with HUD guidance and best practices already implemented by the Housing Authority of New Orleans:
Require that all contracts with or payments to housing providers require an admissions policy that includes a safe and fair criminal background screening policy, specifying that:

- Arrests, juvenile records, or any expunged, vacated, or sealed convictions will be excluded from consideration.
- The housing provider will only consider felony and misdemeanor sex offense convictions that have taken place within the past three years.

- The housing provider will make their screening policy available publicly and a copy of any completed background check report available to the applicant.
- The housing provider will perform an individualized assessment that involves the consideration of mitigating circumstances, including but not limited to evidence of rehabilitation efforts, post-conviction conduct, whether the conviction in question was related to an applicant's disability and whether any risk could be mitigated or eliminated by reasonable accommodation, and whether the conviction arose from the applicant's status as a survivor of domestic violence, sexual assault, dating violence, or stalking.
- Provide for an appeal process where an applicant is denied based on criminal records.
- The housing provider must also include a lease addendum that prohibits eviction or other adverse action based on the above criteria.

Thank you for taking the time to review these comments. Please contact us with any questions or concerns about this comment.

Sincerely,

Sarah Omojola
Associate Director
Vera Institute of Justice, New Orleans

QAP Comments

Comment From	Comment Received	Comment Phone
Steven Kennedy <stevenkennedy78@gmail.com>		

Comment Firm	Comment Email
	Steven Kennedy <stevenkenne

To Whom It May Concern,

Government Priorities Section: Governor Edwards administration recommend several census tracts across the state of Louisiana be designated as Opportunity Zones to encourage investment in infrastructure projects, housing and business investments. Can Opportunity Zones be added as a Government Priority since they are a state priority?

Can a revitalization plan of a local housing authority be considered a concerted community revitalization plan?

Thank you for your time and consideration.

Kind regards,
Steven
--
Steven Kennedy, President
REO, LLC (Real Estate Advisory, Urban Planning)
stevenkennedy78@gmail.com
(504)287-3007