

LOUISIANA HOUSING CORPORATION

Tax-Credit Identifiable Gap Elimination Resource (TIGER) Program

RELEASE DATE:
January 20, 2022

The Louisiana Housing Corporation (LHC, Corporation, or Agency) hereby initiates this Tax Credit Identifiable Gap Elimination (TIGER) Program for the preliminary commitment of at least \$20,000,000 dollars combined of HOME Investment Partnership Program Funds (HOME Funds) and National Housing Trust Funds.

Under TIGER, the LHC will receive applications from developers of previously awarded Low Income Housing Tax Credits (LIHTC) (both 9% and 4%) projects that are in the pre-development stage that have an identifiable gap in funding. Not less than **Twenty Million Dollars (\$20,000,000)** will be made available through the TIGER Program. Applications will be processed and awards made until funds are exhausted. Projects will be considered on a first come first served basis with "first come" being defined as a complete application inclusive of all information necessary for LHC staff to accurately underwrite the project. This may include information not listed in the original packet which is identified during review. Potential applicants are strongly encouraged to discuss project proposals with LHC staff in order to ensure that they are in furtherance of LHC goals.

Eligible Applicants

The only eligible applicants under the TIGER program are developers of currently awarded LIHTC projects that have an identifiable gap for which the developer is seeking relief.

Prior to Application

Before submitting a Tiger application, developers should contact the Housing Development Section to schedule a meeting to review the existence of a gap in the LIHTC project and the possible suitability of the TIGER program to address the problem. At the meeting, the developer should be prepared to go over the gap, its extent, its cause, and other potential solutions that have been explored and why they are not suitable. LHC staff review remaining funds available the current backlog of TIGER applications and the potential for a successful application.

Required Documentation

1. Complete LHC-TIGER Application;
2. Market Study (if existing study is older than 1-year);
3. Part 58 Environmental with all required backup (if the applicant elects to undertake the part 58 process); and
4. Phase I Environmental Study;

PROGRAM FACT SHEET

Source	HOME	Housing Trust Fund
Total Available	\$10,000,000	\$10,000,000
Per Project Funding Limit	Gap confirmed by underwriting Up to \$4,000,000 of combined HOME and HTF	Gap confirmed by underwriting Up to \$4,000,000 combined of HOME and HTF
Per Unit Limit	\$150,000	\$150,000
Application Deadline	Open	Open
Per Project Number of Units	Unlimited	Unlimited
Limit on Number of TIGER Projects	None	None

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Eligible Area	Statewide	Statewide
Eligible Applicant	Qualified Developers with LIHTC awards that have an identifiable funding gap	Qualified Developers with LIHTC awards that have an identifiable funding gap
Homeownership Development	No	No
Rental Development	Yes	Yes
Affordability Period	15 to 20 Years plus any extended use period depending of type and amount of assistance	30 Years plus any extended use period
Type of Deed Restriction	Recapture	Recapture
Qualifying Project	Yes	No
Assistance Type	Cash Flow Loans	Cash Flow Loans

Interest Rate Rental	Applicable Federal Rate	Applicable Federal Rate
Term	Same as Affordability Period (longest affordability period applies for term)	Same as Affordability Period (longest affordability applies for term)
Eligible Beneficiaries	HOME assisted units must be at least <=80% AMI households. Preference for <60% AMI	<=30% AMI households
Maximum Rents	High HOME Rents; Low HOME Rents for 20% of units if more than 4 assisted units	HTF Rent Limits
Eligible Activities	Development, Acquisition/Rehabilitation or Rehabilitation of existing multi-family housing	Development, Acquisition/Rehabilitation or Rehabilitation of existing multi-family housing
Environmental Review Requirements	A Part 58 Environmental Review is required. Phase I required	Can have no violation after project completion. Phase I required
Davis-Bacon	Triggered with the 12 assisted unit	Not required

Mandatory Activities & Threshold Requirements Cross Cutting Federal Requirements

All Applicants shall comply with the following:

1. Environmental clearance;
2. Uniform Residential Requirements as applicable;
3. Feasibility and viability; and
4. Market studies.

THRESHOLD REQUIREMENTS

1. Projects involving the relocation of tenants must include in the application submittal a relocation plan and evidence in the project's Sources and Uses the costs associated with relocation of tenants. Applicants must provide a copy of the HUD required General Information Notice Application package. The budget for relocation must be included in the application and the expected cost must be reasonable.
2. Projects shall prove that water and sewer services will be provided upon completion by submitting the following:
 - a. Letter from the local service provider; or
 - b. Architectural submission.
3. Proof that the project site is more than 300 feet from a railroad.
4. Proof that the project site is not located in a floodway

Eligible Projects: To be eligible under the TIGER program a project must have an identifiable gap in funding that was caused by one of the following:

1. Lower than expected award of LIHTC from LHC (must have been awarded LIHTC);
2. Lower than expected pricing of LIHTC from equity provider;
3. Loss of expected funding source;
4. Significant and unexpected cost increase in construction due to:
 - a. Nationally declared natural disaster;
 - b. Nationally declared health care pandemic;
 - c. Documentable supply chain disruption;
5. For 4% LIHTC projects must have received a rejection letter from the local Participating Jurisdiction for the funds being requested or be located in a non-PJ area;

LHC will consider a cost increase to be significant for the purpose of TIGER when it cannot be addressed with existing contingency and/or developer fees to the extent allowed by the LIHTC program. A TIGER application will not be considered if there are sufficient funds in previously budgeted contingency and/or available developer fee line items to cover the expected increase in cost.

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Priority Funding

If multiple applications are under final review at the same time priority will be given to those that:

- a. Provide the greatest HUD defined Match;
- b. Provide the greatest overall leverage;
- c. Serve the lowest AMI;
- d. Have project based rental assistance;

Program Cautions

The TIGER program is offered to developers that have experienced a substantial unexpected gap in the project funding. The gap may be from a lower than expected award of LIHTC, lower than expected pricing of credits or unexpected increases in construction pricing. These issues can arise at different point in a projects life cycle from early (LIHTC issues) to late (a jump in construction costs). The timing of the issue may make using the TIGER problematic. Developers interested in the TIGER program should consider the following possible issues that could affect its suitability:

1. **Environmental Clearance** -- Every TIGER project will have to undergo a Part 58 review and receive clearance. HUD requires that the clearance is received prior to the expenditure of any fund regardless of source. This means that no funds can be expended on any “choice limiting activity” until such time as the environmental clearance is made. **Environmental clearance can take up to a year and in some cases longer.** This means that no funds from any source can be expended on the project until environmental clearance (a Part 58 environmental Clearance) is obtained. In cases where the project is already underway this means that construction activity will have to be halted until the environmental review is completed and clearance obtained. There are a few limited type of projects that may not have to wait as long to receive clearance. These are:
 - i. **Projects that have already received a clearance under HOME, CDBG or another program that was previously reviewed by LHC or another State agency. Local clearance of a project is not sufficient for LHC to be able to clear the project;**
 - ii. **Projects that involve moderate rehabilitation when the density is not changed by more than 20 percent; the project does not involve changes in land use from residential to nonresidential and when the estimated cost of rehab is less than 75 percent of replacement cost after rehab.**

Developers should keep in mind that the 75% rule is applied to the HOME assisted units not to the whole development unless all units are to be considered as HOME assisted. This means that if a project has 50 units and a \$1,000,000 gap if the number of HOME units is set at 5 then the per unit assistance is \$200,000. If the cost to replace the individual assisted unit is \$225,000. This means that the cost of assistance is 88 percent of the after rehab value so the project would be considered as major rehab and not subjected to the shorter review period. To get the shorter review period the developer would have to propose that at least 6 units would be considered as HOME assisted. While the above two exceptions may be faster than a full ER it should be noted that they still must undergo the appropriate ER which can still take up to four months to complete. **For the above reasons the TIGER program is more appropriate for projects that have not yet begun construction**

but they may still be accessed by developer willing and able to meet the requirement of suspending construction while the ER process is underway.

2. **Long Term Affordability** – The investment of HOME funds in a project requires that the assisted units be kept affordable for an extended period of time. This requirement is imposed by deed restrictions that run with the land and are consistent with the table below. The affordability requirement limits the rent that can be charged and removes for the rent and utilities that are paid by the tenant.
3. **HOME Assisted Units** – HOME funds must be utilized on a designated number of HOME assisted units. This number must be at least proportional to the percentage of HOME invested in the project and must not go above the lesser of 234 limits or the actual cost to construct for the type of unit assisted. This is the minimum number of units that LHC will accept. It may be more beneficial for a developer to offer a larger number of HOME units especially in rehabilitation projects. The required affordability period is determined by the type of project (new or rehabilitation) and the amount of HOME funds invested on a per unit basis. All new construction rental activities have a 20 year required affordability period regardless of the amount of HOME funds invested. The affordability period for Rental Rehabilitation is based on the amount of HOME funds per unit. The break points are detailed in the following table.

Rental Activity	Minimum Period of Affordability in Years
Rehabilitation or acquisition of existing housing per unit amount of HOME funds: Under \$15,000	5
\$15,000 - \$40,000	10
Over \$40,000	15
New construction or acquisition of newly constructed housing	20

Therefore the 67 Unit rehabilitation development that only provided 10 units would have an affordability period of 15 years while one that made all units HOME assisted would have a required affordability period of only 5 years.

There are two other issue with HOME assisted units. First each HOME project with 5 or more HOME assisted units are required to set-aside 20% of the units for very low income (50% AMI) households. Second Davis-Bacon is triggered by the 12 HOME assisted unit.

Underwriting Standards:

Following are some of the underwriting standards used by LHC. This is not meant to represent all of the criteria used. A more complete listing of underwriting standards can be found in the LHC HOME Policy and Procedures manual that is available on the LHC website. Projects must also undergo the tax credit underwriting process. If there is a conflict LHC will default to the Tax Credit rules to the extent possible. <https://cdn2.hubspot.net/hubfs/4280063/Document%20Libraries/Housing%20Development/Funding%2>

Relocation Plan - Projects involving the rehabilitation of existing occupied rental units must include in the application submittal a relocation plan and evidence in the project's Sources and Uses the costs associated with the relocation of tenants. Applicants must provide a copy of the HUD required General Information Notice in the application package. The budget for relocation must be included in the application and the expected cost must be reasonable.

Capital Needs Assessment – For projects involving the renovation/rehabilitation of existing rental units a capital needs assessment must be submitted at the time of application.

An independent, experienced third party must perform the Capital Needs Assessment and this party cannot have a financial interest in ownership of the development (i.e. not a member of the development team). It is required that a licensed professional, such as an engineer/architect, perform the assessment and supply the LHC with their professional opinion of a property's current overall physical condition. This includes the identification of significant deferred maintenance, existing deficiencies, and material building code violations that affect the property's use and its structural or mechanical integrity.

The assessment shall include a site visit and physical inspection of the interior and exterior of units and structures, as well as an interview with available on-site property management and maintenance personnel to inquire about past repairs/improvements, pending repairs, and existing or chronic physical deficiencies. The assessment should include an opinion as to the proposed budget for recommended improvements and should identify critical building systems or components that have reached or exceeded their expected useful lives. The assessment should also include recurring probable expenditures for significant systems and components impacting use and tenancy, which are not considered operation or maintenance expenses, in order to determine the appropriate replacement reserve deposits on a per unit per year basis.

The following components should be specifically examined in the Capital Needs Assessment:

1. Site, including topography, drainage, pavement, curbing, sidewalks, parking, landscaping, amenities, water, sewer, storm drainage, gas, and electric utilities and lines;
2. Structural systems, both substructure and superstructure, including exterior walls and balconies, exterior doors and windows, roofing system, and drainage;
3. Interiors, including unit and common area finishes (carpeting, vinyl tile, plaster walls, paint condition, etc.), unit kitchen finishes and appliances, unit bathroom finishes and fixtures; and common area lobbies, and corridors;
4. Mechanical systems, including plumbing and domestic hot water, HVAC, electrical, and fire protection; and
5. Elevators and/or stair wells (if applicable).

Debt Coverage Ratio – Rental projects must have a debt coverage ratio of not less than 1.10 and not more

than 1.40 for the first position loan.

Maximum Rents – For the purposes of the TIGER program, HOME rents in effect at application will be considered the maximum allowable rents. The HOME rents are inclusive of utilities. If the utilities are paid by the tenant, then a utility allowance must be deducted from the standard HOME rents to reach the maximum allowable rent for the project. As an example, if a two-broom unit has a HOME Rent limit of seven hundred twenty-six dollars and the utility allowance for the unit is one hundred twenty-five dollars the maximum rent allowed would be six hundred one dollars.

Operating Costs – Operating costs inclusive of Reserve for Replacement must be budgeted at \$4,500 per unit per year unless the developer submits audits of previous projects that have been in service for at least 5 years that support a different level of cost.

Rate of Increase Assumptions for Revenues and Expenses -- Revenues may be projected to increase at a rate not in excess of two percent and expenses must be projected to increase at a rate of not less than three percent.

Reserve for Replacement – A special reserve to be established for each project from which the costs of replacement and repair of the project is to be funded. For TIGER the minimum amount allowed for Reserve for Replacement is four hundred dollars per unit per year. The Reserve for Replacement is based on all units not just assisted units.

Service Priority – Projects that wish to claim Service Priority points should keep in mind that the project must still generate enough revenue such that any and all long term debt is covered and revenue is sufficient to cover standard ongoing operating expenses. For the purpose of this item, LHC will use \$4,500.00 per unit, per year operating costs unless the applicant has turned in audits of previous projects in support of a different operating costs in which case LHC will utilize the average operating costs of the applicants' previous developments.

Utility Allowance – HUD now requires that HOME PJs, such as LHC, produce utility allowances for each specific project. The PJ may no longer rely on the utility allowances produced by local housing authorities.

As such LHC will allow the use by an applicant of a PHA utility allowance for planning and application purposes only but LHC will produce a utility allowance based on the information provided by the utility companies to the applicant that must be used by all funded projects. The LHC utility allowance will be incorporated into the Regulatory Agreement and other closing documents as appropriate. Applicants must provide rate and tariff sheets and a sample bill provided by each utility that will be providing service to the property. If certain utilities (such as water, sewer and trash pick-up) will be paid by the project then a rate sheet is not required. Additionally, if a project is all electric, there is no need to provide a gas rate sheet and sample bill. The sample bill for electricity shall be for 1,000 kWh, for Gas 100 ccf, for water 1,000 gallons. All sample bills must include any taxes and other charges or tariffs assessed.

Assisted Units – The number of HOME units will be determined by dividing the total amount of HOME Funds by the appropriate per unit amount. Each calculation is rounded up to the next whole number. Only the actual HOME eligible development costs of the assisted units may be charged to the HOME program. If the assisted and non-assisted units are not comparable, the actual costs may be determined

based on a method of cost allocation.

Cost Reasonableness Analysis – A Cost Reasonableness *Analysis* is performed on all projects by the LHC Construction Department using information provided and RS Means costing data. The cost of construction submitted by the applicant must fall within twenty percent of the cost obtained by the LHC staff for the project to be considered as cost reasonable. For projects not deemed as cost reasonable to be funded they must either be redesigned or the construction must be competitively bid through a public bid process. In no case will the LHC provide per unit funding in excess of the HUD 234 limits for elevator type projects or the actual cost to produce, whichever is less.

Developer Fee - Any profit, fee or income realized by the Developer in connection with the development of the project as specified in a GAAP Audit and which satisfy the Developer Fee Terms.

Developer Fee Base – See QAP

Environmental Clearance – All projects must complete the appropriate part of 24 CFR Part 58 and receive an Authority to Use Grant Funds prior to commencing work.

Estoppel Letter (Rental Renovation Projects without Acquisition only) – For rehabilitation projects that do not involve acquisition and do involve the rehabilitation of property whose ownership has an identity of interest with the applicant, an Estoppel letter must be provided for all debt holders. The letter cannot be dated prior to September 9, 2021. The LHC required estoppel letter format is:

The _____ (“the Lender”) is the payee under that certain Promissory Note dated as of Month Day, Year (said note, as amended, restated or supplemented from time to time is hereinafter called the “Note”) evidencing a loan (“Loan”) wherein _____ (Borrower), A Legal Structure of Borrower, is the borrower (the “Borrower”).

The lender has been advised that you are considering making a subordinate loan to _____ (the Partnership”) upon the satisfaction of certain conditions precedent, which includes the delivery by the applicant of this letter confirming certain information about the Note and Mortgage.

In order to accommodate your request, we hereby certify to you as true, correct and complete, the following statements:

1. As of the date hereof, the principal amount of the Note is \$ _____ and a total of \$ _____ has been disbursed to finance a portion of the costs of the project.
2. Interest on the indebtedness evidenced by the Note commences to accrue on Month Day, Year; however, no interest is required to be paid on the note until Month Day, Year.

3. To the best knowledge of the undersigned, no payment default exists under the Note and Mortgage and no written notice of default that remains uncured has been sent by the undersigned with respect to the Note and Mortgage.
4. There is no condition that currently exists that would constitute an instance of default under the Note or Mortgage nor would which if continued indefinitely uncorrected result in an instance of default.
5. The Note and the Mortgage have not been modified, amended or supplemented from its dated date of Month Day, Year.

Loan Information

- a. Original Principal (Month Day, Year): \$ _____
- b. The Loan bears interest at a per annum rate equal to N.NN%
- c. The sum of \$ _____ has been disbursed by the Lender and is evidenced by the Note.
- d. Maturity date: Month Day, Year
- e. Escrows held by Lender, if any:

(1) Real estate tax Escrow:

Balance: \$ _____

Current estimated monthly installment: \$ _____

(2) Insurance Escrow:

Balance: \$ _____

Current estimated monthly installment: \$ _____

(3) Other Escrows held by

Lender: Balance: \$ _____

Current estimated monthly installment: \$ _____

2. Lender has not given Borrower any notice of default under any documents evidencing, securing, guarantying, and/or governing the Loan ("the Loan Documents").

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Financial Commitments – Other funding must be backed up with firm enforceable financial commitments at the time of application.

Identity of Interest – An identity of interest is construed to exist when:

1. There is any financial interest of the Developer or Owner in the Builder or any financial interest of the Builder in the Developer or Owner.
2. Any officer, director or stockholder or partner of the Developer or Owner who is also an officer, director or stockholder or partner of the Builder.
3. Any officer, director, stockholder or partner of the Developer or Owner has any financial interest in the Builder; or any officer, director, stockholder or partner of the Builder has any financial interest in the Developer or Owner.
4. The Developer or Owner advances any funds to the Builder.
5. The Developer or Owner supplies and pays, on behalf of the Builder, the cost of any architectural services or engineering services other than those of a surveyor, general superintendent, or engineer employed by a Developer or Owner in connection with its obligations under the construction contract.
6. The Developer or Owner takes stock or any interest in the Builder compensation as consideration of payment.
7. There exists or comes into being any side deals, arrangements, contracts or undertakings entered into or contemplated, thereby altering, amending, or canceling any of the required closing documents, except as approved by the LHC or the Corporation.
8. Any relationship (e.g., family) existing which would give the Builder or Developer or Owner control or influence over the price of the contract or the price paid to any subcontractor, material supplier or lessor of equipment.
9. Any member of the Development Team advances any funds to the Developer or Owner at any point prior to an allocation.

For purposes of determining an identity of interest between parties not identified in (1) through (6), such parties will be identified as either the Developer and Owner or the Contractor as appropriate to establish the identity of interest.

The Corporation may reduce any allowable costs where an Identity of Interest has been found among the parties to transactions involving the sale, development and/or operation of the project.

Market Study – All projects require a Market Study to ensure that there is sufficient demand for the project that all units produced can reasonably be expected to be sold to qualified buyers within nine months of the completion of construction. The study is commissioned by LHC and paid for by the

developer. Fees for the Market Study are due at application. A less formal Market Analysis may be done by LHC when appropriate in lieu of the Market Study.

Maximum Award – The maximum per unit award cannot exceed the 234 limits for elevator type projects, or the actual cost to produce any individual unit. Additionally, the LHC will underwrite to maximize, to the greatest extent possible, the private financing of the project. LHC may reduce the award from the amount requested to an amount that maximizes private financing.

Type of Assistance - The financial assistance for eligible projects will be made in the form of deferred payment loans for rental projects. The maximum amount of funds that can be received by any one applicant under this TIGER is \$3,000,000.00 (three million dollars) of combined HOME and HTF. Terms of the loan will be based upon LHC underwriting and may, but is not required to, include forgiveness of all or part of the loan.

FINANCIAL SUSTAINABILITY

Applicants unable or unwilling to provide the required information below will not be funded under the TIGER Program

Performance Bond - Each funded application that receives an award of HOME Funds will be required to post a performance bond during the period of construction sufficient to cover the HOME Fund award or provide proof of minimum net financial resources as indicated below.

CHANGES TO PROJECT AFTER AWARD

Any changes to a project, including but not limited to unit count and configuration, after the notice of award must be approved in advance by the Corporation in writing. Changes made without the prior written approval of the Corporation will result in the cancellation of the project and the recapture of all awarded funds.

Plans and Specifications – Applicants must submit complete set of plans and specifications for review by the LHC Construction Department. The Construction Department will use the plans and specifications along with other information submitted with the application to perform a Cost Reasonableness Analysis.

Site Control – Applicants must have site control at the time of application. Site control can be evidenced by a deed, a sales contract, or an option contract to acquire the property. Prior to drawing down any funds ownership of the property must be transferred to the development.

Eligible Costs

TIGER funds may be used to pay the following eligible costs:

1. Development hard costs. Development hard costs are the actual cost of rehabilitating housing. These costs include but are not necessarily limited to the following:

- a. Rehabilitation, costs to meet the property standards for rehabilitation projects in §92.251;
- b. Projects, costs:
 - ii. To make utility connections including off-site connections from the property line to the adjacent street; and
 - iii. To make improvements to the project site that are in keeping with improvements of surrounding, standard projects. Site improvements may include on-site roads and sewer and water lines necessary to the development of the project. The project site is the property, owned by the project owner, upon which the project is located.
- c. Acquisition costs. Costs of acquiring improved real property, including acquisition by homebuyers is eligible, however, **property acquired prior to receipt of TIGER Project funding is not an eligible cost to the program.**
- h. Related soft costs. Other reasonable and necessary costs incurred by the owner or participating jurisdiction and associated with the financing, or development (or both) of new construction, rehabilitation or acquisition of housing assisted with HOME funds. These costs include, but are not limited to:
 - i. Architectural, engineering, or related professional services required to prepare plans, drawings, specifications, or work write-ups. The costs may be paid if they were incurred not more than 24 months before the date that HOME funds are committed to the project and the participating jurisdiction expressly permits HOME funds to be used to pay the costs in the written agreement committing the funds.
 - ii. Costs to process and settle the financing for a project, such as private lender origination fees, credit reports, fees for title evidence, fees for recordation and filing of legal documents, building permits, attorney's fees, private appraisal fees and fees for an independent cost estimate, builders or developers fees.
- i. Costs of a project audit, including certification of costs performed by a certified public accountant, that the participating jurisdiction may require with respect to the development of the project.
- j. Costs to provide information services such as affirmative marketing and fair housing information to prospective homeowners and tenants as required by §92.351.
- k. Costs for the payment of impact fees that are charged for all projects within a jurisdiction.
- l. Costs of environmental review and release of funds in accordance with 24 CFR part 58 which are directly related to the project.
- m. Construction/Rehabilitation costs must be included as a budgeted item and approval must be drawn on a pari passu basis with other permanent sources.

o. This is a cost reimbursement loan. HOME Funds awarded under this TIGER Program will only reimburse costs incurred to develop a project. No HOME Funds will be advanced to a project cost unless the electronic FUND Requisition Form with back-up invoices and receipts and invoices is submitted and approved. No funds will be dispersed until all funding commitments and agreements are signed and environmental conditions are satisfied.

Ineligible Costs

1. TIGER Funds cannot be used to purchase land from a person or person within an entity that has an identity of interest with the applicant.
2. Properties previously financed with HOME Funds during their affordability periods cannot receive additional HOME assistance unless assistance is provided within the first year after project completion.
3. TIGER Funds may not be used for development, operations or modernization of public housing financed under the 1973 Act (Public Housing Capital and Operating Funds).
4. Cost of acquiring land that was purchased prior to the receipt of TIGER Project funding.
5. Funding any portion of a Developer Fee. If any funds are left over at project completions they may not be used for payment of any developer fee or deferred developer fee but must be returned to LHC.

Terminated projects - An assisted project that is terminated before completion, either voluntarily or involuntarily, constitutes an ineligible activity, and the developer must repay any LHC funds invested in the project to the LHC.

Regulatory Authority and Requirements:

All applications under the TIGER Program are governed by the HOME regulations and Final HOME Rule dated July 24, 2013, as amended (24 CFR Part 92). Modification of federal statutes or regulations governing the HOME Program by Congress, the Department of Housing and Urban Development (HUD), the state legislature, or LHC may become effective immediately and apply to the activities funded under the TIGER Program.

All HOME Funds must be spent in accordance with HOME Program rules and regulations on eligible HOME activities.

All dwelling units assisted with HOME Funds shall comply with the applicable federal, state, and local codes and ordinances, the rules and regulations for affordable housing set forth at 24 CFR 92.254, Subpart H-- "Other Federal Requirements" (such as Affirmative Marketing, Lead-Based Paint Poisoning Prevention Act), and the rules and regulations set forth in 24 CFR Part 92 including Model Energy Code.

The TIGER Program does not include the text of all applicable regulations that may be important to

particular projects. For proper completion of the application, LHC strongly encourages potential Applicants to consult the federal HOME Program regulations, and other federal cross-cutting regulations (referred to in Subpart H of the federal HOME regulations). Applicants should also consult the state Uniform Multifamily Regulations (UMRs).

SITE DEVELOPMENT REQUIREMENTS

Pursuant to 24 CFR §92.251, single-family new construction housing that is financed by HOME Funds must meet all applicable local building codes and building and zoning ordinances in effect at the time of project's completion. In the absence of a locally adopted building code, the project must meet the 2000 International Residential Code.

AFFORDABILITY REQUIREMENTS

The affordability period for each newly-developed unit is based on the amount of HOME Funds invested pursuant to 24 CFR §92.254. In the event that the housing unit is sold, the Corporation will recapture the shared net proceeds available based on the requirements of 24 CFR §92.254 and the housing unit must be sold for an amount not less than the current appraised value as then appraised by the appropriate governmental authority unless the balance on the loan will be paid at closing.

MINIMUM HOME ASSISTANCE PER UNIT

The minimum HOME assistance amount per unit may not be less than one thousand dollars. The number of HOME units will be determined by dividing the total amount of HOME funds by the total permanent sources and applying the resulting percentage across all bedroom configurations. Each calculation is rounded up to the next whole number.

HOUSING CHOICE OPPORTUNITIES

Projects awarded HOME Funds must comply with Title VI of the Civil Rights Acts of 1964, the Fair Housing Act, Section 504, Executive Order 11063 and HUD regulations issued pursuant thereto so as to promote greater choice of housing opportunities.

UNIFORM RELOCATION AND REAL PROPERTY ACQUISITION ACT

If HOME Funds are proposed to pay for acquisition costs and activities, the Applicant follows the procedures of the Uniform Relocation and Real Property Acquisition Act to acquire the project site. The procedures must be followed prior to the site acquisition. HOME Funds cannot be used to pay or reimburse an applicant for site acquisitions activities that do not comply with the requirements of the Uniform Act.

DAVIS BACON PREVAILING WAGE RATE COMPLIANCE

If HOME Funds are awarded for rehabilitation and renovation cost activities or new construction of 12 or more housing units, the project budget costs must be based on the prevailing wage residential rates.

UNIFORM PHYSICAL PROPERTY CONDITION STANDARD

Housing that is constructed or rehabilitated with HOME Funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. If there are no such standards or code requirements, the housing must meet the Uniform Physical Property Condition Standard for the entire affordability period.

ACCESSIBILITY REQUIREMENTS

All funded projects must meet the accessibility requirements at 24 CFR Part 8, which implements Section 504 of Rehabilitation Act of 1973 (29 U.S.C. 794) and covers multifamily dwellings, as defined at 24 CFR 100.201, and must also meet the design and construction requirements at 24 CFR 100.205, which implement the Fair Housing Act (42 U.S.C. 3601-3619). These requirements must be met for the entire affordability period.

APPLICATION SUBMISSION:

APPLICATIONS

The TIGER Program does not commit the LHC to award any contract nor to pay any costs incurred in the preparation or delivery of applications. Furthermore, the LHC reserves the right to accept or reject, in whole or in part, any and all applications submitted, and/or to cancel the TIGER. The LHC also reserves the right to ask for additional information or conduct interviews from/with any applicant and/or all applicants as may be necessary or appropriate for purposes of clarification. LHC reserves the right, at its sole discretion, to suspend or amend the provisions of the TIGER Program. Any such revisions will be formalized by the issuance of an amendment to the TIGER Program.

Fees

The following fees are due at the time of application:

INELIGIBLE APPLICATIONS

Applications will be deemed ineligible if any of the following conditions exist at the time of application submission:

1. Any person and or entity on the federal debarred list or an organization representing such person or entity is on the list.
2. Any person and or entity that received notice that they are currently out of compliance with LHC regarding annual audits or who are in arrears with other LHC financed projects.
3. Any person or entity that currently has a LHC financed project with compliance issues that are unresolved for greater than ninety days.

REQUIREMENTS AND ORDER OF SUBMISSION

1. Applicant may use either the Submit button on the TIGER Application on the LIHTC online submission portal (or both) to submit an application. No hard copy is required.
2. Applicable fees stated above.
3. The application must be submitted in the following order and style:
 - a. Application Checklist;
 - b. Complete hardcopies of application with each section and attachment individually labeled and tabbed; and
 - c. Complete electronic copy the application with each section and attachment individually scanned and labeled. Application and attachments on USB flash drive shall contain be in Microsoft Excel format (2007 Version or above) and all required attachments in Adobe .pdf format.

WHERE TO SUBMIT

Each proposal and accompanying documentation shall be submitted in a sealed envelope. The outside of the envelope must be address as follows:

Louisiana Housing Corporation

Housing Production

2415 Quail Drive

Baton Rouge, Louisiana 70808

Re: TIGER Program

Must include: Applicant/Company Name & Return Address

METHODS OF SUBMISSION

Applicants assume the risk of the delivery method chosen, including delivery via private courier or the U.S. mail.

QUESTIONS AND COMMUNICATION

LHC will consider written inquiries from applicants regarding the TIGER Program. Inquiries will only be considered if they are **submitted in writing to lihtc.la.gov**. Inquiries shall clearly reference the section of the TIGER Program for which the applicant is inquiring or seeking clarification. Any and all written inquiries

from applicants submitted in writing to HOME@lhc.la.gov will be deemed to require an official response.

It is the sole responsibility of the applicant to inquire into and clarify any item of the TIGER Program that is

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not understood. The Corporation also reserves the right to decline to respond to any inquiry that will cause an undue burden or expense for LHC.

The LHC will produce public records in accordance with LA R.S. Title 44.

Definitions:

Applicant – The organization chartered and domiciled in Louisiana that has complete control of project and either has control of a property on which they will develop a project, or has a contractual obligation to a property owner to develop a project; and performs all the functions typically expected of for nonprofit developers, and assumes all the risks and rewards associated with being the project developer.

Completed Projects - Projects are considered complete only after all units identified in a single project are one hundred percent construction complete and sold to an eligible buyer.

Complete TIGER Application – Includes the excel application, Required attachments including site maps that show the projects relationship to a railroad and floodway, a But For Statement on the necessity of the TIGER funding for the success of the project development, narrative providing and laying out proof and cause of gap, Market Study, Tenant Selection Plan, Rate Sheets for computation of an Utility Allowance, Audits if requesting operating costs not at \$4,500 per unit per year, Capital Needs Assessment if Required, Relocation Plan if required, Estoppel Letter if required and any applicable fee.

Construction Completion - All necessary title transfer requirements and construction work have been performed; the project complies with the requirements of this part (including the property standards under § 92.251); the final drawdown of HOME Funds has been disbursed for the project.

Corporation – The Louisiana Housing Corporation

LHC – Louisiana Housing Corporation

Project – A site or sites together with any building (including a manufactured housing unit) or buildings located on the site(s) that are under common ownership, management, and financing and are to be assisted with HOME Funds as a single undertaking located within a five mile radius of each other within a single governmental entity (if located within a city, town, or other similar political subdivision then all sites must be within the same political subdivision for rental projects and within the same parish for homeownership projects. If located outside of a local jurisdiction then all sites must be within the same Parish for both rental and ownership projects. The project includes all the activities associated with the site and building.

Qualified Developer – For the purposes of the TIGER Program a qualified developer is one who has a previously awarded LIHTC project and who has not been a part of a development team that has had an LHC funded development defaulted in the previous 5 years.

Qualified Project – A project that may qualify a CHDO for Operating Assistance provided it meets all other LHC requirements.

Shall, Must, Will – Mandatory language denoting required action per Louisiana Revised Statute 39:1556(24); a requirement that must be met without alteration.

Should, Can, May – Non-mandatory language denoting desirable, advisable or permissible action.

Single Family Housing -- means a one-to four-family residence, condominium unit, cooperative unit, combination of manufactured housing and lot, or manufactured housing lot.

Submitted Application – Since the CHAAP program has no deadline for submission, LHC has determined that an application will be considered as **“officially submitted”** only when all items listed as “Required” on the Checklist and Application Order tab have been completed accurately and turned in to LHC. At that point the “Application Date” on the “Primary Input” tab will be changed to reflect the actual date of an accurately completed application submission. All time prior to an official “Submitted Application” is to be considered

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as Technical Assistance (TA). If a “Submitted Application” does not pass final underwriting as it is submitted, it will be returned to the applicant and marked as “Rejected; Failed Underwriting.” Since there is no deadline for submission, an applicant may re-work the application and re-submit. A re-submitted application will be reviewed using the same process described above with a new “Application Date” based on when the re-submitted application is deemed complete.

Substandard Housing - Any housing unit which does not satisfy the Habitability Standards and requires Substantial Rehabilitation.

Written Agreement – The document entered into between the LHC and the applicant for the HOME assisted units that includes, but is not limited to, the terms of funding.

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