

2022/2023



NEBRASKA

Good Life. Great Opportunity.

DEPT. OF ECONOMIC DEVELOPMENT

94% NIFA LIHTC / BOND NIFA/N DED

Application

A. INSTRUCTIONS AND CERTIFICATION

1. INSTRUCTIONS:

The undersigned applicant hereby makes application to the Nebraska Investment Finance Authority ("NIFA") for (i) a reservation of 94% federal low income housing tax credits ("LIHTC") and (ii) if indicated below on this Application, a reservation of ~~the Affordable Housing Tax Credit ("AHTC"). The AHTC will not be automatically awarded with the 4% LIHTC and must be specifically requested in the Pre-Application, will be awarded in connection with qualifying developments for which the owners will receive an allocation of 94% LIHTC.~~ A 94% LIHTC/Bond NIFA/NDED Application (the "Application") must be submitted to NIFA/NDED in the following manner:

- (a) Applications are due via the online funding application system no later than 5:00 p.m. on the last day of the application round/cycle as described in the applicable NIFA Housing ~~Credit Allocation~~ Credit Allocation Plan for 94% LIHTC ~~AND~~ and AHTC.
- (b) Application fees are due in NIFA's office no later than 5:00 p.m. on the last day of the application round/cycle as described in the applicable ~~NIFA~~ Housing Credit Allocation Plan for 4% LIHTC and AHTC (see Appendix A thereto).
- ~~(b)(c)~~ (c) An Application will not be reviewed, scored or considered by NIFA at any time if:
 - (i) the developer, general partner/managing member or any affiliate thereof is delinquent on Nebraska LIHTC fees, AHTC fees, or Tax-Exempt Bond fees due and payable for other Nebraska LIHTC developments; or
 - (ii) the general partner/managing member or any affiliate thereof currently has or has had items of noncompliance or violations of a Land Use Restriction Agreement/Tax-Exempt Bond Regulatory Agreement that have not been corrected within the applicable correction period on any other Nebraska LIHTC development; or
 - (iii) the developer, general partner/managing member or any affiliate thereof is delinquent on any documentation or payments that are due and payable to NIFA, including but not limited to the following:
 - (a) Conditional Reservation Documentation/42(m) Letter
 - (b) Carryover Documentation
 - (c) 10% Test Documentation
 - (d) Cost Certification Documentation
 - (e) Asset Management Documentation
 - (f) TCAP Loan Repayment Amounts
 - (g) Any other documentation requested by NIFA
- ~~(e)(d)~~ (d) Applications will be scored SOLELY on information provided in the online funding Application submitted for the applicable Allocation Round/Cycle deadline. An Application submitted for Threshold review must be resubmitted in full (whether or not changes have been made by the applicant subsequent to ~~threshold~~ Threshold review) by the Final Full Application deadline in order to be considered for an allocation of LIHTC. (Any documentation or information submitted for a previous deadline will not be taken into consideration for the current deadline.)

Failure to submit the Application in the preceding manner will result in the Application being returned to the applicant without NIFA's and/or NDED's review. The Application must be filled out completely, with all questions and items completed. Inaccurate or incomplete information in the application may result in forfeiture of any LIHTC reserved or allocated.

The Application provides a joint application process for all applicants applying to NIFA for 4% LIHTC and AHTC -and to NDED for HOME, CDBG-DR, and HTF programs.

- 1. Sections marked with "DR" in the title refers to all CDBG-DR-specific elements included in the application.
- 2. Sections marked with "NON-DR" in the title refers to all elements included in the application that are not applicable to CDBG-DR.
- 3. Sections marked with "HOME" in the title refers to all HOME-specific elements included in the application.
- 4. Sections marked with "HTF" in the title refers to all HTF-specific elements included in the application.

DRAFT

INQUIRIES should be directed to:

LIHTC and AHTC Program:

LIHTC Allocation Manager
Nebraska Investment Finance Authority
1230 O Street, Suite 200
Lincoln, NE 68508-1402
Telephone: (402) 434-3900
Fax: (402) 434-3921
Web Address: www.nifa.org

HOME/HTF Program:

Mechele Grimes
Nebraska Department of Economic Development
Norfolk, NE 68702-0764
Telephone: (402) 309-4536
Fax: (402) 471-8405
Email: mechele.grimes@nebraska.gov
Web Address: www.opportunity.nebraska.org

CDBG-DR Program:

Christina Zink
Nebraska Department of Economic Development
301 Centennial Mall South, 4th Floor
Lincoln, NE 68509
Telephone: (402) 309-4536
Email: christina.zink@nebraska.gov
Web Address: www.opportunity.nebraska.gov

2. **APPLICATION REQUIREMENTS FOR ~~HOME/CDBG-DR/HTF FUNDS~~** (to be verified by Nebraska Department of Economic Development)

The following application requirements will be verified with data and information available to the Nebraska Department of Economic Development (NDED) and do not need to be specifically addressed in the LIHTC application.

1. Eligible applicants include community-based non-profit 501(c)(3), 501(c)(4), PHAs, for-profit developers, and units of Local Government ~~(excluding HTF). 501(c)(3) and 501(c)(4) non-profit organizations must include affordable housing in their mission.~~
2. Activities are eligible and comply with ~~CDBG-DR Action Plan~~ ~~state Affordable Housing program priorities as referenced in the 2021 Annual Action Plan, and the 2022 Annual Action Plan when available,~~ located at: ~~<https://opportunity.nebraska.gov/grow-your-community/reports-plans/>~~. The CDBG DR Action Plan is located at: https://opportunity.nebraska.gov/program/cdbg_dr/#action-plan
3. Applicant and partners have addressed and cleared all compliance problems from past awards and responses have been accepted by NDED.
4. Applicant and partners are current with all NDED reporting requirements (semiannual status reports, closeout reports, audit reports, notification of annual audit reports, quarterly report assessment forms, etc.).
5. If invited by NDED, applicant and application preparer must attend Contract Review on the dates and locations determined by NDED and respond with satisfactory contract negotiation information in writing to the ~~HOME/CDBG-DR/HTF~~ LIHTC Set-aside by deadlines provided by NDED.
6. Please ensure that you do your utmost to project realistic cost schedules for your development. If the development is deemed not feasible after award, the funds will be returned to the LIHTC ~~HOME/CDBG-DR/HTF~~ funds set-aside.

3. **CERTIFICATION OF APPLICANT/OWNER** (download a copy of Certification of Applicant/Owner from the Exhibit Examples at www.nifa.org)

The undersigned, on behalf of the applicant entity, is (are) familiar with the provisions of the Internal Revenue Code with respect to the LIHTC Program and the Nebraska Department of Revenue with respect to the AHTC Program and, to the best of my (our) knowledge and belief, the applicant entity has complied, or will comply, with all of the requirements which are prerequisite to an allocation of LIHTC and AHTC by NIFA. I (We) understand that the LIHTC and the AHTC Program will be governed and controlled by the rules and regulations issued by the United States Treasury and Nebraska Department of Revenue, and I (we) have read such rules and am (are) familiar with the requirements thereof. The undersigned further certifies that the information set forth in this application, and any attachments and exhibits thereto, is true, correct and complete, that no information contained in this application or in the listed attachments and exhibits is in any way false, incorrect or incomplete, and that the proposed construction/rehabilitation will not violate zoning ordinances or deed restrictions.

I (We) understand that any misrepresentations and/or fraudulent information contained within this Application may result in the revocation of LIHTC and AHTC by NIFA and potentially my (our) and related parties being barred from future LIHTC and the AHTC Program participation and notification of such to the Internal Revenue Service and Nebraska Department of Revenue.

I (We) hereby make application to NIFA for a reservation of LIHTC and AHTC. The undersigned hereby acknowledges that the making of a reservation by NIFA does not warrant that the development is financially feasible or otherwise qualified to claim LIHTC and AHTC. I (We) agree that NIFA's directors, officers, employees and agents will not be held responsible or liable for any representations made to the undersigned or its investors relating to the LIHTC and AHTC Program; therefore, I (we) assume the risk of all damages, losses, costs and expenses related thereto and agree to indemnify and save harmless NIFA or any of its directors, officers, employees and agents against any and all claims, suits, losses, damages, costs and expenses of any kind and of any nature that NIFA may hereinafter suffer, incur or pay arising out of its decision concerning the application for LIHTC and AHTC or the use of the information concerning the LIHTC and AHTC Program.

I (We) hereby authorize any state LIHTC Allocating Agency to release to NIFA any and all information that such state LIHTC Allocating Agency has regarding development compliance, the curing of or failure to cure any development noncompliance, any formal or informal action taken by any state LIHTC Allocating Agency with respect to my/our

participation in any low-income housing tax credit program and any other data that may be relevant to NIFA in its assessment of our development experience and compliance record.

I (We) acknowledge that copies of Applications submitted pursuant to the Qualified Allocation Plan (“QAP”) (which includes applications for 9% LIHTC, AHTC, 4% LIHTC and CRANE) will be made available by NIFA to the public (other than during the active review process) upon written request. Additionally, NIFA will post the scores for Applications at www.nifa.org.

By submission of an Application pursuant to the QAP, applicant acknowledges and agrees to the release and publication of its Application and related information.

I (We) understand and agree that applicant shall, subsequent to submission of the original Application, notify NIFA in writing, within three (3) business days of becoming aware thereof, of any material adverse change or condition occurring in connection with the information submitted in the Application which (i) impairs the development of the project; (ii) would make the information contained in the Application no longer true and accurate; or (iii) adversely affects the scoring assigned, or to be assigned, to such Application. I (We) further understand that failure to notify NIFA may, in NIFA’s sole discretion, result in the Application, allocation and/or Reservation to be revoked, modified, suspended, or rejected.

4. CERTIFICATION OF HOME/CDBG-DR/HTF APPLICANT *(if applying for HOME/CDBG-DR/HTF Funds and LIHTC)*
(download a copy of Certification of HOME/CDBG-DR/HTF Applicant from the Exhibit Examples at www.nifa.org)

The undersigned certifies to the Nebraska Department of Economic Development:

He/she is duly authorized to so certify, and sign this application on behalf of the HOME/CDBG-DR/HTF applicant, under procedures prescribed by the governing rules/organizing documents applicable to governance of the applicant.

That the application contents, which include materials both preceding and following this certification, and all accompanying Exhibits, which Exhibits are incorporated herein by this reference, are true and correct to the best of my knowledge and belief.

That this certification applies to any and all certifications and assurances which may be internally contained within the body of the application (or internally contained within the incorporated Exhibits), as well as to the entirety of the application. Examples (but not an exhaustive listing) of such internally contained certifications and assurances include: the certification found at Exhibit 14 (entitled “Statement of Assurances and Certification for Local Governments”); and the certification found at Exhibit 16 (entitled “Applicant Certification Form for Non-Profits and Housing Authorities”).

He/she commits the applicant to notifying the Department of Economic Development of any changes to the original application within 15 days of the change.

5. IDENTIFICATION OF CONSULTANT *(if a consultant is paid a fee in connection with the making or filing of this application)*

Applicant is employing the services of the following consultant(s), identified below, who will assist the applicant and/or its joint venturer or partner with all or a part of this application. For purposes of this application, “consultant” shall include accountants, investment bankers, financial advisors, investors, syndicators, attorneys and any other advisor or consultant who is assisting the applicant in the completion and/or filing of this application. For each such consultant, provide the information below and include an executed “Statement and Certification of Consultant”.

6. STATEMENT AND CERTIFICATION OF CONSULTANT *(if a consultant is utilized in the making or filing of this application)*
(download a copy of Statement and Certification of Consultant from the Exhibit Examples at www.nifa.org)

The undersigned, as consultant(s) to the applicant entity, is (are) familiar with the provisions of the Internal Revenue Code with respect to the LIHTC and the Nebraska Department of Revenue with respect to the AHTC Program, and, to the best of my (our) knowledge and belief, the applicant entity has complied, or will comply, with all of the requirements which are prerequisite to an allocation of LIHTC and AHTC by NIFA. I (We) understand that the LIHTC program will be governed and controlled by rules and regulations issued by the United States Treasury and the Nebraska Department of Revenue, and I (we) have read such rules and am (are) familiar with the requirements thereof. The undersigned further certifies that the information set forth in this application, and any attachments and exhibits thereto, is true, correct and complete, that no information contained in this Application or in the listed attachments and exhibits is in any way

false, incorrect or incomplete; and that the proposed construction/rehabilitation will not violate zoning ordinances or deed restrictions.

I (We) understand that any misrepresentations and/or fraudulent information contained within this Application may result in the revocation of LIHTC and AHTC by NIFA and potentially my (our) and related parties being barred from future LIHTC and AHTC Program participation and notification of such to the Internal Revenue Service and the Nebraska Department of Revenue.

I (We) hereby make application to NIFA for a reservation of LIHTC and AHTC. The undersigned hereby acknowledges that the making of a reservation by NIFA does not warrant that the development is financially feasible or otherwise qualified to claim LIHTC and AHTC. I (We) agree that NIFA's directors, officers, employees and agents will not be held responsible or liable for any representations made to the undersigned or its investors relating to the LIHTC and AHTC Program; therefore, I (we) assume the risk of all damages, losses, costs and expenses related thereto and agree to indemnify and save harmless NIFA or any of its directors, officers, employees and agents against any and all claims, suits, losses, damages, costs and expenses of any kind and of any nature that NIFA may hereinafter suffer, incur or pay arising out of its decision concerning the application for LIHTC or the use of the information concerning the LIHTC and AHTC Program.

B. DEVELOPMENT OVERVIEW (The following information must be completed online).

DEVELOPMENT NAME AND ADDRESS:

Development Name: _____

Address: _____

City: _____

Zip Code: _____

County: _____

Legislative District: _____

Congressional District: _____

*Please provide a one-page summary of the proposed development in **Exhibit 1**. Please identify aspects of the proposed development that are innovative or unique.*

HOME/CDBG-DR/HTF APPLICANT INFORMATION:

Name: _____

Address: _____

City: _____

Zip Code: _____

Telephone Number: _____

Contact Person: _____

Federal Tax I.D. Number: _____

State: _____

Email: _____

SAM #: _____

DUNS Number: _____

Type of Applicant: ☐ Unit of Local Government (excluding HTF) ☐ For-Profit Developers

☐ Local / Regional Housing Authority ☐ Non-Profit 501(c) (3) ☐ Non-Profit 501(c) (4)

A summary of the differences between the HOME and HTF programs can be found at: [DED Forms\HOME-HTF Regulations Crosswalk.pdf](#). The CDBG-DR “crosswalk” aka “NDED-NIFA Joint Application, CDBG-DR Requirements” is available in the project toolbox at:

https://opportunity.nebraska.gov/program/cdbg_dr/#housing-construction

Please complete and upload Exhibits ~~1110~~ 20-19 as applicable.

Type of Assistance: ☒ HOME/HTF ☐ CDBG-DR (if available)

HUD-DEFINED MOST IMPACTED AND DISTRESSED (MID) AREA (DR-4420) DR:

Is the proposed development located in a HUD-defined MID area? ☐ Yes ☐ No

NOTE: HUD requires that 80% of CDBG-DR funds be allocated and spent in HUD-defined MID areas. The HUD-defined MID areas include Dodge, Douglas, and Sarpy counties.

County: _____

Census Tract Number: _____

For additional information refer to the Natural Disaster section of the Application located on page ~~333~~ 35.

Opportunity Zone

Is the proposed development located in an Opportunity Zone? ☐ Yes ☐ No

An Opportunity Zone listing can be found at https://opportunity.nebraska.gov/wp-content/uploads/2018/04/nebraska_opportunity_zones_apr_9_2018.pdf.

County: _____

Census Tract Number: _____

BOND ISSUER:

Name: _____

Contact Person: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Telephone Number: _____

Email: _____

If NIFA is not the issuer of the Tax-Exempt Bonds, please provide the Bond Intent Resolution from the Bond Issuer as Exhibit 212.

BOND COUNSEL:

Name: _____

Contact Person: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Telephone Number: _____

Email: _____

BOND TRUSTEE:

Name: _____

Contact Person: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Telephone Number: _____

Email: _____

SOURCE OF FUNDS:

Will any portion of the project be financed directly or indirectly with Federal, State, or Local Government funding? ☐ Yes ☐ No

Please indicate the sources of funds and the amounts anticipated for this project.

☐ Tax-Exempt Bonds

\$ _____

☐ Taxable Bonds

\$ _____

☐ Tax Increment Financing

\$ _____

☐ Grants

\$ _____

☐ Other

\$ _____

☐ Other

\$ _____

BONDS:☐ **TAX-EXEMPT BONDS**

Will the development receive tax-exempt bond financing for at least 50% of the aggregate basis of the building(s) and land includable in the Development? ☐ Yes ☐ No

Type of bond sale: _____ ☐ Private Placement ☐ Public Sale

If a Public Sale is proposed, will the bonds be rated? ☐ Yes ☐ No

If "Yes" provide the following:

Rating: _____

Rating Agency: _____

Bond Underwriter: _____

Bond Trustee: _____

Bond Security:

Bond Insurance: ☐ Yes ☐ NoProject Mortgage: ☐ Yes ☐ NoCredit Enhancement: ☐ Yes ☐ No

If "Yes" provide the following:

What type? _____

By whom? _____

Other: _____

☐ **TAXABLE BONDS**

Type of bond sale: ☐ Private Placement ☐ Public Sale

If a Public Sale is proposed, will the bonds be rated? ☐ Yes ☐ No

If "Yes" provide the following:

Rating: _____

Rating Agency: _____

Investment Bank: _____

Bond Trustee: _____

Bond Security:

Bond Insurance: ☐ Yes ☐ No

Project Mortgage: ☐ Yes ☐ No

Credit Enhancement: ☐ Yes ☐ No

If "Yes" provide the following:

What type? _____

By whom? _____

Other: _____

☐ **LOANS**

Projected Loan Terms:

Principal Amount: \$ _____

Interest Rate: ☐ Fixed ☐ Variable

Term of Loan: _____ Years

Amortization: _____ Level _____ Balloon

Loan Security:

Development Mortgage: ☐ Yes ☐ No

Assignment of Project Rents: ☐ Yes ☐ No

FHA Mortgage Insurance: ☐ Yes ☐ No

Personal Guarantees: ☐ Yes ☐ No

Loan Credit Enhancement: ☐ Yes ☐ No

LIHTC/AHTC APPLICANT INFORMATION:

Name: _____

Address: _____

City: _____

Zip Code: _____

Telephone Number: _____

Contact Person: _____

Federal Tax I.D. Number: _____

State: _____

Email: _____

OWNERSHIP INFORMATION:

Name: _____

Contact Person: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Email: _____

Telephone Number: _____

Has Ownership Entity been formed?

☐ Yes ☐ No

Federal Tax ID Number: _____

(if entity is formed)**Identify the Persons or Entities who will be part of the Ownership Entity:**

Name: _____ EIN #: _____ Telephone: _____ Ownership Interest: _____%

Name: _____ EIN #: _____ Telephone: _____ Ownership Interest: _____%

Name: _____ EIN #: _____ Telephone: _____ Ownership Interest: _____%

Name: _____ EIN #: _____ Telephone: _____ Ownership Interest: _____%

Has the applicant, or any affiliate of the applicant or ownership entity ever sold or transferred LIHTC and to a new ownership entity prior to placing the buildings in service or within a year thereafter? ☐ Yes ☐ No *If "Yes", provide the details of the transfer in **Exhibit 2**.*

TYPE OF LIHTC REQUESTED:☐ New Construction☐ Acquisition & Rehabilitation☐ Rehabilitation Only☐ New Construction/Acquisition & Rehabilitation☐ Tax-Exempt Bond Financing Allocation☐ AHTC requested in the Pre-Application**BOND MINIMUM SET-ASIDE ELECTION: (check one only)**

☐ 20-50 Test The development meets this requirement if 20% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 50% or less of the area median income ("AMI").

☐ 40-60 Test The development meets this requirement if 40% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 60% or less of the AMI.

LIHTC MINIMUM SET-ASIDE ELECTION: (check one only)

☐ 20-50 Test The development meets this requirement if 20% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 50% or less of the area median income ("AMI").

☐ 40-60 Test The development meets this requirement if 40% or more of the residential units in the development are both rent restricted and occupied by individuals whose income is 60% or less of the AMI.

☐ Average Income Test The development meets this requirement if 40% or more of the residential units in the development serve households earning as much as eighty percent (80%) of the AMI, as long as the average income/rent limit in the development is sixty percent (60%) or less of the AMI.

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LIHTC SET ASIDE CATEGORIES:

Applicant is requesting LIHTC from one of the following categories: ☐ For-Profit ☐ Non-Profit

Name of Non-Profit: _____

If Non-Profit is selected, please complete Exhibit 3.

NOTE: If a development is requesting an allocation from the non-profit set aside, the nonprofit organization must have an ownership interest in the low-income housing development throughout the 15-year Compliance Period and materially participate in the development and operation of the development.

Applicant is requesting LIHTC from one of the following categories: ☐ Metro (MSA) ☐ Non-Metro

Applicant is requesting LIHTC under the CRANE Program? ☐ Yes ☐ No

(If "Yes", a CRANE application must be submitted and the development will be assigned a CRANE category designation prior to the submittal of the Application.)

Please check the eligible development type:

☐ Special Needs Population: Identify population _____

☐ Native American Housing ☐ Adaptive Reuse ☐ Response to settlement agreement

☐ Housing in a county without a LIHTC development ☐ Reentry Housing

☐ Response to Presidential Disaster Declaration

QUALIFIED CENSUS TRACT/DIFFICULT DEVELOPMENT AREA:

Is the proposed development located in a Qualified Census Tract (QCT) or Difficult Development Area (DDA)? ☐ Yes ☐ No

(21 points)

Census Tract Number: _____ Difficult Development Area: _____

NOTE: The Basis Boost for QCT's or DDA's will be included for purposes of calculating LIHTC per occupant in the NIFA scored criteria.

Developments in a QCT may be eligible for up to 1 point, if the development directly contributes to a Community Revitalization Plan. Applicants must submit a letter (dated within one (1) year of the applicable final application deadline) from the highest governmental body stating that the development contributes to a concentrated Community Revitalization Plan, specifying the name of the plan and the name of the development (indicate the page number of the Community Revitalization Plan that pertains to the proposed development) along with a copy of the Plan as Exhibit 2144.

CCRP [must] [PO1] [SH2] [RA3] [ST4]:

1. Be geographically specific (the proposed development must be within the identified CCRP's defined area).
2. Demonstrates the need for revitalization in the CCRP designated area.
3. Provide strategies for investment of, both public and private resources for infrastructure, amenities, and services in the area of the proposed development.
4. Have been approved within last ten (10) years.
5. Include identification of community partners, timelines, and goals.

The proposed development is part of a neighborhood redevelopment plan or leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation, i.e. a Choice Neighborhood program.

(1 point)

Developments in a QCT that are part of a neighborhood redevelopment plan or Choice Neighborhood program may be eligible for up to one (1) additional point. Provide a copy of the neighborhood redevelopment plan or evidence of Choice Neighborhood program participation as Exhibit 2145.

QUALIFIED CENSUS TRACTS AND DIFFICULT DEVELOPMENT**AREAS BY COUNTY:**

Following are the Department of Housing and Urban Development statutorily mandated Qualified Census Tracts for IRC Section 42.

Douglas	3.00	4.00	6.00	7.00	8.00
	11.00	12.00	16.00	19.00	20.00
	21.00	23.00	24.00	26.00	27.00
	27.00	29.00	31.00	32.00	33.00
	38.00	39.00	40.00	42.00	49.00
	50.00	51.00	52.00	53.00	54.00
	58.00	59.01	59.02	60.00	61.01
	61.02	63.01	63.02	63.03	65.06
	66.03	68.06	71.01	73.12	
Lancaster	3.00	4.00	5.00	7.00	8.00
	17.00	18.00	19.00	20.01	20.02
	21.00	27.01	31.03	33.01	
Adams	9661.00				
Buffalo	9695.00	9696.00			
Dakota	101.00				
Dodge	9644.00				
Gage	9651.00				
Jefferson	9638.00				
Madison	9607.00				
Scotts Bluff	9537.00				
Thurston	9401.00	9402.00			
DDA (ZIP Code)	68133				

DEVELOPMENT INFORMATION:

Has any party received from a previous year an allocation of LIHTC (either 9% or 4%) for the development?

☐ Yes ☐ No

If "Yes" provide the following:

Year of Allocation: _____ NIFA Number: _____ BIN(s): _____

Note: Developments that have received an allocation of LIHTC in a previous year are not eligible ~~for resyndication~~ to apply for an allocation of LIHTC (either 9% or 4%) for that development until 20 years after the date the last building was placed in service.

Is a Basis Boost requested for the development?

☐ Yes ☐ No

~~All developments may request up to a 15% Basis Boost. Developments located in non-metro areas (outside of an MSA) that have overall rent targeting to households below 45% of AMI may request up to a 20% Basis Boost; CRANE developments may request up to a 30% Basis Boost; or developments located in a Census Tract that does not have an active LIHTC development may request up to a 30% Basis Boost.~~ Developments located in a -QCT or DDA may receive up to a 30% Basis Boost.

If "Yes", please check the appropriate box:

☐ Up to 30% QCT/DDA ~~Up to 15% Up to 20% (Non-Metro/AMI below 45%)~~
☐ ~~Up to 30% (CRANE)~~ ☐ ~~Up to 30% Census Tract with no active LIHTC development~~

NOTE: The Basis Boost for QCT's, and DDA's ~~and non-QCT's~~ will be included for purposes of calculating LIHTC per occupant in the NIFA scored criteria.

If the development includes acquisition and rehabilitation, identify the date of the most recent sale or transfer of the building(s). Date: _____ Seller: _____

If the development includes acquisition and rehabilitation, were the building(s) suitable for occupancy at the time of the most recent sale or transfer? ☐ Yes ☐ No

If any building in the development is an existing single-family detached residence, was it used by the previous owner(s) as their principal residence during the past 10 years? ☐ Yes ☐ No

Have any of the buildings in the development been condemned or are uninhabitable? ☐ Yes ☐ No

Have any of the buildings in the development been acquired through foreclosure? ☐ Yes ☐ No

Will the development include any relocation of any tenants? ☐ Yes ☐ No

*If "Yes," provide a detailed description of the relocation assistance in **Exhibit 4**.*

SITE INFORMATION:

_____ Total Number of Buildings in the Development

_____ Number of Stories in Tallest Building

Will any of the buildings include an elevator? ☐ Yes ☐ No

If "Yes", please list the number of building(s) with an elevator: _____

Will the Development have manager/maintenance unit(s)? ☐ Yes ☐ No

_____ Total Number of Units in the Development (LIHTC, HOME, Market, Other, etc.)

_____ Total Square Footage of the Development

_____ Square Footage of Area for Commercial Space

_____ % Percentage of Floor Area for Commercial Space

_____ Number of Employee/Maintenance Unit(s)

_____ Square Footage of Employee/Maintenance Unit(s)

_____ Other Common Space Square Footage

_____ Total Net Rentable Square Footage of all Rental Units in the Development

_____ Total Number of LIHTC Units in the Development (excluding employee/maintenance unit(s))

_____ % Percentage of LIHTC Units in the Development

_____ Total Square Footage for LIHTC Units

_____ % Percentage of Floor Area for LIHTC Units

_____ Total Number of Market Rate Units

_____ Square Footage of Market Rate Units

_____ Total Site Area (Land) to be used for the Development. Please Specify: ☐ Acres ☐ Sq. Feet

Development Structure: (check all that apply and choose at least one)

☐ Multifamily (more than 4 units per building)

☐ Single-family

☐ Duplex

☐ Single Room Occupancy (SRO)

Other: _____

Does the Development target any of the following:

☐ Special Needs Please identify: _____

☐ Other: _____

☐ Veterans Housing

☐ Seniors

☐ Disaster Declaration
Response

☐ Housing needs
outlined in the
CDBG-DR Action
Plan

SITE CONTROL:

Site control is in the form of (check only one)

☐ Contract/Option to Purchase in the name of the owner, its general partner or an affiliated entity

☐ Executed Disposition and Development Agreement with a Public Agency

☐ Signed long term land lease (with a minimum of 50 years)

☐ Recorded Warranty Deed in the name of the Owner, its general partner, or an affiliated entity

Include evidence of site control in Exhibit 103. Description of Exhibits can be found on page 268.

ZONING:

Please indicate the development's status in relation to local zoning requirements (check only one)

- ☐ Development meets all local zoning requirements or building permits have been issued.
☐ Development is not subject to municipal zoning ordinances.
☐ Development does not meet local zoning requirements and requires a zoning change or conditional use permit.

Include zoning letter in Exhibit 105. Description of Exhibits can be found on page 228.

OPERATING ASSISTANCE INFORMATION:

Do any of the units in the development receive or will receive ~~R~~ental Assistance? ☐ Yes ☐ No

If Yes, check the type of Rental Assistance and submit Exhibit 5:

- ☐ VASH Vouchers ☐ Section 8 Project Based Assistance
☐ RD 515 Assistance ☐ State Assistance
☐ McKinney Act Funding
 Number of units receiving assistance: _____
 Number of years the units will receive assistance: _____

UTILITY ALLOWANCE CALCULATIONS:

<u>Type</u>	<u>Gas / Electric</u>		<u>Utility Paid By</u>	<u>Allowance Amount</u>				
				0-Bdr.	1-Bdr.	2-Bdr.	3-Bdr.	4-Bdr.
Heating	☐ Gas	☐ Electric	☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Air		☐ Electric	☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Conditioning								
Lighting		☐ Electric	☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Cooking	☐ Gas	☐ Electric	☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Hot Water	☐ Gas	☐ Electric	☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Sewer			☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Water			☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Trash			☐ Owner ☐ Tenant	_____	_____	_____	_____	_____
Total Utility Allowance:				_____	_____	_____	_____	_____
Total Utility Allowance Paid by the Tenant:				_____	_____	_____	_____	_____

Source of Utility Data:

- ☐ HUD ☐ Local Housing Authority (Name: _____)
☐ USDA – Rural Development ☐ Utility Company Estimate (Name: _____)

(Please provide a copy of the documentation in Exhibit 6. Circle the appropriate utility information. Documentation must be effective within one year of the applicable final deadline.)

*Note: DED approves utility allowances on a project by project basis based upon actual utilities, the HUD Utility Schedule Model or another acceptable utility allowance schedule such as the HOME Administration Manual—Revised August 2021 17-12. Owners/managers should work with DED to determine the actual schedule. Please refer to Chapter 16 & 17 of the HOME Manual for rental projects that can be found here:
<https://opportunity.nebraska.gov/program/home/#administrators>.*

CONSTRUCTION SOURCES:

List all Preliminary and Firm Financing Commitments, including any grants, owner equity contributions, or deferred fees. If applying for HOME/for CDBG-DR/HTF funds, please indicate if the funds will be used during construction. Also include any source and amount of financing for any commercial space in the development.

<u>Lender or Source of Funds</u>	<u>Amount of Funds</u>	<u>Type of Financing</u>	<u>Financing Source*</u>	<u>Name & Telephone Number of Contact Person</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total Construction Financing:	_____	* e.g. conventional loan, federal grant, deferred loan, etc.		

PERMANENT SOURCES:

List all Preliminary and Firm Financing Commitments, including any grants, owner equity contributions, or deferred fees. Also include any source and amount of financing for any commercial space in the development.

<u>Lender Name</u>	<u>Lender Contact & Telephone</u>	<u>Loan Amount</u>	<u>Type of Financing</u>	<u>Financing Source</u>	<u>Interest Rate</u>	<u>Amortization Period (Months)</u>	<u>Loan Term (Years)</u>	<u>Annual Debt Service</u>
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
Total Permanent Financing:		_____				Total Annual Service:	Debt	_____

SYNDICATION INFORMATION:
☐ LIHTC

Anticipated Net Equity Factor: _____

Amount of Estimated Proceeds: _____

Name of Syndicator: _____

Address: _____

City: _____

Zip Code: _____

Telephone Number: _____

☐ Historic Rehabilitation Tax Credits

Anticipated Net Equity Factor: _____

Amount of Estimated Proceeds: _____

State: _____

Contact Person: _____

Email: _____

SYNDICATION INFORMATION FOR NEBRASKA AFFORDABLE HOUSING TAX CREDITS (if applicable):
☐ AHTC

Anticipated Net Equity Factor: _____

Amount of Estimated Proceeds: _____

Name of Syndicator: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Email: _____

Telephone Number: _____

DEVELOPMENT TEAM INFORMATION:

Applicant/Sponsor: _____	Phone Number: _____	Identity of Interest: _____
Developer: _____	Phone Number: _____	Identity of Interest: _____
General Partner: _____	Phone Number: _____	Identity of Interest: _____
Contractor: _____	Phone Number: _____	Identity of Interest: _____
Management Company: _____	Phone Number: _____	Identity of Interest: _____
Consultant: _____	Phone Number: _____	Identity of Interest: _____
Architect: _____	Phone Number: _____	Identity of Interest: _____
Development Attorney: _____	Phone Number: _____	Identity of Interest: _____
Accountant: _____	Phone Number: _____	Identity of Interest: _____
Federal Syndication Firm: _____	Phone Number: _____	Identity of Interest: _____
State Syndication Firm: _____	Phone Number: _____	Identity of Interest: _____
_____	Phone Number: _____	Identity of Interest: _____
_____	Phone Number: _____	Identity of Interest: _____
_____	Phone Number: _____	Identity of Interest: _____

List any direct or indirect financial or other interests a member of the Development Team may have with another member of the Development Team. List "none" if no identities of interest exist. _____

**Note: NIFA will notify the applicant at the time of threshold review if the management company listed above has any outstanding uncorrected non-compliance items as of 30 days prior to the applicable threshold application deadline.*

NOTIFICATION OF PUBLIC OFFICIAL:

Name of Political Jurisdiction: _____	
Name of Chief Executive Officer: _____	
Title of Chief Executive Officer: _____	
Address: _____	
City: _____	Zip Code: _____
Phone Number: _____	Fax Number: _____

C. EXHIBIT CHECKLIST

The following is a checklist of materials for submission with the Application. Please upload each Exhibit in the online funding application.

Applicants may also self-score all pertinent items and enter the appropriate number of points earned for each requirement. **NOTE: Applications must meet all Threshold Criteria Items. Applications that do not submit all applicable Threshold Exhibits will not be considered for an allocation of LIHTC and AHTC.** All information in the Exhibits must meet or exceed the provided exhibit descriptions and be dated within one year of the applicable final application deadline. For a detailed description of the Threshold Exhibits, please refer to page 26.

Threshold Exhibits	Description
☐ EXHIBIT 1	Provide a one (1) page summary of the proposed development
☐ EXHIBIT 2	Details of any sale or transfer of LIHTC and AHTC (if applicable)
☐ EXHIBIT 3	Non-profit information (See Exhibit Examples) (if applicable)
☐ EXHIBIT 4	Relocation assistance plan (if applicable)
☐ EXHIBIT 5	Evidence of rental assistance (if applicable)
☐ EXHIBIT 6	Current utility allowance documentation
☐ EXHIBIT 7	Pictures of the site/structure taken from each direction. (North, South, East, & West)
☐ EXHIBIT 8	Location Map (See Exhibit Examples for more information) Exhibits 910-1920 are required only if applying for HOME, CDBG-DR, or HTF (if available)
☐ EXHIBIT 9	Site Visit Review and Approval (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 10	Site Visit Review and Approval (CDBG-DR) The CDBG-DR “crosswalk” aka “NDED-NIFA Joint Application, CDBG-DR Requirements” is available in the project toolbox at: https://opportunity.nebraska.gov/program/cdbg_dr/#housing-construction
☐ EXHIBIT 11	Environmental Review Record and process and Determination of Level of Review (HOME/CDBG-DR Funds) HTF refer to: https://files.hudexchange.info/resources/documents/Notice-CPD-16-14-Requirements-for-HTF-Environmental-Provisions.pdf
☐ EXHIBIT 12	Notice of Public Hearing or Public Meeting (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 13	Authorizing Resolution for local governments (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 14	Statement of assurances and certifications for local governments (HOME/CDBG-DR Funds)
☐ EXHIBIT 15	Residential anti-displacement and relocation assistance plan (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 16	Applicant certification for non-profits and housing authorities (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 17	Authorizing Resolution for non-profits and housing authorities (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 18	Certification of rental project federal assistance (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 19	System for Award Management (SAM) (HOME/CDBG-DR/HTF Funds)
☐ EXHIBIT 20	HOME/HTF Cost Allocation Tool (HOME/HTF Funds) refer to: HOME HTF Cost Allocation Tool May 2020 (003).xlsx
Threshold Exhibits	Description
☐ EXHIBIT 100	Architect Certification, Required Design and Required Green Standards, and Architectural Plans
☐ EXHIBIT 101	Fair Housing Act and Section 504 – Design
☐ EXHIBIT 102	Affirmative Marketing Plan
☐ EXHIBIT 103	Site Control
☐ EXHIBIT 104	Intentionally omitted
☐ EXHIBIT 105	Zoning
☐ EXHIBIT 106	Utilities
☐ EXHIBIT 107	Subsidies/Public Funds
☐ EXHIBIT 108	Investor Interest/Commitment Form
☐ EXHIBIT 109	Construction/Interim Financing Form
☐ EXHIBIT 110	Permanent Financing Form
☐ EXHIBIT 111	Development Worksheets (See Exhibit Examples)
☐ EXHIBIT 112	Market Study
☐ EXHIBIT 113	Pre-notification of Local Jurisdiction
☐ EXHIBIT 114	Capital Needs Assessment (Rehabilitations and Adaptive Reuse only)
☐ EXHIBIT 115	Ten Year Rule/Appraisal (Acquisition credits only)

DRAFT

D. OTHER SELECTION CRITERIA – ~~CRANE—4% LIHTC/BOND~~ (AHTC if applicable)
APPLICATIONS MUST SCORE A MINIMUM OF 30 POINTS IN THIS SECTION

COMPLIANCE & EXTENDED USE PERIOD:

Please check the following compliance period and extended use period that will be applicable to this development. (The minimum term of the low-income occupancy commitment is 30 years.) Points will be awarded when the owner elects to extend the compliance period for additional years. Note: In any event, as will be provided in the LURA, the right with respect to requesting a Qualified Contract will terminate upon the sale, transfer, or disposal of the development by the initial owner.

☐ 15-year Compliance Period + 15-year Extended Use Period = 30 total (0 points)
Development owners may be eligible to request a Qualified Contract at any time after year fourteen (14).

☐ ~~25~~15-year Compliance Period + ~~15~~25-year Extended Use Period = 40 total (1 point)
Development owners may be eligible to request a Qualified Contract at any time after year twenty-four (24).

☐ ~~30~~15-year Compliance Period + ~~15~~30-year Extended Use Period = 45 total (2 points)
Development owners may be eligible to request a Qualified Contract at any time after year twenty-nine (29).

WAIVER OF QUALIFIED CONTRACT (may be chosen in addition to the election above):

☐ Development owner will waive the right to request a Qualified Contract. (3 points)
t

~~CRANE developments must elect the 30-year Compliance Period and 15-year Extended Use Period.~~

~~CROWN developments must elect the 15-year Compliance Period and 15-year Extended Use Period.~~

~~Please note if applying for HOME/HTF the affordability period of each program may vary. CDBG-DR affordability period for rental units is a 15-year period for multi-family rental projects with eight or more units, and a 20-year period for multi-family rental projects with five or more units.~~

Note: In any event, as will be provided in the LURA, the right with respect to requesting a Qualified Contract will terminate upon the sale, transfer, or disposal of the development by the initial owner.

The commitment to extend the Extended Use Period and/or waive the compliance period and/or waive the Qualified Contract request will be reflected in the LURA.

RIGHT OF FIRST REFUSAL:

The Right of First Refusal must be granted to a governmental entity (such as a local housing authority) or a non-profit entity with an organizational purpose that includes the development, ownership or operation of affordable housing for low income persons and families. Such non-profit entity must have a track record, acceptable to NIFA, of carrying out such purpose. ~~Such non-profit entity may not be affiliated with or controlled by a for-profit organization.~~

~~The Right of First Refusal must be granted to a non-profit with an organizational purpose that includes affordable housing.~~

Will the owner offer a right of first refusal to a non-profit entity~~ies~~ under IRC Section 501(c)(3) or 501(c)(4), or to a governmental ~~entities~~entity? ☐ Yes ☐ No

If Yes, please list to whom the owner intends to offer the right of first refusal: _____

(Please list the name and contact information of the non-profit or government entity.) If a non-profit attach as Exhibit 200 the Articles of Incorporation and By-Laws or organizational documentation evidencing the 501(c)(3) or (c)(4) status and information regarding the purpose and description of the activities of the non-profit entity relating to affordable housing. ~~Certifications of the applicant/owner~~

~~and the non-profit entity shall be submitted representing that the non-profit entity named is not affiliated with or controlled by a for-profit organization. In the event the non-profit entity designated by the Applicant ceases to exist, any alternative non-profit entity proposed by the Owner must, at a minimum, meet the same requirements set forth above and must be acceptable to, and approved in writing by, NIFA.~~

~~Attach as Exhibit 200 the Articles of Incorporation and By-Laws or organizational documentation demonstrating the purpose of the non-profit relating to affordable housing.~~

Code Section 42 (i)(7) references a formula for determining this purchase price, equal to outstanding debt remaining on the development (excluding any debt added in the five years prior to the sale) plus federal, state, and local taxes due as a result of the sale.

~~The commitment of the Right of First Refusal will be reflected in the LURA. (2 points)~~

~~The commitment of the right of first refusal will be reflected in the LURA. (2 points)~~

EVENTUAL TENANT HOMEOWNERSHIP (CROWN) ^{NON-DR}:

~~Will qualified tenants have a lease-purchase homeownership option? ☐ Yes ☐ No~~

~~The homeownership program will be operated as: ☐ Short term model ☐ Long term model~~

~~The commitment of eventual tenant homeownership will be reflected in the CROWN LURA (see www.nifa.org for a copy of the CROWN LURA). (2 points)~~

The points in this category are limited to developments proposing a condo regime or that have separate legal descriptions to enable the units to be deeded or conveyed to low income tenants.

~~Attach a copy of the homeownership plan as Exhibit 201, dated within one (1) year of the applicable final application deadline. CROWN developments are not eligible for CDBG DR funding.~~

PRESERVATION:

Is the development a federally assisted building in danger of having the mortgage assigned to HUD or RD, or in danger of creating a claim on a federal mortgage insurance fund? **(2 points)**
☐ Yes ☐ No

*Attach a letter from the institution to which the development is in danger of being assigned to as **Exhibit 202**, dated within one (1) year of the applicable final application deadline.*

Does the development involve preservation of existing affordable housing with an existing project-based rental assistance agreement (i.e. USDA-RD or HUD)? **(3 points)**
☐ Yes ☐ No

*Attach a copy of the current project-based rental assistance agreement as **Exhibit 202**.*

Does the development meet the Secretary of the Interior's Standards for Rehabilitation as interpreted by the National Park Service and involves the use of federal historic rehabilitation tax credits (For additional information, visit <http://nps.gov>)? **(2 points)**
☐ Yes ☐ No

*Attach a copy of the fully executed Historic Preservation Certification Application Part 1 as **Exhibit 202**.*

SENIOR DEVELOPMENT:

Will the development be reserved for elderly tenants? ☐ Yes ☐ No If Yes, ☐ Age 55+
☐ Age 62+

The applicant must certify that the following requirements will be met by checking the following:

☐ Units will meet the minimum square footage of 650 square feet for a one-bedroom unit and 800 square feet for a ~~two-bedroom~~ two-bedroom unit (senior housing may only consist of one- or ~~two-~~ two- bedroom units).
*NOTE: Developments proposing the acquisition and rehabilitation of an existing senior development may request a waiver of the minimum square footage requirements.

☐ The development will include handrails along steps and common areas, grab bars in bathrooms, routes that allow for barrier-free access, lever-type doorknobs, single-lever faucets and elevators for developments with more than two stories.

☐ The development is located on a suitable site that is within reasonable walking distance of basic services or has adequate access to public transportation.

☐ The units will be restricted to seniors who qualify for an exception of exemption under the Fair Housing Act.

Note: The Fair Housing Act prohibits discrimination against families with children. However, it exempts from this prohibition certain types of "housing for older persons". The exemption applies to "62 or over developments" and "55 or over developments," each of which must meet particular standards. The former requires that all units in a development be restricted to tenants who are at least 62 years of age. The latter requires that at least 80% of the units in a development have at least one resident who is at least 55 years of age and that the development have "policies and procedures" which make it clear that the development is for senior tenants. The design will be consistent with allowing seniors to age in place (e.g. one story, no stairs, etc.). **(2 points)**

*If a waiver is requested for minimum square footage, attach a copy of the waiver- as **Exhibit 203**, dated within one (1) year of the applicable final application deadline.*

FAMILY DEVELOPMENT:

Will the development include units that target low-income families with children, with at least ~~20~~10% of the LIHTC units being four-bedroom units or larger? ☐ Yes ☐ No

Number of units four-bedrooms and larger: _____

(~~12~~ points)

To receive the points in this category, each of the targeted units must have at least a net of 1,500 square feet of living space for four-bedroom units (with a minimum of one and three-quarters bathrooms) or 1,600 square feet of living space for five-bedroom units (with a minimum of two and a half bathrooms).

Applicants for ~~Dd~~ developments receiving points in this category ~~may~~ cannot receive points in the Senior Development category.

MIXED INCOME DEVELOPMENT:

Will the development include at least 10% of the units for ~~market-moderate~~ rate tenants? ☐ Yes ☐ No

Please note lots must be contiguous for mixed income developments.

Check the appropriate box: ☐ At least 10% of the units are ~~market-moderate~~ rate (1 point)

☐ At least 15% of the units are ~~market-moderate~~ rate (2 points)

☐ At least 20% of the units are ~~market-moderate~~ rate (3 points)

DEVELOPMENT OF HOUSING IN GREATER NEBRASKA:

Within the last ~~twelve~~twenty-four (~~12~~24) months, the Applicant/Developer has materially participated in the development of single-family owner-occupied housing or rental housing (in each case, which housing designed to be affordable for occupancy by persons and families) ~~with incomes not exceeding 150% of the area median income~~ located in a community with a total population of 15,000 or less. To obtain the points in this category, the ~~completed development~~ Developer must have provided at least 10 homes/rental units. The 10 homes/rental units can be located in different communities as long as each community's population is 15,000 or less. (2 points)

☐ Yes ☐ No If Yes, please list the total population of the community: _____

Attach as Exhibit 204, dated within one (1) year of the applicable final application deadline, a description detailing the completed development, community, population and the applicant/developers material participation in the development.

DENSITY CONFIGURATIONS:

~~Please check any of the following that apply to the proposed development.~~

☐ ~~Density configuration is 12 units or less per acre (1 acre equals 43,560 sq. ft.)—~~ (1 point)

☐ ~~Density configuration is 12 units or less per acre, all buildings are two stories or less and each unit in each building includes a separate outside entrance.———~~ (2 points)

ECONOMIC DEVELOPMENT CERTIFIED COMMUNITY/ENTITLEMENT COMMUNITY/ LEADERSHIP COMMUNITY:

Is the development located in an Economic Development Certified Community/Leadership Community as designated by the Nebraska Department of Economic Development or in a CDBG entitlement community? ☐ Yes ☐ No (2 points)

PHA REFERRAL AGREEMENT:

The development owner has entered into an agreement with the local Public Housing Authority (PHA) to consider households from the PHA waiting list as potential tenants: ☐ Yes ☐ No

(1 point)

*Attach a copy of the agreement as **Exhibit 204205**, dated within one (1) year of the applicable final application deadline.*

Note: If the community does not have a PHA, the owner may utilize the nearest PHA or the office responsible for administering the Section 8 program.

DEVELOPER / OWNER FINANCIAL SUPPORT:

A partner/member of the development agrees to defer payment of a fee payable by the development or a partner/member agrees to make a capital contribution or personal loan to the development. Aggregate of deferred fees and/or capital contribution or personal loan is 25% or more of the total of the developer fee and overhead.

☐ Yes ☐ No

(2 points)

Note: This financial support must be in addition to any proceeds of the syndication of the LIHTC and AHTC, and/or ~~third party~~third-party loans. This commitment of financial support must be part of the sources and uses of funds at all review levels to receive points in this category.

TRACK RECORD OF APPLICANT AND/OR OWNER:

(1 point)

Complete one Certification of Experience-Applicant and Owner and Authorization of Release of Information for each State LIHTC Allocating Agency (including Nebraska), in which the applicant and/or owner, has at any time had a role in a LIHTC development. Copies of emails sent to each State Allocating Agency and the corresponding Authorization of Release of Information must be uploaded as Exhibit 205.

Developers/Owners with unfavorable prior performance identified in Exhibit 2065 and as determined solely in NIFA's/NDED's opinion may not qualify for points in this category.

Any outstanding noncompliance issues that have a response due date prior to the final application deadline must be submitted to NIFA at least ten (10) business days before the final application deadline.

Implementation planned for 2024/2025

Applicant and/or Owner (as defined in Exhibit 206) has not requested an increase of LIHTC for a previously awarded development within the past 12 months. Applicants who have not received an award in the last 12 months are not eligible for this additional point.

MANAGEMENT QUALIFICATIONS AND EXPERIENCE:

Complete one Certification of Experience-Property Management Company and Authorization of Release of Information for each State LIHTC Allocating Agency (including Nebraska), in which the Property Management Company, has at any time managed a LIHTC development. Copies of emails sent to each State Allocating Agency and the corresponding Authorization of Release of Information must be uploaded as Exhibit 2076.

(1 point)

Upload a copy of the management company's attendance at both days of the **2021 or 2022** NIFA-sponsored annual LIHTC Compliance Training as **Exhibit 2087**.

(2 points)

Provide documentation of a Housing Credit Certified Professional (HCCP) designation (or equivalent) for staff of the management company as Exhibit 2087.

(1 point)

Any outstanding noncompliance issues that have a response due date thirty (30) days prior to the applicable threshold application deadline must be submitted to NIFA at least ten (10) business days prior to the applicable final application deadline.

NOTE: Management entities that have outstanding uncorrected noncompliance in the past three (3) calendar years or violations of a LURA that have not been corrected within the applicable correction period [as indicated in Exhibit 206 on any Nebraska LIHTC, AHTC and/or HOME/CDBG-DR/HTF development](#) will not be eligible for the point in this category. Management entities will be evaluated based on the date they first started the management of the development. [Any change in management company prior to the development placing in-service must be approved by NIFA and not result in a change of points for this category.](#)

DESIGN STANDARDS, GREEN STANDARDS, AND AMENITIES:

Please check the following design standards, green standards, and amenities that apply to the proposed development.

Upload as Exhibit 2098 (Architect Certification for Design Standards, Green Standards and Amenities) a signed architect certification and the landscape plan from the Architect (dated within one year of the final application deadline) that certifies each election below:

DESIGN STANDARDS:

A maximum of ~~seven~~ (7) points are available in this category.

- ☐ Buildings will have solid brick, brick/stone siding, or natural stone, exterior finish material in excess of 25% of the front street visible exterior elevation. (2 points)
Must be visible and labeled in the Architectural Plans provided in Exhibit 100.
- ☐ Development will have landscaping. (2 points)
Include a landscape plan detailing the number of plants and trees, as well as their proposed location and indicate whether the development's lawn will be sodded or seeded
- ☐ 20% or more of the units will meet the "visitability" design standards as defined by the Nebraska Assistive Technology Partnership (For additional information, visit <https://atp.nebraska.gov>). (2 points)
- ☐ Buildings will include exterior additions, such as pre-finished shutters, decorative exterior finishes, patio/porch fencing or additional decorative trim (certification must list specific exterior additions). (1 point)
Must be visible and labeled in the Architectural Plans provided in Exhibit 100.

Note: Failure to fulfill the commitment to provide any of the above design standards will result in the revocation of LIHTC and AHTC.

GREEN STANDARDS (INCLUDED IN EXHIBIT 2098):

A maximum of ~~six~~ (6) points are available in this category.

- ☐ Development will include a geothermal (ground source), closed loop heat pump system or active solar that will generate at least 25% of the total energy load for each unit. (3 points)
- ☐ Installation of internet connected smart thermostat for every HVAC system. (Can only be selected in conjunction with the amenity owner paid broadband or high-speed internet to every unit). (2 points)
- ☐ All mechanical equipment installed will be Energy Star® rated or better. (2 points)
- ☐ All exterior windows and doors will have an average R-value of 3.75 (.267 U Factor). (1 point)
- ☐ All exterior lighting will be photocell or timer controlled. (1 point)
- ☐ All carpet will include recycled-content carpet pad and carpet. (1 point)
- ☐ All interior paints and finishes will contain less than 250 grams/liter of VOCs. (1 point)
- ☐ Development will utilize water conservation techniques, such as water-efficient appliances and fixtures, low water landscaping and irrigation, and gray water. (1 point)
- ☐ Builder will follow a written waste reduction, recycle, and reuse plan. (1 point)
- ☐ Development will utilize passive solar building design. (Examples include, but are not limited to: building orientation, earth coupling, thermal mass, window sizing and placement, overhangs or landscaping for shading, sky lights, double-glazed glass in windows, or thermal insulation.) **Please include a description of the design elements in the architect's certification.** (1 point)
- ☐ Development will meet or exceed the requirements of the CDBG-DR Green Standards. (6 points)
The CDBG-DR Eligibility Requirements are available at:
https://opportunity.nebraska.gov/program/cdbg_dr/#housing-construction

Note: Failure to fulfill the commitment to provide any of the above green standards will result in the revocation of LIHTC and AHTC.

AMENITIES (INCLUDED IN EXHIBIT 2098):

A maximum of **eight (8)** points are available in this category.

Amenities marked with an * **MUST** be visible and labeled in the Architectural Plans provided in Exhibit 100.

- ☐ *On-site furnished community room with a minimum of 600 square feet (2 points)
(NOTE: Community room must be used exclusively by the tenants or for
meetings/activities attended by tenant(s))
- ☐ *Washer and dryer installed and maintained in each unit (3 points)
- ☐ *Garage for each unit at no cost to the tenant (2 points)
- ☐ * Produce garden or individual garden plots, including a functional equivalent such as a vertical garden with a dedicated water source that is paid for by the development owner, within the development footprint (1 point)
- ☐ *Storm shelter for all units in the development (If selecting to provide a storm shelter that also will serve as a bathroom or bedroom closet, the Architect must certify that such space qualifies as a storm shelter. If such space qualifies as a storm shelter, the square footage can be included in the residential living square footage of the unit.) (2 points)
- ☐ *Washer and dryer hook-ups in each unit (n/a if points awarded for installed in each unit) (1 point)
- ☐ *Community laundry room (n/a if points awarded for installed in each unit) (1 point)
- ☐ *Designated exterior playground area or exercise equipment with sufficient equipment for usage by tenants in all units (a basketball hoop can qualify; however, it must be located in a dedicated space) OR (2 points)
- ☐ *Individual playground equipment for each unit in CROWN developments or scattered site developments (2 points)
- ☐ Each unit will be equipped with a medical alert / emergency response system at no cost to the tenant (1 point)
- ☐ Broadband/high-speed internet access and owner paid service for each unit (2 points)
- ☐ Fiber internet access and owner paid service for each unit (3 points)
- ☐ *Built in designated work or school space provided in each unit (must be at least 4 feet x 4 feet) (1 point)
- ☐ *Storage area for each unit that is an enclosed, single, and secure space (1 point)
(Storage area must meet the following dimensions: 6w x 6d x 8h = 288 cubic feet. Garages and closets in bedrooms do not qualify as “storage areas”.)

PROJECT-BASED RENTAL ASSISTANCE:

Name of the Housing Authority that has committed to providing new project-based rental assistance including VASH or Rental Assistance Demonstration (RAD) vouchers: _____

Number of units receiving project-based rental assistance: _____

Length of commitment for project-based rental assistance (in years): _____

(2 points)

*Attach a letter of commitment from the Housing Authority detailing the number of units that will receive project-based rental assistance & the length of the commitment for the project-based rental assistance as **Exhibit 2109**, dated within one (1) year of the applicable final application deadline.*

NOTE: In order to receive points in this category, the project-based rental assistance commitment from the Housing Authority **MUST** be for at least 25% or more of the total units in the development and the length of the commitment **MUST** be for a minimum of 15 years. The points in this section are not available to developments with existing Project-Based Rental Assistance.

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SUPPORTIVE SERVICES:

A maximum of ~~six-four~~ (46) points are available in this category and all services must be paid for by the Owner, provided at no cost to tenants. NIFA encourages the use of available programs and resources to provide Tenants with as many Supportive Services as possible. If a selected Supportive Service, paid for by Owner, becomes available to Tenants at no cost to Owner, NIFA will require the Owner to update Supportive Services offered, which would include Owner agreeing to 1)) select another NIFA-approved Supportive Service with the same point value, as agreed with NIFA ; 2) assist Tenants in enrolling in the non-Owner paid program at no cost to Tenant, ongoing or otherwise; and 3) assure the continued availability of the initially selected Supportive Service to Tenants.

At least one (1) service must be provided in partnership with a community based or regional service provider. In addition, at least one of the selected services must have a point value of at least two points.

Developments may provide services at a central location if transportation is provided at no cost to the tenant and the transportation plan is detailed in the supportive service agreement.

~~CRANE developments are required to have at least six (6) points in this category and provide a supportive service plan focused on services for the population being served.~~

Please check the following supportive services that apply to the proposed development.

*Attach a Supportive Service plan and commitment letters from the appropriate supportive service providers as **Exhibit 2110** dated within one (1) year of the applicable final application deadline.*

- | | |
|---|--------------------------|
| ☐ Annual transportation to services for the tenant (12 round trips per year). | (21 points) |
| ☐ Quarterly onsite medical, dental or vision testing | (12 points) |
| ☐ Monthly foot care clinics | (2 points) |
| ☐ On-going medical alert/emergency response system (can only be selected in conjunction with equipping the units under the amenities section) | (2 points) |
| ☐ Owner paid renter's insurance for tenant (yearly). | (3 points) |
| ☐ Monthly onsite congregate meals served to the tenants | (1 point) |
| ☐ Annual deep cleaning of the unit (<u>must describe in service agreement</u>) | (1-2 points) |
| ☐ Annual RentWise Education | (1 point) |
| <i>Attach a copy of the certificate of the person authorized to provide the RentWise Education as Exhibit 210 that is dated within three (3) years. If a certificate is older than three (3) years then a written confirmation from Nebraska Housing Developers Association must be submitted.</i> | |
| ☐ Monthly onsite beautician services | (1-2 points) |
| ☐ Semi-annual clean-up events | (1 point) |
| ☐ Monthly onsite, organized tenant activities, such as movie nights or potlucks. | (1 point) |
| ☐ Onsite food pantry | (2 points) |
| ☐ Quarterly state and federal benefits counseling | (1 point) |
| ☐ Monthly onsite mental health services | (2-3 points) |
| ☐ Monthly onsite job training | (1-2 points) |
| ☐ Quarterly onsite Therapy Animal visits | (1 point) |
| ☐ Tenant Savings Plan (not eligible for CROWN projects) | (1 point) |
| ☐ <u>Tenant Down Payment Savings Plan</u> | (2 Points) |
| ☐ On-going recycling services. | (2 points) |
| ☐ Quarterly financial management classes | (1 point) |
| ☐ Weekly exercise classes | (3 points) |
| ☐ Quarterly parenting classes | (1-2 points) |
| ☐ Monthly nutrition education classes | (1-2 points) |

- ☐ ~~Onsite~~ Licensed childcare with enrollment fee ~~(for each child paid for by the development)~~ waived for tenants of the development. (3 points)
- ☐ Weekly tutoring services for students (2 ~~3~~ points)
- ☐ Weekly after-school enrichment program (2 ~~3~~ points)
- ☐ Quarterly financial literacy classes for youth (1 ~~2~~ points)
- ☐ Other services offered annually, subject to NIFA's approval. Please list _____ (1 point)

Note: The "other" category for supportive service cannot be listed under any other exhibit and receive dual points in two categories. The supportive services must be available to all tenants residing in the development and not targeted to a certain group.

LEVERAGE AND COLLABORATION:

Applicants who demonstrate efforts to collaborate and leverage the housing credit and NDED funding sources will be eligible for up to 4 additional points. Signed, firm commitments from local government, private partners, non-profit and charitable organizations, excluding entities with an identity of interest (i.e. contractors, accountants, architects, consultants, engineers, development partner, syndicator, etc.) will be calculated in relation to total development costs.

<u>Percent</u>	<u>Score</u>
5-9.99%	1 point
10-14.99%	2 points
15-19.99%	3 points
20% and above	4 points

<u>Eligible Resources</u>	<u>Non-Eligible Resources</u>
Capital Contributions (including those from development partners)	NIFA & NDED funding sources (including HOME/CDBG-DR/HTF/NAHTE)
Grants (Utilities, Federal Home Loan Bank, Foundations, etc.)	Deferred fees or loans
Community Contributions (including City HOME/CDBG, TIF, LB840, etc.)	Conventional Loans
Land (not from a related party and must provide a third-party appraisal)	Seller Financing Note
	Donated Services

Attach as **Exhibit 212**, provide commitment letters, appraisal of land from third-party, and any additional supporting documentation dated within one (1) year of the final application due date.

METRO ONLY

AREAS OF HIGH OPPORTUNITY:

NIFA will use data from Diversitydatakids.org to identify areas of high opportunity in three indexes, including 1). Education, 2). Health and Environment, and 3). Social and Economic. Data is available for each census tract with a rating of very high opportunity to very low opportunity in each index. Points will be assigned to each applicant for each the respective ratings as outlined in the following table for the categories listed below:

<u>Rating</u>	<u>Score</u>
Very Low	1 0 points
Low	2 0 points
Moderate	3 5.5 1 points
High	4 .75 points
Very High	1 .55 points

If a proposed development obtains a Very High rating in all three indexes, Applicant will receive an additional 1 point.

NIFA will score each index as compared to the State based on the most recent ratings as published above for- the census tract of the proposed development:

Education: _____

Health and Environment: _____

Social and Economic: _____

Index ratings can be found at:

<https://www.diversitydatakids.org/maps/#/explorer/0/15/10,15//xe/s/1.0.14/41.136/-98.729/7.39/>

E. OTHER SELECTION CRITERIA EXHIBIT CHECKLIST

All Exhibits must meet or exceed the provided exhibit descriptions and dated within one year of the applicable final deadline. Additional information provided in the Exhibit Examples document.

Other Selection Criteria	Exhibit	Maximum Points Available	Score
☐ Compliance & Extended Use Periods	No	5	_____
☐ Right of First Refusal	Exhibit 200	2	_____
☐ Eventual Tenant Homeownership <u>Exhibit 201</u>	Exhibit 201 – Homeownership Plan <u>Intentionally Omitted</u>	2	<u>_____</u>
☐ Preservation	Exhibit 202 – Letter from mortgage institution, project-rental assistance agreement, or Part 1.	3	_____
☐ Senior Development	Exhibit 203 – Waiver for minimum square feet	2	_____
☐ Family Development	No	1 2	_____
☐ Mixed Income Development	No	3	_____
☐ Density Configuration	No	2	<u>_____</u>
☐ <u>Development of Housing in Greater Nebraska</u>	<u>Exhibit 204 – Applicant/Developer Material Participation</u>	<u>2</u>	<u>_____</u>
☐ Certified Economic Development Community/Entitlement Community	No	2	_____
☐ PHA Referral Agreement	Exhibit 204 5 – PHA Referral Agreement (See Exhibit Examples)	1	_____
☐ Developer / Owner Financial Support	No	2	_____
☐ Track Record of Applicant and/or Owner	Exhibit 205-206 – Certification of Experience-Applicant and Owner and Authorization of Release of Information for each State LIHTC Allocating Agency (including Nebraska).	4 2	_____
☐ Management Qualifications & Experience	Exhibit 206 207-Certification of Experience-Property Management Company and Authorization of Release of Information for each State LIHTC Allocating Agency (including Nebraska). Exhibit 207-208 – Evidence of attendance at 2021 or 2022 NIFA-sponsored annual LIHTC compliance training and/or evidence of Housing Credit Certified Professional Designation.	4	_____
☐ Architect Certification for Design Standards, Green Standards, and Amenities	Exhibit 208-209 – include Architect certification including Design Standards, Green Standards, Amenities and Landscape Plan. All other commitments must be visible and labeled in the Exhibit 100-Architectural Plans	21	_____
☐ Project Based Rental Assistance	Exhibit 209-210 – Commitment letter from the Housing Authority	2	_____
☐ Supportive Services	Exhibit 210 1 – Supportive Service Plan, Rent Wise Certificate, and commitment letters from service providers	6 4	_____
☐ <u>Leverage and Collaboration</u>	<u>Exhibit 212 – Evidence of Leverage</u>	<u>4</u>	<u>_____</u>
☐ Areas of High Opportunity- (Metro-only)	No	4 54	_____
☐ Qualified Census Tract	Exhibit 214 5 – Letter & Plan	4 2	_____
☐ <u>Neighborhood Revitalization Plan or Choice Neighborhood program</u>	<u>Exhibit 2146—Neighborhood Plan or Evidence of Choice Neighborhood program participation</u>	<u>1</u>	<u>_____</u>

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In addition to the above scoring, all applications will be scored by NIFA/NDED on the following criteria. For a description of the criteria, please refer to page [3428](#).

NIFA / NDED Scored Criteria	Exhibit	Maximum Points Available
Targeting Gross Rents to Lower Levels	No	Up to 5
Efficient Housing Production	No	Up to 6
Effective Use of HOME/CDBG-DR/HTF Funds (if applicable)	No	Evaluated by NDED
Natural Disaster Designation	No	3

**YOUR APPLICATION IS COMPLETE!
PLEASE ATTACH EXHIBITS FOLLOWING THIS PAGE.**

F. DESCRIPTION OF EXHIBITS (DO NOT SUBMIT THIS SECTION WITH THE APPLICATION)

EXHIBIT 100 – ARCHITECT CERTIFICATION, REQUIRED DESIGN AND REQUIRED GREEN STANDARDS, AND ARCHITECTURAL PLANS,

Provide a signed certification from the Architect (dated within one (1) year of the final application deadline) that certifies each requirement below:

1. Provide the following for each individual unit type and size; total square footage, residential living space square footage, garage, storage areas, unfinished basement or storm shelters square footage within the unit. The total square footage must = the residential living space + garage + storage areas + unfinished basement + storm shelter.
2. Required Design Standards: Roofing and siding of all buildings exceed the relevant standards set by the American Society for Testing and Material (ASTM).
3. Required Green Standards: All windows will have a minimum R-value of 2.86 or a maximum U-value of .35. All installed appliances will be Energy Star® rated or better. *Note: If the development is utilizing federal historic rehabilitation tax credits and is requesting an exception to the window standards, please include a letter from the Nebraska State Historic Preservation Office detailing the need for the exception.*

Developments applying for CDBG-DR have additional eligibility requirements. The CDBG-DR Eligibility Requirements are available at:

https://opportunity.nebraska.gov/program/cdbg_dr/#housing-construction

~~Developments applying for CDBG-DR have additional eligibility requirements. Please refer to CDBG-DR Eligibility Requirements document in the Exhibit Examples.~~

4. In addition, provide a signed certification from the architect that confirms that the development will be constructed in accordance/compliance with:
 - (i) The applicable local energy conservation code, or, if no such code is applicable, then in accordance with the 2018 International Energy Conservation Code.
 - (ii) Local Codes or Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code or Council of American Officials one- or two-family code or minimum property standards at 24 CFR 200.925 (for multi-family) or 200.926 (for one- and two-unit dwellings)
 - (iii) If applying for ~~HOME/CDBG-DR/HTF~~ Funds, for rehabilitation: The development will meet or exceed the NDED rehabilitation standards, and local code requirements or Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code or Council of American Officials one- or two-family code or minimum property standards at 24 CFR 200.925 (for multi-family) or 200.926 (for one- and two-unit dwellings). The NDED rehabilitation standards can be found at:
<https://opportunity.nebraska.gov/program/home/#administrators>
5. Upload legible and labeled preliminary architectural drawings that include all site plan(s), elevation drawings (North, South, East, West) of each building type, and schematic floor plans of the various unit sizes.

NOTE: Material changes to the floor plan(s) without prior approval of NIFA could result in revocation of the reservation or allocation of LIHTC and AHTC.

EXHIBIT 101 – FAIR HOUSING ACT & SECTION 504

1. Provide a signed certification from the Architect that confirms that the development will be constructed in accordance/compliance with:
 - (i) The Fair Housing Act Amendments of 1988; consideration being given to the accessibility/adaptability of units to handicapped occupancy.
 - (ii) If applying for HOME/CDBG-DR/HTF funds, Section 504 accessibility requirements are applicable to the development. Describe what Section 504 requirements apply to the development and how they will be met and/or exceeded. Information regarding Section 504 accessibility requirements can be found at: http://www.access.gpo.gov/nara/cfr/waisidx_98/24cfr8_98.html
 - (iii) Signed certification must be dated within one year of the applicable final deadline.

EXHIBIT 102 – AFFIRMATIVE MARKETING PLAN

1. Provide an Affirmative Marketing Plan: The form is located at <https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf> .
 - (i) Sign and date the form.
 - (ii) Complete all applicable worksheets.
 - (iii) Signed form must be dated within one year of the applicable final deadline.

NOTE: If the development consists of a scattered site (i.e. buildings in the development are located in different towns/cities), a plan is needed for each site.

EXHIBIT 103 – SITE CONTROL

Provide evidence of site control in the form of one of the following eligible forms (if multiple sites, the applicant must have control of each site making up the single development).

1. **Exhibit 103 must also include a legal description and evidence of current fee ownership (e.g. a copy of the current seller's recorded deed or a valid title commitment confirming seller's ownership).**
2. The expiration of any purchase/option agreement must not occur until at least **90 days** after the deadline for submitting the **final** application. (Note: not the threshold deadline).

Eligible Types of Site Control:

- (i.) A valid contract/option to purchase the land (and building(s), if any) with the legal description clearly identified between the seller (who must be the current fee owner) & the owner, its general partner or an affiliated entity.
- (ii.) Executed disposition and development agreement with a public agency with the legal description clearly identified. (Example: city owns the land (and building(s), if any) and has a transfer agreement with the Owner).
- (iii.) Signed long-term land lease with the legal description clearly identified (with a minimum term of 50 years) in a form acceptable to NIFA/NDED with evidence that the lessor owns the land. Provide proof of underlying ownership. **(An agreement to enter into a lease with the above provision is also acceptable for developments located on Tribal lands or land owned by the Veterans Administration.)**
- (iv.) Recorded Warranty Deed in the name of the owner, its general partner or an affiliated entity.

EXHIBIT 105 – ZONING

1. Provide a letter from the appropriate local governmental body dated within one (1) year of the final application deadline indicating the development's status in relation to local zoning requirements for the proposed number and type of units. Please use the form letter included as Exhibit 105 in the Exhibit Examples.

- (i.) Development meets all local zoning requirements, including the proposed number and type of units.
- (ii.) If the development is not subjected to municipal zoning ordinances, then the owner must supply NIFA/NDED with written documentation from the appropriate local governmental official, stating the proposed development can be built per the current governing land use regulations, subject only to review of final plans and specifications.
- (iii.) If the development is currently a legal nonconforming use, as per zoning regulations, then the owner must have the zoning administrator's explicit evaluation that a conditional use permit or final approval can be obtained within **180 days** of the LIHTC and AHTC Conditional Reservation.

EXHIBIT 106 – UTILITIES

1. Provide a signed and dated letter from the appropriate local utility provider(s) dated within one (1) year of the final application deadline indicating that applicable utilities are or will be **available and adequate** or, if not adequate, provide a list of possible required improvements to serve the development (water, sewer, electric, gas, as applicable).
2. For rehabilitation developments (including developments proposing both new construction and rehabilitation):

NIFA/NDED will also require written confirmation from the development's engineer or architect that either the existing utilities require no upgrades, or that upgrades are required with an explanation detailing the nature and extent of necessary upgrades as appropriate.

EXHIBIT 107 – SUBSIDIES/PUBLIC FUNDS

1. Provide copies of all relevant documents, including the amount and terms of any committed funds. If multiple funding sources (i.e. FHLB, TIF, local jurisdiction funds) are included in the development, NIFA/NDED will score based upon the resource that has the least level of readiness and commitment. All documentation must be dated within one (1) year of the -final application deadline. NIFA/NDED reserve the right to adjust the HOME/CDBG-DR/HTF Funds request as needed.
2. If applying for ~~HOME/CDBG-DR/HTF~~ funds, provide a commitment letter from an alternative funding source that meets the above requirements in the event that the development does not receive ~~HOME/CDBG-DR/HTF~~ funds. Please note, the development will not be eligible for a conditional reservation of LIHTC/AHTC if ~~HOME/CDBG-DR/HTF~~ funds are not awarded unless an alternative commitment letter is provided.
3. Any development that has a financing gap, due to the non-award of another source of funding, including NDED funding sources, that is greater than \$500,000 will not be eligible for a conditional reservation of LIHTC and AHTC.
 - (i.) No subsidies/public funds are anticipated for the development other than NDED ~~HOME/CDBG-DR/HTF~~ funds, LIHTC, and/or AHTC.
 - (ii.) All anticipated subsidies/public funds are evidenced by firm commitments or awards (in the case of historic rehabilitation tax credits, a fully executed Part I or evidence that the development is listed on the National Historic Register).
 - (iii.) All anticipated subsidies/public funds have been properly applied for, and an acknowledgement letter has been provided by the subsidy provider(s).
 - (iv.) All anticipated subsidies/public funds have been discussed with all proper authorities, and such discussions have been acknowledged in writing by all subsidy provider(s).

EXHIBIT 108 – INVESTOR INTEREST/COMMITMENT FORM

Attach and label as Exhibit 108, the Investor Interest/Commitment Form.

NOTE: The form must not expire until at least 180 days after the deadline for submitting the final application, and an executed syndication agreement will be required within 90 days of the date of the conditional reservation.

- (i) Firm commitment & pricing (note: if range of pricing, it must be no larger than \$0.05) from investor that confirms/acknowledges the development's operating assumptions, projections and financial proforma and is accepted via signature by owner/developer for the entire amount of LIHTC requested.
- (ii) A letter of interest and pricing (note: if range of pricing, it must be no larger than \$0.05) from an investor that confirms/acknowledges the development's operating assumptions, projections and financial proforma.

EXHIBIT 109 – CONSTRUCTION / INTERIM FINANCING FORM

1. Attach and label as Exhibit 109, the Construction/Interim Financing Form. Construction/interim financing must cover all financing needs not covered by equity contributions, grants, permanent financing or other funding sources; and be adequate to complete construction.
2. Documentation must be dated within one year of the applicable final deadline.
 - (i) Completed Construction/Interim Financing Form verifying for the entire construction/acquisition/rehabilitation financing amount, binding upon the lender(s) for at least 180 days after the application is submitted for the final application deadline.
 - (ii) The applicant intends to finance all of the construction/rehabilitation costs from its own resources. To qualify for these points, the applicant must provide a third-party verification that such resources are (A) available and (B) committed solely to finance the development.

EXHIBIT 110 – PERMANENT FINANCING FORM

1. Attach and label as Exhibit 110, the Permanent Financing Form. Permanent financing must cover all financing needs not covered by equity contributions, grants or other funding sources; and must be adequate to achieve the minimum debt service coverage ratio required by NIFA/NDED, the lender and syndicator.
2. Documentation must be dated within one year of the applicable final deadline.
 - (i.) Completed Permanent Financing Form indicating a commitment, for the entire permanent financing amount, binding upon the lender(s) for at least 180 days after the application is submitted for the final application deadline accepted via signature by owner/developer.
 - (ii.) The applicant intends to finance all of the development costs from its own resources. To qualify for these points, the applicant must provide a third-party verification that such resources are (A) available and (B) committed solely to finance the development.
 - (iii.) The development does not require any permanent financing.
 - (iv.) Completed Permanent Financing Commitment Form indicating interest in financing the entire permanent financing amount.

EXHIBIT 111 – DEVELOPMENT WORKSHEETS (UNDERWRITING CRITERIA)

1. The Development Worksheets for Exhibit 111 can be found in the Exhibit Examples.

The Development Worksheets must demonstrate that the development will be financially viable for a minimum of 15 years, 20 years if requesting HOME funds or 30 years if requesting National Housing Trust Funds (HTF). **A copy of the Exhibit 111 must be uploaded to the online funding application as Exhibit 111. Please upload in Excel file format (not a pdf).** NIFA and/or NDED reserves the right to adjust the Development Worksheets to reflect economic and/or market conditions as they deem appropriate.

The square footage of each unit should not include the following: garages, storage areas (as described in the Amenities Section of the application), and unfinished basement or storm shelters. It should reflect the residential finished living space.

If selecting to provide a storm shelter that also will serve as a bathroom or bedroom closet, the architect must certify that such space qualifies as a storm shelter. If such space qualifies as a storm shelter the square footage can be included in the residential living square footage of the unit.

2. The Development Worksheets must meet the following minimum underwriting guidelines:

Minimum Underwriting Guidelines		
	LIHTC Only	LIHTC with HOME/CDBG-DR/HTF*
Replacement Reserves (per unit, per year)	\$250	\$350
Operating Reserves (debt service + operating expenses)	Consult lender(s) & syndicator	8 months
Vacancy Rate	7%	7%
Revenue Escalator (maximum allowed)	2%	2%
Expense Escalator (minimum required)	3%	3%
Minimum Debt Service Coverage Ratio	1.15	1.15

~~*Note: Must meet HOME/HTF Maximum Per Unit Subsidy Limits and Cost Allocation limits to qualify for HOME/HTF funds. Projects with HOME/HTF will need to complete the Cost Allocation spreadsheet and submit to DED prior to the Threshold deadline if the applicant is submitting for the Threshold review, or prior to the Final Application deadline, if not submitting at for the Threshold review.~~

3. During the first full year of operations, the development must achieve a debt service coverage ratio of:

(i.) 1.20 or higher

(ii.) No permanent hard debt service

(iii.) Between 1.15 and 1.19

EXHIBIT 112 – MARKET STUDY

1. IRC Section 42 requires a comprehensive market study of the housing needs within the community in which the development will be located. A description of information required to be included in the market study is set forth in the Exhibit Examples labeled Exhibit 112.
2. Documentation must be dated within one year of the applicable final deadline.
3. ~~HOME, CDBG-DR and HTF applicants~~ – Market study must support the absorption of units within 18 months of ~~project completion of the development.~~

EXHIBIT 113 – PRE-NOTIFICATION OF LOCAL JURISDICTION

1. Provide a copy of the letter(s) or email submitted to the chief executive officer (i.e. Mayor) for each applicable local jurisdiction. The letter/email must **be current (dated no earlier than one (1) year prior to the current round final application deadline)** and describe the following characteristics of the development: a) the development's configuration (i.e. number of units, bedroom types); b) density; c) planned use; d) intent to apply for LIHTC and AHTC.
2. Provide a confirmation of receipt, for each pre-notification. Confirmation can be evidenced by either certified mail receipt, overnight mail receipt or a confirmation letter/email from the appropriate official's office.
3. Documentation must be dated within one (1) year of the final application deadline.

EXHIBIT 114 – CAPITAL NEEDS ASSESSMENT

1. If the development involves the rehabilitation or adaptive reuse of an existing building(s), the application must include a capital needs assessment ("CNA") for the building(s). A description of information required to be included in the CNA is set forth in the Exhibit Examples.
2. If the development does not involve rehabilitation of an existing building(s), a CNA is not required.
3. Documentation must be dated within one (1) year of the ~~final~~ application deadline.

<u>EXHIBIT 115 – TEN YEAR RULE/APPRAISAL</u> 1. If the development involves the acquisition of an existing building(s), provide a legal opinion from an attorney that the Ten Year Rule requirements will be or have been met or that the acquisition of the existing building is exempt from the Ten Year Rule. An example of the form of legal opinion is located in the Exhibit Examples. 2. Provide a copy of the current appraisal from an unrelated third party. 3. If the applicant is not requesting acquisition LIHTC in connection with the development, a legal opinion is not required. 4. Documentation must be dated within one (1) year of the final application deadline.	
<u>EXHIBIT 116 – AHTC INVESTOR INTEREST/COMMITMENT FORM (if applicable)</u> Attach and label as Exhibit 116, the AHTC Investor Interest/Commitment Form. NOTE: The form must not expire until at least 180 days after the deadline for submitting the final application, and an executed syndication agreement will be required within 90 days of the date of the conditional reservation.	
(i) Firm commitment &and equity pricing \$0.60 or greater from investor that confirms/acknowledges the development’s operating assumptions, projections and financial pro forma and is accepted via signature by owner/developer for the entire amount of AHTC requested.	
(ii) A letter of interest or commitment and pricing of less than \$0.60 (note: if range of pricing, the range must be no larger than \$0.05) from an investor that confirms/acknowledges the development’s operating assumptions, projections and financial pro forma.	

ALL APPLICATIONS MUST SCORE IN EACH OF THE ABOVE MEET THRESHOLD CRITERIA TO RECEIVE FURTHER CONSIDERATION BY NIFA AND/OR NDED.

G. DESCRIPTION OF NIFA / NDED SCORED CRITERIA

Targeting Gross Rents to Lower Levels

- Up to five (5) points may be awarded based upon the depth of the targeted gross rent levels for the development.
- Three (3) points will be awarded if at least 10% of the total units in the development have a targeted gross rent level that is affordable to households whose income level is at or below 40% of the applicable AMI.
- Two (2) points will be awarded if at least 40% of the total units in the development have a targeted gross rent level that is affordable to households whose income level is at or below 50% of the applicable AMI. These units shall be in addition to any units selected at 40% AMI or less.
- -NOTE: Applicants must agree to have the development rents bound by the targeting commitments as set forth in the application for the duration of the 15-year compliance period, which will be incorporated in the LURA. Information regarding Targeting Gross Rents for the previous year is available on NIFA's website at www.nifa.org.

Points
Available:
Up to 5

Efficient Housing Production

- The development represents an efficient production of housing. Up to six (6) points will be awarded when comparing current applicants, in a measure of the quality of effort made to minimize development costs, and leverage funding sources in the production of affordable housing. Applications will be separated by development type (new construction vs rehabilitation) within each set-aside. If there are not at least four applications proposing rehabilitation developments, the measurements from the previous year(s) shall be used. ~~Total Development costs minus land~~ Adjusted eligible basis will be used for cost per unit (up to two (2) points); ~~and adjusted eligible basis~~ cost per residential finished square foot (not including garages, unfinished basements and storage areas) (up to two (2) points) and ~~LIHTC per occupant~~ (up to two (2) points) will be ~~based on adjusted eligible basis and need to be~~ LIHTC per occupant within reasonable limits as compared to local and national standards (NOTE: If requesting a basis boost, the basis boost for QCT's, DDA's, and non QCT's will have an impact on the scoring of LIHTC per occupant in this category.)

Points
Available:
Up to 6

Effective Use of HOME/CDBG-DR/HTF Funds (for developments applying for HOME/CDBG-DR/HTF funds)

Prior to the scoring team meeting, NDED will independently evaluate each of the applications, which include a request for State HOME/CDBG-DR/HTF funds. This evaluation will be based upon the information contained in the joint NIFA/NDED application in order to ensure that the following items are satisfied:

- Site plans have been prepared which are appropriate for the development and development's location;
- Applicant has obtained appropriate site control;
- All subsidies needed for the development are in place or applicant has provided sufficient documentation that all subsidies are obtainable;
- A syndicator has provided a firm commitment to the applicant for the development which includes firm pricing with a range no greater than \$0.05;
- Construction financing has been secured for the development;
- Permanent financing has been secured for the development (if permanent financing is required);
- The Development Worksheets submitted by the applicant evidence that the financing terms and debt service coverage will provide for long term sustainability of the development; and
- The request for HOME/CDBG-DR/HTF funds does not exceed 25% of the total development costs.
- Efficient Housing Production for HOME/CDBG-DR/HTF Funds will be evaluated by cost per unit, cost per residential finished square foot (not including garages, unfinished basements, and storage areas), and HOME/CDBG/DR/HTF per occupant.
- Each project will be evaluated in accordance to 24 CFR 92.250.

Evaluated
by NDED

NDED will work with and notify applicants prior to the final application due date as to whether or not NDED has approved the site selected for the development and whether or not NDED is committed to funding a development if that development receives a LIHTC allocation. During the scoring process, NDED will provide

the scoring team with a list of the developments that NDED is prepared to fund based on the above-mentioned criteria. NDED will fund developments requesting HOME/CDBG-DR/HTF funds based on the final ranking made by the scoring team and approved by the NIFA Board until the balance of HOME/CDBG-DR/HTF funds are allocated. NDED reserves the right to reduce HOME/CDBG-DR/HTF funding to a maximum of \$500,000, regardless of ranking. If applying for HOME/CDBG-DR/HTF funds, it is required that you provide a commitment letter from an alternative source for the balance above the \$500,000 in the event that the development does not receive the full amount requested for HOME/CDBG-DR/HTF. If NDED is unable to fund a development in its entirety (with the total HOME/CDBG-DR/HTF request applied for within this LIHTC Application) and there is no documented source of alternative funding, NDED will not recommend that development for a HOME/CDBG-DR/HTF allocation and it will be the responsibility of the Applicant to secure additional funds for the development. NDED reserves the right to not fund applications based on the status of other federal and state funding sources, including those involved in the development and any conditional reservation of funds, regardless of ranking.

Natural Disaster Designation

Two (2) points will be awarded to developments, located or to be located in a county that is included in DR-4420 or that at any time during the prior three (3) years, has been designated as natural disaster area pursuant to a Presidential Disaster Declaration, and with respect to which NIFA has determined (using available information, including information from partner organizations (e.g. FEMA)) that there is a significant loss of housing as a result of such natural disaster. The list of eligible counties is as follows:

Antelope	Boone	Boyd
Buffalo	Burt	Butler
Cass	Colfax	Cuming
Custer	Dawson	*Dodge
*Douglas	Hall	Holt
Howard	Knox	Madison
Nance	Nemaha	Pierce
Platte	Richardson	Saline
Santee Reservation	*Sarp	Saunders
Stanton	Thurston	Washington

Points
Available:
0, 2 or 3

***Counties included in the HUD-defined MID area**

OR

Three (3) points will be awarded to housing developments, located or to be located in a community that is included in DR-4420 or that at any time during the prior three (3) years, has been designated as natural disaster area pursuant to a Presidential Disaster Declaration, and with respect to which NIFA has determined (using available information, including information from partner organizations (e.g. FEMA)) that there is a significant loss of housing as a result of such natural disaster. The list of eligible communities is as follows:

Fremont	Gretna	Inglewood
La Vista	Papillion	Waterloo
Valley	Springfield	Bellevue

Developments will only receive points in one of these categories (not both). Amounts requested or allocated from CDBG-DR funds under the program guidelines will be further governed and/or limited by HUD program overlays.

H. FINAL RANKING

1. NIFA/NDED will rank each application according to the total number of points awarded in each of the -Other and NIFA scored criteria.
2. After evaluating and scoring all applications received for each application acceptance round, NIFA/NDED will consider the following factors in determining which development will receive a LIHTC reservation if there is a tie between applications. ~~(NOTE: In the event that more than one development in the CRANE program rises to a category one in the same month and the CRANE program does not have sufficient LIHTC and AHTC to fund such CRANE developments, the following factors will determine which development will receive a LIHTC reservation.)~~
 - (a) consideration given to meeting the established set-asides;
 - ~~(a)(b)~~ which application demonstrates readiness to proceed with the development, specifically meeting all zoning requirements or building permits being issued;
 - ~~(b)(c)~~ which serves the lowest income tenants;
 - ~~(c)(d)~~ which obligates the owner to serve qualified tenants for the longest period of time;
 - ~~(d)~~ which application demonstrates the highest readiness to proceed with the development;
 - (e) which provides the most efficient usage of the LIHTC on a per-unit basis; and
 - (f) which is located in a QCT and contributes to a concerted community revitalized plan.

OVERVIEW OF RANKING PROCESS – CONSIDERATIONS

1. NIFA may disqualify applications from applicants who have previously failed to place into service developments which received a Carryover Allocation or who have not fulfilled ~~its~~their obligation of any previously issued LIHTC ~~commitment notice~~Conditional Reservation.
2. NIFA shall award LIHTC and AHTC only in the amount needed based on the review of the development. The award of LIHTC and AHTC or the determination of any allocation amount in no way represents or purports to warrant the feasibility or viability of the development by NIFA. NIFA will, from time to time, set a maximum amount of LIHTC and AHTC that can be allocated to a development in an amount, which it deems appropriate, given the demand for LIHTC and AHTC and the relative proposed costs of currently competing development applications. No member, officer, agent or employee of NIFA shall be personally liable concerning any matters arising out of, or in relation to, the allocation of the LIHTC and AHTC.

NOTE: Should the Nebraska Department of Revenue, IRS or the Department of the Treasury release rulings, notices or regulations that modify or change any of the information of this application, these rulings, notices or regulations will take precedence over the QAP and application. Copies of applications submitted pursuant to the QAP (which includes applications for 9% LIHTC, AHTC, 4% LIHTC and CRANE) will be made available by NIFA to the public (other than during the active review process) upon written request. Additionally, NIFA will post the scores for applications at www.nifa.org.

By submission of an application pursuant to the QAP, the applicant acknowledges and agrees to such publication of its application and related information.