

COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

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Building and Safety
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May 24, 2022

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Funding for affordable housing: Local Housing Trust Fund Grant Application and Housing Trust Fund awards

Dear Board Members:

RECOMMENDATIONS:

1. Adopt resolution authorizing the Community Development Agency to apply for and accept Local Housing Trust Fund (LHTF) grant funding from the State Department of Housing and Community Development (HCD) (Attachment 1).
2. Adopt resolution approving allocation of Marin County Affordable Housing Trust Fund in the amount of \$3,238,500 to affordable housing projects as described below (Attachment 2).

SUMMARY:

The application for LHTF is competitive; existing Housing Trust Funds, like Marin County's Affordable Housing Trust Fund (HTF), can apply for a maximum of \$5,000,000 and funds must be matched dollar for dollar with local funds.

Applications meeting the following criteria will receive a higher score:

- Rental housing that serves households at or below 60% of median income
- 30% of the units serve extremely low-income households
- Projects which have applied for and received a funding commitment from the local jurisdiction
- Can demonstrate an on-going local source of funding for affordable housing

The HTF has received the following funding applications which have a funding gap, would be eligible and competitive, and are being recommended for HTF and LHTF awards, including:

- 1 Hamilton Dr, Mill Valley - 45 units of housing for lower income families - \$500,000
- 825 Drake Ave, Marin City – 74 units of housing for lower income families - \$1,850,000
- 31 Wharf Road, Bolinas – 9 units of housing for lower income families - \$395,500
- 100 Commodore Webster Drive, Point Reyes Station – 50 units of housing for lower income households - \$147,000
- 826 State Access Road, Novato – 24 units of permanent supportive housing and 26 units of housing lower income households - \$253,500

- 3301 Kerner Blvd, San Rafael – 40 units of permanent supportive housing - \$92,500

To be competitive for the LHTF funds the County must make a commitment to these projects before the application is submitted. The HTF awards would be contingent on receiving the LHTF award. A detailed description of each of these projects is included in Attachment 3. The ultimate approval of projects will be contingent upon successful completion of environmental review under the California Environmental Quality Act (CEQA).

DISCUSSION:

HCD released approximately \$57 million in funds for the Local Housing Trust Fund (LHTF) Program. The funding is provided by the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1). This funding provides Matching Grants to Local Housing Trust Funds established by cities and counties, Native American Tribes and incorporated 501(c)(3) nonprofit organizations. Eligible activities include construction loans and/or permanent financing loans to pay for predevelopment costs, acquisition costs, and other costs associated with the development or rehabilitation of Affordable Rental Housing projects, or Emergency Shelters, Transitional Housing, Permanent Supportive Housing, and Affordable homebuyer/homeowner projects, including assistance to income-eligible households to purchase or rehabilitate for-sale housing units. Funds may also be used for the construction, conversion, repair, and rehabilitation of Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs). The Notice of Funding Availability is available on the following webpage: <https://www.hcd.ca.gov/docs/grants-and-funding/lhtf-2022-nofa.pdf>

The Marin County Affordable Housing Trust Fund (HTF) was created to increase the stock of permanently affordable homes in the County. The HTF provides a local funding source for financial and technical assistance to help non-profit affordable housing developers and local public agencies produce and preserve affordable housing for low, very low and extremely low-income households in Marin County. Projects anywhere in the County are eligible to apply for funding; however, projects in the unincorporated areas are given priority over projects located within cities and towns. HTF monies are intended to advance the values of a balanced community, by providing support for a variety of housing types available for households at a range of income levels. The proposed grant for these developments meets the guidelines for the County's Affordable Housing Trust Fund, would provide healthy and affordable homes to 242 families in Marin, and furthers a number of Countywide Plan goals including the following:

HS-3.1 House Local Workers. Strive to provide an adequate supply and variety of housing opportunities to meet the needs of Marin County's workforce and their families, striving to match housing types and affordability with household income.

HS-3.5 Maintain Population Diversity. Maintain a diversity of age, social, and economic backgrounds among residents throughout Marin County by matching housing size, types, tenure, and affordability to household needs.

The County has a rolling application process for HTF to allow projects to apply for funds throughout the year. The projects described above have applied for

funding and have funding gaps. Staff have evaluated these projects, using the criteria described in Attachment 4. The applications for these projects are available for review on the following webpage:

<https://www.marincounty.org/depts/cd/divisions/housing/affordable-housing>

Staff recommends making a funding commitment to these projects. If awarded the LHTF awards, staff would bring the loan agreements back to your Board for review.

EQUITY IMPACT:

The Marin County Affordable Housing Trust Fund was created to increase the stock of permanently affordable housing units in the County. The Affordable Housing Trust Fund provides a local funding source for financial and technical assistance to help affordable housing developers produce and preserve affordable housing. These funds allow the County to leverage additional State and Federal funding, like the Local Housing Trust Program (LHTF).

The projects detailed in the report above will help provide critical affordable housing in the community. Based on the latest Point-in-Time (PIT) count conducted by the County’s Health and Human Services in 2021, housing insecurity disproportionately impacts people of color. Additionally, historic housing policies and programs have contributed to a greater proportion of renter households that identify as non-White.

FISCAL/STAFFING IMPACT:

The recommended actions do not impact the General Fund net county costs, as the proposed expenditures will be offset by grant revenue. The Community Development Agency will work with the CAO to adjust the FY 2022-23 budget accordingly once grant funds are received.

REVIEWED BY:

- | | |
|---|---|
| <input checked="" type="checkbox"/> County Administrator’s Office | <input type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Department of Finance | <input checked="" type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully Submitted,



Aline Tanielian
Planner



Leelee Thomas
Deputy Director

Attachments:

1. Resolution to Apply for and Accept LHTF Funds
2. Resolution approving HTF awards
3. Description of proposed projects
4. HTF funding evaluation criteria
5. LHTF application template

RESOLUTION NO. 2022-_____
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
AUTHORIZING RESOLUTION

[All, or A necessary quorum and majority] of the **Supervisors of Marin County** (“Applicant”) hereby consents to, adopts and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$57 million under the Local Housing Trust Fund (“LHTF”) Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) (“Program”); and
- B. WHEREAS the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 04/30/2020 under the LHTF Program; and
- C. WHEREAS Applicant is an eligible Local or Regional Housing Trust Fund applying to the Program to administer one or more eligible activities using Program Funds; and
- D. WHEREAS the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of H&S Code Section 50842.2, the LHTF Program Guidelines, NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients.

NOW THEREFORE BE IT RESOLVED THAT:

- 1. If Applicant receives an award of LHTF funds from the Department pursuant to the above referenced LHTF NOFA, it represents and certifies that it will use all such funds on Eligible Projects in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules and laws regarding the LHTF Program, as well as any and all contracts Applicant may have with the Department (“Eligible Project”).
- 2. NOW, THEREFORE, IT IS RESOLVED: That the Local Housing Trust is hereby authorized to act as the trustee in connection with the Department's funds to Eligible Projects pursuant to the above-described Notice of Funding Availability in an amount not to exceed \$3,238,500 (the "LHTF Award").
- 3. Applicant hereby agrees to match on a dollar for dollar basis the LHTF Award pursuant to Guidelines Section 104. Applicant hereby agrees to utilize matching funds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c).
- 4. Pursuant to Attachment 1 and the Applicant's certification in this resolution, the LHTF funds will be expended only for Eligible Projects and consistent with all program requirements.
- 5. Nonprofit Housing Trust Funds and Native American Tribe Housing Trust Funds agree to use Program Funds only for Eligible Projects located in cities and counties that submitted an adopted Housing Element that was found by the Department to be in compliance and that have submitted their Housing Element Annual Progress Report (APR) for the current year or prior year by the application due date.

6. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, H&S Section 50842.2 and LHTF Program Guidelines.

7. **The Community Development Agency Director or his designee** is/are authorized to execute the LHTF Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ___th day of _____ 2022, by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK

Attachment 1

The total Program Funds Marin County is requesting for the Local Housing Trust Fund (LHTF) is \$3,238,500 with \$3,238,500 in Matching Funds from the Marin County Affordable Housing Trust Fund.

Fifteen percent of the Program Funds and Matching Funds are allocated for the affordable housing project located at 1 Hamilton Drive in Mill Valley, and all units funded will be at or below 60% Area Median Income (AMI), with 20% of the units at or below 30% AMI. This project is located within the City of Mill Valley.

Fifty-seven percent of the Program Funds and Matching Funds are allocated to the affordable housing project located at 825 Drake Avenue in Marin City, and all units funded will be at or below 60% AMI, with 33% of the units at or below 30% AMI. This project is located in unincorporated Marin County.

Twelve percent of the Program Funds and Matching Funds are allocated to the affordable housing project located at 31 Wharf Road in Bolinas, and all units funded will be at or below 60% AMI. This project is located in unincorporated Marin County.

Five percent of the Program Funds and Matching Funds are allocated for the affordable housing project located at 100 Commodore Webster Drive in Point Reyes Station, and all units funded will be at or below 60% Area Median Income (AMI). This project is located in unincorporated Marin County.

Eight percent of the Program Funds and Matching Funds are allocated for the affordable housing project located at 826 State Access Road in Novato, and all funded units will be at or below 30% AMI. This project is located within the City of Novato.

Three percent of the Program Funds and Matching Funds are allocated to the permanent supportive housing project located at 3301 Kerner Boulevard in San Rafael, and all units funded will be at or below 30% AMI. This project is located within the City of San Rafael.

In total, 33% of the Program Funds and Matching Funds are allocated to units at or below 30% AMI.

RESOLUTION NO. 2022-_____
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS

WHEREAS, the California Department of Housing and Community Development (HCD) is authorized to provide up to \$57 million under the Local Housing Trust Fund (LHTF) Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 *SB3); and

WHEREAS, in April 2022, HCD released the LHTF Program Notice of Funding Availability (NOFA) for ongoing local government provision of housing financing; and

WHEREAS, the County is an eligible Local government applying for the program to administer one or more eligible activities; and

WHEREAS, the County agrees to utilize matching funds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c).

WHEREAS, the County reviewed the submitted applications in accordance with the required selection process for applications for the Marin County Housing Trust Fund (HTF); and

WHEREAS, the allocation of HTF funds for each project will be contingent upon successful completion of environmental review under the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$500,000 from Marin County's Affordable Housing Fund to EAH Housing for affordable housing predevelopment located at 1 Hamilton Drive, Mill Valley, contingent upon award of LHTF funds.

BE IT FURTHER RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$1,850,000 from Marin County's Affordable Housing Fund to Pacific West Communities, Inc. for affordable housing development located at 825 Drake Avenue, Marin City, contingent upon award of LHTF funds.

BE IT FURTHER RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$395,500 from Marin County's Affordable Housing Fund to Bolinas Community Land Trust (BCLT) for affordable housing construction located at 31 Wharf Road, Bolinas, contingent upon award of LHTF funds.

BE IT FURTHER RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$147,000 from Marin County's Affordable Housing Fund to Eden Housing for affordable housing predevelopment located at 100 Webster Drive, Point Reyes Station, contingent upon award of LHTF funds.

BE IT FURTHER RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$253,500 from Marin County's Affordable Housing Fund to Homeward Bound of Marin for affordable housing construction located at 826 State Access Road, Novato contingent upon award of LHTF funds.

BE IT FURTHER RESOLVED that the Marin County Board of Supervisors hereby approves a loan in the amount of \$92,500 from Marin County's Affordable Housing Fund to Eden Housing for affordable housing predevelopment located at 3301 Kerner Boulevard, San Rafael, contingent upon award of LHTF funds.

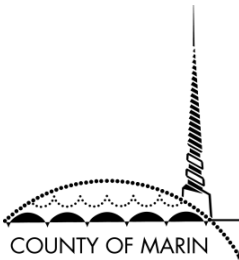
PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this ___th day of _____ 2022, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

CLERK



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Attachment 3 —Project Summaries

EAH – 1 Hamilton Dr, City of Mill Valley

EAH, a nonprofit affordable housing organization committed to expanding the range of opportunities for all by developing and managing quality affordable housing, requests funding to support the development of a 45-unit affordable residential complex on land owned by the City of Mill Valley. The request would go toward predevelopment expenses (architecture/engineering, feasibility analysis). If awarded, the County will require long term deed restrictions, tenant protections and affirmative marketing.

Pacific West Communities, Inc. – 825 Drake Avenue, Marin City (unincorporated)

Pacific West Communities, Inc., a real estate development and finance firm specializing in the construction and rehabilitation of affordable workforce, permanent supportive housing, and senior housing throughout the western United States, requests funding to support the development of a 74-unit affordable residential complex in Marin City that will consist of 26 one-bedroom apartments, 40 two-bedroom apartments, and 8 three-bedroom apartments. The project will also include several common areas and community spaces. The request would go toward gap financing. The developer intends to work with Marin Housing Authority to provide housing to assist with the renovation of Golden Gate Village. If awarded, the County will require long term deed restrictions, tenant protections, affirmative marketing, and a local hire requirement.

Bolinas Community Land Trust – 31 Wharf Road, Bolinas (unincorporated)

Bolinas Community Land Trust, a nonprofit community land trust committed to creation and preservation of affordable housing for low-income residents, requests funding to support construction of a mixed-use project providing nine (9) two- and three-bedroom affordable apartments and one small commercial space. The request would go toward general development expenses. If awarded, the County will require long term deed restrictions, tenant protections and affirmative marketing.

Eden Housing, Inc. – 100 Commodore Webster Drive, Point Reyes Station (unincorporated)

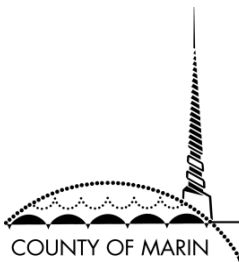
Eden Housing, a nonprofit affordable housing developer committed to developing, acquiring, or rehabilitating affordable homes, requests funding to support the rehabilitation of 50 units of affordable housing, including a set aside for farm workers, in Point Reyes Station, located on the former Point Reyes Station Coast Guard housing site. Eden Housing is partnering with the Community Land Trust Association of West Marin (CLAM) on this project. The request would go toward predevelopment expenses (architecture/ engineering, site due diligence). If awarded, the County will require long term deed restrictions, tenant protections and affirmative marketing.

Homeward Bound of Marin – 826 State Access Road, City of Novato

Homeward Bound of Marin, a nonprofit homeless housing and service provider committed to ending homelessness, requests funding to support construction and site improvements for 50 veterans and workforce rental housing units at the Novato Veterans & Workforce Housing development. The request would go directly toward construction costs. If awarded, the County will require long term deed restrictions, tenant protections and affirmative marketing.

Eden Housing – 3301 Kerner Blvd, City of San Rafael

Eden Housing, a nonprofit affordable housing developer committed to developing, acquiring, or rehabilitating affordable homes, requests funding to support the adaptive reuse of a three-story office building to permanent supportive housing for those experiencing homelessness through Project Homekey. The request would be applied as gap financing. If awarded, the County will require long term deed restrictions and tenant protections.



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DIRECTOR

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Marin County Housing Trust Fund

Program & Loan Guidelines, Underwriting Standards & Procedures

Introduction

This document summarizes the Loan Guidelines and Underwriting Process for the Marin County Housing Trust Fund (HTF). Its purpose is to outline our current processes for prospective applicants. The Program and Loan Guidelines describes qualifying projects and the application process. The Underwriting Guidelines describe how projects are reviewed and evaluated and the underwriting standards associated with the guidelines.

The process and guidelines described in this document are driven by the mission and general principles of the HTF. The HTF was created to increase the stock of permanently affordable housing units in the County. The HTF provides a local funding source for financial and technical assistance to help affordable housing developers produce and preserve affordable housing. HTF monies should advance the values of a balanced community, by providing support for a variety of housing types available for households at a range of income levels. The HTF should be used to increase the stock of homes affordable to low and very-low income families and individuals, local workers and people with special needs, by leveraging local, State and Federal assistance to the fullest extent possible.

Program & Loan Guidelines

The program and loan guidelines below are meant to clearly outline eligible HTF projects, application review process, and broad guidelines for loans.

Qualifying Projects

Housing Trust funds are available, but not limited to, the following type of projects:

- Rental housing that meet the affordability requirements of these guidelines
- SRO (single-room occupancy) projects
- Agricultural worker housing
- Supportive and transitional housing
- The residential portions of mixed-use and live/work projects that meet the affordability requirements of these guidelines
- The affordable portions of Housing Overlay Designation developments which meet the affordability guidelines
- Conversion of market-rate housing to affordable, or of non-residential buildings to affordable housing

- Single-family or multi-family homeownership projects that meet affordability guidelines
- Any other project that meets the goals and priorities of the HTF.

Eligible Applicants

The following organizations are eligible to apply for Housing Trust monies:

- Non-profit organizations, qualified as a 501(c)(3) of the Internal Revenue Code,
- Public agencies

Priorities

The Housing Trust will prioritize projects that:

- Produce rental housing
- Are located in the unincorporated portions of the county
- Provide affordability restrictions in-perpetuity; rentals restricted for a minimum of 55 years and ownership for a minimum of 30 years
- Leverage other funding to the maximum extent feasible

Loan Terms

Housing Trust Fund monies are generally available in the form of a loan. Loan length and terms will vary by project to meet the needs of the project, availability of financing, financing method, development configuration and organizational capacity of the applicant, as determined by staff and the Board of Supervisors. Loans can be due at maturity or paid in installments with payback ranging from as little as 3 months to 55 years.

Funding Amount

The Housing Trust typically funds approximately \$50,000 per unit depending on funds available, type of project, level of affordability and term of affordability restriction.

Funded Activities/Activities Eligible for Funding

Typically, the HTF funds any cost associated with the new construction, acquisition or rehabilitation of housing for low and very low income families.

The Housing Trust may provide funding for the following types of activities:

- Seed/Catalyst funds for very early costs to initiate or expedite project development (such as feasibility analysis or community planning)
- Land or property acquisition for new development
- Predevelopment (architecture, engineering/soils, environmental reports, financial consultants, etc.)
- Construction (site preparation, construction, materials)
- Rehabilitation activities to renovate existing rental units or
- Conversion of market rate housing, or non-residential buildings, to deed restricted affordable housing

- Any other activity that helps to address program goals and priorities of increasing affordable housing as reflected by ordinances and resolutions established by the Board of Supervisors.

Application Process

Unless stipulated in a separate Notice of Funding Availability (NOFA), applications for the HTF are done on a rolling basis. Once the application is submitted, the review team including members of the Housing and Federal Grants Division of the Community Development Agency, local jurisdictions, and other County employees will evaluate the project within 30 days. If the project is feasible based on the program and loan guidelines and underwriting procedures, it will be presented at a regular meeting of the Marin County Board of Supervisors. Typically, staff recommend funding options to the Board and they confirm or modify the recommendation.

Underwriting Standards & Procedures

The HTF underwriting process evaluates whether the project meets eligibility and program requirements, the development is viable, whether the applicant has the ability to perform, and if the loan should be recommended for approval. A chart is included that summarizes the standards that HTF uses in underwriting applications. On a project by project basis, other underwriting standards may be considered.

The underwriting standards focus on three areas:

- A successful, complete development
- Probability of a timely loan repayment schedule
- If there is adequate loan collateral

Whenever possible, HTF relies on documents that are produced for other lenders or other purposes when underwriting a requested loan. Such documents may include: application forms for state or federal dollars, budgets and financial analyses, appraisals, environmental assessments, engineering reports, plans and specifications, market studies and financial statements.

Eligible Borrowers	Non-profit organizations, qualified as a 501(c)(3) of the Internal Revenue Code, Public agencies or any combination thereof.
Eligible Developments	Included in “qualifying projects” above
Eligible Use of Funds	Included in “activities eligible for funding” above
Income Targets	Extremely low, very low, low and moderate income households
Location of Development	Development must be located in Marin County
Collateral Required	The underlying real property of the subject development, additional collateral may be required.

Location of Collateral	Negotiable
Min/Max Loan	Varies by project
Interest Rate	Rate will be set at time of issuance of underwriting
Escrow Fee	An escrow will be required. Fees and requirements of that escrow are the responsibility of the borrower
Max. Loan to Value Ratio (LTV or CLTV)	Up to 120% (including any senior debt) depending on the specific characteristics of the development and borrower.
Maximum Loan Term	Typically, 24 to 60 months depending on the amount, purpose, project and borrower. Longer and shorter loan terms will be considered
Required Payments	Typically accrued interest is paid monthly during the term of the loan with principal due at maturity. Quarterly interest payments or an interest reserve can be considered. There is no principal early repayment penalty.
Repayment Ability	Borrower must demonstrate ability to meet Required Payment in addition to all other existing debt payments. An interest reserve or other revenues of the borrower may be used to satisfy this requirement.
Source(s) of Repayment	Must be identified and may need to be committed in writing

Waivers and Exceptions

The Marin County Board of Supervisors may, at its sole discretion, approve a loan that does not conform with all of these underwriting guidelines if approving the loan will provide significant benefits to Marin County. Each loan request is evaluated on a case by case basis and will not be compared to other applications.

Fair Housing and Discrimination

The County of Marin and the HTF is an equal opportunity lender. We affirmatively support State and Federal fair housing and anti-discrimination laws and requires our borrowers to do the same. HTF offers financing for housing that is targeted for special needs populations or for specific income groups (veterans, homeless individuals and families, youth transitioning from foster care, and farm workers). While this housing is not available for the general public, the owners and sponsors of these developments may not unlawfully discriminate based upon race, ethnicity, religion, and source of income or other factors.

Local Housing Trust Fund (LHTF) Program Application

Rev. 4/2022

2022 Notice of Funding Availability



**State of California
Governor Gavin Newsom**

**Lourdes Castro Ramirez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
Department of Housing and Community Development**

2020 West El Camino Avenue, Suite 150, Sacramento, CA 95833

Website: <https://hcd.ca.gov/local-housing-trust-fund>

Program Email: LHTF@hcd.ca.gov

NOFA Release: April 5, 2022

Project and Applicant Information

Rev. 4/2022

§101(p) "Local Housing Trust Fund" definition

§101(dd) "Regional Housing Trust Fund" definition.

§102 Eligible Applicants

Applicant Type:

Applicant Information

Applicant Name:					Organization Type:		
Address:			City:	County:	State:	CA	Zip Code:
Auth Rep Name:	Title:	Auth Rep. Email:		Phone:			
Address:			City:	State:	Zip Code:		
Contact Name:	Title:	Contact Email:		Phone:			
Address:			City:	State:	Zip Code:		

Trust Fund Information

Full Trust Fund Name:					Date Established:		
Trust Fund Address:			City:	State:	Zip Code:		
Trust Fund Type:	(a) Existing Local Housing Trust Fund (or Existing Regional Housing Trust Fund)						

(a) The minimum application request shall be \$1 million with a max request of \$5 million. Amount of LHTF Program Funds Requested

Proposed Activity Timeline - provide a timeline of implementation of your Project(s) (§101(g), (1)(2)(3)&(4))

Project Type and Activity	Name of Project	When will you issue commitments?	When will you issue a NOFA/RFQ?	When will loan closing occur?	When do you anticipate disbursement of LHTF funds?	Amount of Matching Funds designated to project:	Amount of Program Funds designated to project:

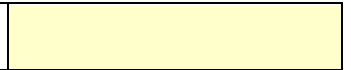
Certifications

On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I

Authorized Representative Printed Name	Title	Signature (Please Type Name)	Date
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<u>§102 Eligible Applicants</u>					<u>§103 Funding Amount Minimums and Maximums</u>	
Applicant Type:			0		(a) Existing Local Housing Trust Fund (or Existing Regional Housing Trust Fund)	
					Amount Requested:	
					\$0	
<p>(a)(1)(A) How was the Housing Trust Fund established? The Housing Trust Fund utilizes a public, or joint public and private, fund established by legislation, ordinance, resolution, or a public-private partnership, to receive specific revenue to address local housing needs. From the dropdown list please select the documentation that establishes the HTF. Please highlight the sections in your documentation that outline the requirements below.</p> <ul style="list-style-type: none"> - Language establishing the Local Housing Trust Fund - Identify the specific revenue given to the Local Housing Trust Fund - Identify the language that states the Housing Trust Fund addresses the local housing needs - NOTE: For public RHTFs only, RHTF must include Resolution or Ordinance from each Local government entity that is a member of the RHTF 						
<p>(a)(1)(B) Does the Housing Trust Fund meet the minimum Ongoing Revenue requirements? The Trust Fund is funded from Ongoing Revenues as required by the definition in §101 from Dedicated Sources of funding such as taxes, fees, loan repayments, or public or private contributions. Please see requirements in Section 101(z).</p>						
<p>(a)(2) Does the city or county have a Housing Element that was adopted by the city or county's governing body and determined by HCD to be in compliance with state Housing Element law pursuant to GC §65585?</p>						
<p>(a)(3) The city or county has submitted to HCD the Annual Progress Report required by GC Code §65400 for the current or prior year?</p>						
<p>(4) A Local Housing Trust Fund or Regional Housing Trust Fund that was created, funded, and operated by a combination of two or more cities or counties, agrees to utilize Program Funds only for Eligible Projects located in cities or counties that have, at the time of application, an adopted Housing Element meeting the requirements of subparagraph (2) above, and for which the Annual Progress Report was submitted for the current or prior year by the application deadline date, as required by subparagraph (3) above? (Should we make applicant enter in their HE compliance date and remove dropdown)?</p>						
<u>§102(d): Previous Awardees</u>						
Enter the dollar amount of Program Funds that have been committed from all previous LHTF awards (leave blank if not previously awarded)					Total Awarded	
					Total Committed	
Matching Funds Committed						
New Applicants (no previous LHTF award) provide the amount of local Matching Funds that have been committed (leave blank if previously awarded)						
<u>§104 Matching Funds Requirements</u>						
Name of Matching Funds	Select Type of Matching Fund	Specify Source of Funds	Matching Fund Amount	Required Documentation for Matching Funds		
<i>Example- Public Contribution</i>	<i>Example- Residential Local Impact Fee</i>	<i>Example- Residential local impact fees</i>	\$3,000,000	<i>Match_Fund_1</i>	<i>Uploaded to HCD?</i>	
<i>Example- Land Donation</i>	<i>Example- Public Contribution</i>	<i>Example- The public contribution will be from foreclosed land.</i>	\$5,000,000	<i>Match_Fund_2</i>	<i>Uploaded to HCD?</i>	
Total Matching Funds			\$0			
<u>Ongoing Revenue</u>						
Name of Ongoing Revenue	Select Type of Ongoing Revenue	Specify Source of Funds	Annual average amount deposited into the HTF	Required documentation for Ongoing Revenue NOTE: Executed documentation only; no drafts		
<i>Example: Loan Repayments</i>	<i>Loan Repayments</i>	<i>Developer Loan</i>	\$50,000	<i>Ongoing_Rev_1</i>	<i>Uploaded to HCD?</i>	
<i>Example: Taxes</i>	<i>Taxes</i>	<i>Residential local impact fees</i>	\$40,000	<i>Ongoing_Rev_2</i>	<i>Uploaded to HCD?</i>	
Total Ongoing Revenues			\$0			
<u>§105 Eligible Uses of Funds</u>						
105(a): How will Program Funds be used by the Grantee? Note: Please reference the 2022 LHTF NOFA (II.G.2. Rating and Ranking) for details regarding scoring						
<u>105(a)</u>	<u>105(b)</u>	<u>105(c)</u>	<u>105(d)</u>	<u>105(e)</u>	Total Program Funds accounted for:	
What is the simple interest rate for Program Funded Loan(s)	Will Program Funds be used toward administrative expenses? (5% Maximum)	Enter percentage of Program Funds designated to serving households no higher than 30% Area Median Income	Enter percentage of Program Funds designated to serving households no higher than 120% Area Median Income	Enter percentage of Program Funds designated to serving households no higher than 80% Area Median Income		
					0%	
Minimum Amount of Matching Funds		\$0	\$0	\$0		
<u>NOFA Section II(G)(1)(f) Loan Guidelines and Underwriting Standard and Procedures</u>						

Applicant has adopted the Uniform Multifamily Regulations (UMRs) as their loan guidelines, underwriting standards, and procedures.
The UMRs can be found on our website at <https://hcd.ca.gov/grants-funding/already-have-funding/uniform-multifamily-regulations/docs/uniform-multifamily-regulations-2017.pdf>



Certification & Legal Status

Legal Disclosure

For purposes of the following questions, and with the exceptions noted below, the term "applicant" shall include the applicant and joint applicant, and any subsidiary of the applicant or joint applicant if the subsidiary is involved in (for example, as a guarantor) or will be benefited by the application or the project.

In addition to each of these entities themselves, the term "applicant" shall also include the direct and indirect holders of more than ten percent (10%) of the ownership interests in the entity, as well as the officers, directors, principals and senior executives of the entity if the entity is a corporation, the general and limited partners of the entity if the entity is a partnership, and the members or managers of the entity if the entity is a limited liability company. For projects using tax-exempt bonds, it shall also include the individual who will be executing the bond purchase agreement.

The following questions must be responded to for each entity and person qualifying as an "applicant," or "joint applicant" as defined above.

Explain all positive responses on a separate sheet and include with this questionnaire in the application.

Exceptions: Public entity applicants without an ownership interest in the proposed project, including but not limited to cities, counties, and joint powers authorities with 100 or more members, are not required to respond to this questionnaire.

Members of the boards of directors of non-profit corporations, including officers of the boards, are also not required to respond. However, chief executive officers (Executive Directors, Chief Executive Officers, Presidents or their equivalent), and chief financial officers (Treasurers, Chief Financial Officers, or their equivalent) must respond.

Civil Matters

- | | |
|---|--|
| 1. Has the applicant filed a bankruptcy or receivership case or had a bankruptcy or receivership action commenced against it, defaulted on a loan or been foreclosed against in <i>past ten years</i> ? | |
| 2. Is the applicant currently a party to, or been notified that it may become a party to, any civil litigation that may materially and adversely affect (a) the financial condition of the applicant's business, or (b) the project that is the subject of the application? | |
| 3. Have there been any administrative or civil settlements, decisions, or judgments against the applicant within the past ten years that materially and adversely affected (a) the financial condition of the applicant's business, or (b) the project that is the subject of the application? | |
| 4. Is the applicant currently subject to, or been notified that it may become subject to, any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency? | |
| 5. In the past ten years, has the applicant been subject to any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency that resulted in a settlement, decision, or judgment? | |

Criminal Matters

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| 6. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, felony charges against the applicant? | |
| 7. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, misdemeanor charges against the applicant for matters relating to the conduct of the applicant's business? | |
| 8. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, criminal charges (whether felony or misdemeanor) against the applicant for any financial or fraud related crime? | |
| 9. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, that could materially affect the financial condition of the applicant's business? | |
| 10. Within the past ten years, has the applicant been convicted of any felony? | |
| 11. Within the past ten years, has the applicant been convicted of any misdemeanor related to the conduct of the applicant's business? | |
| 12. Within the past ten years, has the applicant been convicted of any misdemeanor for any financial or fraud related crime? | |

Please provide a letter of explanation if you responded "Yes" to any of the questions above.

Printed Name		Title of Signatory		Signature (Please Type Name)		Date	

LOCAL HOUSING TRUST FUND (LHTF) Document Checklist

Use this document to properly name your attachments before uploading them with your application submission.
You must confirm below that you have completed this step.

Threshold Requirement?	What You'll Name Your Document:	Document Description	Included?
§102(d) Eligible Applicants: Previous Awardees			
Yes	Award_Commitment	Previously awarded applicants only. Documentation evidencing the commitment of at least 40% of the previously awarded LHTF funds.	
Yes	LHTF_AR	Previously awarded applicants only. §106(e) Submit evidence that the most recently required LHTF Annual Report was submitted to HCD State Grants Management (e.g. include a copy of the email submission)	
New Applicants (no previous LHTF award)			
No	MF_Commitment	New Applicants only. Documentation evidencing the commitment of at least 40% of the local Matching Funds.	
Application Information			
Yes	HTF	§102(a),(b),(c): Legislation, Ordinance, Resolution, or public-private partnership agreement creating the HTF. RHTF must include Resolution or Ordinance from each Local government entity that is a member of the RHTF (public RHTFs only).	
Yes (if applicable)	OrgDoc1, OrgDoc2, etc.	§106(e) Organizational Documents (Articles of Incorporation, Bylaws, Amendments, Certificate of Good Standing, etc.)	
Yes (if applicable)	Org_Chart	§106(e) Organizational Chart	
Yes (if applicable)	Gov_TIN_Form	§106(e) Government Agency Taxpayer ID Form	
Yes (if applicable)	STD_204	§106(e) STD-204 Payee Data Record	
Yes (if applicable)	Sig_Block	501(c)(3) nonprofit corporation only §106(e) - Signature Block, upload as a Microsoft Word document	
Yes (if applicable)	Fin_Statements	501(c)(3) nonprofit corporation only §106(e) - Audited financial statements (2 years)	
Yes (if applicable)	501c3_Determination	501(c)(3) nonprofit corporation only §106(e) - IRS determination letter regarding 501(c)(3) status (this letter must address the name of the 501(c)(3), which must match the name of the HTF)	
Yes	App_Reso	§106(e) Application Resolution Note: Only one Application Resolution may be submitted and must be from the Applicant. Additionally, Attachment 1 must be an attachment to the Resolution prior to approval by the governing body and must be included with your submission.	
Yes	Guidelines_107d	§107(d) Loan guidelines and underwriting standards and procedures	
Yes (if applicable)	Cert_LOE	Letter of Explanation for any applicable items on "Certification & Legal" tab of the application	
Matching Funds and Ongoing Revenue			
Yes	Match_Fund_1, Match_Fund_2, etc.	§104 Required Documentation for Matching Funds	
Yes (if applicable)	Binding_Agreement	§104(b) Fully executed commitment letter or a fully executed contract to provide Matching Funds , specifying the source(s) of the Matching Funds, the amount of Matching Funds from each source, the date upon which the funds will be deposited into the LHTF or RHTF account, and remedies for not depositing the Matching Funds on/by that date.	
Yes	Ongoing_Rev_1, Ongoing_Rev_2, etc.	§102(a),(b),(c) Required Documentation for Ongoing Revenues	
§106 Application Scoring			
No	Readiness_1, Readiness_2, etc.	§106(f)(3) Readiness List	
No	LOI_1, LOI_2, etc.	§106(g)(1) Letter(s) of Intent	

<p>I have reviewed the Document Checklist and have named my documents according to the instructions. I will upload all required documents to the LHTF submission portal.</p>	
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Application Development Team (ADT) Support Form

Rev. 4/2022

Please complete the "yellow" cells in the form below and **email a copy to: LHTF@hcd.ca.gov** and to **AppSupport@hcd.ca.gov**.
A member of the LHTF Team will respond to your request ASAP.

Full Name:		Date Requested:		Application Version Date:	
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Organization:		Email:		Contact Phone:	
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Justification:

Issue #	Program Name	Tab	Section	Cell#	Update/Comment	Urgency	ADT Status	Status Date
1	LHTF							
2	LHTF							
3	LHTF							
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