DATE: January 25, 2013

TO: TOD Loan Recipients – Round I and Round 2

FROM: Eugene Lee, Section Chief
Infill Infrastructure and TOD Housing Programs

SUBJECT: Requirements for TOD Loan Disbursement Deadline Extensions

This memorandum will serve as a courtesy reminder of several very important dates affecting Recipients of rental housing loan awards made under the Transit-Oriented Development (TOD) Housing Program’s Notices of Funding Availability, dated December 11, 2007 (Round 1) and January 30, 2009 (Round 2).

Pursuant to SB 870, Chapter 712, Statutes 2010, the Department amended the TOD Guidelines to allow funds to be available for disbursement beyond Fiscal Year 2011-12 for Round 1 awards and Fiscal Year 2012-13 for Round 2 awards. SB 870 authorized the Department to disburse funds until June 30, 2015 for Round 1 Awards and June 30, 2016 for Round 2 awards. The Department issued a memorandum dated August 15, 2011 which detailed the specific amendments to the TOD Guidelines and set forth the performance-based milestone requirements that a project must meet in order to qualify for both a conditional approval and a date-specific approval for an extension of the disbursement deadline.

In order to ensure timely disbursements in accordance with the deadline extension, the Department required that Round 1 projects obtain their Certificate of Occupancy by February 1, 2015 and to have the amount of the TOD loan deposited into a project closing escrow account by April 1, 2015. For Round 2 projects, these dates are February 1, 2016 and April 1, 2016, respectively.

### TOD RENTAL HOUSING LOAN MILESTONE DATES

<table>
<thead>
<tr>
<th>NOFA Date</th>
<th>Certificate of Occupancy</th>
<th>TOD Loan Funds Deposited Into Project Closing Escrow Account</th>
<th>Maximum Disbursement Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 11, 2007 (Round 1)</td>
<td>February 1, 2015</td>
<td>April 1, 2015</td>
<td>June 30, 2015</td>
</tr>
<tr>
<td>January 30, 2009 (Round 2)</td>
<td>February 1, 2016</td>
<td>April 1, 2016</td>
<td>June 30, 2016</td>
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</tbody>
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If a Recipient cannot demonstrate to the Department’s satisfaction that the project will be completed within the disbursement extension timeline, the Department will revoke any disbursement extension previously granted. Failure to meet the established performance-based milestone requirements for the disbursement deadline extension or the TOD Rental Housing Loan Milestone Dates set forth above will result in the disencumbrance of the TOD Loan award.