

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF FINANCIAL ASSISTANCE**

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**To:** Parties on Infill Infrastructure Grant and TOD Housing Program  
Distribution Lists

**Through:** Lynn Jacobs, Director

**From:** Chris Westlake, Deputy Director 

**Subject:** Infill Infrastructure Grant Program NOFA Amendment  
and TOD Housing Program Guidelines Amendment

This memo announces changes to the Proposition 1C Infill Infrastructure Grant (IIG) and TOD Housing Program (TOD). These changes are detailed below, and apply to the IIG applications due April 1, 2009 and the TOD Applications due April 2, 2009.

Infill Infrastructure Grant Program NOFA Amendment

The Notice of Funding Availability (NOFA) issued by the Department of Housing and Community Development for the Infill Infrastructure Grant Program, dated January 30, 2009, is hereby amended by adding Paragraph A1 to the "Application Procedures and Deadline" portion of the NOFA as follows:

**A1. Housing Element Compliance.**

Section 303 (a)(2) of the Guidelines provides that the Qualifying Infill Project or Area must be "located in a Locality which has an adopted housing element that has been found by the Department to be in substantial compliance with the requirements of Article 10.6 ... of the Government Code..." To meet this threshold requirement the Locality's housing element must be in compliance, as determined by the Department, on either April 1, 2009 or June 3, 2009.

This amendment was suggested by Senator Alan Lowenthal in recognition of the timing issues for local governments relative to the statutory update cycle for their housing elements.

## TOD Housing Program Guidelines Amendment

Section 105 of the TOD Housing Program Second Round Guidelines, dated February 4, 2009, is hereby amended as follows (new text is underlined):

### Section 105. Assistance Terms and Limits

- (a) The maximum Program loan or grant, or combination of the two, for a single Housing Development or for a single housing developer ~~applicant~~, including any affiliates of such ~~applicant~~ developer, shall be limited to \$17 million per funding round. For ~~joint applications for a single development with multiple housing co-developers~~ ~~co-applicants~~, the amount of the award applied to this limit shall be equally apportioned between the bona fide housing ~~co-developers~~ ~~co-applicants~~. For applications with both multiple developments and multiple developers, the amount of the award applied to this limit shall be as follows:

<u>TOD Assistance Type</u>	<u>Required Applicants</u>	<u>Award Amount Applied towards Each Developer's Per-Developer Limit</u>
<u>Infrastructure Project</u>	<u>Locality or public transit agency</u>	<u>Prorata allocation of the grant, based the formula specified below.</u>
<u>Infrastructure Project and Housing Development</u>	<u>Housing Development Developers + Locality, as co-applicants</u>	<u>Prorata allocation of infrastructure grant, -based the formula specified below, plus the loan amount for the individual developer's development.</u>
<u>Homeownership Housing Development</u>	<u>Housing Development Developers + Locality</u>	<u>Homeownership assistance provided to the individual developer's project.</u>
<u>Rental Housing Development</u>	<u>Housing Development Developers</u>	<u>Loan provided to the individual developer's project.</u>
<u>Rental and Homeownership Housing Development</u>	<u>Housing Development Developers + Locality</u>	<u>Loan provided to the individual developer's rental project, plus homeownership assistance provided to the individual developer's project.</u>

The percentage of the total Program funds provided for infrastructure grants allocated to an individual developer's project shall equal  $(50A + 35B) / (50C + 35D)$ , where

A = the number of Restricted Units in the developer's project

B = the number of nonrestricted units in the developer's project

C = the total number of Restricted Units in the Housing Development

D = the total number of nonrestricted units in the Housing Development

This amendment clarifies the application of the limit on awards for individual developers, in situations where there are multiple developers and/or multiple developments.

### Informational Items

For your information, the PowerPoint presentation shown at the recent IIG application workshops, along with workshop questions and answers, will shortly be posted at: <http://www.hcd.ca.gov/fa/iig/>.

If you have questions on this memo regarding the Infill Infrastructure Grant Program, please contact a program representative assigned to your region (listed at [http://www.hcd.ca.gov/fa/iig/iig\\_map.pdf](http://www.hcd.ca.gov/fa/iig/iig_map.pdf)) or email [infill@hcd.ca.gov](mailto:infill@hcd.ca.gov).

If you have questions on this memo regarding the TOD Housing Program, please email [tod@hcd.ca.gov](mailto:tod@hcd.ca.gov) or call (916)324-1565.

If you have questions regarding the status of local housing elements, please contact the Housing Policy Development Division at (916) 323-3176.