MHP 2019 Round 2 Q&A

This Questions and Answers (Q&A) document represents key information and inquiry responses provided to potential applicants for the second round of the MHP Program. The questions and answers published below provide clarification and additional detail on the MHP Program Guidelines and application process.

This is the first Q&A document published in preparation for the second round of funding. Responses shall be updated weekly and posted on the HCD website with responses in blue.

For additional questions and inquiries regarding the MHP Program, please email the MHP NOFA / Awards Section at mhp@hcd.ca.gov. Answers to questions received in this inbox will be answered via email and posted in a subsequent Q&A document.

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General

1. I operate a small construction management and accessibility consulting business and would like to make my services available to potential developers. I’m registered as a small business with the state of CA – is there a similar process to register with HCD?

   At this time we do not have a registration process, nor a referral for consulting services, available for the MHP program with HCD. I would advise you to contact your local jurisdictions to see if they have a process in place for that.

2. Will there be a webinar in addition to the in-person TA sessions?

   At this time, we do not have a webinar scheduled for MHP Round 2 which was released on January 2, 2020. Please enroll in the list serve for any future announcements related to a webinar being scheduled, in addition to checking the MHP program website at [https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml](https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml) for scheduled MHP workshops.

3. Can you please tell me if there are revised applications for the January 6, 2020 NOFA? The only versions I can find are 6/16/19. If these are not the correct versions, could you please send a link to the current version?

   We anticipate the Universal Application and Supplemental Application being released for MHP Round 2 no later than January 16, 2020. Please enroll in the list serve for any future announcements related to application release, in addition to checking the MHP program website at [https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml](https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml) for program documents.

4. I see you have a 2013 award summary, but none for 2019. If you don’t have a similar list, can you at least provide me with the range of total points that were awarded for those who were funded?

   We will be posting a list of all projects and scores that will be sent via a list serve announcement.

5. Can you please confirm if there are any preparation dates that the following reports need to be within?

   a. PNA or CAN
   b. Relocation Plan
   c. Operating Expense Comparable

Additional Questions? Please email: mhp@hcd.ca.gov
d. Asbestos

e. Lead Based Paint

f. Mold

g. Local Approvals for NEPA and CEQA

a. The Department currently does not have restrictions on the timeframe of how recent various reports will need to be but may consider setting parameters in the future. All Acq/Rehab and Rehab projects must submit a PNA or CNA which support the proposed scope of work as outlined in application documentation. Reports are subject to Department approval. Please see MHP Supplemental Application, Tab B, Project Requirements section entitled “For Acq/Rehab and Rehab projects ONLY” for more information.

b. The Department currently does not have restrictions on the timeframe of how recent various reports will need to be but may consider setting parameters in the future. Relocation plans must conform with the provisions of California Code of Regulations, Title 25, Section 6038. Relocation plans or other relocation documentation shall be subject to the review and approval by the Department.

c. A minimum of 3 comparables are required from projects located in the same market area and must be from the most recent 2 years. Please see MHP Supplemental Application, Tab B, Project Requirements, under Explanations section entitled “21. Op Exp Compare” for more information.

d, e, & f. The Department currently does not have restrictions on the timeframe of how recent various reports will need to be but may consider setting parameters in the future. These reports are applicable to Rehabilitation projects as outlined in Multifamily Housing Program (MHP) January 2020 NOFA Section II (F)(3)(e)(f).

g. Local approvals for NEPA and CEQA – Completion of all necessary environmental clearances including NEPA and CEQA are required to determine application completeness and compliance and must be obtained prior to the March 2, 2020 application due date. Please see Supplemental Application, Tab C - Local and Env Verification for more information.

Additional Questions? Please email: mhp@hcd.ca.gov
6. HCD’s website only has the 2019 Guidelines. Is there a 2020 version, and if not, is the 2019 version fully applicable to the 2020 application?

MHP currently has one set of guidelines for the program. They are dated 2019. We do not currently have any revised or updated guidelines. There is a new NOFA out dated January 2, 2020. The previous NOFA was dated June 19, 2019.

For underwriting requirements, the MHP program uses the 2017 UMR’s. All of these documents can be found at [www.HCD.ca.gov](http://www.HCD.ca.gov)

7. I’m planning on applying for MHP via the FAAST portal, and am wondering how I can have access to it and set up my project?

As of today, Friday January 24, 2020, you are unable to upload documents to the FAAST system. A list serve announcement will be sent out once it is available.

To access the Universal and Supplemental Applications for the MHP program, please visit the MHP website at [https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml](https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml)

8. Has the Presentation from the 1/22/20 MHP Workshop been posted yet?

The presentation is up on our website at [https://www.hcd.ca.gov/grants-funding/active-funding/mhp/docs/MHP-Round-2-Workshop-PPT-2-0.pdf](https://www.hcd.ca.gov/grants-funding/active-funding/mhp/docs/MHP-Round-2-Workshop-PPT-2-0.pdf)

9. I would like clarification on the next MHP application (Round 3). Per my notes I heard that Round 3 will be in May of 2020. Is that correct? Or is it July 2020?

The round 3 guidelines will be released in May, 2020, with the NOFA and applications following in late June/Early July, 2020.

10. Is the Legislative Letter required for Round 2 MHP applications? The requirement is not stated in the regs, NOFA, or current FAQs, but the Supplemental and Checklist still list it (Item 8). It is our understanding that Round 1 applicants were not required to provide a letter.
For Round 2
1. Per health and Safety Code 50675.7(e) – each applicant must notify the local legislative body (City Council or Count Board of Supervisors) of the Sponsor’s loan application prior to application submission. Sponsor must provide a copy of the letter.
2. Additionally, this is a Threshold requirement for Round 2 per MHP guidelines sections 7318 (b) and 7320 (a)(4).

11. Can you confirm the loan amount per unit is $150,000 for this NOFA? So for our project, which is not in a high resource area, the loan limit would be $3,900,000 (26 units x $150k).

Please refer to the MHP guidelines located at https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml and refer to Section 7307 (a) and (b) for the maximum unit loan limit based on the type of units. Additionally, you would want to complete the Max Unit and Loan Amount tab in the Supplemental Application to confirm your maximum available loan limit.

12. We are completing a project on property that had a lotline adjustment. The property now has a new APN which is different from when the market study, appraisal and Phase I report were completed. Can we simply note this by inserting a page in the front of each of these documents or do we need to have updates completed?

In accordance with the MHP NOFA, January 2, 2020, Section II Program Requirements, Feasibility Review as noted below.

b. A market study prepared in accordance with TCAC requirements prepared or updated no earlier than 12 months prior to the application due date, which demonstrates a market for the non-Assisted Units and documents the anticipated need for the Assisted Units

c. An appraisal prepared or updated at the Sponsor’s expense no earlier than 24 months prior to the application due date in accordance with Guidelines Section 7309(b).
e. For new construction projects, a Phase I Environmental Site Assessment prepared or updated no earlier than 12 months prior to the application due date, and a Phase II environmental report if recommended by the Phase I.

In addition to the above requirements, paragraph 1 of this Section, Initial threshold review, specifies that the Sponsor must be able to provide documentation which clearly demonstrates the Sponsor’s control.

c. Site control in the name of the Sponsor, or an entity controlled by the Sponsor, by any means set forth in UMR Section 8303. UMR Section 8303 notwithstanding, all forms of site control must be of sufficient duration to extend through the anticipated award date set forth in this NOFA (or at least June 30, 2020). Where site control is in the name of another entity, documentation, which clearly demonstrates the Sponsor’s control (i.e., the entity’s organizational documents), is required.

13. After reviewing the MHP guidelines it would seem that the developer fee that you calculate eligible basis off is capped at $3.5 million. Is this true? I am looking at a larger project for these funds with a developer fee closer to $8 million. The majority would be contributed back to the property as GP equity. The high developer fee would just be to obtain additional basis. Any additional guidance on developer fee would be appreciated.

Any project specific questions and/or scenarios will not be answered or addressed prior to the application due date of March 2, 2020.

The maximum developer fee for MHP is dependent upon project type and is outlined in the MHP guidelines Section 7305(b) Cost Limitations. Additional information regarding the developer fee can be found by clicking: Administrative Notice on 2017 UMR Developer Fee Limits and Capital Contributions. This notice clarifies the Department's interpretation of UMR section 8312(a)(c) as it relates to the developer fee.

Lastly, in the event of a conflict between the provisions of Subchapter 19 and these guidelines, the provisions of these guidelines shall prevail, as noted in MHP guidelines section 7300.1(b).
14. Please confirm if we applied for VHHP on February 13, and also MHP on March 2 with each application funding exclusively for each program, we will not be penalized if we withdraw one or the other before the official HCD award letter. Another question I had was to confirm who is the HCD contact for Asset Management. We would like to confirm that all our existing HCD funded projects are in compliance.

As of today, the Department policy in place is you may apply for any sources of funding taking into consideration the Anti-Stacking prohibition, which are listed in the NOFA’s and guidelines/regulations for each program. If there is a change in policy, a list serve announcement will be sent out alerting our external partners of the change in Department policy.

The individual to contact in AMC is Raymond Victor at Raymond.victor@hcd.ca.gov

15. Do you have a form template for the legislative letter? Please confirm that an authorizing resolution is not required from a legislative body.

NO, we do not have a template for the legislative letter. NO, we do not need an authorizing resolution from the legislative body, just the copy of your letter.

16. We are applying for MHP funding due 3/2/2020. Does this mean that we cannot apply for MHP and the 9% Tax credits for the same project/development?

   a. June 2019 MHP Guidelines, Section 7302 (d) – To be an Eligible Project, the Project does not use federal 9 percent low-income housing tax credits.
   b. June 2019 MHP Guidelines, Section 7320 (a)(2) – A minimum Threshold requirements is the Project involves an eligible Project pursuant to Section 7302.

17. Just to confirm that I am understanding your email below… In our hard copy of the MHP application, we should include ONLY those documents (21 docs in total) that require wet signatures and we do NOT need to include the other required documents as listed on the MHP Document Checklist,
such as Leg Letter, Spon1 Resolution, OrgChart, Bwr OrgChart, Property Management SOQ, etc.?

Per the January 2020 NOFA and the Supplemental Application, all documentation must be uploaded to the FAAST system. Additionally, the only items that need to be submitted hard copy are those entire documents that contain the wet signature as identified on the Document Checklist in the Supplemental Application.

18. Will we be penalized in the future for negative points if we withdraw an application? What is the latest we can withdraw without being penalized?

I can’t speak to a future policy as I can only cite what is currently in place today. As of today, there is no penalty for withdrawing an application for a program or withdrawing an award that has been granted.

19. Could you please clarify what documents are required for attachment 49 and who should be providing them? Are you looking for a narrative from the developer or something from the HERS rater? (I am assuming that this is not verification from the architect since that is covered under attachment 48 with TCAC attachment 25)

Attachment 49 would be the Sponsor narrative describing what they are proposing for the project.

20. I need clarification on what kind of documentation you are looking for. The application states that lines 50-57 are not required if the project has less than 70% SNP. Is this correct and therefore attachment 30 is not required unless you are using the alternative scoring method? If that is not correct and attachment 30 is required, please clarify which description of the submission is correct.

For attachment 30 are you just looking for a list outlining who is responsible for each of the stages of development for this project? Because the description below that comes from the SA seems to be something quite different from the description listed in the checklist.
30. Dev Comp1, Dev Comp2, Dev Comp3, etc. (IN SA)
Development Services Agreement setting forth the responsibilities of the developer, including, but not limited to, financial packaging, selection of other consultants, selection of the construction contractor and property management agent, oversight of architectural design, construction management, and other major aspects of the development process.

30. Dev Comp1, Dev Comp2, Dev Comp3, etc. (IN CHECKLIST)
Placed in Service, Certificate of Occupancy or equivalent.

You have answered your question correctly. The Development Services Agreement is required when the Special Needs Alternative Scoring Method is being used for Development and Ownership Experience. This document is listed as 32a of the Checklist. We have noted that the attachment numbers on the Checklist do not always correspond to the numbers listed in the body of the Supplemental Application. We are working on correcting this for Round 3. The supporting documentation submitted should support the information provided in Development and Ownership Experience on the Project Selection tab of the Supplemental Application. Additional information regarding Documentation and Ownership Experience can be found in Guideline 7320(b)(3).

21. I’m reaching out since I was wondering if there is an updated certification and legal status template? I have done some digging around and have only came across the revised template dated 7/16/19.

There is no updated Certification and Legal Status template, the most current version is located in the MHP Supplemental Application Tab F. Certification and Legal Status dated 1/7/20

22. I am working on the MHP application and in the checklist, it mentions wet signatures for the UA and SA. I can’t find anywhere in the UA a signature required. For the SA, the only signature is in the local jurisdiction/enviro and Cert/Legal Disclosure. Those are listed elsewhere in the checklist. Am I missing something?
a. The Universal Application does not have a location for a wet signature. It was the Department’s way of saying that the Universal Application would need to be printed and submitted with other executed documents, as well as submitted electronically. We apologize for any confusion this has caused.

b. For the Supplemental Application (the entire workbook will need to be submitted with the hard copies and electronically):
   i. If your project has supporting housing or special needs units – Tab B4, SS Verification will need to have a wet signature.
   ii. Tab C – Local & Environmental Verification will need a wet signature.
   iii. Tab F – Certification & Legal Status will need a wet signature.

23. Can you please clarify/further elaborate on the difference between the two sustainable building methods attachments (#47 and #48)? It seems like the needs of both attachments could be met by having the architect fill out and sign TCAC Attachment 25, as the attachment both identifies the methods (e.g. LEED certification) and includes an architect certification.

   (This answer is under the assumption that you meant attachments 48 and 49 instead of 47 and 48) Attachment 48 would be the supporting documents that would be needed for Sustainability and Energy methods to be used. They can include, but are not limited to: Energy Scorecard, completed and executed Section 25 of the TCAC application, or a signed letter from the Architect for the project.

   Attachment 49 would be the Sponsor narrative describing what they are proposing for the project.

   Based on your example: the document would not meet the requirement for both attachments.

**Organizational Documents**

1. The template provided for the resolution on the MHP website is for an LLC entity which would be the Managing General Partner of the Borrower. We have formed an LP as the Borrower entity and an LLC as the Managing General Partner entity. Both entities are wholly owned, controlled, and
operated subsidiaries of our parent corporation which is a California nonprofit public benefit corporation.

The LLC entity does not hold duly convened meetings, the parent corporation does. As such, not sure it is appropriate to use the resolution template provided? Should we provide a resolution for the parent corporation not utilizing the provided template but utilizing a similar corporation template? We will be providing the Sponsor Loan Authorization template approved by the Sponsor’s (the parent corporation) governing board. Just trying to understand how we should provide the resolution when we have a parent corporation as the Sponsor, a formed LP as the borrower, and a formed LLC as the Managing General Partner, but only the parent corporation holds duly convened meetings? Your direction is appreciated.

The resolution template (OD-Form 2-LLC) on the MHP website is intended to be a sample template for an LLC. A resolution from the LLC is required but does not necessarily need to on the OD-form 2– LLC. Applicants may use their own format as long as it contains all the authorizations contained in the template. An LLC that does not hold duly convened meetings would not appear to be a sufficient scenario not to provide an LLC resolution; however, HCD team will review all organizational documentation submitted with the application and determine completeness.

2. I am writing to confirm the resolutions needed to receive the bonus point for Round 2. Per the attached, in Round 1 HCD requested authorizing resolutions from the co-sponsors; but did not require the authorizing resolution from the LP. Will this be the same for round 2 or what resolutions will HCD require for this current round?

Also, how many STD 204 should the project submit? Ultimately, the loan would be borrowed by the LP. Hence, is it ok to only submit the STD 204 for the LP?

Similarly, are signature blocks needed for the two sponsors and the LP or only for the LP since the loan will be borrowed by the LP?

In order to obtain the bonus point, applicants must complete the following:

Additional Questions? Please email: mhp@hcd.ca.gov
1. The borrower organizational structure must be created and registered with the California Secretary of State as of the application due date of March 2, 2020, for the Limited Partnership (LP) and the Managing General Partner (MGP).

   a. If the bonus point is claimed, all documentation will be verified at threshold to ensure all items were received as required in the June 2019 MHP Guidelines, Section 7320 (a)(1) and (a) (4), as well as the Document Checklist located in the Round 2 MHP Supplemental Application.

   b. If the project moves forward to Rating and Ranking, that bonus point will be verified as per the requirements of the June 2019 MHP Guidelines, Section 7320 (b) and January 2020 NOFA.

      i. The AGP is not a requirement for the bonus point.

In order to be considered a complete application, applicants must complete the following:


   a. Any Sponsor (i.e. Sponsor 1, Sponsor 2…) listed on the MHP Round 2 Supplemental Application must provide the required supporting documentation as listed on the Document Checklist.

      i. An eligible Sponsor must meet the requirements of the June 2019 Guidelines Section 7303 – Eligible Sponsor

      ii. The Sponsor(s) meeting the requirements of Section 7303 – Eligible Sponsor is part of the minimum Threshold requirements as stated in Section 7320 (a)(1)

      iii. The Sponsor(s) providing the required documents as outlined in the Document Checklist is part of the minimum Threshold requirements as stated in Sections 7320 (a)(4) and 7318.
3. Which MHP Resolution should we be including (LLC/Sponsor) from the current MHP website?

Please see the MHP Website [https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml](https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml) for samples of the resolutions and authorization for both the Sponsor and LLC. Applicants may use their own format if it contains all the authorizations contained in the template. MHP Guidelines Section 7318 Application Requirements (c), you would supply the Sponsor Resolution for the entity applying for the MHP program. Please see the document checklist in the Supplemental Application for a list of all documentation that would be required for submission.

4. We will be able to provide all the required documents for the Spon1 except the signed resolution. Does a signed resolution have to be included or could we submit an unsigned document, or omit only that document and still receive the bonus point?


a. Any Sponsor (i.e. Sponsor 1, Sponsor 2…) listed on the MHP Round 2 Supplemental Application must provide the required supporting documentation as listed on the Document Checklist.
   i. An eligible Sponsor must meet the requirements of the June 2019 Guidelines Section 7303 – Eligible Sponsor
   ii. The Sponsor(s) meeting the requirements of Section 7303 – Eligible Sponsor is part of the minimum Threshold requirements as stated in Section 7320 (a)(1)

The Sponsor(s) providing the required documents as outlined in the Document Checklist is part of the minimum Threshold requirements as stated in Sections 7320 (a)(4) and 7318.

5. Also, we have formed the LLC and LP for the Borrower and MGP but will need to amend those documents to show that the other NP is now a member of those entities. Can we provide an amendment after the application is submitted and still receive a bonus point?
The January 2020 MHP NOFA, Section 2, has authorized the granting of one (1) bonus point for this Round 2. In order to obtain the bonus point, applicants must complete the following:

a. The borrower organizational structure must be created and registered with the California Secretary of State as of the application due date of March 2, 2020, for the Limited Partnership (LP) and the Managing General Partner (MGP).

b. If the bonus point is claimed, all documentation will be verified at threshold to ensure all items were received as required in the June 2019 MHP Guidelines, Section 7320 (a)(1) and (a) (4), as well as the Document Checklist located in the Round 2 MHP Supplemental Application.

c. If the project moves forward to Rating and Ranking, that bonus point will be verified as per the requirements of the June 2019 MHP Guidelines, Section 7320 (b) and January 2020 NOFA.
   i. The AGP is not a requirement for the bonus point.

**Reapplication for Round 1 Applicants Only**

1. Regarding a MHP Round 1 Applicant re-applying for MHP Round 2, just to confirm what we are reading, we basically have to submit the Universal, Supplemental and all exhibits we originally submitted in Round 1. In addition, we will need to submit one binder and a digital version. Is this correct?

Yes. There is a two-part process that is required in your application submission:

1) The first part is an electronic copy which requires you to upload your application via the Financial Assistance Application Submittal Tool (FAAST); and
2) The second part is a hard copy which is best submitted in a three-ring binder that should only contain documents that require wet signatures. Please note, each document in the binder must include all its pages.

Both the Universal and Supplemental applications are required to be submitted by the due date of March 2, 2020 by 5:00 p.m. Pacific Standard Time and will not be accepted after that date.

Additional Questions? Please email: mhp@hcd.ca.gov
2. I understand that I have missed the date to advise you that we would be resubmitting, we were waiting on results from the Los Angeles County NOFA round. Could you kindly allow me to resubmit this application, and have the Universal Application updated to reflect?

The list serve and email sent out to Round 1 applicants who were interested in re-applying and having updated applications sent back had a deadline to notify the Department as of Close of Business, January 22, 2020. As that date has passed, you are able to apply as a new applicant. Please utilize the Universal Application and Supplemental Application located at the MHP website at https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml. You will be required to supply all documents and reports listed in the Document Checklist located in the Round 2 Supplemental Application and meet the requirements of the January 2, 2020 NOFA and guidelines. As the deadline for the Department to provide an updated application has passed, your application submission should include the applications listed on the MHP website.

3. Questions re: submitting this project for MHP Round 2.
   • We’re planning to use the UA from our Round 1 application. We are making some changes to our AMI levels. The AMI changes will cause revisions to our perm loan and other source amounts. Please confirm we can make these changes in the UA from Round 1, as opposed to having to start from a blank UA. We will fill out the separate Sources & Uses spreadsheet to accompany the UA.

   • We sent our Supplemental Application from Round 1 to HCD and received an updated Supplemental File via email from HCD. We will use that Supplemental Application file and make appropriate changes.

   • Market Study – our market study was completed on August 13, 2019, which is slightly more than 180 days prior to the Round 2 deadline of March 2, 2020. Is HCD enforcing the 180-day threshold for market studies (as in the TCAC guidelines)?

The Universal Application that was completed and submitted for Round 1 is acceptable for use for Round 2. A separate Permanent Sources and Uses worksheet has been uploaded to the MHP program website located at https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml. This will need
to be completed by all Round 1 applicants and submitted as part of the complete application package.

As stated in the Supplement Application Document Checklist, all items listed must be submitted as stated and required by the Department for Round 2. This checklist has been updated for Round 2.

The Universal Application, Supplemental Application, and all required supporting documents must be received by the Department no later than 5:00 pm Pacific Standard Time, Monday, March 2, 2020 as stated in the January 2, 2020 NOFA.

Please note, the Sponsor is responsible for verifying the Universal Application, Supplemental Application and all supporting documents meet the requirements of the MHP program guidelines, NOFA and UMR’s. Additionally, sponsor will need to re-certify all items, including dates, as referenced in the Universal Application, Supplemental Application, and Document Checklist (located in the Supplemental Application). The Department will evaluate each project based on its submission for Round 2. Any point values or verifications made for Round 1 will not carry over to Round 2 reviews.

Lastly, this process listed above by the Department is not a commitment, confirmation, or guaranty of an award for MHP funds.

Hopefully this answers your questions. Please note – we do not follow TCAC date guidelines. The report or document dates needed for the MHP program are listed on the Document Checklist as stated above.

4. Would HCD still accept the August 2019 market study as-is, even though it includes our Round 1 proposed AMI levels/rents?

If reusing the market study as-is is not acceptable, can the market study consultant update the proposed rents and all comparison tables so the rents match our proposed Round 2 rents, but use the same market comparison/demographic data from August 2019? Since HCD will accept a report up to 12 months old, it seems reasonable to use the August 2019 market data and just update the proposed rents.

1. Per the email and list serve that was sent out regarding Round 1 applicants reapplying for Round 2 – all documentation, including reports, must be updated

Additional Questions? Please email: mhp@hcd.ca.gov
for Round 2 to reflect the Round 2 submission. This includes the date of the report (Market Study would need to be dated within 12 months of the application due date of March 2, 2020).

2. The Department will review the Market Study, and any additional reports to ensure they reflect the requirements of Round 2 once the project has been submitted. It is up to the Sponsor to ensure they are meeting program, application and guideline requirements.

5. For the MHP application, it states that the MARKET STUDY needs to be within one year of the application submittal date (3/3). The MARKET STUDY I have is dated 1/23/19 (attached). Would this be okay to use for application purposes even though it is technically 41 days outside the 1-year window?

Per the email and list serve that was sent out regarding Round 1 applicants reapplying for Round 2 – all documentation, including reports, must be updated for Round 2 to reflect the Round 2 submission. This includes the date of the report (Market Study would need to be dated within 12 months of the application due date of March 2, 2020).

**Scoring**

1. Does HCD have plans to implement the “Bonus Point” for complete organizational documents into other/future programs as it has done with MHP? Please let me know if there is a better contact for this question as well.

At this time, the January 2, 2020 NOFA for the MHP program has a bonus point that is available. I can’t speak to other programs as those all have different requirements, guidelines, and statutes that they must follow. Depending on the program you are interested in, it would be best that you contact them directly through the program specific site pages located at [https://www.hcd.ca.gov/grants-funding/active-funding/index.shtml](https://www.hcd.ca.gov/grants-funding/active-funding/index.shtml).

2. Would the MHP program allow us to still garner full points for the Environmental Clearance section of the application if we are able to provide evidence that we completed the NEPA review and it is just pending State HOME certification?

If the evidence proves the adoption or certification was obtained at time of application, then you may receive full points. Please refer to MHP Guidelines Section 7320(b)(5)(B) Project Readiness: Four Points will be awarded for...
adoption or certification of all necessary environmental reviews (California Environmental Quality Act and National Environmental Policy Act).

Completion of all necessary environmental clearances are required to determine application completeness and compliance and must be obtained prior to the March 2, 2020 application due date. This includes all required environmental documents and clearances as specified in the Supplemental Application, Tab C - Local and Env Verification. Additional supporting documentation may be required, up to and including, the Authority to Use Grant Funds.

All Minimum threshold requirements must be met and can be found in the MHP January 2020 NOFA Section II (F)(1)(a-e). Applications will be reviewed for completeness pursuant to Guidelines Section 7318 (a-d). Additionally, the MHP Supplemental application contains information needed to evaluate application threshold compliance.

In order to obtain the 4-points the Program requirements as stated in the NOFA, application, and guidelines must be met, including project readiness, as of the March 2, 2020 application due date.

3. Section 7320(b)(2): The guidelines state that “Five points will be awarded for each of the following conditions met by the Project:” The project we are applying for is a 101-unit development with 100 assisted units. 85 of the assisted units would serve seniors 62 years and older and MHP funding would be assigned to those. The remaining 15 units in the project would serve special needs residents and these units would be served by NPLH funding.

Can we assume that the use of the term “project” highlighted above means all 100 units and therefore, we would qualify for 5 points as “(B) Qualifying as both a senior and Special Needs Project?”

“Project” means a Rental Housing Development, and includes the development, the construction or rehabilitation, and the operation thereof, and the financing structure and all agreements and documentation approved in connection therewith (UMR Section 8301(n)).

Based on MHP Guidelines, the project must meet the requirements of Section 7302(e)(2) for Special Needs, and Section 7302(e)(3) for Senior.

Additional Questions? Please email: mhp@hcd.ca.gov
Based on MHP Guidelines Section 7320(b)(2)(B), if your project meets both Senior and Special Needs requirements, you may qualify for the 5 points.

4. I write with a question about MHP Program Regulations Section 7320(b)(5)(A) and (D), attached for reference. These sections award 4 points for having all enforceable commitments for construction financing, "not including...funding to be provided by another Department program awarded prior to final rating and ranking for the MHP application." They also offer 4 points for "obtaining commitments for all deferred-payment financing, grants and subsidies." It further states: funding from "Department programs proposed for Project financing must be awarded prior to final rating and ranking for the MHP application."

For a project looking to use MHP and IIG funds, is it possible to score full points in the above sections if an IIG application is pending as of the date of application? We are looking into applying for MHP funds on the July 2020 NOFA, applications due September 2020, and awards December 2020. The project would also be relying on IIG funds, which we'd be applying for through the August 2020 NOFA, applications due October 2020, awards in January 2021 (my assumption based on typical 3-month review cycle.) Since IIG is a construction-period source, I'm asking about both of the sections above (construction and perm sources).

The reason I ask is that the award dates are so close to one another--possibly the same month, or just 30 days later! Also, I had heard there was discussion within HCD about allowing this case so that projects could more quickly get started. The alternative for our project would be to apply for IIG in the Fall, wait for the next MHP NOFA in 2021, and then apply/get funds awarded. This would delay the project 6-12 months, given it is also relying on state credits, which are only available in the January TCAC round (so we'd be waiting a whole year to get those).

I am hoping the regulations language referred to above allows for concurrent MHP and IIG applications. Thanks in advance for your feedback.

For MHP:

In order to claim 4 points in 7320 (b)(5)(A) – known as Construction Financing, EFC’s would need to be provided for all sources of funding – both public and private, that are listed on the Development Sources in the Universal Application. For ANY public source of funding – local, state or federal, an Award Letter would need to be provided by the application due date of March 2, 2020. For private financing, an EFC or Term Sheet would need to be provided to verify the terms

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stated on the Development Sources in the Universal Application. The exception to this would be Tax Credits and Tax Exempt bonds which the Department considers as committed.

In order to claim 4 points in 7320 (b)(5)(D) – known as Permanent Financing and Subsidies, there are 2 parts to this question in order to receive the 4 points:

a. EFC’s would need to be provided for all sources of funding – both public and private, that are listed on the Development Sources in the Universal Application. For ANY public source of funding – local, state or federal, an Award Letter would need to be provided by the application due date of March 2, 2020. For private financing, an EFC or Term Sheet would need to be provided to verify the terms stated on the Development Sources in the Universal Application. The exception to this would be Tax Credits and Tax Exempt bonds which the Department considers as committed.

b. If a subsidy – either Project Based Rental Subsidy or other locally awarded rental subsidy – is listed in the Rental & Subsidy tabs of the Universal Application – a commitment letter, award letter, or letter of intent must be provided by the applicant by the application due date of March 2, 2020. This document should include the source of the subsidy, the amount of funds, number of units, and terms of the commitment (proposed or awarded). This should match what is listed in the Universal Application.

MHP has an anti-stacking prohibition. MHP funds cannot be used to assist the same units as other HCD awarded units. A full list of the programs can be found in the January 2020 MHP NOFA, as well as the June 2019 MHP guidelines 7302 (h). IIG does not fund housing units and is not listed as a program that would fall under the stacking prohibition.

For IIG funds to be considered as committed, they must have been awarded by the MHP application due date of March 2, 2020.

5. CHOC submitted an application #29 (The Monarch Apartments) in Round 1 and lost 8 points for not submitting the HOME Funds Resolution with the original application. Attached is the HCD Appeal Letter showing the 8 points lost, as well as, the HOME Funds Resolution Funding Commitment we received from Riverside County.

We are preparing a new MHP Application for Round 2, please confirm if the attached $500,000 HOME Funds Resolution from Riverside County is acceptable for Project Readiness 7320(b)(5) Construction Enforceable
Financing Commitment (EFC 4 Points) and Project Readiness 7320(b)(5)
Permanent Enforceable Financing Commitment (EFC 4 Points).

The Resolution from the Board of Supervisors, County of Riverside may be acceptable Pursuant to the MHP Guidelines as listed below, you may be able to receive the Project Readiness points for construction Enforceable Financing Commitment for HOME funds, and Project Readiness points for permanent Enforceable Financing Commitment. We are unable to fully review the submitted Resolution until we receive the complete application for MHP Round 2.

MHP Guidelines 7320(b)(5)(A) Four points will be awarded for obtaining enforceable commitments for all construction financing, not including tax-exempt bonds, tax credits, and funding to be provided by another Department program awarded prior to final rating and ranking for the MHP application;

MHP Guidelines 7320(b)(5)(D) Four points will be awarded for obtaining commitments for all deferred-payment financing, grants and subsidies, excluding tax credits, and in accordance with TCAC requirements and with the same exceptions as allowed by TCAC. Deferred-payment financing, grant funds and subsidies from other Department programs proposed for Project financing must be awarded prior to final rating and ranking for the MHP application.

6. If a project has also applied as a small jurisdiction for IIG funding prior to the MHP application submittal, will this be considered as a committed financing source since it is over the counter?

No, this would not be considered a committed financing source. For IIG funds to be considered as committed, they must have been awarded by the MHP application due date of March 2, 2020.

Here are a few other considerations as it relates to your question:

- Leverage of other funds 7320(b)(4)(A), IIG is a grant that is not used for costs attributable to restricted units
- Readiness 7320(b)(5)(A), the award would have to be made prior to application due date to get the 4 points in that category
- Stacking 7302(h)(2)(A), IIG is not listed as prohibited

7. We have a prospective MHP project that has 61 existing units and we plan to add 28 additional newly constructed units. Under section 7320(b)(2)(D), it is our understanding that five points are available and they can be met by meeting one or more of the items listed under (i),(ii), and (iii). Because the
Multifamily Housing (MHP) Program

NOFA Date: January 2, 2020
Questions and Answers (Q&A)
Last Updated: February 12, 2020

Additional Questions? Please email: mhp@hcd.ca.gov

1. I have a question about the Land Use approval points. The entitlement program we are using for my project in the city of LA has a two week appeal period after receiving the letter of determination. We are unsure if we will be past the two week appeal period before the March 2nd MHP deadline. If we have our Letter of Determination from our Planning Department but are not out of the appeal period would this get us the full 3 points for land use approvals?

Please refer to the Guidelines Section 7320(5) (C) Project Readiness and the Project Selection Tab in the Supplemental Application. This is based on your current Land Use Approval status at the time of application due date of March 2, 2020, and you may receive points for only one of the three options.

Supportive Services / Special Needs

1. Are there any additional/more specific criteria regarding what kind of housing (beyond "permanent and transitional rental housing for lower income households") is eligible for MHP assistance? For example, are...
Permanent Supportive Housing and income-restricted rental housing eligible?

Please refer to the MHP guidelines located at https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml

a. Section 7302 identifies the eligible project types, which include Supportive Housing and Special Needs criteria.
b. Section 7301 identifies Supportive Housing and Special Needs populations for the MHP program
c. The Supplemental Application has a document checklist that identifies what documentation is required for Supportive Housing and/or Special Needs populations. Based on the population identified may require additional information.

2. We have a 100 unit project that contains 15 units covered under the NPLH program. These are the only supportive housing units in the project. The NPLH units will also serve the special needs population. I believe I am supposed to check Senior and Supportive Housing on Tab B Line 10. However, the instructions say: Sponsor must complete the following worksheets in the Supplemental Application.

   B - Project Requirements
   B1 - Development Team Contacts
   B2 - SH Experience 7302(f)(1-3) (for any Supportive Housing or Special needs Units)
   B3 - Supportive Services Plan (for any Supportive Housing or Special needs Units)
   B4 - SS Verification (for any Supportive Housing or Special needs Units)
   B5 - At High Risk (At High Risk Projects Only)

   If I do not check Special needs on Tab B line 10 Tabs B3 and B4 do not appear. When I am able to open these tabs the instructions say they relate specifically to the MHP units in the project.

   Instructions: All Projects that include Supportive Housing units must complete a Supportive Services Plan for the MHP units. The checklist below shall serve as a guide to ensure that the Supportive Services Plan is complete.

   Can you PLEASE clarify for me how I should proceed? Is our project Senior and Supportive Housing, or Senior, Special needs and Supportive

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housing, or simply senior housing? And if one of the two former categories – do I provide the requested information for the NPLH units?

I have numbered your questions below and have numbered the response to each question. Your questions:

1. Is our project Senior and Supportive Housing, or Senior, Special Needs and Supportive Housing, or simply senior housing?

   -- And if one of the two former categories --

2. Do I provide the requested information for the NPLH units?
3. Can you please clarify how to proceed?

MHP Responses:

1. Based on the information provided and without reviewing your application, it cannot be determined what project type your project is or which type of units your project will provide. You will need to ensure your supportive housing, special needs population and/or senior project goals align with the program requirements set forth by Section 7302. Eligible Project, located in the MHP Guidelines. Upon determination of which Project and/or unit types your project fits you will need to select the correct radial buttons to ensure all required worksheets populate to complete your application. Also ensure you are clicking the “Enable Content” button prior to entering any data or selecting your project types in the application.

2. Yes. You can find the plan requirements in Section 7324. Management, Maintenance, and Supportive Services, of the MHP Guidelines. If your project will provide supportive housing units, services and special needs populations you must provide the required supportive housing worksheets in the application along with a supportive housing and integration plan that clearly identify all requirements set forth in the MHP Guidelines for those project/unit types. In addition, you will also need to provide a supportive services verification with a wet signature in your hard copy application submittal.

3. Be sure to check out the MHP guidelines referenced in this response as a helpful guide. This will help specify if your project goals align with the MHP program requirements, specifically, for the Special Needs, Senior and Supportive Housing project types and/or the percentage of units you have referenced in your question.
3. Could you please clarify for me what documents are required for a Senior Project with only Supportive Housing? The documents listed below say they are required for Supportive housing but the tab for 22f. Supportive Services Plan Worksheet and 22j Supportive Services Verification worksheet do not appear unless “Special Needs” is checked on the first page of the application.

Could you please tell me if these documents are required and how to access them and please verify that the other documents (duty statements and funding services commitment letter etc.) are required and also that the tab for attachment 22j should read Supportive Services Verification not as shown.

These are the documents listed:
22a. Integration Plan. For Special Needs and Supportive Housing Projects provide and Integration Plan that demonstrates how the Sponsor will meet the requirements of §7302(g).
22b. Sponsor SOQ Statement of Qualifications regarding owning and managing Special Needs Projects include list of projects.
22c. Property Management SOQ Property Management Statement of Qualifications regarding owning and managing Special Needs Projects include list of projects.
22d. LSP SOQ Statement of Qualifications of LSP Company & Resumes of Principles.
22e. LSP Exp Contracts Executed contracts must be attached for experience to count. Attach only these pages of the contract: page(s) identifying the Project name, scope of work; term of the contract or agreement; and execution page(s) showing all signatures of all parties to the contracts.
22f. Supportive Service Plan Supportive Service Plan worksheet.
22g. LSP NonSpon SS Contract Basic Lead Service Provider Contract, Agreement or Letter of Intent (non Sponsor provider).
22h. NonSpon SS Contract Enhanced Contract, Agreement or Letter of Intent to Provide Services (other non Sponsor providers).
22i. Duty Stmt1, Duty Stmt2, DutyStmt3, DutyStmt4 Staff Duty Statements (all providers).
22j. SS Fund Ltr1, SS Fund Ltr2, SS Fund Ltr3, etc. Supportive Services Verification worksheet (completed & signed).
22k. SS Fund Ltr1, SS Fund Ltr2, SS Fund Ltr3, etc. Services Funding commitment Letter.

Please see below for responses to the questions submitted:
• For projects with Supportive Housing Units, documentation to be submitted includes all items on the checklist as numbers 22a-22k.

• Tab 22j as stated on the checklist is incorrect, the correct electronic file name should be “SS Verification”.

• The required tabs should appear once you have selected Supportive Housing radio buttons. If the required tabs have not populated, please be sure you have selected the “enable content” button. If the tabs still do not appear you will need to do the following:

  Complete the Application Support tab of the Supplemental application. Email the entire application to appsupport@hcd.ca.gov

4. Our project has 10% of the Restricted Units restricted for occupancy by Homeless households (with vacancies filled by referrals for the Coordinated Entry System). Do these units need to be designated as Supportive Housing and thus require a Supportive Services Plan, etc. to be submitted in order to score 5 points under the “Addressing More Serious Local Housing Needs” criteria?

In order to claim the 5 points in Section 7320 (b)(2)(C) – Most Serious Local Housing Need – the Sponsor must complete the following 2 parts:

  a. 10 percent of the units must be set aside for Homeless Households.
     i. For MHP, a ‘Homeless’ population is considered a special needs unit. Please refer to the June 2019 Guidelines Section 7301 for a complete list of Supportive Housing or Special Needs definitions.
  b. Vacancies must be filled by referrals from the local Coordinated Entry System (CES), when and where this system is actively referring households to housing.

The Sponsor(s) providing the required documents as outlined in the Document Checklist is part of the minimum Threshold requirements as stated in Sections 7320 (a)(4) and 7318. The Sponsor(s) meeting the requirements of the minimum Threshold as stated in Section 7320 (a)(8).

5. We have a 60 unit project that we will be submitting a financing application for under the Large Family project type, we do have 6 units (10%) that are set aside for Supportive Housing units, please confirm since we do not meet the 15% threshold of supportive housing units we do not need to include

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• B2 - SH Experience 7302(f)(1-3)
• B3 - Supportive Services Plan
• B4 - SS Verification worksheets

Based on the information provided and without reviewing your application, it cannot be determined what project type your project is or which type of units your project will provide. You will need to ensure your supportive housing, special needs population, and/or senior project goals align with the program requirements set forth by Section 7302 Eligible Project, located in the MHP Guidelines. Upon determination of which Project and/or unit types your project fits you will need to select the correct radial buttons to ensure all required worksheets populate to complete your application. Also ensure you are clicking the “Enable Content” button prior to entering any data or selecting your project types in the application.

In Guidelines Section 7324 Management, Maintenance, and Supportive Services, of the MHP Guidelines. If your project will provide supportive housing units, services and special needs populations you must provide the required supportive housing worksheets in the application along with a supportive housing and integration plan that clearly identify all requirements set forth in the MHP Guidelines for those project/unit types. In addition, you will also need to provide a supportive services verification with a wet signature in your hard copy application submittal.