

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


651 Bannon Street, Sacramento, 95811
P. O. Box 952054
Sacramento, CA 94252-2054
(916) 263-2771 / FAX (916) 263-2763
www.hcd.ca.gov



April 20, 2026

Amended May 4, 2026

MEMORANDUM FOR: All Potential Applicants

FROM: Jennifer Seeger, Deputy Director 
Division of State Financial Assistance

SUBJECT: **Multifamily Finance Super NOFA
2026 MHP Gap Funding Notice of Funding Availability**

The California Department of Housing and Community Development (Department or HCD) is announcing the availability of approximately **\$240 million** in funds through this Multifamily Housing Program (MHP) Gap Funding Notice of Funding Availability (NOFA).

The purpose of this MHP Gap Funding NOFA is to support construction-ready projects that, despite having an existing HCD loan or grant commitment, are unable to move forward.

A substantial share of the capital funding for HCD-awarded projects has traditionally been provided by equity raised from the sale of low-income housing tax credits, including 4% federal tax credits. Due to various factors including the competitiveness of state low-income housing tax credits, funding gaps have delayed otherwise construction-ready projects with HCD program awards.

Funding made available through this NOFA is available to projects with at least one prior HCD program funding award, have not yet obtained an award of tax-exempt bond financing and 4% federal low-income housing tax credits, and are unable to proceed due to funding gaps.

To be eligible, existing HCD awards must not have expired, been terminated, disencumbered, or otherwise held to be void. To be eligible, projects must not have closed construction financing.

Awarded projects must commit to applying to the next funding cycle of California Debt Limit Allocation Committee (CDLAC).

This NOFA provides for a streamlined application process. As detailed in the NOFA, documents and conditions previously determined through existing HCD awards will not be re-reviewed, repetition in point scoring categories is minimized, and application

Multifamily Finance Super NOFA – 2026 MHP Gap Funding
Notice of Funding Availability

underwriting and feasibility review requirements are streamlined.

Applications must be submitted electronically through the MFSN application portal no later than June 5, 2026.

Application forms, instructions, and related MHP program information are available on the [MFSN webpage](#). The NOFA application will be available on the MFSN webpage no later than May 4, 2026.

Awards are anticipated to be announced August 2026. If you have questions regarding this NOFA, please contact SuperNOFA@hcd.ca.gov. To receive information regarding MFSN programs and other updates, please subscribe to the Department's email list at [Email Signup](#)

MULTIFAMILY FINANCE SUPER NOFA

2026 MHP Gap Funding Notice of Funding Availability (AMENDED)



**Gavin Newsom, Governor
State of California**

**Tomiquia Moss, Secretary
Business, Consumer Services and Housing Agency**

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

651 Bannon Street, Sacramento, CA 95811

Telephone: (916) 263-2771

Website: [Multifamily Finance Super NOFA](#)

Multifamily Finance Super NOFA Email: SuperNOFA@hcd.ca.gov

April 20, 2026

Amended May 4, 2026

**2026 MHP Gap Funding NOFA
Table of Contents**

I.	Overview	3
	A. Notice of Funding Availability.....	3
	B. Eligibility and Award Requirements	3
	C. Timeline	6
	D. Authorizing Legislation and Regulations (Regulatory Authority)	6
II.	NOFA and Program Requirements	6
	A. Eligible Project.....	7
	B. Eligible Sponsor(s)/Applicant(s).....	7
	C. Eligible Uses of Funds and Project Costs.....	7
	D. Site Control.....	7
	E. Threshold Requirements	7
	F. Rating and Ranking	8
III.	Application Submission and Review Process	8
	A. Application Streamlining	8
	B. Application Submission Process.....	9
	C. Pre-Application Inquiries and Resources.....	10
	D. Disclosure of Application	10
	E. Concurrent Applications.....	10
	F. Prior Awards	11
	G. Significant Changes in Project After Application	11
IV.	Scoring Criteria	11
	A. Summary	11
	B. Extent to which the Project serves households at the lowest income levels	11
	C. Funding Priorities.....	13
	D. Readiness to Proceed	14
	E. Cost Containment.....	15
	F. Tiebreaker Score	15
V.	Appeals	15
	A. Basis of Appeals.....	15
	B. Appeal Process and Deadlines.....	16
	C. Decision.....	16
VI.	Award Announcements and Contracts	16
	A. Award Announcements.....	16
	B. Contracts	17
VII.	Other State Requirements	17
	A. California’s Preservation Notice Law	17
	B. Relocation Requirements	18
VIII.	Other Terms and Conditions	18
	A. Right to Modify or Suspend	18
	B. Conflicts.....	18

I. Overview

A. Notice of Funding Availability

The California Department of Housing and Community Development (Department or HCD) is announcing the availability of approximately **\$240 million** in funding from the Multifamily Housing Program (MHP), which may be augmented based on availability of funds. MHP provides low-interest, long-term deferred payment loans to assist the new construction, rehabilitation, and preservation of permanent rental housing developments for lower income households. Pursuant to [Uniform Multifamily Regulations](#) Section 8304(c), for projects assisted by MHP the number of assisted units shall equal the number of restricted units. MHP funds available through this NOFA do not include capitalized operating subsidy reserves (COSRs).

This NOFA provides funds for construction-ready projects that, despite having received one or more program awards from HCD multifamily loan and/or grant programs (as specified in Section B below), are unable to commence construction due to a remaining funding gap. Applicants must demonstrate readiness and commit to applying to the next joint funding cycle of California Debt Limit Allocation Committee (CDLAC) and California Tax Credit Allocation Committee (CTCAC). Additional details of these requirements are stated below.

B. Eligibility, Funding Priorities, and Limits

1. Eligibility and Award Requirements

A project must meet all of the following eligibility criteria:

- a. The project is fully funded except for the requested MHP funds and an award of tax-exempt bond financing and 4% federal low-income housing tax credits and has not commenced construction.
- b. Pursuant to this NOFA's threshold requirement for readiness to proceed, the applicant(s)/awardee(s) is committing to applying to the next application cycle of bonds and tax credits on September 8, 2026, and committing to applying without a state tax credit request. Failure to comply with this requirement as well as the requirements of a resulting CDLAC award's bond issuance/construction closing deadline will result in the Department rescinding and disencumbering this NOFA's award.
- c. Eligibility is limited to multifamily projects (rental housing developments) that have an existing HCD award from one or more of the qualifying HCD programs. Projects must not have begun construction, as defined in MHP Guidelines section 7302(c). Existing HCD awards must not have expired, been terminated, disencumbered, or otherwise held to be void. The existing HCD award must be from one the qualifying HCD programs identified below:

- Affordable Housing and Sustainable Communities Program
- Community Development Block Grant Program – Disaster Recovery
- HOME Investment Partnerships Program
- Housing for a Healthy California Program
- Infill Incentive Grant Program of 2007 or 2019
- Joe Serna, Jr. Farmworker Housing Grant Program
- Multifamily Housing Program
- National Housing Trust Fund
- No Place Like Home Program¹
- Competitive Permanent Local Housing Allocation Program
- Supportive Housing Multifamily Housing Program
- Transit-Oriented Development Implementation Program
- Veterans Housing and Homelessness Prevention Program

Please note that projects that received a Homekey or Homekey+ award were required to commence construction and achieve full occupancy within designated timeframes after award and therefore are not eligible for this NOFA.

- d. Applicants that received their first and only HCD award in 2025 must also demonstrate that their HCD application included 4% state tax credit or 9% tax credit financing. Projects with 2025 awards of HOME, NHTF, or CDBG-DR are exempt from this requirement.
- e. The limitations of multiple HCD funding sources on the same assisted unit in a single project described in [Administrative Notice 21-06](#) are not applicable to projects awarded through this NOFA; there are no “stacking” limits.
- f. This MHP Gap Funding NOFA’s funds are not intended to supplant previously committed public funds. Accordingly, any federal, state, or local public entity resources committed in the existing HCD award application(s) must remain in the financing proposed in this NOFA’s application at the same (or greater) level of funding.

Please refer to Article II Program Requirements for complete information on eligible applicants and projects.

¹ Projects that received a No Place Like Home award from an Alternative Process County do not qualify as an existing HCD award under this NOFA unless they also have an award from a qualifying HCD program.

2. NOFA Targets and Funding Limits

a. NOFA Targets and Limits

To the extent possible, the Department will target 10 percent of the total MHP funds awarded to projects in rural areas as defined in Health and Safety Code Section 50199.21. This target is based on consideration of the level of MHP funds awarded to rural areas in recent Multifamily Finance Super NOFA (MFSN) funding rounds. The complexity of implementing the requirements of [AB 434 \(2020\)](#), which required the Department to administer and award multiple program funds simultaneously through MFSN, has resulted in rural areas receiving minimal to no MHP funds over the last two MFSN funding cycles. This NOFA's 10 percent target aims to provide a minimum level of MHP funds to rural areas.

The statutorily required MHP allocation to senior housing has been met in the aggregate of MHP funds awarded. As a result, this NOFA will not include a specified target percentage for senior housing.

b. Funding Limits

- i. The maximum award of MHP funds pursuant to this NOFA is \$15,000,000. The minimum award amount is \$3,000,000.

At the Department's sole and absolute discretion, a greater amount than the maximum and a lesser amount than the minimum may be approved in advance of the application filing deadline. If requesting an amount higher than the maximum award amount, the applicant must demonstrate substantial developer/sponsor funds have been contributed since the existing HCD award was made (excluding deferred developer fee).

- ii. HCD funds shall not exceed 60 percent of the total development cost in the application.
- iii. For this MHP Gap Funding NOFA, per unit limits are assessed through competitive scoring (see Article IV, Section C below) whereby points are associated with the amount requested per restricted unit, with fewer dollars per unit garnering more points. No points will be awarded to projects requesting \$250,000 per unit or more. Pursuant to Uniform Multifamily Regulations Section 8304(c), for projects assisted by MHP the number of assisted units equals the number of restricted units.
- iv. Within the limits set by this NOFA, the Department will permit a project to exceed a per unit and per project limits set by the existing HCD award(s).

C. Timeline

Applications will be reviewed and ranked based on the scoring criteria outlined in Article IV of this NOFA. Application materials must be submitted electronically via the Department’s Multifamily Finance Super NOFA Application Portal, available online at [Multifamily Finance Super NOFA](#) no later than 4:00 p.m. Pacific Time on June 5, 2026.

NOFA Release Date	April 20, 2026
Application Portal Opens	May 4, 2026
Application Due Date	June 5, 2026
Award Announcement	August 2026

D. Authorizing Legislation and Regulations (Regulatory Authority)

MHP was established by Chapter 637, Statutes of 1999 (SB 1121). The administration of MHP is governed by guidelines that implement, interpret, or make specific Chapter 6.7 of Part 2 of Division 31 commencing with California Health & Safety Code (HSC) Section 50675, as amended. Applications submitted under this NOFA are subject to the MHP Guidelines, all applicable statutory requirements, and this NOFA. Guidelines section references in this NOFA refer to MHP Guidelines unless otherwise noted. Terms in this NOFA are either defined herein or in the MHP Guidelines. The MHP Guidelines and NOFA are available on the [Multifamily Finance Super NOFA](#) webpage.

II. NOFA and Program Requirements

Applications submitted under this NOFA are subject to requirements of MHP Guidelines dated February 13, 2025. Refer to Article III of this NOFA for modifications to MHP Guidelines and standard application requirements. As described in Application Streamlining (Section A of Article III), in lieu of resubmitting and re-evaluating supporting documentation for certain identified program and threshold requirements previously verified by an existing HCD award, this NOFA will accept applicant certification that certain documents and/or conditions remain in effect. The Department reserves the right to request clarifying information related to applicant certifications.

Applications that are incomplete or not expected to receive an award of funds due to relatively low scores or ranking may not be fully evaluated.

As prescribed in Article V, applicants may appeal the Department's written determination that an application is incomplete, has failed threshold review, or has otherwise been determined to provide an insufficient basis for an award, including point scoring.

A. Eligible Project

Projects must meet the eligibility requirements set forth MHP Guidelines Section 7302.

The Department expects unit mixes (number of units, bedroom sizes, and AMI levels) to remain substantially the same as approved by the most recent Department award. If you have questions regarding this requirement, contact Department staff in advance of the application filing deadline at SuperNOFA@hcd.ca.gov.

B. Eligible Sponsor(s)/Applicant(s)

The Sponsor/Applicant applying for MHP funding under this NOFA must include all Sponsor(s) of the existing HCD award(s). Applicants must meet the requirements set forth in MHP Guidelines Section 7303. For an existing HCD award from a federally funded program where the sponsor is a subrecipient of a HCD commitment to a locality, contact Department staff to discuss this requirement in advance of the application filing deadline at SuperNOFA@hcd.ca.gov.

C. Eligible Uses of Funds and Project Costs

Funds shall be used only for approved eligible costs incurred for the project as set forth in MHP Guidelines Section 7304.

D. Site Control

An eligible project must meet the site control requirements set forth in MHP Guidelines Section 7303.1(o). Site control must have been continuously maintained since the existing HCD award was made.

E. Threshold Requirements

1. An eligible project must meet all the threshold requirements set forth in MHP Guidelines Section 7303.1.
2. All applications must **achieve a point score greater than 55.0 points** to be considered for funding.
3. All applications must achieve a 20-point score in the Readiness to Proceed scoring category.

F. Rating and Ranking

1. Scoring Overview

For the purposes of this NOFA, all scoring criteria have been outlined in Article IV. Applications that meet NOFA and guidelines threshold requirements and are submitted with a self-score that meets the minimum point requirement will be scored using the Scoring Criteria of Article IV. Incomplete applications or others not expected to receive an award of funds due to relatively low scores or ranking may not be fully evaluated.

2. Ranking Overview

Beginning with the top scoring applications, projects will be ranked according to their point scores. Scores will be reviewed and verified for accuracy and completeness by Department staff. Applications must rank high enough to be awarded the entire requested amount; the Department will not partially fund requested amounts when NOFA funds are nearly depleted.

If NOFA funds are largely depleted and the rural target has not been met, the Department may skip projects in the ranked list to achieve the approximate 10 percent target for rural areas.

Once NOFA funds are nearly depleted, if the next-ranked application is requesting more funds than remain, the project will be skipped. At the sole and absolute discretion of the Department, if additional funds become available, the NOFA may be augmented. If the NOFA is augmented, projects will not be skipped unless the amount requested exceeds the remaining funds including the NOFA augmentation. Once all fully fundable projects are awarded, any remaining funds may be made available in a future NOFA.

III. Application Submission and Review Process

A. Application Streamlining

Given that all applicants have existing HCD awards and as a result have previously documented compliance with certain Department and MHP Guidelines requirements, this NOFA permits applicants to certify, as prescribed in the application document, certain MHP Guidelines requirements without resubmission and re-review of the documentation previously determined acceptable and complete through the existing HCD award process. Highlights of application streamlining are provided below. For complete details refer to the application document.

This MHP Gap Funding NOFA allows applicants to certify that certain threshold requirements previously verified under the existing HCD award(s) remain valid, including: experience and capacity, organizational documents, site control, local

approvals and entitlements, environmental clearances and reports, and market studies.

Any and all changes to the conditions documented by these previously submitted documents must be disclosed in the application and supported by updated documents.

Application underwriting and feasibility as described in MHP Guidelines Section 7318 will be streamlined and reduced. Underwriting will focus primarily on verifying the debt service coverage ratio requirement and demonstration of positive cash flow for 15 years.

To accurately assess point scoring, financing, and underwriting requirements, the Excel application document will include the following which must be completed with current, updated information:

- Unit Mix
- Development Sources and Uses
- Development Budget
- Operating Budget
- Cash Flow

B. Application Submission Process

Applications must meet eligibility requirements upon submission. Applications that do not meet the filing deadline requirements will not be eligible for funding. Applications must use the Department's forms and cannot be altered or modified by the applicant. It is the applicant's responsibility to ensure the application submitted is clear, complete, and accurate. Excel forms must be submitted in Excel format, not as a PDF document. For application forms visit the Department's website at [Multifamily Finance Super NOFA](#). MHP Guidelines and supplemental materials are also found on the MFSN webpage.

Required supporting documentation must be uploaded to the Multifamily Finance Super NOFA Application Portal using naming conventions set forth in the application.

Determination of completeness, compliance with all threshold requirements, the scoring of the application, and any application submission requirements pursuant to the MHP Guidelines, this NOFA, and the application form shall be based on the documents contained in the submitted application as of the application filing deadline. Applications not meeting all application information and submission requirements shall be considered incomplete. Within the Department's sole and absolute discretion, typographical errors verified by Department staff may be corrected, or the Department may request clarifying information. Pursuant to Article V, applicants may appeal the Department's written determination that an application is incomplete, has failed threshold review, or has otherwise been determined to provide an insufficient basis for an award, including point scoring.

No applicant may appeal the Department's evaluation of another applicant's application.

C. Electronic Submission

Application materials must be submitted electronically via the Department's Multifamily Finance Super NOFA Application Portal using the provided application forms, and the applicant must include all required information as detailed in the application forms. A link to the Department's Multifamily Finance Super NOFA Application Portal is available at the Department's webpage at [Apply Now](#). Applicants must submit all application materials no later than 4:00 p.m. Pacific Time on **June 5, 2026**.

Requirements for uploading the application workbook and required supporting documentation, including naming conventions, are described in the application instructions, the Application Portal, and the recorded [MFSN NOFA Webinar](#). Do not modify naming conventions when uploading documents.

D. Pre-Application Inquiries and Resources

For application questions and inquiries please contact MFSN staff sufficiently in advance of the application filing deadline, at SuperNOFA@hcd.ca.gov. Prior MFSN webinar recordings are available on the Multifamily Finance Super NOFA website: [Webinars and Workshops](#).

E. Disclosure of Application

The application, including any and all supplemental documents submitted during the review process, is a public record, which is available for public review pursuant to the California Public Records Act (CPRA) (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code). After final awards have been issued, the Department may disclose any materials provided by the Applicant to any person making a request under the CPRA. The Department cautions Applicants to use discretion in providing information not specifically requested, including but not limited to, bank account numbers, personal phone numbers, and home addresses. By providing this information to the Department, the Applicant is waiving any claim of confidentiality and consents to the disclosure of submitted material upon request.

F. Concurrent Applications

Separate, concurrent applications to other Department program funding source(s) are not permitted under this NOFA. In the event concurrent applications are submitted, the application to this NOFA will be disqualified.

G. Prior Awards

Applicants must disclose all awards of loans and grants for the project listed in the application at the time of application submittal. Applicants may not seek MHP funds through this NOFA to substitute previously awarded Department funds.

H. Significant Changes in Project After Application

The Department will make award determinations based on information provided in the application. If, after award, there is a significant departure from the application, the Department may re-evaluate the proposal status, reduce the award amount, or assign negative points to the applicant.

IV. Scoring Criteria

A. Summary

The criteria detailed in Article IV and summarized in the following table shall be used to rate applications. Individual point scores will be carried out to the decimal place necessary to differentiate between scores.

Point Score Criteria	Maximum Score
Extent to Which the Project Serves Households at the Lowest Income Levels	30
Funding Priorities	20
Readiness to Proceed	20
Cost Containment	5
Total Points	75

B. Extent to which the Project serves households at the lowest income levels (30 points maximum)

Applications will be scored based on the percentage of Units restricted to 80 percent of AMI² and below, limited to various percentages of AMI, adjusted by household size, and as follows:

A maximum of 30 points will be awarded based on the Lowest Income Points Table below.

² MHP assists units 60% AMI and below. However, for purposes of alignment with similar TCAC and CDLAC scoring criteria, this scoring category calculation is based on the percentage of units restricted to 80% AMI and below.

Each “Percent of AMI” category (column) may be used only once. (Please see the Lowest Income Points Table below.) For instance, 50 percent of Restricted Units at 50 percent of AMI cannot be used twice for 100 percent of Units at 50 percent AMI and receive 25 points, nor can 50 percent of Restricted Units at 50 percent of AMI for 12.5 points and 40 percent of Restricted Units at 50 percent of AMI be used for an additional 10 points. However, each “Percent of Restricted Units” category (row) may be used multiple times.

For example, 50 percent of Restricted Units at 50 percent of AMI for 12.5 points may be combined with another 50 percent of Restricted Units at 40 percent of AMI to achieve the maximum points. Point values that are only available to Projects in Rural Areas are marked with an asterisk.

Lowest Income Points Table									
Percent of AMI									
Percent of Restricted Units		55%	50%	45%	40%	35%	30%	25%	≤20%
	50%	5*	12.5*	16.9	17.5	18.75	30	30	30
	45%	5*	11.25*	16.9	17.5	18.75	30	30	30
	40%	5*	10	15	17.5	18.75	27.5	30	30
	35%	4.4*	8.75	13.15	17.5	18.75	25	27.5	30
	30%	3.75*	7.5	11.25	15	18.75	22.5	25	30
	25%	3.15*	6.25	9.4	12.5	15.65	18.75	21.9	25
	20%	2.5*	5	7.5	10	12.5	15	17.5	20
	15%	1.9*	3.75	5.65	7.5	9.4	11.25	13.1	15
	10%	1.25*	2.5	3.75	5	6.25	7.5	8.75	10

To receive any points in this category, at least 10 percent of the Restricted Units must be restricted to households with incomes not exceeding 30 percent of AMI. These Units cannot be concentrated among a Project’s smaller Units. They must be distributed proportionately across all Unit sizes, or, alternately, more heavily represented among larger Units. To ensure a proportional spread of deeply Affordable Units, at least 10 percent of the larger Units in the Project must be provided at 30 percent of AMI, as applicable. So long as the Applicant meets the 10 percent standard Project-wide, the 10 percent standard need not be met among all the smaller Units.

For example:

60 Total Units in Project	Required ELI Units (30% AMI)
18 three-bedroom	2 Units
21 two-bedroom	3 Units
21 one-bedroom	1 Unit
Total (10%)	6 Units

C. Funding Priorities (20 points maximum)

1. Requested MHP Funds Per Restricted Unit

Points are calculated based on the amount of requested funding from this NOFA divided by units restricted to 80 percent AMI and below, adjusted for number of bedrooms, with fewer dollars per unit garnering more points. Point scores are incrementally calculated within a range of 0-20 points. No points are available for projects requesting \$250,000 per unit or more.

To calculate adjusted restricted units, the restricted units of each unit type (bedroom count) are multiplied by the following adjustment factors:

Unit Type	Adjustment Factor
Studio/SRO	0.90
1-Bedroom	1.00
2-Bedroom	1.25
3-Bedroom	1.50
4-Bedroom or larger	1.75

The Excel application form utilizes the following formulaic point calculation:

$$(20 - 19.99 * (\text{cost per unit} / \$250,000))$$

For example:

Number of Adjusted Restricted Units	MHP Funds Requested	
		\$5,000,000
50 Units	\$100,000 per unit = 12.00400 points	\$200,000 per unit = 4.00800 points

D. Readiness to Proceed (20 points)

Applications must successfully achieve points in this category to be considered for funding. The Department shall rescind the award for failure to comply with the bond issuance/construction commencement requirements of the points requested, and as specified in Article I. B.1. Negative points may also be assessed for failure to demonstrate compliance with these point requirements.

Twenty (20) points will be awarded to projects that meet the criteria below:

- Evidence of Enforceable Funding Commitments for all permanent financing, and evidence of commitments for project-based rental assistance and operating subsidies; and
- Construction will commence as demonstrated by one of the following two options:
 - i. If low-income housing tax credits are part of the financing structure, applicants are committing to applying to the next application cycle of CDLAC and CTCAC no later than September 8, 2026, for bond financing and 4% federal tax credits with no state tax credit request, and adhering to the CDLAC award bond issuance/construction closing deadline; or
 - ii. If low-income housing tax credits are not part of the financing structure, applicants are committing to commence construction of the project within 180 days of award as documented by the requirements below. No later than 180 days after the date of the award, the Department must receive:
 - a. an executed construction contract;
 - b. recorded deeds of trust for all construction financing (unless a project's location on tribal trust land precludes this), binding commitments for permanent financing, binding commitments for any other financing required to complete project construction.
 - c. issuance of building permits (a grading permit does not suffice to meet this requirement except that in the event that the city or county as a rule does not issue building permits prior to the completion of grading, a grading permit shall suffice; if the project is a design-build project in which the city or county does not issue building permits until designs are fully complete, the city or county shall have approved construction to begin) or the applicable tribal documents; and
 - d. notice to proceed delivered to the contractor.

E. Cost Containment (5 points maximum)

A Project shall receive 1 point for each full percent that the Project's eligible basis is less than the Project's adjusted threshold basis limit, up to a maximum of 5 points. The percentage is calculated by dividing the Project's eligible basis by the Project's adjusted threshold basis limit.

$$\frac{\text{Total Eligible Basis per the Development Budget}}{\text{Adjusted Threshold Basis Limit}}$$

*(Per California Debt Limit Allocation Committee
(CDLAC) Regulation Section 5230)*

For purposes of this subdivision, a Project's adjusted threshold basis limit shall be the Project's threshold basis limit, as if it were a 4 percent LIHTC project, as determined pursuant to Section 10327(c)(5) of the TCAC regulations, except that the increase for deeper targeting pursuant to Section 10327(c)(5)(C) of the TCAC regulations that is multiplied by the unadjusted threshold basis limit shall be limited to 80 percent. Section 10327(c)(5)(C) of the TCAC regulations states that for Projects financed through CDLAC, "an increase of one percent (1%) in the threshold basis limits shall be available for every 1% of the project's Low-Income and Market Rate Units that will be income and rent restricted at or below 50 percent (50%) but above 35 percent (35%) of AMI. An increase of 2 percent (2%) shall be available for every 1% of the project's Low-Income and Market Rate Units that will be restricted at or below 35% of AMI." The Department, however, will only restrict to income levels to 5 percent increments.

Any Project may be subject to performance penalties if the Project's total eligible basis determined upon construction completion exceeds the revised total adjusted threshold basis limits for the year the Project completes construction (or the original total eligible threshold basis limit if higher) by 40 percent.

F. Tiebreaker

The Funding Priorities point score formula eliminates the need for a tiebreaker scoring criteria. Individual point scores will be carried out to the decimal place necessary to differentiate between scores.

V. Appeals

A. Basis of Appeals

1. Applicants may appeal the Department's written determination that an application is incomplete, has failed threshold review, or has otherwise been determined to provide an insufficient basis for an award, including point scoring. Submission of additional documents, including as part of an appeal for an application disqualification or point score reduction, shall

include evidence demonstrating either the document existed as of the application filing deadline, or the document certifies to a condition existing at the time of the application filing deadline as further described above in Article III.

2. No applicant shall have the right to appeal a decision of the Department relating to another Applicant's application (e.g., eligibility, award).
3. Any request to appeal the Department's decision regarding an application shall be reviewed for compliance with the MHP Guidelines and this NOFA. All decisions rendered shall be made by the Director or his/her designee. The decision shall be final, binding, and conclusive, and shall constitute the final action of the Department.
4. The appeal process provided herein applies solely to the decision of the Department made in this program NOFA.

B. Appeal Process and Deadlines

1. **Process:** To file an appeal, applicants must submit to the Department, by the deadline set forth below, a written appeal which states all relevant facts, arguments, and evidence upon which the appeal is based. Furthermore, the Applicant must provide a detailed reference to the area or areas of the application that provide clarification and substantiation for the basis of the appeal. No new or additional information will be considered if this information would result in a competitive advantage to an applicant. Once the written appeal is submitted to the Department, no further information on materials will be accepted or considered thereafter. Appeals are to be submitted to the Department at SuperNOFA@hcd.ca.gov according to the deadline set forth in Department review letters.
2. **Filing Deadline:** Appeals must be received by the Department no later than five (5) business days from the date of the Department's threshold review, or initial score letters, representing the Department's decision made in response to the application.

C. Decision

Any request to appeal to the Department's decision regarding an application shall be reviewed for compliance with the MHP Guidelines and this NOFA. All decisions rendered shall be final, binding, and conclusive, and shall constitute the final action of the Department.

VI. Award Announcements and Contracts

A. Award Announcements

The Department will announce MHP awards on the [Multifamily Finance Super NOFA](#) website.

B. Contracts

Successful sponsors/applicants (awardee(s)) will enter into a Standard Agreement with the Department. The Standard Agreement specifies and memorializes all the relevant state and federal requirements, as well as specific information about the award and the work to be performed.

To facilitate efficient processing of Standard Agreements, the condition of the award will be the delivery of a duly adopted and legally sufficient authorizing resolution and any duly filed or adopted organizational documents not included in the application, within sixty (60) calendar days of the Department's issuance of the conditional award letter. The Department has set a goal to deliver Standard Agreements to the awardee(s) within ninety (90) days following the receipt of these documents. The awardee(s) shall remain a party to the Standard Agreement for the entire term of the Standard Agreement; removal of the awardee(s) without the Department's prior written consent is prohibited and will result in a default.

Once a project is awarded the Department funds, the sponsor acknowledges and agrees that the completed project will be substantially the same as what the sponsor proposed in its application. The Department may nullify the award(s) of a proposed project that is rendered infeasible through division into separately financed or held portions. Such a project's awards cannot be transferred or assigned to another project or sponsor/recipient.

VII. Other State Requirements

The awardee agrees to comply with all applicable state and federal laws, rules, guidelines, and regulations that pertain to construction, health and safety, labor, fair employment practices, equal opportunity, and all other matters applicable to the project, the awardee, its contractors or subcontractors, and any award activity, including without limitation the following:

- MHP Guidelines Section 7314: State and Federal Laws, Rules, Guidelines and Regulations

Where the proposed project presents a fair housing issue, the Department reserves discretion to require a fair housing legal opinion. In addition, the awardee(s) shall comply with the following requirements:

A. California's Preservation Notice Law

All applicants, sponsors, awardees, co-awardees, owners, and special purpose entities *must*, at all times, comply with, and not be in violation of, California's Preservation Notice Law (Gov. Code, §§ 65863.10, 65863.11, 65863.13).

B. Relocation Requirements

The sponsor of a project resulting in displacement of persons, businesses, or farm operations shall be solely responsible for providing the assistance and benefits set forth in the MHP Guidelines section indicated below, and in applicable state and federal law, and shall agree to indemnify and hold harmless the Department from any liabilities or claims for relocation-related costs. In addition, before Standard Agreements from a Multifamily Finance Super NOFA award will be executed, sponsor must have either: (1) a Department-approved relocation plan; or (2) a Department-issued Certification Regarding Non-Application of Relocation Benefits and Indemnification Agreement, which has been duly executed and approved by the Department.

- MHP Guideline Section 7315: Relocation Requirements

VIII. Other Terms and Conditions

A. Right to Modify or Suspend

The Department reserves the right, at its sole discretion, to suspend, amend, or modify the provisions of this NOFA at any time, including without limitation, the amount of funds available hereunder. If such an action occurs, the Department will notify all interested parties via the Department's email list and will post the revisions to the Multifamily Finance Super NOFA website. Please be sure and subscribe at the [Department's email list](#).

B. Conflicts

It is the duty and responsibility of the applicant to review any funding source they obtain for a proposal to ensure each of the requirements for those funding sources are compatible with the Department program requirements.

In the event of any conflict between the terms of this NOFA and the MHP Guidelines and either applicable state or federal law or regulation, the terms of the applicable state or federal law or regulation shall control. Applicants are deemed to have fully read and understand all applicable state and federal laws, regulations, and guidelines pertaining to the relevant program, and understand and agree that the Department shall not be responsible for any errors or omissions in the preparation of this NOFA.