

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE  
July 22, 2009  
Staff Report  
*REQUEST FOR A QUALIFIED PRIVATE ACTIVITY BOND ALLOCATION FOR A  
QUALIFIED RESIDENTIAL RENTAL PROJECT*

Prepared by: Crystal Alvarez

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**Applicant:** City of San Jose

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**Allocation Amount Requested:**  
**Tax-exempt:** \$14,200,000

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**Project Information:**  
**Name:** Orvieto Family Apartments  
**Project Address:** SW Corner of Monteciot Vista Drive & Goble Lane  
**Project City, County, Zip Code:** San Jose, Santa Clara, 95111

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**Project Sponsor Information:**  
**Name:** Orviet Family Apartments, L.P. (ROEM Development Corporation and Pinmore HDC, Inc.)  
**Principals:** Robert Emami, Jonathan Emami, Marcus Griffin, Tatiana Blank, Jacque Hansen, Alex Sanchez and Candace Capogrossi

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**Project Financing Information:**  
**Bond Counsel:** Quint & Thimmig LLP  
**Underwriter:** PNC Bank, N.A.  
**Credit Enhancement Provider:** PNC Bank, N.A.  
**Private Placement Purchaser:** Not Applicable  
**TEFRA Hearing Date:** December 10, 2008

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**Description of Proposed Project:**  
**State Ceiling Pool:** General  
**Total Number of Units:** 91, plus 1 manager unit  
**Type:** New Construction  
**Type of Units:** Family

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**Description of Public Benefits:**  
**Percent of Restricted Rental Units in the Project:** 100%  
100% (91 units) restricted to 50% or less of area median income households.  
**Unit Mix:** 1, 2 & 3 bedrooms

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**Term of Restrictions:**  
**Income and Rent Restrictions:** 55 years

**Details of Project Financing:**

<b>Estimated Total Development Cost:</b>	\$ 29,283,165	
<b>Estimated Hard Costs per Unit:</b>	\$ 321,793	(\$29,283,165 /91 units)
<b>Estimated per Unit Cost:</b>	\$ 321,793	(\$29,283,165 /91 units)
<b>Allocation per Unit:</b>	\$ 156,044	(\$14,200,000 /91 units)
<b>Allocation per Restricted Rental Unit:</b>	\$ 156,044	(\$14,200,000 /91 restricted units)

<b>Sources of Funds:</b>	Construction	Permanent
Tax-Exempt Bond Proceeds	\$ 14,200,000	\$ 8,150,000
Lease-Up Income	\$ 408,567	\$ 410,024
Deferred Developer Fee	\$ 2,200,000	\$ 1,842,980
LIH Tax Credit Equity	\$ 916,792	\$ 6,867,355
Direct & Indirect Public Funds	\$ 11,228,000	\$ 11,683,000
Interest Income	\$ 329,806	\$ 329,806
<b>Total Sources</b>	<b>\$ 29,283,165</b>	<b>\$ 29,283,165</b>

<b>Uses of Funds:</b>	
Acquisition Costs	\$ 3,820,107
New Construction Costs	\$ 16,998,870
Architectural	\$ 425,000
Survey & Engineering	\$ 300,000
Contingency Costs	\$ 1,034,972
Construction Period Expenses	\$ 1,603,374
Permanent Financing Expenses	\$ 1,042,708
Legal Fees	\$ 200,000
Capitalized Reserves	\$ 239,569
Reports & Studies	\$ 25,000
Other (Marketing, etc)	\$ 1,093,565
Developer Costs	\$ 2,500,000
<b>Total Uses</b>	<b>\$ 29,283,165</b>

**Legal Questionnaire:**

The Staff has reviewed the Applicant’s responses to the questions contained in the Legal Status portion of the application. No information was disclosed to question the financial viability or legal integrity of the Applicant.

**Total Points:** 82.5 out of 118

[See Attachment A]

**Recommendation:**

Staff recommends that the Committee approve \$14,200,000 in tax exempt bond allocation.

**ATTACHMENT A**

**EVALUATION SCORING:**

Point Criteria	Maximum Points Allowed for Non-Mixed Income Projects	Maximum Points Allowed for Mixed Income Projects	Points Scored
Federally Assisted At-Risk Project or HOPE VI Project	20	20	0
Exceeding Minimum Income Restrictions:	35	15	35
Exceeding Minimum Rent Restrictions [Allowed if 10 pts not awarded above in Federally Assisted At-Risk Project or HOPE VI Project]	[10]	[10]	10
Gross Rents	5	5	0
Large Family Units	5	5	5
Leveraging	10	10	10
Community Revitalization Area	15	15	0
Site Amenities	10	10	2.5
Service Amenities	10	10	10
New Construction	10	10	10
Sustainable Building Methods	8	8	0
Negative Points	-10	-10	0
<b>Total Points</b>	<b>118</b>	<b>98</b>	<b>82.5</b>

The criteria for which points are awarded will also be incorporated into the Resolution transferring Allocation to the Applicant as well as the appropriate bond documents and loan and finance agreements.