

**CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE**  
**Project Staff Report**  
**2008 First Round Cycle**  
**June 20, 2008**  
**REVISED**

**Project Number** CA-2008-063

**Project Name** Hillsdale Townhouses  
**Site Address:** 1626-1656 Hillsdale Avenue  
San Jose, CA 95124 County: Santa Clara  
**Census Tract:** 5029.08

**Applicant Information**

**Applicant:** Mid-Peninsula Housing Coalition  
**Contact:** Joe Kirchofer  
**Address:** 303 Vintage Park Drive, Suite 250  
Foster City, CA 94404  
**Phone:** (650) 356-2974 Fax: (650) 357-9766  
**Email:** jkirchofer@midpen-housing.org

General Partner Type: Nonprofit

**Information**

**Set-Aside:** N/A  
**Housing Type:** Large Family  
**Geographic Area:** San Mateo and Santa Clara Counties

**Eligible Basis**

**Requested:** \$11,193,808  
**Actual:** \$11,193,808  
**Maximum Permitted:** \$12,026,880

**Adjustments to Threshold Basis Limit:**

Required to Pay Prevailing Wages

<b>Tax Credit Amounts</b>	<b>Federal/Annual</b>	<b>State/Total</b>
Requested:	\$697,465	\$1,931,156
Recommended:	\$697,465	\$1,931,156

**Project Information**

**Construction Type:** Acquisition & Rehabilitation  
**Federal Subsidy:** N/A  
**Total # of Units:** 48  
**Total # Residential Buildings:** 16

**Income/Rent Targeting**

**Federal Set-Aside Elected:** 40%/60%  
**% & No. of Tax Credit Units:** 100% - 47 units  
**Breakdown by %:** 35% @ 30%, 45% @ 50%

<b>Selection Criteria</b>	<b>Max. Possible Points</b>	<b>Req. Points</b>	<b>Points Awarded</b>
<b><i>Cost Efficiency/Credit Reduction/Public Funds</i> (Maximum of 20 points)</b>	<b>20</b>	<b>20</b>	<b>20</b>
<input checked="" type="checkbox"/> Credit Reduction	20	2	2
<input checked="" type="checkbox"/> Public Funds	18	18	18
<b><i>Owner / Management Characteristics</i> (Maximum of 9 points)</b>	<b>9</b>	<b>9</b>	<b>9</b>
<input checked="" type="checkbox"/> General Partner Experience	6	6	6
<input checked="" type="checkbox"/> Management Experience	3	3	3
<b><i>Housing Needs</i> (Maximum of 10 points)</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b><i>Site Amenities</i> (Maximum of 15 points)</b>	<b>15</b>	<b>15</b>	<b>15</b>
<input checked="" type="checkbox"/> Within ¼ mile of transit stop with service every 30 minutes & 25 units per acre density	7	7	7
<input checked="" type="checkbox"/> Within ½ mile of public park or community center open to general public	2	2	2
<input checked="" type="checkbox"/> Within ½ mile of public library	2	2	2
<input checked="" type="checkbox"/> Within ¼ mile of a full-scale grocery store with staples, fresh meat and fresh produce	4	4	4
<input checked="" type="checkbox"/> Within ¼ mile of a pharmacy	2	2	2
<b><i>Service Amenities</i> (Maximum of 10 points)</b>	<b>10</b>	<b>10</b>	<b>10</b>
<input checked="" type="checkbox"/> After school programs of an ongoing nature for school age children	5	5	5
<input checked="" type="checkbox"/> Bona fide service coordinator/social worker available	5	5	5
<b><i>Balanced Communities</i> (Maximum of 9 points)</b>	<b>9</b>	<b>9</b>	<b>9</b>
<input checked="" type="checkbox"/> Local government initiatives re: affordable housing	3	3	3
<input checked="" type="checkbox"/> Adjacent to upper income family housing	2	2	2
<input checked="" type="checkbox"/> Project with at least 30% of units @ 30% AMI or less	4	4	4
<b><i>Sustainable Building Methods</i> (Maximum of 8 points)</b>	<b>8</b>	<b>8</b>	<b>8</b>
<input checked="" type="checkbox"/> Rehabilitation, not subject to Title 24, w/75% fluorescent or comparable	2	2	2
<input checked="" type="checkbox"/> Bathroom fans in all bathrooms w/humidistat, timer and outdoor exhaust	2	2	2
<input checked="" type="checkbox"/> Formaldehyde-free insulation	1	1	1
<input checked="" type="checkbox"/> Recycled materials incorporated into: concrete, carpet, road base or landscape	1	1	1
<input checked="" type="checkbox"/> Construction Indoor Air Quality Management plan	2	2	2
<b><i>Lowest Income</i> (Maximum of 52 points)</b>	<b>52</b>	<b>52</b>	<b>52</b>
<input checked="" type="checkbox"/> Basic Targeting	50	50	50
<input checked="" type="checkbox"/> Deeper Targeting – at least 10% of units @ 30% AMI or less	2	2	2
<b><i>Readiness to Proceed</i> (Maximum of 20 points)</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b><i>State credit substitution</i> (Maximum of 2 points)</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>Total Points</b>	<b>155</b>	<b>155</b>	<b>155</b>

**Tie-Breaker Information**

Tie-Breaker Categories Apply to this Project: **Yes**

First: Housing Type **Large Family**

Second: Maximum Balanced Communities Points/Federal Designated Area **Yes**

Third: Calculated Ratio per Regulation 10325(c)(12) **98.394%**

<b>Unit Type &amp; Number</b>	<b>2008 Rents % of Area Median Income</b>	<b>Proposed Rent (including utilities)</b>
13 Two-Bedroom Units	30%	\$715
13 Two-Bedroom Units	50%	\$1193
6 Two-Bedroom Units	60%	\$1193
4 Three-Bedroom Units	30%	\$827
9 Three-Bedroom Units	50%	\$1379
2 Three-Bedroom Units	60%	\$1379
1 Two-Bedroom Unit	Manager's Unit	\$0

The general partner or principal owner is a to-be-determined wholly controlled affiliate of Mid-Peninsula Housing Coalition.

The project developer is Mid-Peninsula Housing Coalition.

The management agent is Mid-Peninsula Housing Management Corporation.

The market analyst is M.E. Shay & Co.

The Local Reviewing Agency, City of San Jose, has completed a site review of this project and strongly supports this project.

**Project Financing**

Estimated Total Project Cost: \$16,632,560 Per Unit Cost: \$346,512 Construction Cost Per Sq. Foot: \$78

<b>Construction Financing</b>		<b>Permanent Financing</b>	
Source	Amount	Source	Amount
Union Bank	\$10,000,000	Union Bank	\$3,615,300
City of San Jose	\$4,275,000	City of San Jose	\$4,275,000
Income from Operations	\$33,982	FHLB – AHP	\$480,000
Investor Equity	\$1,200,000	Income from Operations	\$33,982
		GP Equity	\$100
		Deferred Developer Fee	\$263,921
		Investor Equity	\$7,964,257
		<b>TOTAL</b>	<b>\$16,632,560</b>

**Determination of Credit Amount(s)**

Requested Eligible Basis (Rehabilitation):	\$6,568,558
130% High Cost Adjustment:	No
Requested Eligible Basis (Acquisition):	\$4,625,250
Applicable Fraction:	100%
Qualified Basis Credit Reduction (2%)	\$223,876
Qualified Basis (Rehabilitation):	\$6,437,187
Applicable Rate:	8.30%
Qualified Basis (Acquisition):	\$4,532,745
Applicable Rate:	3.60%
Maximum Annual Federal Credit (Rehabilitation):	\$534,286
Maximum Annual Federal Credit (Acquisition):	\$163,179
Total Maximum Annual Federal Credit:	\$697,465
Total State Credit:	\$1,931,156
Approved Developer Fee:	\$1,077,018
Tax Credit Factor: Community Economics	\$0.8943

Applicant requests and staff recommends annual federal credits of \$697,465 and total state credits of \$1,931,156, based on a qualified rehabilitation basis of \$6,437,187, a qualified acquisition basis of \$4,532,745 and a funding shortfall of \$7,964,257.

### **Cost Analysis and Line Item Review**

The requested eligible basis \$11,193,808 is below TCAC's threshold basis limit \$12,026,880. The basis limit was increased by the following extraordinary features: projects that are required to pay state or federal prevailing wages. Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitations.

Annual operating expenses exceed the minimum operating expenses established in the Regulations, and the project pro forma shows a positive cash flow from year one.

Staff has calculated federal tax credits based on 8.30% of the qualified basis, or, in the case of acquisition Credit, 3.60%. Applicants are cautioned to consider the expected federal rate when negotiating with investors. TCAC's financial evaluation at project completion will determine the final allocation.

**Special Issues/Other Significant Information:** Adequate laundry facilities must be available on project premises, with no fewer than one washer/dryer per 10 units upon completion of the project prior to the issuance of federal and state tax forms.

**Legal Status:** Staff has reviewed the Applicant's responses to the questions contained in the Legal Status portion of the Application. No information was disclosed that raised any question regarding the financial viability or legal integrity of the applicant.

**Recommendation:** Staff recommends that the Committee make a preliminary reservation of tax credits, in the following amount(s) contingent upon standard conditions and any additional conditions imposed by the Committee:

Federal/Annual	State/Total
<b>\$697,465</b>	<b>\$1,931,156</b>

### **Standard Conditions**

An application for a carryover allocation must be submitted by **October 31, 2008**, as required by regulation section 10328(d), together with the applicable allocation fee and all required documentation. The time for meeting the "10%" test and submitting related documentation will be no later than six (6) months after the date of the executed carryover allocation (as defined by IRC Section 42 and IRS Notices). The applicant must ensure the project meets all Additional Threshold Requirements for the housing type of the proposed project.

The applicant must submit all documentation required for a Final Reservation no later than February 1 of the year that the building(s) must be placed in service pursuant to Section 42(h)(E)(i) of the Internal Revenue Code of 1986, as amended. The applicant shall provide the Committee a Final Reservation application providing the documentation for the project set forth in Section 10322(i)(1) of these regulations. Failure to provide the documentation at the time required may result in rescission of the Credit reservation and cancellation of a carryover allocation.

TCAC makes the preliminary reservation only for the project specified above in the form presented, and involving the parties referred to in the application. No changes in the development team or the project as presented will be permitted without the express approval of TCAC.

The applicant must pay TCAC a performance deposit and allocation fee calculated in accordance with regulation. The performance deposit must be paid by cashier's check within 20 calendar days of any preliminary reservation. The allocation fee must be paid within a time period specified in the preliminary reservation letter. The allocation fee will be due prior to execution of a carryover allocation or issuance of tax forms, whichever comes first. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are preliminary estimates only, staff recommends that a reservation be made in the amount of federal credit and state credit shown above on condition that the final project costs be supported by itemized lender approved costs and certified costs after the buildings are placed in service.

All unexpended funds in reserve accounts established for the project must remain with the project to be used for the benefit of the property and/or its residents, except for the portion of any accounts funded with deferred developer fees.

All fees charged to the project must be within TCAC limitations. Fees in excess of these limitations will not be considered when determining the amount of credit when the project is placed-in-service.

The applicant/owner shall be subject to underwriting criteria set forth in Section 10327 of the regulations through the final feasibility analysis performed by TCAC at placed-in-service.

Credit awards are contingent upon applicant's acceptance of any revised total project cost, qualified basis and tax credit amount determined by TCAC in its final feasibility analysis.

If points were awarded for service amenities, the applicant will be required to provide such amenity or amenities identified in the application, for a minimum period of ten years and at no cost to the tenants.

Applicants that received points for sustainable building methods (energy efficiency) must submit the certification required by Section 10325(c)(8) at project completion.

Applicants that received increases (exceptions to limits) in the threshold basis limit under Section 10327(c)(5) must submit the certification required by Section 10322(i)(2)(P) at project completion.

**Additional Conditions:**

Applicants that received 20 points for readiness to proceed must meet ALL of the following requirements. The applicant must be ready to begin construction within 150 days of the Credit Reservation which is November 17, 2008, as evidenced by submission, within that time of, recorded deeds of trust for all construction financing, payment of all construction lender fees, issuance of building permits and notice to proceed delivered to the contractor. Failure to meet this timeline will result in rescission of the Credit Reservation.

**Project Analyst:** Anthony Zeto