

**CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE**  
**Project Staff Report**  
**2008 Second Round Cycle**  
**October 8, 2008**  
**REVISED**

**Project Number** CA-2008-174

**Project Name** Paigewood Village  
**Site Address:** Paigewood Drive South of Hwy. 32  
Orland, CA 95963 County: Glenn  
**Census Tract:** 101

**Applicant Information**

**Applicant:** Orland Pacific Associates, a CA LP  
**Contact:** Caleb Roope  
**Address:** 430 E. State Street, Suite 100  
Eagle, ID 83616  
**Phone:** (208) 461-0022 Fax: (208) 461-3267  
**General Partner Type:** Joint Venture

**Information**

**Set-Aside:** Rural/RHS 515  
**Housing Type:** Large Family  
**Geographic Area:** N/A

**Eligible Basis**

**Requested:** \$16,223,675  
**Actual:** \$16,223,675  
**Maximum Permitted:** \$18,380,087

**Adjustments to Threshold Basis Limit:**

Required to Pay Prevailing Wages  Local Impact Fees   
3 or More Energy Efficiency/Resource Conservation/Indoor Air Quality Features

<b>Tax Credit Amounts</b>	<b>Federal/Annual</b>	<b>State/Total</b>
Requested:	\$1,271,936	\$4,769,759
Recommended:	\$1,271,936	\$4,769,759

**Project Information**

**Construction Type:** New Construction  
**Federal Subsidy:** HOME/CDBG/USDA Rural Development – Section 515  
**Total # of Units:** 73  
**Total # Residential Buildings:** 9

**Income/Rent Targeting**

**Federal Set-Aside Elected:** 40%/60%  
**% & No. of Tax Credit Units:** 100% - 72 units  
**Breakdown by %:** 10% @ 30%, 25% @ 50%, 50% @ 55%

<b>Selection Criteria</b>	<b>Max. Possible Points</b>	<b>Requested Points</b>	<b>Points Awarded</b>
<b><i>Cost Efficiency/Credit Reduction/Public Funds</i> Maximum 20 points</b>	<b>20</b>	<b>20</b>	<b>20</b>
<input checked="" type="checkbox"/> Cost Efficiency	18	5	5
<input checked="" type="checkbox"/> Credit Reduction	20	2	2
<input checked="" type="checkbox"/> Public Funds	18	13	13
<b><i>Owner / Management Characteristics</i> Maximum 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 10 points</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b><i>Site Amenities</i> Maximum 15 points</b>	<b>15</b>	<b>15</b>	<b>15</b>
<input checked="" type="checkbox"/> Within 500 feet of a regular bus stop or rapid transit system stop:	4	4	4
<input checked="" type="checkbox"/> Rural project within ½ mile of public park or community center open to general public	3	3	3
<input checked="" type="checkbox"/> Rural project within 1 mile of a full-scale grocery store w/staples, fresh meat/produce	3	3	3
<input checked="" type="checkbox"/> Rural Large Family project within ½ mile of public school project children may attend	3	3	3
<input checked="" type="checkbox"/> Rural project within 1.5 miles of medical clinic or hospital	2	2	2
<input checked="" type="checkbox"/> Rural project within 1 mile of a pharmacy	1	1	1
<b><i>Service Amenities</i> Maximum 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"/> Educational classes (e.g. ESL, Computer training, etc. and aren't same as After School)	5	5	5
<b><i>Sustainable Building Methods</i> Maximum 8 points</b>	<b>8</b>	<b>8</b>	<b>8</b>
<input checked="" type="checkbox"/> Flow restrictors for kitchen & bath faucets or water-saving fixtures	1	1	1
<input checked="" type="checkbox"/> CRI Green-label, low-VOC carpet and pad	1	1	1
<input checked="" type="checkbox"/> Bathroom fans in all bathrooms w/humidistat, timer and outdoor exhaust	2	2	2
<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
<input checked="" type="checkbox"/> Project has nonsmoking buildings or contiguous sections within a building	1	1	1
<b><i>Lowest Income</i> Maximum 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 20 points</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b><i>State credit substitution</i> Maximum 2 points</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>Total Points</b>	<b>146</b>	<b>146</b>	<b>146</b>

**Tie-Breaker Information**

Tie-Breaker Categories Apply to this Project: **No**

First: Housing Type **Large Family**

Second: Calculated Ratio per Regulation 10325(c)(12) **82.791%**

<u>Unit Type &amp; Number</u>	<u>2008 Rents for 2<sup>nd</sup> Round 2008 % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
3 Two-bedroom Units	30%	\$363
9 Two-bedroom Units	50%	\$605
12 Two-bedroom Units	55%	\$643
4 Three-bedroom Units	30%	\$419
10 Three-bedroom Units	50%	\$699
26 Three-bedroom Units	55%	\$742
1 Four-bedroom Unit	30%	\$468
2 Four-bedroom Units	50%	\$780
5 Four-bedroom Units	55%	\$829
1 Three-bedroom Unit	Manager's Unit	\$0

The general partners or principal owners are Better Opportunities Builder, Inc., Roope, LLC & W R Spann, LLC.

The project developer is Pacific West Communities, Inc.

The management agent is Brackenhoff Management, Inc.

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

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

**Project Financing**

Estimated Total Project Cost: \$21,727,218 Per Unit Cost: \$297,633 Construction Cost Per Sq. Foot: \$168

<b>Construction Financing</b>		<b>Permanent Financing</b>	
Source	Amount	Source	Amount
Wells Fargo Bank	\$17,000,391	Wells Fargo Bank	\$1,350,000
City of Orland – HOME	\$1,900,000	USDA Rural Development – Section 515	\$1,000,000
Orland Pacific Associates	\$108,605	City of Orland – HOME	\$1,900,000
Deferred Developer Fee	\$1,200,000	City of Orland – CDBG	\$995,000
Investor Equity	\$1,518,222	AHP	\$800,000
		Deferred Developer Fee	\$500,000
		Investor Equity	\$15,182,218
		<b>TOTAL</b>	<b>\$21,727,218</b>

### **Determination of Credit Amount(s)**

Requested Eligible Basis:	\$16,223,675
130% High Cost Adjustment:	No
Applicable Fraction:	100%
Qualified Basis Credit Reduction (2%)	\$324,474
Qualified Basis:	\$15,899,202
Applicable Rate:	8.00%
Maximum Annual Federal Credit:	\$1,271,936
Total State Credit:	\$4,769,759
Approved Developer Fee:	\$1,200,000
Tax Credit Factor: <i>SunAmerica</i>	\$0.86810

Applicant requests and staff recommends annual federal credits of \$1,271,936 and total state credits of \$4,769,759 based on a qualified basis of \$15,899,202 and a funding shortfall of \$15,182,218.

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

The requested eligible basis \$16,223,675 is below TCAC's threshold basis limit \$18,380,087. The basis limit was increased by the following extraordinary features: projects that are required to pay state or federal prevailing wages, projects that are required to provide parking beneath the residential units, local development impact fees, the adjustment for projects with 3 or more energy efficiency/resource conservation/indoor air quality items, using a Minimum Efficiency Report Value (MERV) 8 or higher air filter for HVAC systems that introduce outside air, recycling at least 75% of the construction and demolition waste (measured by either weight or volume), and using at least four recycled products listed in the Construction, Flooring, or Recreation section of the California Integrated Waste Management Board's Recycled Content Products Database. Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitations.

Annual operating expenses meet the minimum operating expenses established in the Regulations, and the project pro forma shows a positive cash flow from year one. See "Special Issues/Other Significant Information" section for further details.

Staff has calculated federal tax credits based on 8.00% of the qualified basis. 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:** Staff noted that the Annual operating expenses was short of the minimum operating expenses established in the Regulations by a minimal amount and will require that an adjustment be made in the updated application pages either by Carryover Allocation or Final Reservation showing that the minimum was met.

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:

<b>Federal/Annual</b>	<b>State/Total</b>
\$1,271,936	\$4,769,759

**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)(1)(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 **March 9, 2009**, 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