

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
Tax-Exempt Bond Project
November 5, 2008

Project Number CA-2008-929

Project Name St. Marks
Address: 394 12th Street
Oakland, CA 94607 County: Alameda

Applicant Information

Applicant: St. Marks Apartments, L.P.
Contact: Ron Nelson
Address: 1286 West Moraga Road
Fresno, CA 93711
Phone: (559) 285-2266
Sponsors Type: Joint Venture

Bond Information

Issuer: CSCDA
Expected Date of Issuance: November 2008
Credit Enhancement: Freddie Mac Credit Enhancement Facility

Housing Type: Seniors

Eligible Basis

Actual: \$21,400,526
Requested: \$21,400,526
Maximum Permitted: \$28,777,272

Extra Feature Adjustments: 55-Year Use/Affordability Restriction – 1% for Each 1% of Low-Income Units are Income Targeted Between 50% AMI & 36% AMI: 10%

Tax Credit Amounts	Federal/Annual	State/Total
Requested:	\$806,998	\$0
Recommended:	\$806,998	\$0

Project Information

Construction Type: Acquisition and Rehabilitation
Federal Subsidy: Tax-Exempt / HUD Section 8
HCD MHP Funding: No
Total # of Units: 108
Total # Residential Buildings: 1

Income/Rent Targeting

Federal Setaside Elected: 40%/60%
% & No. of Targeted Units: 100% - 107 units
55-Year Use/Affordability Restriction: Yes
Number of Units @ or below 50% of area median income: 11
Number of Units @ or below 60% of area median income: 96

<u>Unit Type & Number</u>	<u>2008 Rents % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
10 One-Bedroom	50%	\$765
74 One-Bedroom	60%	\$765
17 One-Bedroom	60%	\$969
1 Studio	50%	\$753
5 One-Bedroom	60%	\$765
1 Two-Bedroom	Manager's Unit	\$0

The general partners or principal owners are St. Marks, LLC and Foundation for Affordable Housing.

The project developer is St. Marks, LLC.

The management services will be provided by ConAm Management Corporation.

The market analysis was provided by Novogradac & Company, LLP.

The Local Reviewing Agency, the city of Oakland, has completed a site review of this project and supports this project.

Project Financing

Estimated Total Project Cost: \$28,011,024 Per Unit Cost: \$226,725 Construction Cost Per Sq. Foot: \$71
 Estimated Residential Cost: \$24,486,274
 Estimated Commercial Cost: \$2,124,750
 Air Space/Excess Land Value: \$1,400,000

<u>Construction Financing</u>		<u>Permanent Financing</u>	
<u>Source</u>	<u>Amount</u>	<u>Source</u>	<u>Amount</u>
RBC Capital Markets Tax Ex. Bonds	\$17,000,000	RBC Capital Markets- T. Ex. Bonds	\$11,600,000
Seller Carryback Note	\$7,865,163	Seller Carryback Note	\$9,148,771
Investor Equity	\$2,345,908	Investor Equity	\$7,262,253
		TOTAL	\$28,011,024

Determination of Credit Amount(s)

Requested Rehabilitation Eligible Basis:	\$5,521,833
Requested Acquisition Eligible Basis:	\$15,878,693
130% High Cost Adjustment:	Yes
Applicable Fraction:	100%
Qualified Rehabilitation Basis:	\$7,178,383
Qualified Acquisition Basis:	\$15,878,693
Applicable Rate:	3.50%
Maximum Annual Federal Rehabilitation Credit:	\$251,243
Maximum Annual Federal Acquisition Credit:	\$555,755
Total Maximum Annual Federal Credit:	\$806,998
Approved Developer Fee in Project Cost:	\$2,500,000
Approved Developer Fee in Eligible Basis:	\$2,500,000
Tax Credit Factor: RBC Capital Markets	\$0.89991

Applicant requests and staff recommends annual federal credits of \$806,998, based on a qualified rehabilitation basis of \$7,178,383, a qualified acquisition basis of \$15,878,693, and a funding shortfall of \$7,262,253.

Cost Analysis and Line Item Review

The requested eligible basis \$21,400,526 is below TCAC's adjusted threshold basis limit \$28,777,272. The basis limit includes the adjustment for projects where each 1% of low-income units are income targeted between 50% AMI & 36% AMI. Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitation with the exception of the contractor profit, overhead and general requirement costs as explained in the Special Issues section below.

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 3.50% of the qualified basis. Unless the applicant fixed the rate at bond issuance, the Federal Rate applicable to the month the project is placed-in-service will be used to determine the final allocation.

Special Issues/Other Significant Information: None.

Recommendation: Staff recommends that the Committee make a 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
\$806,998	\$0

Standard Conditions

If applicant is receiving tax-exempt bond financing from other than CalHFA, the applicant shall apply for a bond allocation from the California Debt Limit allocation Committee's next scheduled meeting, if not previously granted an allocation; shall have received an allocation from CDLAC; and, shall issue bonds within time limits specified by CDLAC.

The applicant anticipates financing more than 50% of the project aggregate basis with tax-exempt bond proceeds as calculated by the project tax professional. Therefore, the federal credit reserved for this project will not count against the annual ceiling.

The IRS has advised TCAC that the amount of tax-exempt bonds issued, equivalent to at least 50% of aggregate basis, must remain in place through the first year of the credit period or until eligible basis is finally determined.

TCAC makes the 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 will be permitted without the express approval of TCAC.

The applicant must pay TCAC an allocation fee calculated in accordance with regulation. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are anticipated to be the final project costs, staff recommends that a reservation be made in the amount of federal credit shown above on condition that the final project costs be supported by itemized lender approved costs, and certified costs of the buildings as completed.

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 credits 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.

Additional Conditions: None.

Project Analyst: Jack Waegell