

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
Tax-Exempt Bond Project
October 15, 2014

Project Number CA-14-893

Project Name Olive Court Apartments
 Site Address: 44056 Arabia St.
 Indio, CA 92201 County: Riverside
 Census Tract: 453.030

Tax Credit Amounts	Federal/Annual	State/Total
Requested:	\$314,368	\$0
Recommended:	\$314,368	\$0

Applicant Information

Applicant: Olive Villages of Indio, LP
 Contact: Christopher Kolbensschlag
 Address: 1101 E. Orangewood Ave., STE 200
 Anaheim, CA 92805
 Phone: (714) 221-5605 Fax: (925) 933-8457
 Email: ckolbensschlag@barkermgt.com

General Partner(s) or Principal Owner(s): Lutheran Gardens Corp.
 VHJS of Indio, LLC
 General Partner Type: Joint Venture
 Parent Company(ies): Lutheran Gardens Corp.
 Barker Management, Incorporated
 Developer: VHJS, LLC
 Investor/Consultant: R4 Capital
 Management Agent: Barker Management, Incorporated

Project Information

Construction Type: Acquisition & Rehabilitation
 Total # Residential Buildings: 13
 Total # of Units: 78
 No. & % of Tax Credit Units: 77 100.00%
 Federal Set-Aside Elected: 40%/60%
 Federal Subsidy: Tax-Exempt
 HCD MHP Funding: No
 55-Year Use/Affordability: Yes
 Number of Units @ or below 50% of area median income: 32
 Number of Units @ or below 60% of area median income: 45

Bond Information

Issuer: CSCDA
 Expected Date of Issuance: October 31, 2014
 Credit Enhancement: N/A

Information

Housing Type: Large Family
 Geographic Area: Inland Empire Region
 TCAC Project Analyst: DC Navarrette

Unit Mix

61 2-Bedroom Units
 15 3-Bedroom Units
 2 4-Bedroom Units

 78 Total Units

<u>Unit Type & Number</u>	<u>2014 Rents Targeted % of Area Median Income</u>	<u>2014 Rents Actual % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
25 2 Bedrooms	50%	49%	\$664
25 2 Bedrooms	60%	57%	\$774
11 2 Bedrooms	60%	57%	\$779
6 3 Bedrooms	50%	49%	\$772
8 3 Bedrooms	60%	60%	\$947
1 4 Bedrooms	50%	48%	\$853
1 4 Bedrooms	60%	60%	\$1,057
1 3 Bedrooms	Manager's Unit	Manager's Unit	\$0

Project Financing

Estimated Total Project Cost: \$9,550,897
 Estimated Residential Project Cost: \$9,550,897

Residential

Construction Cost Per Square Foot: \$38
 Per Unit Cost: \$122,447

Construction Financing

<u>Source</u>	<u>Amount</u>
Boston Private Bank	\$4,650,000
Seller Carryback	\$3,285,996
Construction Period Income	\$170,142
Tax Credit Equity	\$1,444,759

Permanent Financing

<u>Source</u>	<u>Amount</u>
Boston Private Bank	\$2,740,000
Seller Carryback	\$3,285,996
Construction Period Income	\$170,142
Deferred Developer Fee	\$368,263
Tax Credit Equity	\$2,986,496
TOTAL	\$9,550,897

Determination of Credit Amount(s)

Requested Eligible Basis (Rehabilitation):	\$3,304,762
130% High Cost Adjustment:	Yes
Requested Eligible Basis (Acquisition):	\$5,060,000
Applicable Fraction:	100.00%
Qualified Basis (Rehabilitation):	\$4,296,191
Qualified Basis (Acquisition):	\$5,060,000
Applicable Rate:	3.36%
Maximum Annual Federal Credit, Rehabilitation:	\$144,352
Maximum Annual Federal Credit, Acquisition:	\$170,016
Total Maximum Annual Federal Credit:	\$314,368
Approved Developer Fee (in Project Cost & Eligible Basis):	\$1,091,056
Investor/Consultant:	R4 Capital
Federal Tax Credit Factor:	\$0.95000

Per Regulation Section 10322(i)(4)(A), The “as if vacant” land value and the existing improvement value established at application, as well as the eligible basis amount derived from those values, will be used during all subsequent reviews including the placed in service review, for the purpose of determining the final award of Tax Credits.

Per Regulation Section 10327(c)(2)(C), Once established at the initial funded application, the developer fee cannot be increased, but may be decreased, in the event of a modification in basis.

Eligible Basis and Basis Limit

Requested Unadjusted Eligible Basis:	\$8,364,762
Actual Eligible Basis:	\$8,364,762
Unadjusted Threshold Basis Limit:	\$19,467,388
Total Adjusted Threshold Basis Limit:	\$27,449,017

Adjustments to Basis Limit:

55-Year Use/Affordability Restriction – 1% for Each 1% of Low-Income Units are Income Targeted between 50% AMI & 36% AMI: 41%

Cost Analysis and Line Item Review

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 3.36% 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: This application is a re-syndication of an existing Low Income Housing Tax Credit (LIHTC) property, Olive Court Apartments (CA-96-910).

Local Reviewing Agency:

The Local Reviewing Agency has not yet completed a site review of this project. Any negative comments in the LRA report will cause this staff report to be revised to reflect such comments.

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 Tax Credits/Annual	State Tax Credits/Total
\$314,368	\$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 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 reservation 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 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.

Additional Conditions: The applicant/owner is required to complete the following sustainable building methods in accordance with the bond allocation from CDLAC and provide the applicable certifications and documentation when the TCAC placed-in-service application is submitted:

- The project commits to improve energy efficiency above the modeled energy consumption of the building(s) by a 30% decrease, based on an estimated annual energy use, in the buildings Home Energy Rating System II (HERSII) post rehabilitation.
- The rehabilitation project will implement the following sustainable building management practices:
 - (i) Development of a project-specific maintenance manual including replacement specifications and operating information of all energy and green building features; and (ii) Certify building management staff in sustainable building operations per BPI Multifamily Building Operator or equivalent training program; and (iii) Undertaking formal building systems commissioning, retro-commissioning or re-commissioning as appropriate (continuous commissioning is not required).