

Month-YY	CDLAC/CT Organization	Submitted By	Category	Stakeholder Comment	
May-21	CTCAC	Related	Ann Silverberg	disaster credits	allow developments located in fire perimeters of these earlier fires to receive the same benefits and allowances, including the benefit of the 1st tiebreaker, as the developments in 2020 fire perimeters and adjust the language regarding the CAA Disaster Area Fire Perimeter to include FCAA as follows: "located within a CAA or FCAA disaster area fire perimeter." This would apply to developments in those counties that had disasters both in 2020 and 2017 or 2018
May-21	CTCAC	Related	Ann Silverberg	credit limit	eliminate the limit of \$40,000 of credit per unit. The \$40,000 limit is not at all sufficient for project feasibility and will seriously hamper the rebuild effort that is intended with the disaster credits.
May-21	BOTH	Related	Ann Silverberg	readiness to proceed	grant the Executive Director the authority to approve readiness deadline extensions of up to 90 days, especially for agencies facing permitting difficulties due to disasters
Jun-21	CDLAC	Black Developers Forum	Cherene Sandidge	Geographic Apportionments	increase for Coastal Region, City of Los Angeles, Balance of Los Angeles County, Bay Area Region, and decrease Inland Region

Jun-21 CTCAC	National Housing Law Project	Marcos Segura	Tenant Rights	define Tenant rights to include eviction process, cure lease violations, include a grievance process, provide transparency and access to information, provides fair housing practices, comply with the Violence Against Women Act, senior and ADA accessibility obligations, provide reasonable accommodations, comply with equal opportunity housing requirement
Jun-21 CDLAC	Black Developers Forum	Cherene Sandidge	BIPOC	add language to the BIPOC definition specifying that BIPOC experience must be in affordable housing and remove language prohibiting ownership interest in projects that form the basis for experience
Jun-21 CDLAC	Black Developers Forum	Cherene Sandidge	affirmative furthering fair housing	BIPOC should automatically be eligible for this point and automatically qualify for 9% if they meet this requirement
Jun-21 CTCAC	Global Premier Development	Andrew Hanna	skipping	Section 10325(d)(2) - fund at least one project in each region
Jun-21 CTCAC	Chelsea Investment Corporation	Adam Getteridge	Enforceable financial commitment	consider pre-approval letters from USDA as enforceable commitments to finance to enable applicants to apply for tax credits
Jul-21 CDLAC	NPH Northern California	Amie Fishman	Tiebreaker	Ensuring that there is a public benefits based tiebreaker for CDLAC

Jul-21 CDLAC	Freebird Development	Robin Zimbler	expiring projects	Prioritize expiring DDA projects in the last round, especially when considering an appeal from another developer faced with an expiring project-based section 8 contract.
Jul-21 BOTH	NPH Northern California	Amie Fishman	high-cost construction	That the Bay Area's higher construction costs are taken into account for whatever regulatory changes are made
Jul-21 CTCAC		Patrick Sabelhaus	Scoring	follow HUD regulations regarding the issuing of commitments of for CDBG DR funds
Jul-21 CDLAC	Freebird Development	Robin Zimbler	Tiebreaker	adjusting the tiebreaker score for land costs by subtracting ½ of the land costs from the bond request for high-resource areas
Jul-21 CDLAC	Freebird Development	Robin Zimbler	Tiebreaker	Eliminate the 20% adjustment in tiebreakers for high resource areas since 120-point projects are competing amongst themselves. Therefore, the 20% tiebreaker adjustment only serves to give the illusion that they are relatively lower cost projects
Jul-21 BOTH	NPH Northern California	Amie Fishman	Rehabilitation projects	Ensuring that there is still a pathway to fund rehab with significant capital needs that would fall into the "other rehab" category
Jul-21 CDLAC	Freebird Development	Robin Zimbler	transparency	make work groups public and/or publish minutes from these groups in order to eliminate unfair advantage when those developers have access to information that others do

Jul-21 BOTH	NPH Northern California	Amie Fishman	High Opportunity areas	That AFFH regulations allow for the construction of affordable homes in high opportunity neighborhoods while still maintaining a viable pathway for funding affordable housing in rapidly gentrifying neighborhoods that are considered "low opportunity"
Jul-21 CDLAC	Freebird Development	Robin Zimbler	transparency	Waivers that impact scoring should be made public
Jul-21 BOTH	NPH Northern California	Amie Fishman	Recycled Bonds	Removing recycled bonds from the leveraged soft resources category to give more weight to voter approved bonds and other local funding
Jul-21 CDLAC	Freebird Development	Robin Zimbler	transparency	Extensions and failures to meet closing deadlines should be made public especially when developers have received extensions for multiple projects or multiple extensions for the same project
Jul-21 CDLAC	Kingdom Development Inc	William Leach	regulation format	Regulations are difficult to search and are often unclear: The pdf version of the regulations available for download on the website are old, emergency regulation findings don't include all the changes, the westlaw version is not searchable
Jul-21 BOTH	NPH Northern California	Amie Fishman	Stalled Projects	how TCAC will address the stalled HCD pipeline that is set to receive a major equity infusion through the budget

Aug-21 CDLAC

SF BART

Abby Thorne-
Lyman
Jessie O'Malley
Solis

High Opportunity
areas/ transportation

Include projects located near High Quality Transit with transit agency support in the high opportunity scoring criteria, allowing them to qualify for maximum points. Allowing the high opportunity point to also be applied to High Quality Transit locations - as defined in the AHSC guidelines - would acknowledge the important role that transit plays in economic opportunity, and also result in delivery of projects with fewer greenhouse gas emissions, reinforcing the State's climate goals.

Aug-21 CDLAC

SF BART

Abby Thorne-
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High Opportunity
areas/ transportation

Incorporate transit frequency and proximity into the definition of "high opportunity" As noted above, transit can play a major role in lowering household spending on transportation, and in providing much needed access to a variety of jobs to households without a car. Proximity to frequent transit is, and should be, an inherent value we consider when we define "opportunity."

Aug-21 CDLAC	SF BART	Abby Thorne-Lyman Jessie O'Malley Solis	High Opportunity areas/ transportation	Provide 1 bonus point in the CDLAC scoring system to projects with committed AHSC or TOD funding. BART and VTA have experienced delays in their AHSC funded projects because these projects cannot compete for necessary tax-exempt bonds in the CDLAC system. As a result, the success of Housing and Community Development ("HCD") funded projects is at risk, creating inefficiencies in the delivery of much-needed affordable housing. Providing a bonus point for AHSC and, TOD funded projects will also serve to help address the state's climate goals
Aug-21 both	CA Housing Consortium	Ray Pearl	scoring	Modifications to Current Scoring System: Remove AFFH determinative 1 point score in favor of a providing that benefit within the tiebreaker. If AFFH point remains, there should be a cap on the award, those projects should not automatically receive all site amenity points, and PSH projects and potentially other location benefits should receive equivalent scoring benefits. If AFFH point remains, treat this as a flexible point for state priorities

Aug-21 both	CA Housing Consortium	Ray Pearl	Tiebreaker	Rent savings benefits: Measure affordability against FMR not SAFMR, Maximum TCAC rents at designated income levels should be used to calculate rent savings, Gross project rents should be used vs. net project rents regardless of whether or not a project is discounting rents for % below market test or other scoring reasons, Rental assistance units should receive a fixed amount: proposal to use 30% for PSH and 40% with modification based on outcomes, and Need a modifier to create parity between counties or within regions with large variations in costs and fair market rents
Aug-21 both	CA Housing Consortium	Ray Pearl	Tiebreaker	Population benefits: The only populations to receive population benefit values should be PSH/special needs that have higher associated costs
Aug-21 both	CA Housing Consortium	Ray Pearl	Tiebreaker	Location benefits: Provide value for community development in lower resource areas where revitalization efforts are currently underway – subcommittee will work on a definition Provide value for proximity to transit and jobs even if those are factors in the future opportunity maps – this is particularly important to allow lower opportunity areas to get value for high-priority location benefits
Aug-21 both	CA Housing Consortium	Ray Pearl	Scoring	Adjustments for cost: Labor requirements, Density

Aug-21 both	CA Housing Consortium	Ray Pearl	Tiebreaker	Resources denominator: the denominator ONLY be bonds requested, Otherwise 50/50 split as to whether local funds should be included
Aug-21 BOTH	Chelsea Investment Corporation	Aaron Denton	closing deadline	TCAC and CDLAC closing dates do not line up - TCAC's closing date is 180 days after allocation. CDLAC's is drawn by lottery by the ED to be either 180 or 194. the May 2020 memo states otherwise for TCAC, that the readiness deadline is whatever CDLAC has determined through an extension letter.
Aug-21 CDLAC	Los Angeles Housing Department	Carmen Velazquez	allocation limits	limits on allocations are reverted back to pre-May 2020 amounts, due to emergency regulation time expiring
Aug-21 BOTH	CA Housing Consortium	Ray Pearl	division of allocations	Regionalize the entire bond allocation system to help address differences in costs and fair market rents
Aug-21 CTCAC	Etapes Corporation	Tung Tran	BIPOC	Section 10327(c)(2)(E) – clarify if 20% increase for BIPOC applies to new construction AND/OR acquisition/ rehab projects, and if the \$3M applies to both new construction and rehab projects
Aug-21 CDLAC	Etapes Corporation	Tung Tran	BIPOC	section 5170 - clarify how to provide documentation of BIPOC
Aug-21 BOTH	Etapes Corporation	Tung Tran	definitions	Section 5230(c) – evaluate and redefine suburban jurisdiction, specifically regarding # of bedrooms/ DU (net acre) in metropolitan counties with populations more than 2 million

Sep-21 CTCAC	midpen	Alice Talcott	placed in service requirements	There are numerous reasons why projects may have longer construction periods but not be high rise, including complicated site conditions with high density construction that requires sequential construction, labor shortages, supply shortages, etc.
Sep-21 CTCAC	impact development group	Cynthia Michels	Tiebreaker	lower number of years from 30 to 20, specifically to read, "except that outstanding principal balances for projects subject to an existing CTCAC regulatory agreement shall not be considered public funds if such loans were funded less than 20 years prior to the application deadline."
Sep-21 CTCAC	CA coalition for Rural Housing	Rob Wiener	disaster credits	add a set-aside or pool for disaster-recovery projects
Sep-21 CTCAC	CA coalition for Rural Housing	Rob Wiener	disaster credits	have an alternate scoring system for disaster areas to change the criteria for amenities, readiness, tiebreakers, points allotted
Sep-21 CDLAC	CalVet	Theresa Gunn	pools and set asides	give CalVet \$100m for housing veterans

Sep-21	CTCAC	midpen	Alice Talcott	readiness to proceed	For projects that get allocations without committing to readiness points, create an interim deadline for starting construction by a date that is in advance of the federal Placed In Service Deadline. Adding a construction start deadline will allow TCAC to recapture and reallocate credits in a more timely way if the developer fails to start construction. The construction start deadline could be based on the projected construction period listed in the application
Sep-21	CTCAC	midpen	Alice Talcott	amenities	Provide a list of qualifying options for the requirement for recreation areas for teens. Right now the only specifically stated option is access to the community room which is required until 10 p.m. which can be problematic.
Sep-21	CTCAC	midpen	Alice Talcott	basis limits	work to make continuous improvements to the methodology for setting basis limits to remain current
Oct-21	CTCAC	CA housing partnership	Mark Stivers	public benefit	provide an addition threshold basis limit increase of 2% for projects that commit to going all-electric, as an incentive to not "penalize" developers for higher costs
Oct-21	CTCAC			basis limits	TCAC should provide for an additional threshold basis limit increase of 2% or more for projects that commit to zero-emission technology.

Nov-21 CTCAC	midpen	Alice Talcott	basis limits	Calculate basis limits by cost region rather than by county, using regional groupings per the attached map which reflects areas with similar construction costs. This provides a more robust dataset for each region in contrast to relying on county-specific
Nov-21 BOTH	linc housing	Anne Wilson	Geographic Apportionments	don't change the geographic map: do not add Marin and Santa Cruz counties to the Bay Area Region, and do not add Sonoma and Napa counties to the Coastal Region
Nov-21 CDLAC	Meta Housing	Kasey Burke	50% AFFH and soft cap	How does the committee plan to sort the list to determine where to draw the line for the 50% soft cap and determine who will get the extra point and who will not. If it is a statewide list what happens if certain areas naturally score better than others (i.e. Coastal scoring better than Bay Area) and get a bunch of deals on the 50% AFFH list but then there aren't enough bonds in that area to fund all the AFFH deals – will those bonds be returned to the “cap” and go further down the list for other deals to get the point?
Nov-21 BOTH	Mutual Housing	Keith Bloom	readiness to proceed	change readiness requirements from 180 to e.g. 240 days to reduce the financial risk developers must take by allowing them to start construction document design only after having received allocations

Nov-21 BOTH

BOLD
Communities

Mike Miller

BIPOC

In addition to implementing the enhanced nondeferred portion of developer fee for BIPOC Projects in general, as previously outlined above, implement a scoring premium. Offer an additional one (1) point for sponsors that include an emerging BIPOC and a non-BIPOC General Partner that is eligible to receive maximum General Partner Experience points pursuant to Section 10325(c)(1)(A) of the CTCAC regulations, that will be applicable to the traditional pools outside of the BIPOC pool. This will increase opportunities for emerging BIPOCs to partner with a wider universe of experienced developers, mitigate risk, and align stakeholder interests. This is similar to the high/highest resource area scoring premium, which is a public policy priority for the committee. Reducing barriers for new and historically excluded developers is a stated primary policy goal and this scoring mechanism is a concrete way to achieve that.

Nov-21 BOTH	BOLD Communities	Mike Miller	BIPOC	Increase the nondeferred portion of the developer fee to at least \$4,000,000 to adequately compensate the max experience partner for the additional risks (typically in the form of guarantees); and Explicitly allow any BIPOC project, regardless of whether they partner with a maxexperience point partner, to be eligible for the fee outlined in Section 10327(c)(2)(E) of the CTCAC Regulations. This will allow for an emerging BIPOC developer to build up their balance sheet more quickly and be able to provide guarantees independent of partners. As the regulations currently read there is ambiguity as to whether a soleBIPOC sponsor, or a BIPOC sponsor that partners with an entity that does not achievemax experience points, would be eligible for the higher developer fee. Please clarify this ambiguity
Nov-21 both	BOLD Communities	Mike Miller	BIPOC	Permit emerging BIPOC developers that partner with BIPOCsthat are eligible to receive maximum General Partner Experience points pursuant to Section 10325(c)(1)(A) of the CTCAC regulations to be eligible to compete in the BIPOC pool.

Nov-21 BOTH	BOLD Communities	Mike Miller	BIPOC	Strike subsections (i) and (ii) of Section 5230(f)(1)(C) of the CDLAC regulations and allow an emerging BIPOC developer to achieve subsection (iii) by furnishing a letter of support from an affordable housing developer (most likely a former employer), that is eligible to receive maximum General Partner Experience points pursuant to Section 10325(c)(1)(A) of the CTCAC regulations, that can attest to the experience and qualifications of the emerging BIPOC developer
Nov-21 BOTH	community housing works	Sean Spear	Tiebreaker	determine if rent savings be calculated by actual amount of dollars difference between local FMR and average rent, or by the percentage of the difference between the FMR and the average rent
Nov-21 CTCAC	midpen	Alice Talcott	basis limits	Correct the regional adjustment methodology in the RS Means inflation index calculation currently being used. Though TCAC did not use the methodology proposed, they did use a new methodology. Given the recent increases in hard costs related to labor shortages and supply chain issues, it will be important that escalation is properly measured.
Nov-21 CTCAC	midpen	Alice Talcott	basis limits	Implement special rules applicable for El Dorado, Placer and Los Angeles counties in regard to elevation or census or zip code

Nov-21 CTCAC	midpen	Alice Talcott	basis limits	Maintenance of the current system is somewhat complex and technical. A more accurate system could be developed using outside expertise engaged by TCAC. Methodologies from other states should be examined.
Nov-21 CTCAC	midpen	Alice Talcott	basis limits	The size of a project is one of the strongest influencing factors on costs per unit. The system should account for adjustments for both small (i.e. 40 units or less) and large (i.e. 120 units or more) projects from the statistical norm.
Nov-21 CTCAC	midpen	Alice Talcott	basis limits	The cost differentials between unit sizes (i.e. studio vs. two-bedroom) should be studied
Nov-21 CTCAC	midpen	Alice Talcott	basis limits	If costs from actual projects continues to be used, a more detailed analysis of the individual project square footage should be considered in order to account for variations in counting methodologies (i.e. gross vs. net rentable, parking garage space, etc.).
Nov-21 CDLAC	Lift to Rise	Melissa Fox	rule making	include a larger group of stakeholders in the regulation changes process instead of a small working group
Nov-21 CDLAC	Lift to Rise	Melissa Fox	scoring	remove 13% penalty on the Inland Empire

Nov-21 CDLAC	Lift to Rise	Melissa Fox	region allocation	reverse changes to the regions to what it was before the April 24, 2021 meeting
Dec-21 CDLAC	Azul	Andrea Leon-Grossman	private activity bonds	don't fund for-profit Private Activity Bonds that takes away from the affordable housing market
Dec-21 CDLAC	Related California	Ann Silverberg	pools and set asides	create a pool or set aside for Executive Order sites
Dec-21 CDLAC	Bay Area Affordable Housing Alliance	Fred Smith	programs	restore funding for the Mortgage Credit Certificate program

Dec-21 CDLAC

Working Group

Marina Wint

Scoring

5230(j) Affirmatively Furthering Fair Housing (20 points maximum).

(1) A project shall receive points in only one of the following manners:

(A) Except as provided below, 20 points if the project receives points as a Large Family project or Special Needs project pursuant to Section 5230(g) (except the Special Needs project shall have at least 50% of its units set aside as permanent supportive housing for the homeless), is located in a High or Highest Resource Area as specified on the CTCAC/HCD Opportunity Area Map, and at least 10% of tax credit units shall be restricted at or below 30% of area median income and an additional 10% of tax credits units shall be restricted at or below 50% of area median income (except Special Needs projects shall be exempt from this 50% AMI requirement). Using the sort order described in Section 5231(a), once projects receiving 20 points pursuant to this subparagraph have been recommended for allocations that exceed any of the following thresholds, all remaining projects in that resource area and pool shall receive 19 points for meeting the requirements of this subparagraph:

(1) When allocations to 20-point projects located in high and highest resource areas exceed in the aggregate 50% of the bonds available in the Rural Pool.

(2) When allocations to 20-point projects located in high and highest resource areas exceed in the aggregate 50% of the bonds available in the Qualified Residential Rental Pool.

Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Tiebreaker/Scoring	20 years of rent savings
Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Tiebreaker/Scoring	Apply the 50% soft cap to the tiebreaker opportunity benefit for highest and high resource areas as well as to the extra AFFH point
Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Tiebreaker/Scoring	Clarify that the homeless, special needs, and veterans population benefits are mutually exclusive, i.e., an applicant can only get one
Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Tiebreaker/Scoring	ELI and VLI population benefits of \$50K and \$30K respectively
Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Scoring	Require that all community revitalization areas have a revitalization plan and with non-housing investment efforts occurring (that is the current CDLAC standard but inapplicable to Choice Neighborhoods, HUD revitalization areas, and DACs) and exclude opportunity zones
Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Tiebreaker/Scoring	Simplify and bring the transit benefits in line with other benefits by granting a benefit of \$2000 per CDLAC site amenity point for both transit and all other amenities (the CDLAC limit is ten points for a maximum benefit of \$20,000) and then grant an additional \$20,000 benefit for high quality transit as defined in the technical memo (1/4 mile and 30-minute headways or 1/2 mile and 15-minute headways)

Dec-21 CDLAC	CA Housing Partnership	Mark Stivers	Scoring	Utilize the TCAC threshold basis adjustment for prevailing wages (20%), Type I (15%) and Type III (10%) construction. It is not clear why these consensus standards for TCAC purposes should be drastically reduced for CDLAC purposes
Dec-21 CDLAC	Bay Area Affordable Housing Alliance	Roy Schweyer	programs	restore funding for the Mortgage Credit Certificate program
Dec-21 CDLAC	Kingdom Development	William Leach	leverage	remove leverage point category
Dec-21 CDLAC			Tiebreaker/Scoring	CDLAC should add a sustainability benefit to the numerator or subtract from the resource/cost denominator a fixed amount per unit for various sustainability features such as zero emission housing.
Dec-21 CDLAC	mark Stivers	Mark Stivers	Tiebreaker	A cap on the rent savings benefit at 30% AMI for units with rental assistance and an average of 40% AMI for all units without rental assistance

Dec-21 CDLAC

CA housing
partnership

Mark Stivers

Tiebreaker

Clarify that a threshold basis limit delta adjuster remains in the denominator. The technical memo suggests cutting the weight of this adjuster in half. We are analyzing data on that now and don't yet have an opinion on the weighting. The current adjuster is capped at 30% (which would be 15% if the weight of the adjuster is cut in half). We also don't yet have an opinion on whether this cap should be increased, especially in light of counting less than 30 years of rent savings. Our initial analysis is that a higher weighting and higher cap benefit coastal regions marginally but don't seem to have a significant impact on regional outcomes.

Dec-21 BOTH	<p>Andrew Brooks, Association for Energy Affordability; Srinidhi Sampath Kumar, California Housing Partnership; Fernando Gaytan, Earthjustice; Merrian Borgeson, Natural Resources Defense Council; Lauren Westmoreland, Stewards of Affordable Housing for the Future; Bruce Naegel, Carbon Free Silicon</p>	Igor Tregub	<p>CTCAC: threshold basis limit increase; CDLAC: tiebreaker</p>	<p>WANT: Align affordable housing investments with the state’s climate policy. CTCAC should provide for an additional threshold basis limit increase of 2% or more for projects that commit to zero-emission technology. CDLAC, with respect to the pending benefit efficiency tiebreaker proposed for 2022 and beyond, should add a sustainability benefit to the numerator or subtract from the resource/cost denominator a fixed amount per unit for various sustainability features. As the regulations are currently defined, clean and resilient housing projects are inadvertently penalized in the threshold basis limit calculation despite the fact that these kinds of projects support California’s climate goals by reducing emissions 30-60%, compared to a home that burns fossil fuels. With California moving toward carbon neutrality by 2035 and 100% clean electricity no later than 2045, we must avoid making it more challenging to achieve our goals, and eliminate climate pollution in new homes by transitioning away from fossil fuels.</p>
Jan-22 CDLAC	<p>Blue Line Transfer; South San Francisco Scavenger</p>	Doug Button	private activity bonds	<p>Municipality mandate SB 1383 -- Asking for a reasonably sized pool for the 2022 Statewide Volume Cap Allocation for the benefit of solid waste, recycling and renewable energy industry projects.</p>

Jan-22 BOTH	Jonathan Rose Companies	Sarah White	\$500 million state credit allocation	Concerned that the \$500 million of state tax credits should be applied equally to each round. Urge the Committee to continue to treat the \$500 million approved by the legislature as a "First-Come, First-Served" for the first round, if not for all of 2022. Projects already in the pipeline need the opportunity to receive funds according to the regulations that were in place when the deals were structured. Could affect CA-21-741 (project could become less financially feasible.)
Jan-22 CDLAC	Resource Recovery Coalition of California (Resource Coalition)	Veronica Pardo	private activity bonds	So cities and counties can meet the mandatory organic waste recycling program mandate and the short-lived climate pollutant (SLCP) reduction goals: Strong support for continued and reasonable allocation for exempt facilities. The low-cost financing for these types of projects help maintain lower customer rates or minimize rate increases for waste collection and processing. ALSO support prioritization of First Tier companies for the major part of any year.

Jan-22 BOTH

Bold Communities Michael Miller

Emerging Developer
Pool Allocation

The larger developer fee outlined in Section 7305(b)(4), which is consistent with CTCAC Regulation 10327(c)(2)(E), along with the structure mandated in Section 7303(d)(4)(D)(ii), does not sufficiently compensate prospective partners for the risk of assuming 100% of the guarantees often required in partnering with an Emerging Developer that is capital constrained. Recommendations: i. Increase the nondeferred portion of the developer fee to at least \$4,000,000 to adequately compensate the max experience partner for the additional risks assumed (typically in the form of guarantees); and ii. Explicitly allow any Emerging Developer project, regardless of whether they partner with a max experience point partner, to be eligible for the increased fee outlined in Section 7305(b)(4), consistent with Section 10327(c)(2)(E) of the CTCAC Regulations. This will allow for an Emerging Developer to build up their balance sheet more quickly and be able to provide guarantees independent of partners. The lack of alignment across funding source programs at the federal, state and local levels mitigates the impact of the Emerging Developer set-aside at HCD, as the Emerging Developer is unlikely to be competitive for other funding sources at the local level (i.e., local HOME funds or project based vouchers) on its own, given the Emerging Developer's "lack of experience" per many local NOFA requirements.

Jan-22 BOTH

Bold Communities Michael Miller

Emerging Developer
Pool Allocation

The Emerging Developer will ultimately need to joint venture with a partner that achieves maximum experience points to raise all funding to achieve project feasibility. Recommendation: Create a path for Emerging Developers to access the Emerging Developer pool in conjunction with a max experienced BIPOC developer. In doing so, ensure a win-win structure for both partners. I recommend maintaining the structure outlined in Section 7303(d)(4)(D)(ii), however, do not require that the partner with experience retain a controlling interest in the joint venture, as dictated in Section 7303(d)(4)(B). What if this is a deal that the Emerging Developer brings to the experienced partner? How would that be fair to the Emerging Developer who sourced the deal?

Jan-22 BOTH

Bold Communities Michael Miller

Emerging Developer
Pool Allocation

Alternative Recommendation: If the max experienced partner structure has too many challenges, increase loan limits for Emerging Developers to a point such that the HCD award plus tax credits are all an Emerging Developer would need to achieve project feasibility. If the Emerging Developer would need to apply for a local funding source (i.e., Project Based Vouchers), offer the Emerging Developer sponsor entity the flexibility to amend the partnership as needed to submit the most competitive application for such funding source. Incentive to partner with max experienced non-BIPOC partners. Currently, an Emerging Developer cannot offer enough incentive (i.e., financial and scoring competitiveness) for an established developer to partner with the Emerging Developer and assume the project guarantees necessary to satisfy traditional LIHTC lenders and equity investors.

Jan-22 BOTH

Bold Communities Michael Miller

Emerging Developer
Pool Allocation

Recommendation: In addition to implementing the enhanced nondeferred portion of developer fee for Emerging Developers, as previously outlined above, implement a scoring premium. Offer an additional one (1) point for Sponsors that include an Emerging Developer and a non-BIPOC General Partner that is eligible to receive maximum General Partner Experience points pursuant to Section 10325(c)(1)(A) of the CTCAC regulations, which will be applicable to the traditional pools outside of the Emerging Developer pool. This will increase opportunities for Emerging Developers to partner with a wider universe of experienced developers, mitigate risk, and align stakeholder interests. This is similar to the high/highest resource area scoring premium, which is a public policy priority for the department. Reducing barriers for new and historically excluded developers is a stated primary policy goal and this scoring mechanism is a concrete way to achieve that.

Jan-22 CDLAC	Attorney	Andrew S. Rose	Emerging Developer Pool Allocation	Asking that the Committee act consistently with the current regulations favoring First Tier companies while still allowing other applicants to be granted allocation. While it is clear that First Tier companies under mandate were to be favored—and I think that remains good policy—the regs don't really describe how that is to work. So, while the granting of a total of \$350 million in allocation this year to Waste Management and Republic could have caused a serious issue for our First Tier companies. We appreciate your work to help Athens get \$100 million and obviously it is one of the bigger companies but is dwarfed by the size of the "majors" but I understand that only happened because another larger project was unable to get to financing this year. But, as you know, most of our clients are much smaller than Athens but still have needs, especially with SB1383 issues.
Jan-22 CDLAC	Paso Robles Waste and Recycle	Isiah Gomer	private activity bonds	Request that the practice of reserving a reasonable amount of volume cap allocation for Exempt Facilities is continued. A substantial investment will be needed to comply with SB1383.
Jan-22 CDLAC	CR&R Incorporated	Joyce Amato	private activity bonds	Ratepayers and solid waste, recycling and organics companies benefit from tax-exempt debt obligations issued by CPCFA. Helps companies provide excellent customer service but also comply with state mandates. Asking for a reasonable amount to be allocated to Exempt Facilities to help companies comply with SB1383.

Jan-22 BOTH	UrbanCore Development, LLC	Michael E. Johnson, President	Pool allocation	Urge you at the suggestion of the CalHFA staff to consider adding a pool of approx. \$200M of tax exempt bonds in the CDLAC 2022 cycle which will provide 4% tax credits for 20% of the units in these projects.
Jan-22 CDLAC	CalHFA	Tiena Johnson Hall	MIP	While the definition of the Mixed Income Pool currently allows 80/20s to apply, CDLAC's reformed scoring system reflects a policy decision to prioritize 100% affordable projects given oversubscription in the system. CalHFA supports a continuation of this policy as long as the State's volume cap is oversubscribed. The appropriate solution for the problem these projects face is exploring if there are innovative financing mechanisms outside of CDLAC. We are happy to continue to explore if Recycled Bonds can be part of the solution, subject to the standard tax-exempt bond affordability restrictions. Our partnership with the State Treasurer's Office in addressing the priority of providing safe and affordable housing to the residents of the State of California is paramount. We consider our ability to collaborate and communicate openly to be a top priority.

Jan-22 BOTH	City of Oakland	Elinor Buchen	Regional allocation and set-asides	Suggest: If changes must be made to the geographic allocations, we support the recommended apportionment of the Controller's Office which would be based on regional housing needs and costs; If time permits, postpone any changes to the regional apportionment until a transparent methodology can be developed based on data, such as regional needs and housing costs; Also, postpone any changes to the county make-up of the regions until an analysis is conducted to examine how such changes impact allocations.
Jan-22 BOTH	Highland Property Development, LLC	Paul Patierno	USDA Deadlines	Suggest that CDLAC (and perhaps CTCAC) consider not allocating any more USDA 515 Properties until such time that USDA can demonstrate they can meet the Agencies' 180 day timeline
Jan-22 BOTH	Freebird Development Company	Robin Zimblor	New market study requirements	Consider only requiring a new market study if the prior market study is more than a year old (rather than 6 months). Or allow projects that have previously applied to rely on prior market study (if within a year).

Jan-22 CDLAC

Senator/Congress
man

Senator
Feinstein and
Rep. Ted Lieu

Veteran housing
credits and set-aside

Requesting: changes to low-income housing tax credits and tax-exempt bond formulas that would help the construction of certain housing developments for homeless veterans be more competitive for state financing assistance; Award an extra point in the scoring system to projects that take advantage of benefits provided by transitional housing projects that are co-located or immediately adjacent to State CalVET or federal VA health facilities; CREATE a special veteran housing set-aside.

Feb-22 CDLAC

Staff

Staff

Section 10320(b)(4)

Review Section 10320(b)(4) and consider modifying to address the intent of the regulations to prevent a seller from walking off with equity: The Executive Director shall waive or modify the requirements of this Section 10320(b)(4) if the owner can demonstrate that the Transfer Event will not produce, prior to any distributions of Net Project Equity to parties related to the sponsor, developer, limited partner(s) or general partner(s), sufficient Net Project Equity to fund all or any portion of the work contemplated by the Qualified Capital Needs Assessment. There shall be a presumption that a Transfer Event has insufficient Net Project Equity if no Net Project Equity from the Transfer Event is distributed to parties related to the sponsor, developer, general partner(s) or limited partner(s) of the owner other than a distribution or a payment to the limited partner(s) of the selling entity in the amount equal to, or less than, all federal, state, and local taxes incurred by the limited partner(s) as a result of the Transfer Event.

Feb-22 CDLAC	City of Los Angeles	Eric Garcetti	Set-asides/Flexible completion deadlines	Ensure an Equitable Geographic Distribution of Funds Based on Need: CDLAC and CTCAC should pursue a geographically equitable distribution of funds based on a jurisdiction's needs; asking for a higher City-specific allocation of funds in both the CDLAC and CTCAC guidelines that is proportional to our share of the population of PEH, or a 25% allocation through each funding program; Continuation and Expansion of Special Set-asides: recommends protecting and expanding non-profit, at-risk and homeless set-asides where possible. Especially important to the City is CDLAC's "Homeless" set-aside, which has facilitated the development of many of our supportive housing units, so requesting the homeless set-aside at minimum be maintained at current levels and ideally expanded; Increased flexibility in closing: While the City regularly prioritizes affordable housing projects over other projects seeking permits, ten projects nonetheless remain a high burden and strain on limited staff resources, especially amid an ongoing pandemic.
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Feb-22 CDLAC	City of Los Angeles	Eric Garcetti	Set-asides/Flexible completion deadlines	While we appreciate and support the need to have strict readiness deadlines, my office requests increased flexibility in the closing schedules of projects awarded funds. This flexibility can be in the form of an increased number of funding rounds to stagger to readiness deadlines or proactively staggering closing deadlines when funds are awarded (Example: jurisdictions with six or more projects have two projects with a 180-day deadline, two projects with a 194-day deadline, two projects with a 208-day deadline, etc.).
Feb-22	County of San Francisco, the Mayor's Office of	William Wilcox	additions to tiebreaker / scoring	increased production of critically needed supportive housing units to help our most vulnerable
Mar-22 CDLAC	Consultant	Richard Benbow	BIPOC	residents across the state transition from homelessness to safe and secure housing
Mar-22 CTCAC/C DLAC	San Mateo County Housing	Helen Tong-Ishikawa		requesting that redevelopment of public housing projects get included in the definition of a Community Revitalization Area. An increase in new or rehabilitated affordable housing units in a project that a Public Housing Authority has identified for redevelopment should be included in the Community Revitalization Area definition.

Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Permit projects that include an experienced BIPOC developer (regardless of how experience) AND an Emerging BIPOC developer in the sponsorship entity to be eligible for the BIPOC Pool.
Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Replace section (i) with "a BIPOC that has served as a project manager on at least one Low Income Housing Tax Credit Deal through close of construction financing" and remove the 5-year window limit.
Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Remove the "proximity" limit and the "length of time of the headquarters / office" limit for the BIPOC developer, and amend the language to state "a BIPOC or any Joint Venture that includes a BIPOC."
Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Similar to the high/highest resource scoring incentives, create a point scoring advantage for projects that include an emerging BIPOC entity in the sponsorship group (as a sole member or as part of a Joint Venture).
Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Allow for any development team that includes an Emerging BIPOC developer (as a sole member or as part of a Joint Venture) to be eligible for the increased upfront developer fee.

Mar-22	CTCAC/C DLAC	Bold Communities	Mike Miller	BIPOC	Increase the upfront fee that emerging BIPOC developers (or JVs that include emerging BIPOCs) are eligible for to at least \$5.0M (plus \$25k per unit over 100).
Mar-22	CTCAC/C DLAC	North Park Homeowners	Amir Malayery	BIPOC	Supports Michael Miller's comments
Mar-22	CTCAC/C DLAC	ETHOS Real Estate	Jennifer McElyea	BIPOC	Supports Michael Miller's comments
Mar-22	CTCAC/C DLAC	HACLA	André F. Bueno	BIPOC	Supports Michael Miller's comments
Mar-22	CTCAC/C DLAC	Orange County Council of Governments	Trevor O'Neil	MIP	To avoid negative impacts to mixed-income projects, we respectfully request that you reconsider any regulation changes that could add impediments to local efforts to provide housing opportunities across the spectrum
Mar-22	CTCAC	TRAVOIS	Trent Rogers	Native American Apportionment	Recommends an increase in the Native American Apportionment
Mar-22	CTCAC	Kingdom Development	William Leach	Management Company Experience	Amend regulation §10325(c)(1)(B) to include a 3-point scoring option for projects that rehabilitate or add a phase to an existing project managed by the applicant.
Mar-22	Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should add "Accessible Housing Unit(s)," "Housing Unit with Mobility Features," "Housing Unit with Hearing/Vision Features," and "Alternative Accessibility Standard" as defined terms in its regulations

Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	Applicants should periodically certify their compliance with 24 C.F.R. 8.27 by confirming that their Accessible Housing Units are occupied by people with disabilities who need the accessibility features of those units
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	In determining whether an Application should be disqualified, CDLAC should consider whether there is a documented history of fair housing violations.
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should require Applicants to disclose whether the Project Sponsors or Developers have been the subject of a regulatory or investigatory proceeding by a public agency regarded alleged violations of fair housing or anti-discrimination laws.
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	To promote enforcement of state and federal accessibility requirements, CDLAC should require a description of a project's accessibility features in its minimum requirements.

Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should revise its regulations for compliance with CTCAC regulations, but with modifications where CTCAC regulations do not comply with applicable state and federal law. CDLAC's revised regulations should expressly list, and require compliance with, all applicable accessibility, fair housing, and anti-discrimination laws
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should include information about accessible units in its Bond Regulatory Agreement.
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should not rely on CTCAC's definition of "Special Needs projects" and should instead adopt its own definition that accurately encompasses the target populations.
Mar-22 Both	Disability Rights California and National Housing Law Project	Dara Shur, Zeenat Hassan, Marcos Segura	accessibility	CDLAC should require basic tenants' rights protections in multifamily housing projects that receive bond financing

Mar-22 Both

Disability Rights
California and
National Housing
Law Project

Dara Shur,
Zeenat Hassan,
Marcos Segura

accessibility

CDLAC has an obligation to help preserve the long-term
affordability and viability of tax credit properties that receive
bond financing