CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
Tax-Exempt Bond Project
October 16, 2019

Orchard Park Apartments, located at 423 Cougar Way in Beaumont, requested and is being recommended for a reservation of $671,333 in annual federal tax credits to finance the acquisition and rehabilitation of 143 units of housing serving tenants with rents affordable to households earning 50-60% of area median income (AMI). The project will be developed by Spira Orchard Park, LP and is located in Senate District 23 and Assembly District 42.

Orchard Park Apartments is a re-syndication of an existing Low Income Housing Tax Credit (LIHTC) project, Orchard Park Apartments, (CA-2003-833). See **Resyndication and Resyndication Transfer Event** below for additional information.

Project Number	CA-19-561
Project Name	Orchard Park Apartments
Site Address:	423 Cougar Way
	Beaumont, CA 92223 County: Riverside
Census Tract:	438.07

Tax Credit Amounts	**Federal/Annual**	**State/Total**
Requested:	$671,333	$0
Recommended:	$671,333	$0

Applicant Information

Applicant:	Orchard Park Apartments, LP
Contact:	Stephen Ho
Address:	1015 Fillmore St. PMB 31735
	San Francisco, CA 94115
Phone:	778-373-5505
Email:	stephen@spiraequitypartners.com

General Partner(s) or Principal Owner(s):	Spira Orchard Park, LP
	FFAH V Orchard Park, LLC
General Partner Type:	Joint Venture
Parent Company(ies):	Spira Equity Partners
	Foundation for Affordable Housing
Developer:	Spira Equity Partners
Investor/Consultant:	CREA LLC
Management Agent:	Aperto Property Management, Inc.

Project Information

Construction Type:	Acquisition & Rehabilitation
Total # Residential Buildings:	17
Total # of Units:	144
No. / % of Low Income Units:	143 100.00%
Federal Set-Aside Elected:	40%/60%
Federal Subsidy:	Tax-Exempt

Bond Information

Issuer:	California Statewide Communities Development Authority
Expected Date of Issuance:	February 1, 2020

Information

Housing Type:	Non-Targeted
Geographic Area:	Inland Empire Region
TCAC Project Analyst:	Diane SooHoo

55-Year Use / Affordability

Aggregate Targeting Number of Units		Percentage of Affordable Units
50% AMI:	29	20%
60% AMI:	114	80%

Unit Mix

32	1-Bedroom Units
112	2-Bedroom Units
144	Total Units

Unit Type & Number		2019 Rents Targeted % of Area Median Income	2019 Rents Actual % of Area Median Income	Proposed Rent (including utilities)
6	1 Bedroom	50%	50%	$673
23	2 Bedrooms	50%	50%	$808
26	1 Bedroom	60%	60%	$808
88	2 Bedrooms	60%	60%	$970
1	2 Bedrooms	Manager’s Unit	Manager’s Unit	$0

Project Cost Summary at Application

Land and Acquisition	$13,817,871
Construction Costs	$0
Rehabilitation Costs	$4,147,200
Construction Hard Cost Contingency	$414,720
Soft Cost Contingency	$0
Relocation	$206,790
Architectural/Engineering	$175,000
Const. Interest, Perm. Financing	$894,203
Legal Fees	$52,500
Reserves	$310,164
Other Costs	$137,343
Developer Fee	$2,653,488
Commercial Costs	$0
Total	**$22,809,279**

Residential

Construction Cost Per Square Foot:	$36
Per Unit Cost:	$158,398
True Cash Per Unit Cost*:	$145,080

Construction Financing

Source	Amount
Capital One, N.A. - Freddie Mac	$12,980,000
General Partner Loan	$4,183,042
Cash Flow From Operations	$1,144,438
Deferred Developer Fee	$2,653,488
General Partner Equity	$767,362
Tax Credit Equity	$1,080,949

Permanent Financing

Source	Amount
Capital One, N.A. - Freddie Mac	$12,980,000
Cash Flow From Operations	$1,144,438
Deferred Developer Fee	$1,917,765
General Partner Equity	$767,362
Tax Credit Equity	$5,999,714
TOTAL	**$22,809,279**

*Less Fee Waivers, Seller Carryback Loans, and Deferred Developer Fee

Determination of Credit Amount(s)

Requested Eligible Basis (Rehabilitation):	$6,166,641
130% High Cost Adjustment:	No
Requested Eligible Basis (Acquisition):	$14,176,776
Applicable Fraction:	100.00%
Qualified Basis (Rehabilitation):	$6,166,641
Qualified Basis (Acquisition):	$14,176,776
Applicable Rate:	3.30%
Maximum Annual Federal Credit, Rehabilitation:	$203,499
Maximum Annual Federal Credit, Acquisition:	$467,834
Total Maximum Annual Federal Credit:	$671,333
Approved Developer Fee (in Project Cost & Eligible Basis):	$2,653,488
Investor/Consultant:	CREA LLC
Federal Tax Credit Factor:	$0.89370

Except as allowed for projects basing cost on assumed third party debt, the "as if vacant" land value and the existing improvement value established at application for all projects, as well as the eligible basis amount derived from those values, shall not increase during all subsequent reviews including the placed in service review, for the purpose of determining the final award of Tax Credits. The sum of the third party debt encumbering the property may increase during subsequent reviews to reflect the actual amount.

Eligible Basis and Basis Limit

Requested Unadjusted Eligible Basis:	$20,343,417
Actual Eligible Basis:	$20,343,417
Unadjusted Threshold Basis Limit:	$45,769,664
Total Adjusted Threshold Basis Limit:	$54,923,597

Adjustments to Basis Limit

55-Year Use/Affordability Restriction – 1% for Each 1% of Low-Income and Market Rate Units are Income Targeted between 50% AMI & 36% AMI: 20%

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 are below the minimum operating expenses established in the Regulations, as allowed under regulation section 10327(g)(1). See the **Significant Information** section of this report below. The project pro forma shows a positive cash flow from year one. Staff has calculated federal tax credits based on 3.30% 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.

Significant Information / Additional Conditions:
The applicant's estimate of the project's operating expenses of $4,013 per unit per year is below the TCAC minimum operating expense requirement. As allowed under TCAC Regulation Section 10327(g)(1) the operating expenses may be up to 15% below the TCAC minimum if approved by the Executive Director and confirmed by the permanent lender and the tax credit equity investor. TCAC has approved the lower operating expense.

Resyndication and Resyndication Transfer Event
Prior to closing, the applicant or its assignee shall obtain TCAC's consent to assign and assume the existing Regulatory Agreement (CA-2003-833). To be eligible for a new award of tax credits, the owner must provide documentation with the Form 8609 request (the placed in service submission) that the acquisition date and the placed in service date both occurred after the existing federal 15 year compliance period was completed. For resyndications that were originally rehabilitation and acquisition, the resyndication acquisition date cannot occur before the last rehabilitation credit year of the original credit period.

As required by the IRS, the newly resyndicated project will continue to use the originally assigned Building Identification Numbers (BINs).

The newly resyndicated project shall continue to meet the rents and income targeting levels in the existing regulatory agreement(s) and any deeper targeting levels in the new regulatory agreement(s) for the duration of the new regulatory agreement(s). Existing households determined to be income-qualified for purposes of IRC §42 credit during the 15-year compliance period are concurrently income-qualified households for purposes of the extended use agreement. As a result, any household determined to be income qualified at the time of move-in under the existing regulatory agreement (CA-2003-833) is a qualified low-income household for the subsequent allocation (existing household eligibility is “grandfathered”).

The project is a resyndication concurrent with a Transfer Event with distribution of Net Project Equity. The rehabilitation scope of work shall include all of the Short Term Work in the amount of $767,362. There is a general partner equity contribution of at least $767,362, allowing the applicant to receive eligible basis for the entire Short Term Work amount.

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.

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.

CDLAC Additional Conditions
The applicant/owner is required to comply with the CDLAC Resolution. At the time of the TCAC placed in service review, TCAC staff will verify that the project is in compliance with all applicable items of CDLAC Resolution Exhibit A.