
NATIONAL HOUSING TRUST FUND (HTF)

2020 HTF APPLICATION GUIDE

February 13, 2020

2020 APPLICATION CYCLE

National Housing Trust Fund (HTF) 2020 Scoring Criteria & Rating Factors & Online Application

<https://www.mshomecorp.com/federal-programs/>

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OVERVIEW

STATUTORY BACKGROUND

The National Housing Trust Fund (HTF) was enacted as part of the Housing and Economic Recovery Act of 2008 (HERA), Section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992. The HTF's most important features include: Dedicated source of funding not subject to the annual federal appropriations process; at least 90% of funds must be used for the production, preservation, rehabilitation, or operation of rental housing; at least 75% of funds for rental housing must benefit Extremely Low Income (ELI) households, and up to 25% can benefit Very Low Income (VLI) households. If capitalized under \$1 billion, all HTF funds must be targeted toward ELI households.

HTF is distributed as block grants to states by formula. The size of the annual allocation will vary depending on the amount of GSE's business in a given year and any amounts that may be appropriated, transferred, or credited to the HTF under any provision of law. Each GSE sets aside an amount equal to 4.2 basis points of each dollar of unpaid principal balance of its total new business purchases during the fiscal year for allocation in accordance with section 1337(a). There will be no allocation of grants under HTF if there is neither revenue from GSEs nor other funds as provided by HERA. Amount of allocation is identified within 60 calendar days after the end of each fiscal year. Allocations will be published in the Federal Register within 60 days from date of determining formula.

The HTF program is limited to household below 30% of Area Median Income. Each family occupying an HTF assisted unit is income eligible by determining the family's annual income as defined in 24 CFR 93.151. For subsequent income determinations during the period of affordability, MHC will use the method which will examine at least 2 months of source documents evidencing annual income (e.g. wage statement, interest statement, unemployment compensation statement) for the family.

COMPLIANCE WITH HTF REQUIREMENTS

A recipient of HTF funds is required to sign a statement certifying that it will comply with the requirements of the HTF program pertaining to project activities beginning with site selection and continuing through the end of the affordability period.

To be eligible a recipient must comply with the following rules for the Housing Trust Fund contained in CFR 24 CFR Part 93.

- 1) Eligibility (93.200/93.201)
- 2) Income-Targeting Requirements (93.250 Rental)
- 3) Income Determinations (93.151)
- 4) HTF Funds and Public Housing (93.203)
- 5) Maximum Award
- 6) Administration and Planning Costs (93.202)
- 7) Period of Affordability-(93.205)
- 8) Prohibited Activities-(93.204)
- 9) Maximum Per-Unit Subsidy Amount, Underwriting and Subsidy Layering (93.300)
- 10) Maximum Per-Unit Development Subsidy (93.300)
- 11) Subsidy Layering Review
- 12) Property Standards (93.301)
- 13) Rehabilitation Standards (93.301(b)(1))
- 14) Site and Neighborhood Standards (93.150)
- 15) Distribution of Assistance (93.151)
- 16) Compliance Monitoring (Reference: HTF Regulations/2019 QAP)
- 17) Fair Housing Act /Affirmative Marketing (24 CFR 92.351 (a))
- 18) Section 3
- 19) MBE/WBE
- 20) Davis-Bacon
- 21) Violence Against Women Act
- 22) Lead-Based Paint (93.351)
- 23) Accessibility
- 24) Environmental
- 25) Displacement, Relocation, and Acquisition (24 CFR 92.352)
- 26) Conflict of Interest (93.353)
- 27) Funding Accountability and Transparency (93.354)
- 28) Accountability and Financial Management
- 29) Program Disbursement and Information System (93.402)
- 30) Program Income and Repayments (93.403)
- 31) Onsite Inspections (93.404)
- 32) Uniform Administrative (93.405)
- 27) Audit (93.406)
- 28) Administration & Monitoring
- 29) Closeout (92.777)
- 30) Reporting & Recordkeeping (93.408)
- 31) Uniform Relocation Act (URA)

APPLICATION REQUIREMENTS

APPLICATION SUBMISSION

Interested parties will submit applications on-line via MHC's website. Applications will be submitted to the Mississippi Home Corporation, 735 Riverside Drive, Jackson, MS 39202. Applicant is to submit 2 application in separate binders with each exhibit labeled and tabbed.

MHC will to the extent practicable, underwrite the project, make a determination of whether the project is ready to proceed, confirm that the development has a financing gap that requires HTF funding.

CRITERIA FOR SELECTION OF APPLICATIONS

MHC will use a ranking process to select projects for funding. Applications will be subject to a subsidy layering review of all sources of financing to determine that HTF fills a financing gap and does not result in federal funds providing excess in subsidy. Projects that will use Housing Tax Credits will undergo a separate review under the Housing Tax Credit Qualified Allocation Plan and procedures. Applications with incomplete supporting documentation will not be considered for funding. Applicants will receive a letter of rejection and may re-submit during subsequent competitive processes.

The application process consists of two steps:

- 1) **Threshold Review** - Does the application meet Threshold requirements to be considered for funding (Addendum 1);
Applications are reviewed for completeness. Applicants will be notified if documentation provided is unclear and will have designated days to clarify requested items. MHC will permit information to be provided electronically. Complete applications and completed subsidy layering reviews will allow applications to proceed to scoring.
- 2) **Application Scoring** - Applications must score a minimum of 75 on a 100-point scale to be considered for funding. (Addendum 2)
Regardless of strict numerical ranking, the Selection Criteria does not operate to vest in an applicant or development any right to a reservation or allocation of HTF in any amount. Further, notwithstanding the point ranking system set forth above, MHC reserves the right and shall have the power to allocate funds to a development irrespective of its point ranking, if such intended allocation is:
 - 1) In compliance with 24 CFR Part 93, of the National Housing Trust Fund Regulations
 - 2) In furtherance of the housing goals stated herein; and
 - 3) Determined by MHC to be in the interests of the citizens of the State of Mississippi

Projects scored below Seventy-five percent will not be funded. MHC will make funding offers to the highest scoring projects until available funds are exhausted.

If there is a **tie in the scoring** among proposed developments, MHC reserves the right to utilize a tie-breaking system identified herein to break the tie. In the event of a tie in the scores, the Tiebreaking System will be used in the following order:

- 1) Priority funding will be given to the development that has the lowest cost per unit (CPU).
- 2) Address the most critical rental housing demand
- 3) A development located in a poverty-stricken area of the State
- 4) Developers firm commitment to provide project-based rental assistance

Funding Announcements- Upon the completion of the application review process in a competitive cycle, MHC Staff will make approval recommendation to its Board of Directors (the Board) at its next regularly scheduled board meeting. Once the Board approves the recommendations, a commitment letter will be mailed to applicant. **(See Addendum 2/Scoring)**

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ADDENDUM 1- THRESHOLD FACTORS

MHC will use the following threshold and selection criteria items to process and select applications for funding. An application must meet all threshold requirements in order to be eligible for reservation of an HTF award. Any application that does not meet all the threshold requirements will be disqualified.

2020 HTF Program/Rental Threshold Rating Factors:

(1)	Eligible Applicant
(2)	Eligible Project Type/Activity
(3)	Merits: Addressing State's Priority Housing Needs
(4)	Evidence of Affirmatively Furthering Fair Housing
(5)	Implementation of Supportive Services
(6)	Applicants Experience
(7)	Certification of HTF Requirements

1) ELIGIBLE APPLICANT

Organizations eligible to receive funding through HTF are for-profit and nonprofit organizations with demonstrated development experience and capacity to create, rehab, or preserve affordable housing.

The application must include the following documents:

Organizational Documentation

Formation documents for the owner and general partner entities must bear the committal stamp of the Mississippi Secretary of State. For entities that are not formed in Mississippi, the formation documents and a Certificate to do Business in the State of Mississippi must be submitted (Formation documents are required to be submitted with the application and Operation documents are required to be submitted during the final scoring for HTF funds).

Entity Type	Formation	Operation
Corporation	Articles of Incorporation	Bylaws
Limited Partnership	Certificate of Partnership	Partnership Agreement
Limited Liability	Certificate of Formation	Operating Agreement

A Certificate of Good Standing (dated within 30 days of the application date) for the owner and general partner entities must be included and a detailed Organizational Chart which illustrates the business structure of the principal members of the ownership entity. The chart must detail each principal member down to natural persons for every entity listed and it must reflect the ownership percentage of each entity and natural person (See Attachment).

Nonprofit Documentation

Nonprofit Organization Requirements - To be considered a qualified non-profit entity, the entity must be a 501(c) 3 or 501(c) 4 organization with an exempt purpose of fostering low-income housing. The nonprofit organization cannot be formed by one or more individuals of for-profit entities for the principal purpose of being eligible for funding. In addition, the nonprofit entity must not have any staff member or member of the nonprofit's board of directors materially participate in the proposed development as a for-profit entity in any capacity as staff, executive, or board member.

A copy of the nonprofit entity's Articles of Incorporation and Bylaws and all relative amendments, one of which must contain a description of the nonprofit organizations activities that include the fostering of low-income housing in its Articles of Incorporation or Bylaws must be included in the application.

2) ELIGIBLE PROJECT TYPE/ACTIVITY

HTF funds shall be used for projects supplying rental and homeownership housing that meet the requirements of the HTF Program. Construction and rehabilitation of multi-family and single-family rental units are eligible under the Rental Category. Homeownership and Rental is available under the CHDO Category. Community Housing Development Organizations must have been certified as a CHDO prior to submission of an HTF application for funding. Activities must include construction or rehabilitation for low- to very-low income families.

3) MERITS: ADDRESSING STATE'S PRIORITY HOUSING NEEDS

All developments must meet the priority housing needs of the State's Con Plan. Developments assisted with HTF funds are required to set aside a percentage of the project's total units for persons whose incomes do not exceed income for low- or very-low income families. HTF assisted units must be designated for Special Needs Housing. Applicants must indicate this election on the HOME application form.

Requirement: To meet threshold at least one of the following categories listed below must be selected: Applicants have the option of selecting more than one of the categories to address the State's Priority Housing Needs.

Based on the Special Needs Category listed below:

1. Percentage of the units that are assigned for Housing for Disabled Persons;
2. Percentage of the units that are assigned for Housing for Homeless
3. Percentage of the units that are assigned for Individuals released from incarceration.

Land Use Restrictive Agreement (LURA)

Committing to serve low-to-very low-income individuals or households for the designated period of affordability must be executed and recorded prior to execution of the written agreement.

- 1) **Memorandum of Understanding (MOU)**- A statement, executed by a principal member of the Ownership Entity or the Person of Authority electing to set aside a minimum of ten (10) percent of the total units for persons at or below 60% of the area median income must be included in the application package.
- 2) **Letter of Support**- A letter of support from a third-party entity that will provide supportive service to the special needs category or categories selected.

4) EVIDENCE OF AFFIRMATIVELY FURTHERING FAIR HOUSING

Fair Housing requirements including affirmatively furthering fair housing apply to the HTF program and any limitation or preference must not violate nondiscrimination requirements. Applicants must adhere to CFR 92.351 and provide an Affirmative Marketing Plan demonstrating the goal and effort to affirmatively further fair housing for very-low income households according to HOME requirements and the State's Con Plan.

The Affirmative Marketing Plan must include the following elements:

- 1) Implement a method that is effective in marketing the availability of housing opportunities to individuals of both minority and non-minority groups that are least likely to apply for occupancy.
- 2) Identify a housing market area from which a multi-family housing project owner/agent may reasonably expect to draw a substantial number of its tenants.
- 3) Identify an expanded housing market area which is a larger geographic area which may provide additional demographic diversity in terms of race, color, national origin, religion, sex, familial status, or disability.
- 4) Include marketing material in other languages for limited English proficient individuals and alternative formats for persons with disabilities in public view.

- 5) Include community contacts to help market the project to those least likely to apply.
- 6) Describe the proposed method of advertising to market those least likely to apply.
- 7) Marketing Plan must be in effect throughout the life of the affordability period.
- 8) Project must be available for public inspection at the sales or rental offices.
- 9) Fair Housing Poster must be prominently displayed in all offices in which sale or rental activity takes place.
- 10) Project site sign must display in a conspicuous position the HUD- approved Equal Opportunity Housing Opportunity log, slogan, or statement.

5) IMPLEMENTATION OF SUPPORTIVE SERVICES

Applicants must demonstrate a connection with the community and its needs by implementing programs and/or community activities to assist in building wealth and assets, promoting life skills, and the enhancement of beneficiaries and the community. All developments must commit to provide a minimum of two (2) community services in at least two unrelated areas not otherwise typically present in low-income rental housing (See examples below). Applicants must select services that will meet the needs of beneficiaries and the community. In addition, the types of services must be kept current as to changing needs, economic conditions, and social change.

Applicants must list all services that will be provided by the development in the application. Upon receipt of a reservation of HTF funds, applicants must provide supporting documentation for each service. Additionally, development owners will be responsible for making sure that property managers maintain evidence that the services are being provided (e.g. sign-in sheets, letters/memos to beneficiaries).

Requests for changes from prior approved community services must be approved by MHC. Development owners and property managers must provide an annual performance report as evidence that community service requirements have been met. Community service activities must be provided during the duration of the affordability period.

Examples of Acceptable Community Services: Community services are not limited to these examples.

Personal Development	Child Development
Computer Classes	After School Program
GED Training	Child Care Services
Job Training	Parenting Classes
Health/NutritionClasses	
Counseling Programs	Community Awareness Events/Activities
Credit Counselling	Health Fair
Personal Budget	Fire Safety
Homebuyer Education	Crime Watch
Drug and Alcohol Prevention	Mental Health Programs

*The required number of Community Services Certification Forms must be submitted with application. Failure to submit two forms could result in application not meeting threshold.

6) APPLICANT EXPERIENCE

Applicant must provide documentation such as resumes, references, and financial statements demonstrating their capacity and years of experience in developing multi-family and single-family housing. They must also provide evidence of the successful completion and operation of similar projects for low-income populations.

Demonstrated experience and capacity to conduct an Eligible HTF activity:

- 1) Own, construct or rehabilitate, and manage and operate an affordable single and multifamily housing development, and;
- 2) Serve extremely low-income households, and special needs populations, such as homeless families and people with disabilities;
- 3) Demonstrate ability and financial capacity to undertake, comply, and manage eligible activities;
- 4) Demonstrate its familiarity with the requirements of other federal, state, or local housing programs that may be used in conjunction with HTF funds to ensure compliance with all applicable program requirements and regulations.

7) CERTIFICATION OF HTF REQUIREMENTS

Recipients of HTF funds are to submit written certification assuring that HTF assisted housing units will comply with all Regulatory and Statutory HTF requirements for the entire period. This certification must be provided on the applicant's company letterhead signed by the owner of the Development or person of authority of the corporation.

ADDENDUM- 2 SCORING

Selection Criteria

MHC will score each application based on the selection criteria listed below. An application must score a minimum of seventy- five (75) points in order to be considered for an HTF award.

2020 HTF Program/Rental Scoring Rating Factors:

(1) Geographic Diversity	Up to 15 pts
(2) Rental Assistance	10 pts
(3) Extended Affordability Period	5 pts
(4) Supportive Service Commitment	Up to 20 pts
(5) High Opportunity Areas	Up to 10 pts
(6) Section 504 Compliant Units_	Up to 20 pts
(7) Energy Efficiency Plan	10 pts
(8) Development Amenities	Up to 10 p t s
Total	100 pts

1) **Geographic Diversity: 15 points**

Geographic diversity as required in the Consolidated Action Plan – Projects that focus and achieve the most impact on the State’s priorities in rural and urban areas of the State.

- a. Projects developed are in locations that are considered poverty driven and address the affordable rental housing needs for extremely low-income (30 % of AMI) households. ***Five Points (5) are awarded to developments located in counties or Census Tracts with a poverty rate above 30 percent.***
 - i. ***Exhibit 1- Persons in Poverty by County***
 - ii. ***Exhibit 2 Persons in Poverty by Census Tract***
- b. Address critical housing needs with an emphasis on the prevention, reduction, and expansion of permanent housing opportunities for persons experiencing Homelessness and persons with serious mental illness.
 - i. ***Up to 5 points awarded to project based on the number of persons in the county who are counted as Homeless or who have entered a Mississippi State Hospital from the county. Developments that will serve both populations will be awarded points based on the county’s highest points in either category.***
 - 1. ***Exhibit 3 Admissions to State Hospital***
 - 2. ***Exhibit 4 Persons Homeless***
- c. Projects will be funded according to the shortage or strong evidence of an inadequate supply of rental housing affordable to extremely low-income households.

Five (5) Points are awarded. Documented by market study. The analysis must document the need for rental units affordable to ELI households in the market served by the property. The analysis must include a clear statement that the market can absorb the units being proposed. The market study shall assume the new supply from the project will be at least 10% of the units in the development, or higher percentage established by the applicant.

2) **Rental Assistance: 10 Points**

Acceptable rental assistance is limited to assistance contracted by HUD and/or USDA for period of affordability documented on the HTF application. If awarded funds, applicant must certify that it will provide rental assistance acceptable to MHC or that it will adjust tenant’s rent to maintain affordability for the tenants. This certification is part of the written agreement that commits HTF to the development.

To be eligible to receive points, the applicant must include a copy of an executed agreement between the ownership entity and the funding entity that includes the amount of rental assistance that will be provided, the number of units assisted, its duration, and any qualifying terms and/or conditions.

3) **Extended Affordability Period: 5 Points**

To receive points, the applicant must elect to extend the affordability period beyond the minimum required by federal regulation which is 30 years. This extended affordability period will be incorporated into the Written Agreement between MHC and the Recipient of HTF funds. Failure to satisfy the extended affordability period is subject to recapture of HTF funds.

4) **Supportive Services Commitment: Up to 20 Points**

1. To be considered for points under this category, applicants must incorporate facilities and services that stabilize living environments and enhance quality of life for the following special needs categories, which are identified in the State’s Consolidated Plan as high priority and targeted populations: (1) Persons with Serious Mental Illness; (2) Persons with Disabilities ; (3) Persons released from incarceration; (4) Homeless Elderly 55+; (5) Youth Homeless or aging out of the Foster Care System

Applicants are required to submit with application a Supportive Services Plan appropriate to the target populations selected. The Plan must include a narrative describing how the proposed services meet the needs of the target population(s). Applicant may receive up to 20 points under this category. **Points are assigned per each selection.**

- a. The percentage of HTF units designated for special needs population(s) is above the minimum 10% requirement. **5 points**
- b. Development contracts with a service provider or hires staff to deliver the services provided for special needs population selected in the application. **15 points**

Examples of services may include, but not limited to, the following to enhance target population(s) quality of life and independence:

- 1) Provide services that will enhance life skills and level of education for the targeted populations.
- 2) Provide nutritional /health wellness services.
- 3) Provide supportive services for residents released from incarceration to accomplish adjustment back into society, job placement, educational and financial literacy.
- 4) Provide supportive services for emancipated youth who are Homeless, at risk of Homelessness, or aging out of the foster care system.

5) High Opportunity Areas (Up to 10 Pts)

Projects developed in High Opportunity Areas where there is availability of sustainable employment, a low poverty rate, high- performing schools, housing accessible to hospitals; employment centers; transportation corridors and hubs.

Points will be awarded based on the following:

- 1) Areas which include a high concentration of extremely low-income populations and a shortage of affordable housing in the geographical area as documented in market study - **2 points (Documented by market study)**
 - 2) High-performing school districts: defined as areas that have a public-school district with a “B” or higher rating as listed in the Mississippi Department of Education’s Accountability Results—**3 points (Exhibit 5 School Districts)**
 - 3) Housing accessible to transportation corridors and hubs. Cities or counties served by a scheduled bus service or providers operating with grants funded by Federal Transit Administration. – **1 point (Exhibit 6 Counties Served by Public Transit)**
 - 4) Housing accessible to hospitals. Project located in a county with a hospital. - **2 points (Documented by market study)**
 - 5) Housing accessible to employment centers. Project located in a county with over 500 new hires per quarter twelve months ending 2018 Q2. - **2 points (Exhibit 7 New Hires by County)**
- 6) Section 504 Compliant Units: Up to 20 Points**

To be considered for points under this category, applicants of multi-family, new construction or rehabilitation developments must increase the number of mobility units above the minimum required under Section 504 regulation by one (1) or more units.

- 1) Development provides one (1) additional mobility unit: 10 points.
- 2) Development provides two (2) or more additional mobility units: 20 points.

7) Energy Efficiency Plan: 10 Points

Rental developments are designed and built to a level of energy efficiency that meets or exceeds the levels required to qualify for the Energy Efficiency/Green Sustainable Design. Examples of energy efficiency, but not limited to high-efficiency heating & cooling equipment & controls, energy-efficient lighting upgrades & controls, programmable thermostats, insulation improvement, air-sealing & weatherization. The following must be submitted with the application to receive points under this category:

- a. Energy Efficiency Plan outlining the method to reduce the energy cost for tenants.
- b. Estimated cost savings proposal per unit
- c. Building Plans & Specifications
- d. Contract with service provider

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8) Development Amenities: Up to 10 Points

Developments will be awarded two points per development amenity up to a maximum of ten points. Amenities must be appropriate to the proposed tenant population. All proposed amenities must be selected on the application and notated and highlighted on the Plans/Drawings or Physical Needs Assessment. Applicants must adhere to all amenities selected on the application, regardless of whether points are awarded. Building components installed to qualify for Section 504-compliant unit points do not qualify as Development Amenities.

1. Advanced Community Services/Classes

2. Neighborhood Services

Points may be awarded to a proposed development that has at least two of the following services located within *one half (1/2) mile of the proposed site, documented in market study:*

- Grocery Store
- Pharmacy
- Bank or Credit Union
- Hospital or Medical Clinic

3. Furnished Clubhouse or Community Building

4. On-site Business/Education Center

5. Exterior Security

6. Fitness Center

7. On-site Laundry Facility

8. Walking, Jogging, or Biking Trail

9. Basketball, Volleyball, or Tennis Court

10. Landscaped area including a gazebo with sitting area

11. Playground (Multi- phase developments must each have its own playground).

**Documents are located on Mississippi Home Corporation's Website at:
www.mshomecorp.com/federal-programs/htf/**

- HTF Allocation Plan
- 2020 HTF Application Guide
- Exhibits 1,2,3
- Federal Register
- HTF Table of Contents Form
- Housing Trust Fund Multi-Loan Application
- Sources of Funds
- Project Development Cost Budget and Timeline
- Subsidy Layering Worksheet
- State of Mississippi HTF Maximum Mortgage Limits
- Long Term Rental Assistance Commitment Certification
- Initial Site Assessment Form
- Construction Certification Form
- Minimum Design Quality Standards (MDQS)
- MHC Housing Tax Credit Compliance Monitoring Plan
- Period of Affordability Awareness Statement
- Notice of Occupancy Rights Under VAMA-HUD Form 5380
- Emergency Transfer Plan VAWA-HUD Form 5381
- Certification of Domestic Violence-VAWA-HUD Form 5382
- Emergency Transfer Request-VAMA-HUD Form 5383
- Rehabilitation Standards
- Uniform Physical Condition Standards (UPCS)
- Physical Needs Assessment Form
- Development Experience Form
- Management Experience Form
- Special Needs Housing Commitment Certificate
- Community Services Certification Form
- Development Organization Chart
- Development Narrative (location map & neighborhood description)
- Income Limits
- Definitions
- References