



OAKLAND TOGETHER HOUSING TRUST FUND

NOTICE OF FUNDING AVAILABILITY AND APPLICATION

Please read carefully. Instructions included.



Oakland County Neighborhood & Housing Development Division
1200 N Telegraph Rd, 34E • Pontiac, MI 48341
OakGov.com/nhd
9/21/23



Questions? Call (248) 858-0493



OAKLAND COUNTY EXECUTIVE, DAVID COULTER

A. INTRODUCTION

The Oakland Together Housing Trust Fund (HTF) supports the development and preservation of affordable, attainable, workforce, and mixed-income housing throughout Oakland County by leveraging HTF funds with the financial resources of the private sector and other governmental funding sources. The HTF is administered by the Neighborhood & Housing Division (NHD) of Oakland County. The initial allocation of funding authorized by the Oakland County Board of Commissioners in 2022 includes American Rescue Plan Act (ARPA) – State & Local Fiscal Recovery Funds (SLFRF) and General Funds sourced from a portion of State Revenue Sharing Dollars. The HTF is governed by a 7-member board populated with representatives that have relevant residential development, funding and/or oversight experience. HTF funds will be allocated through this Notice of Funding Availability (NOFA) and Application. Deadlines and modifications may be made from time to time to align with the schedule and deadlines of the Michigan State Housing Development Authority (MSHDA) and other potential funding sources.

The HTF is a powerful housing development tool that invests in a wide range of projects from funding the acquisition of land in amenity-rich communities to investing in housing that will serve as a catalyst for redevelopment when strategically aligned with other community reinvestment activities. HTF financial resources included in this NOFA can be used for the following affordable housing activities:

- Acquisition (land & existing structures)
 - Demolition / site clearance
 - New construction
 - Renovation & adaptive reuse
 - Multifamily, townhomes, single family, or other housing type
- Rental & owner-occupied housing
 - Permanent supportive housing
 - Infrastructure improvements in support of housing
 - Other activities that will result in the creation or preservation of affordable housing

The HTF will prioritize developments that meet the specific goals of the County and its community partners while maximizing the investment of outside resources and funding.

The HTF may also allocate HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD) through this NOFA. The Oakland County Consortium (the Consortium) is a recipient of HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). The availability and use of these funds is subject to Federal HOME regulations (24 CFR Parts 91 and 92) and any amendments thereto, including the final regulations published by HUD in the Federal Register on July 24, 2013, and is further subject to the County’s policies and program requirements. The Annual Action Plan, approved by the Oakland County Board of Commissioners and submitted to HUD for the 2023 Program Year, included \$1 million in HOME funds for the development or renovation of rental housing.

Total funds available through this NOFA are as follows:

Oakland Together Housing Trust Fund Available Funds	
ARPA-SLFRF*	\$4,900,000
HOME	\$1,000,000
HOME CHDO	TBD
GENERAL FUNDS	\$1,383,551
TOTAL	\$7,283,551

*\$5,000,000 of ARPA-SLFRF funds require a future BOC appropriation.

Funds will be allocated based the scoring metrics outlined in this NOFA and the proposed project’s eligibility, requirements, and the expenditure deadlines of the applicable funding source.

B. GENERAL REQUIREMENTS

Applicants should review and become familiar with the County's Rental Housing Program Guidelines (Program Guidelines). Applications will be scored based on compliance with the requirements set forth in the Program Guidelines. In addition, projects selected for this funding round must meet the specific requirements set out in Section III of this NOFA. The Program Guidelines can be found on NHD's website here:

<https://www.oakgov.com/community/neighborhood-housing-development/grants-funding/rental-development-funding>

Note that while the referenced Program Guidelines are grounded in the specific regulations of the HOME program, the County anticipates providing general and ARPA-SLFRF funds on substantially the same basis as HOME. Among other things, this will entail making award in the form of repayable loans directly to the project owner, which in most cases the County expects to be a single-purpose, single-asset entity established to be the owner.

However, County reserves the right to impose alternative requirements to those outlines in the Program Guidelines inasmuch as County finds it necessary and reasonable to align to similar but technically different regulatory requirements of other "safe harbor" federal housing programs identified by the US Treasury related to the SLFRF program. For example, in a project being funded from the County's SLFRF award and receiving LIHTC, rent limits may be aligned to LIHTC rent limits rather than using HOME rents which can vary in subtle ways from LIHTC. Further, in its sole discretion, the County may choose not to apply certain cross-cutting federal requirements applicable to HOME funds to its general fund or SLFRF awards when not otherwise required by applicable state, federal, or local law, regulation, or requirement. For example, the County may choose not to apply HUD's Section 3 requirements to a project receiving an SLFRF award

C. NOFA REQUIREMENTS

1. Application Requirements, Deadlines, and Approval Schedule

All applicants to this NOFA must submit the application cover sheet and required materials described at Appendix A, which includes all certifications at Appendix B and, if applicable, the Uniform Relocation Act Forms. All materials must be submitted in compliance with parameters set forth in the Program Guidelines.

Applications must be provided in electronic format through SharePoint. Applicants must submit a pre-application form at the following link: https://oakgov.co1.qualtrics.com/jfe/form/SV_1ziSgRDuCsfgBHU. The pre-application form is required to be considered for funding and receive a link to each application's unique SharePoint folder. All applications require a non-refundable application fee of \$2,500. Application fees must be paid by check, cashier's check, or money order made out to Oakland County. Failure to submit the application fee, or failure of a check to clear, may result in automatic disqualification of an application.

Submit payment to the address below:

Oakland County Neighborhood & Housing Development Division
Attn: Housing Trust Fund Manager
1200 N Telegraph Rd, 34E • Pontiac, MI 48341

While this NOFA and Application shall remain open to receive applications as funds remain or become available, those Applicants seeking Conditional Award Letters for HTF Funds in advance of MSHDA's December 1, 2023 9% LIHTC Application deadline must meet the following deadlines and schedule:

Oakland Together Housing Trust Fund Application Timeline

September 20, 2023	NOFA & Application Approved by HTF Board of Directors
September 20, 2023 – October 4, 2023	HTF Staff Available for Pre-Submittal and Project Review Meetings
October 6, 2023	APPLICATIONS DUE
October 9, 2023 – November 1, 2023	HTF Staff Application Review & Scoring
November 8, 2023	HTF Board of Directors Conditional Approval Meeting
November 17, 2023	Conditional Award Letters Released to Approved Applicants

Applicants must be available during the HTF Staff Application Review & Scoring period to respond to potential HTF Staff requests for additional information or provide answers to questions relating to the project or the application itself.

Applicants must attend the HTF Board of Directors Meeting to provide a brief presentation of the proposed development and answer any questions of the HTF Board of Directors.

2. Funding Focus

The primary program goal is to increase and/or preserve the inventory and availability of affordable, workforce, attainable, and mixed-income housing throughout Oakland County. The key focus is in expanding such developments into geographical areas (Cities, Townships, Villages) that currently have low availability of affordable housing and high levels of residents that are housing cost burdened. Proposed developments must have access to supportive services to sustain the development such as, but not limited to, walkability to potential jobs, full service grocery stores, and other amenities as well as access to transportation.

In general, the HTF and this NOFA seek to provide housing for a diversity of incomes throughout the County. The HTF seeks housing with higher income bands in communities that currently have an abundance of income-restricted and/or PILOT-supported units. In areas with a lack of income-restricted units, the HTF prioritizes deeper affordability to provide greater access to opportunity, services, jobs, transportation and other amenities to lower income residents. For all developments, the HTF prioritizes the development and preservation of affordable housing near other investments by the County and its community partners such as cities, townships, villages, health care providers, non-profits, and other community stakeholders.

3. Community Outreach & Consultation

Applicants are strongly encouraged to undertake community outreach efforts as part of project planning. Such efforts may include meeting with nearby neighborhood associations, residents, nonprofit organizations, and other similar community groups to share development plans, solicit input on neighborhood concerns, and take such information into account when planning the development. Applicants must describe their community outreach efforts in their application.

4. Community Housing Development Organizations (CHDO)

The HOME program strives to promote partnerships between local government and nonprofit organizations and expand nonprofit organizations' capacity to develop and manage decent and affordable housing. A CHDO is a specific type of nonprofit organization as defined in 24 CFR part 92. Although many nonprofit organizations share common characteristics with CHDOs, not all non-profits qualify as CHDOs under the HOME program.

Prior to committing CHDO set aside funds under this NOFA, the County will review the status of any organization seeking funds from the CHDO set-aside to ensure that it meets all HOME requirements and that it has sufficient staff capacity to carry out the project. The County's Application for CHDO Certification is available upon request and is a required submission item for any entity seeking CHDO status. To qualify for the CHDO set-aside on a project using Low Income Housing Tax Credits (LIHTC), the CHDO or a wholly owned subsidiary of the CHDO must be the sole general partner (if a limited partnership) or sole managing member (if a limited liability company) of the project's ownership entity.

5. Available Funding and Preferred Award

Current available funding is outlined in Section A of this NOFA. Additional funding may become available from time to time and all interested parties will be made aware of additional funding availability.

Preferred award amounts are as follows:

- Permanent Supportive Housing: No Maximum
- Non-PSH Projects: Up to \$1,500,000 for 9% LIHTC; up to \$3,000,000 for all others

Applicants are eligible to apply to this NOFA regardless of the number of outstanding awards they may have from previous NOFA rounds provided all pipeline and underway projects are considered to be on schedule at the sole discretion of HTF Staff. All awards will be based on the project's documented need for financing. The preferred amount of subsidy per eligible rental unit cannot exceed following limits which are based on the HOME program's statutory limits:

Maximum Per Unit Subsidy	
Unit Size (Bedrooms)	Max Subsidy
0	\$173,011
1	\$198,331
2	\$241,176
3	\$312,004
4+	\$342,482
Limits effective as of April 2023, subject to annual updates by HUD	

The HTF and NHD will consider requests above the preferred award amounts on a case-by-case basis.

Per Miscellaneous Resolution #22-135 of the Oakland County Board of Commissioners, the HTF is authorized to approve housing proposals requesting less than or equal to \$1,500,000. Any housing proposal requesting more than \$1,500,000 shall require approval by adopted resolution of the Oakland County Board of the Commissioners. The HTF shall make a recommendation of approval for applications seeking more than \$1,500,000. Conditional Award Letters for applications seeking more than \$1,500,000 shall be conditioned upon approval of the Oakland County Board of Commissioners in addition to other final award and approval requirements described below.

6. Operating Costs & Financial Assumptions

Applicants must demonstrate sustainable income and expenses based upon the annual HUD rental rates for Oakland County (See Appendix C) or such lower rents required by other funding sources. Applicants must provide information on operating costs for nearby comparable properties. At the County's sole discretion, the County may choose to underwrite to higher costs as may be warranted. Additional information can be found in the County's Rental Housing Program Guidelines.

Financial commitments and assumptions must reflect current market conditions for debt and equity pricing.

7. Rent and Income Restrictions

For Applicants receiving HOME funds, HOME units must be rented only to households with certain incomes at rents regulated by the program to be affordable to low-income households. Current rent and income restrictions are provided in Appendix C.

When a project has five (5) or more HOME-assisted units, HOME rules require that 20% of HOME- assisted rental units must be occupied and affordable to qualified tenants with household incomes at or below 50% of the area median income (AMI) as defined and published annually by HUD (i.e., "Low-HOME" units). The remaining HOME-assisted units must be occupied by tenants that qualify for "High-HOME" units, typically at or below 60% AMI but in some cases up to 80% AMI.

For Applicants receiving ARPA-SLFRF funds, the proposed project need only meet the income and rent restrictions of certain other federal affordable housing program such as LIHTC, National Housing Trust Fund, Section 202 Supportive Housing, Project-Based Rental Assistance, etc. If the proposed project is not participating in a qualified federal affordable housing program, then the development, repair or operation of affordable rental housing funded with ARPA-SLFRF program funds will be presumed

eligible as long as the units are restricted for residents earning less than 65% AMI that is imposed through a covenant, land use restriction agreement, or other enforceable legal requirement in favor of the County for a minimum affordability period of 20 years. Under this presumption, Applicants may use ARPA-SLFRF funds as part of the financing for a mixed-income housing project if the total financing made up of ARPA-SLFRF funds does not exceed the total development costs attributable to affordable housing units limited to households at or below 65% AMI for the affordability period.

Other affordable housing projects and types, beyond those that are eligible for the federal programs listed above, may also be eligible uses of ARPA-SLFRF funds as long as they are related to and are reasonably proportional to addressing the negative economic impacts of the pandemic and meet all other requirements laid out in the final rule. At the HTF's discretion, it may be reasonably proportional to address the negative economic impacts of the pandemic by funding units up to 80% AMI that do not otherwise fall into one of the presumptive eligibility categories above.

8. HOME Match

As a recipient of HOME funds, the County must contribute or match \$0.25/\$1.00 of HOME funds spent on affordable housing. To assist the County in meeting this requirement, applications that include eligible matching funds in their projects will be given extra consideration. Applicants should note that contributions from the applicant, including owner equity, do not count as match and will not result in the award of match points under this NOFA.

Potential forms of match on multifamily rental projects include:

- Below Market Interest Rate financing—When a project receives below-market interest rate (BMIR) permanent financing from a non-federal source, the discounted present value of the foregone yield can be counted as match. To count as match on a multifamily project, the interest rate at the time of closing on the BMIR loan must be less than 300 basis points above the 10-year treasury note.
- Note: Federal Home Loan Bank Affordable Housing Program (FHLB AHP) awards are a non-federal source and can generally qualify as match based on their below-market interest rate structure.
- Local government fee waivers—If the local government waives building permit, tap fees, or other impact fees, the full value of the fee waiver can be included as match.
- Donation or sale of property below market value—If a property owner donates real property or sells real property at less than appraised value for the purpose of supporting affordable housing, the value of the donated land or amount of the discount to market value may be considered match. To count as match, the seller must be an unrelated third party. The seller must also acknowledge the discount or donation in writing as a contribution to affordable housing, and the below market sales price must be documented by an independent, third-party appraisal approved by the County.
- Infrastructure improvements—If a local government uses non-federal resources to install infrastructure related to the development of HOME-assisted housing. For example, if a city extends sidewalks to the project site, adds a turn lane to accommodate development access, or otherwise extends street, water, or sewer service necessary to serve the project site, the value of that infrastructure investment may be counted as match.
- Supportive services—Supportive services necessary to facilitate independent living provided to the occupants of HOME-assisted units (such as case management, job training, assistance with the tasks of daily living, etc.) may be credited as match. To be counted, the services must be provided/paid for with non-federal sources and cannot be paid for by the owner of HOME-assisted housing. Usually, these are associated with developments with units targeted to special needs populations. In all cases services must be voluntary, tenants cannot be required to accept or participate in services as a condition of occupancy.

HOME match is a complex topic. In many cases the “match credit” of a contribution is discounted based on various financial calculations, or in other cases certain investments only create match credit after being prorated between HOME and non-HOME portions of a project or an infrastructure investment. For more information on eligible match see HUD CPD Notice 97-03 which is available at the following link: http://portal.hud.gov/huddoc/19652_97-3.pdf

D. SELECTION CRITERIA

The preliminary funding commitments resulting from this NOFA/Application shall be determined by a scoring system including, but not necessarily limited to, the priorities outlined below. Regardless of strict numerical ranking, the scoring does not operate to vest in an applicant or project any right to a reservation or commitment of HTF funds. A third-party underwriter will also review each development to ensure the financial feasibility of the development and its alignment with the policies and goals of the County. The County will, in all instances, commit HTF funds consistent with sound and reasonable judgment, prudent business practices, and the exercise of its inherent discretion to ensure that:

- Developers awarded funds are both capable and fiscally sound;
- The neighborhood market will support the proposed housing; and
- The project's financial assumptions and projections have been reviewed (or underwritten) to balance their adequacy and subsidy layering considerations.

Points will be designated for each factor of consideration below with a maximum score of 100 points.

- *Developer Experience and Financial Capacity (up to 25 points)*

Rankings will be based on scope of past portfolio including, but not limited to, experience in leveraging of other sources of funds, experience developing and managing projects of similar type and scope, staff qualifications, commitments from other financial sources, and the overall quality of the application for this project. Applicant's current financial statement and independent audit will be reviewed for financial capacity and soundness.

Additional consideration will be given to those applications that include partnerships with an ownership structure that includes emerging developers or minority and women-owned businesses as at least 25% owner and fees equal to their percentage of ownership.

- *Strength of Proforma, Financial Sources, and Readiness (up to 25 points)*

The Applicant's pro form will be reviewed against the underwriting and proforma requirements set forth in the Program Guidelines for compliance and strength. Rankings will reflect the strength of the overall financial proposal including the combination and availability of other non-HTF funds. The HTF may also consider the relative efficiency of each funding request in terms of producing affordable units at the lowest per-unit HTF fund subsidy cost (for this purpose, the HTF will consider the total affordable units in a project, including non-HTF units that are otherwise income and rent restricted by LIHTC or other similar requirements). The HTF will also consider the anticipated repayment schedule for the HTF loan; generally, the HTF will favor projects that can retire the largest portion of the original loan amount within the affordability period. In general, applications that best leverage HTF funds will be prioritized.

Applicants that have received local approval for PILOTs, zoning changes, other approvals or are currently zoned for development will be given extra consideration under this category. Projects can earn additional points if the Phase I Environmental Site Assessment (ESA) confirms that the site is not contaminated. For sites that are contaminated as noted in the Phase I, projects can also earn points if additional environmental due diligence documents are submitted such as a Phase II ESA, Response Activity Plan (RAP) or a Baseline Environmental Assessment (BEA).

- *Geographical Area (up to 20 points)*

Each Application will be evaluated to determine which proposed development provides the greatest public benefit and is consistent with neighborhood needs and input. Applications will be reviewed in terms of their alignment with the funding focus description mentioned in the sections above. In general, the Scoring/Opportunity Criteria of MSHDA's Qualified Allocation Plan will be utilized to evaluate the geographical area and access to health and economic opportunity of each proposed development. A completed self-score of MSHDA's Scoring Criteria is a requirement of this application and includes proximity to transportation, full-service grocery, parks, licensed childcare, pharmacy, public library, schools, employment centers, and job centers amongst other amenities.

- *Projected Rents, Design, Amenities (up to 20 points)*

Projected rents, as well as design and amenity considerations, will be looked at closely for compliance with the requirements set out in the Rental Development Program Guidelines. Applicants should also consider the adjacent neighborhood and built environment of the proposed development site when designing the project. Enhancing future residents' lived experience and pride of residency through high quality design is vital for a successful development. Public safety features and strategies such as Crime Prevention Through Environmental Design (CPTED) should be incorporated throughout the proposed development.

Additional consideration will be provided to developments that incorporate energy efficient design, energy efficient systems, on-site power generation, and other renewable energy enhancements that lower the energy cost burden of future residents and minimize the development's carbon footprint.

Additional consideration will be given to applications that exhibit barrier free, accessibility, and inclusivity provisions beyond those required by local, state, and federal law and the minimum requirements of applicable funding sources.

- *Matching Contributions & Resident Services (up to 8 points)*

Proposals that include eligible matching funds as described in this NOFA or resident services up to \$0.25/\$1.00 in HTF funds are eligible to qualify for up to 5 points. Resident services may include credit counseling, homebuyer training, after-school tutoring, on site health care services (including mental health services), healthy eating classes, on-site food pantry, case management, etc.

- *Community Housing Development Organizations (2 points)*

Applicants who qualify as Community Housing Development Organizations (CHDOs) as described in this NOFA are eligible under this category.

E. QUALIFICATIONS ON FUNDING

1. Limitation on HTF or County Commitment

Successful Applicant(s) will receive a Conditional Award Letter, which will state that the HTF's commitment of funds is contingent upon 1) the availability of federal and general funds; 2) final commitment of all non-County funding sources; 3) an environmental review clearance and release of funds secured from HUD; 4) Board of Commissioner approval for those Applicants seeking more than \$1,500,000, and 5) execution of a written agreement and all other definitive documents between the County and the Applicant within the later of 6 months from the date of the Conditional Award Letter or 6 months from an award of tax credits from MSHDA. Construction of the project must start within 12 months of the aforementioned agreement.

Neither this NOFA nor the acceptance of any Application shall imply a funding obligation to any Applicant. Funding of proposals using HOME funds will be contingent upon receipt of federal HOME funds from HUD. Should the County's HOME allocation or access to ARPA-SLFRF be reduced or eliminated, no claim may be made against the County's General Fund or other resources regardless of the status of the proposal(s) or issuance by the County of a Commitment Letter(s) for HOME or ARPA-SLFRF funding. The County reserves the sole right to approve or reject any and all applications on such basis as it deems to be in its best interest.

As a Participating Jurisdiction, Oakland County is responsible for the administration of the HOME Program under federal HOME regulations and HUD requirements. Similarly, the County is responsible for its administration of ARPA-SLFRF funding received from the US Treasury. It is the intent that this NOFA be issued, and proposals underwritten in compliance with said regulations and requirements. Should the regulations and requirements change at any time, the County reserves the right to alter its HOME and/or ARPA-SLFRF programs to ensure compliance up to and including terminating any commitment issued if the project does not meet any new or revised HOME or ARPA-SLFRF regulations and/or HUD or Treasury requirements. The County, its elected officials, appointed representatives, employees, and agents shall not be held responsible or liable for any losses incurred from claims, suits, damages, and costs and expenses of any kind or of any nature that any proposing firm may suffer, incur or pay arising out of decisions by the County, NHD, or the HTF Board concerning any proposal, application, loan decision(s), or action(s) associated with the administration of the HOME Program, ARPA-SLFRF, and the HTF in general.

All Applications are subject to third-party financial underwriting to ensure the financial feasibility of the development and its alignment with the policies and goals of the County.

2. Good Standing

No loan application will be processed for any project sponsor, borrower, or related entity which is not in good standing with Oakland County, the Michigan State Housing Development Authority (MSHDA), or any other state housing finance authority, the Michigan Economic Development Corporation (MEDC), the U.S. Department of Housing and Urban Development or the United States Department of Agriculture Office of Rural Development (USDA-RD; formerly the Farmers Home Administration), or any other federal department or agency. An applicant can be denied consideration for funding if the applicant or its related parties have a history of default or non-performance under any agreement, payment delinquencies, bankruptcy, foreclosure, or activities determined to be unsound or unlawful.

The County will not fund projects owned, developed, or otherwise sponsored by any individual, corporation, or other entity that is suspended, debarred, or otherwise precluded from receiving federal awards. Nor may the owner contract with any other entity (including but not limited to builders/general contractors, property management companies, or other members of the development team) that are suspended, debarred, or otherwise so precluded. Similarly, the general contractor will be required to determine that subcontractors are not so precluded.

The System for Award Management (SAM) database should be used by applicants to confirm that development team members are not excluded. The SAM database is available at www.sam.gov.

3. Code of Conduct

The Applicant covenants that no person who presently exercises any functions or responsibilities in connection with the Oakland County Housing Trust Fund, HOME Program, or ARPA-SLFRF Program has any personal financial interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Applicant further covenants that in the performance of this Agreement, no person having any conflict of interest shall be employed. Any interest on the part of the Applicant or its members, partners, officials, or employees must be disclosed to the County provided, however, that this paragraph shall be interpreted in such a manner so as not to unreasonably impede the statutory requirements that maximum opportunity be provided for employment of and participation by low and moderate-income residents of the area.



APPENDIX A: HTF APPLICATION COVER SHEET

Oakland County Consortium Home Investment Partnership Program Application Cover Sheet. 2023 NOFA – Rental Housing Development

The information provided shall be kept confidential and used only for the purpose of determining eligibility for the Housing Trust Fund Program. **Please complete all sections.**

Applicant Name: _____

Applicant Address: _____ Unit # (If applicable): _____

City: _____ State: _____ Zip: _____

Applicant Email: _____ Applicant Phone: _____

Name of Authorized Representative: _____

Authorized Representative Phone Number: _____

Authorized Representative Email Number: _____

Certification of Authorized Representative: _____

I, _____, as a Authorized Representative for _____ hereby certify that all materials submitted in this proposal as noted on the checklist below is true and correct to the best of my knowledge and belief. I understand that any attempts to falsify information in this application shall result in disqualification. Further, I hereby consent to request that Oakland County may make of third parties for information to substantiate information provided in this process, and I authorize third parties to release such information to Oakland County.

Signature: _____

Print Name: _____

Date: _____



APPENDIX A: HTF APPLICATION MATERIALS CHECKLIST

The information provided shall be kept confidential and used only for the purpose of determining eligibility for the Housing Trust Fund Program. **Please complete all sections.**

At a minimum, applicants must provide the information listed in the Initial Application Stage (Tabs 1-5) to be considered for HTF conditional approval or a HTF recommendation of Board of Commissioners approval. Applicants are encouraged to provide as complete an application as possible. Any information not provided in the initial application will be required (along with updated financial/due diligence information) before any commitment of HTF funds is made and definitive agreements are executed. For any information not available at the time application, please provide a timeline for anticipated completion and submittal.

In all cases, materials must be organized according to the tab numbers above. If appropriate, provide an explanation for why any item is not applicable. Applicants should note that additional due diligence items will be required as set forth in Exhibit A of the Program Guidelines prior to the County's final commitment of funds.

Oakland Together Housing Trust Fund Available Funds










Initial Application Stage

Tab 1 	Certifications (provided at Appendix B of the NOFA)
Tab 2 	Narrative Executive Summary containing a brief synopsis of the proposed development including location, number of units, project costs, project timeline and the proposed financing. The summary should also provide a brief overview of the design of the proposed complex (frontal elevation and floor plan(s) only; detailed architectural drawings are not required with initial application), proposed site plan, amenities, and accessibility/adaptability provisions.
Tab 3 	Evidence of site control (e.g., purchase option, purchase agreement, warranty deed, etc.) Must include disclosure of any identity of interest relationship between seller and buyer.
Tab 4 	Uniform Relocation Act (URA) documentation (as applicable). a. URA Notice to Seller of Voluntary Sale b. Seller certification regarding vacancy c. Rent Roll and evidence of General Information Notices to existing tenants (occupied properties only). (Note, applicants must consult the County about URA requirements prior to applying for any project occupied by residential or commercial tenants. Failure to issue proper URA notices prior to application may render a project ineligible for assistance.)
Tab 5 	Completed MSHDA Qualified Allocation Plan Self Score Spreadsheet: https://www.michigan.gov/mshda/developers/lihtc/lihtc/qualified-allocation-plan

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Oakland Together Housing Trust Fund Available Funds

Developer Capacity & Fiscal Soundness

Tab 6 	Developer statement of qualifications that identifies: a. All projects currently under construction and/or pending b. Comparable projects completed within the last five (5) years c. List of all Real Estate Owned, including via membership/partnership interest, by all project sponsors d. Staff assigned to this project and their roles, responsibilities, and prior experience
Tab 7 	Individual resumes, copies of appropriate licenses and/or professional certifications of assigned developer staff.
Tab 8 	Information on qualifications of property management agent.
Tab 9 	Current financial statements for developer and any guarantors (most recent quarter).
Tab 10 	Most recent corporate audit or reviewed financial statements (preceding 3 years).
Tab 11 	Most recent tax returns for developer (990s for nonprofit developers) (preceding 3 years).
Tab 12 	Certified copies of all organizational documents of all entities in the project, including articles of incorporation, operating agreement, partnership agreement, as applicable.
Tab 13 	Completed Application for CHDO Certification (as applicable) along with all required documentation (Application and associated attachments is available upon request).
Tab 14 	Development team, must include disclosure of any identity of interest between development team entities. (e.g., developer, general contractor, property management agent, etc.) a. List of third-party development team members (MSHDA Combined Application, Tab C acceptable/preferred) b. Corporation profiles and/or individual resumes, copies of appropriate licenses and/or professional certifications for development team members

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Oakland Together Housing Trust Fund Available Funds

Site and Product

Tab 15



Phase I Environmental Site Assessment. The Phase I must be completed in compliance with the American Society for Testing and Materials (ASTM) standard E-1527- 13, including Appendices X4 and X5. The Phase I provider should acknowledge in its “statement of purpose” that one use of the report will be to determine compliance with HUD’s environmental review requirements at 24 CFR Part 58. Additional time may be granted for submission of report prepared by third parties if requested in writing at time of application submission.

Note: Applicants whose projects rely on the award of LIHTC will also be required to comply with the applicable MSHDA Environmental Policy Requirements for both Low Income Housing Tax Credits and HOME. While not required at the time of application submission, an acceptable Environmental Report (i.e., presented in the required format and meeting requisite MSHDA standards) must be provided to Oakland County in advance of a funding commitment.

Tab 16



Documentation of utility availability and connection costs (Water/sewer, electric, gas, etc.).

Tab 17



Evidence of zoning status, including what site plan, special use, or other approvals may be required and description of local building/code review approvals that will be required.

Tab 18



Flood Hazard Determination Form (FEMA Form 086-0-32) from a nationally recognized flood data service or from a licensed surveyor that no portion of the property is located within the 100-year flood plain. The proposed development cannot be located in the designated floodplain.

Market Data

Tab 19



Market study prepared by _____

Underwriting/Financial Projections

Tab 20



Proforma showing rent roll (with unit typology and revenue projections, operating cost projections, all development costs, construction period sources/uses, and 20-year operating/cash flow projections **to be provided in unlocked excel format.** (*Submission of MSHDA multifamily proforma is acceptable.*)

Tab 21



Initial commitments for other financing, including equity and both permanent and construction loan sources, outlining amounts, terms, and conditions for such financing.



APPENDIX B: HTF APPLICATION CERTIFICATIONS

As part of its application to Oakland County, the undersigned representative hereby certifies that:

- **True and Complete:** All assertions, representations, and statements submitted as part of the application for funding, including all supporting materials and documentation, are materially true and correct and that any changes, updates, or other new or revised information will be promptly disclosed to the County.
- **Penalties for Falsification:** Applicant acknowledges that the provision of false information, or the omission of material information, will result in the denial of the application, and/or the cancellation and claw-back of any funding committed or received, and may subject the applicant or its affiliates to various civil and/or criminal penalties.
- **Conflict of Interest:** To the best of its knowledge and belief, except as explicitly disclosed by a supplement to the application, no apparent conflict of interest exists between the applicant (including its affiliates, employees, owners, managers, or members) and any employee, agent, consultant, officer, or elected official or appointed official of the County.

- **7.8 Conflict of Interest:** As written in the Agreement with _____

No officer, employee, agent, or consultant of Owner or immediate family members thereof (known as covered persons) may occupy a HOME-assisted affordable housing unit in the Project. However, this provision does not apply to an employee or agent of Owner who occupies a housing unit in the Project as a project manager or maintenance worker.

Notwithstanding, the County may approve a waiver to allow a covered person to occupy a unit in the Project based on a written request from Owner if, in the County's sole discretion, a waiver would be appropriate under the provisions of 24 CFR 92.356(f)(2). While the conflict of interest provisions in 24 CFR 92.356 do not technically apply to Owner's procurement of goods and services associated with the development or operation of the Project, Owner agrees to notify the County in writing and seek the County approval prior to entering into any contract with an entity owned in whole or in part by a covered person or an entity owned or controlled in whole or in part by Owner, any Controlling Entities of the Owner, any of the underlying individual owners of the Controlling Entities, or any of the Guarantors.

The County will review the proposed contract to ensure that the contractor is qualified and that the costs are reasonable. Approval of an identity of interest contract will be in the County's sole discretion.

- **Prevailing Wage:** Will Applicant pay and require its contractors and subcontractors to pay all mechanics and laborers employed directly on the site of the affordable housing development, construction, work, and/or project described in this application not less than the wages prevailing in the County, regardless of any contractual relationship between Applicant (including its contractors/subcontractors) and the laborers and mechanics?

☐ Yes ☐ No

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- **Debarment:** To the best of its knowledge and belief, except as explicitly disclosed by a supplement to the application, neither the applicant, its affiliates, employees, owners' managers, or members nor any of the development team members identified in the application:
 - a. Are presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from any transactions or construction projects involving the use of Federal funds, nor
 - b. Have, within a three-year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; nor
 - c. Are presently for indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in this certification; nor
 - d. Have, within a three-year period preceding this certification, had one or more public projects (Federal, State or local) terminated for cause of default.
- **Lobbying Certifications:**
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
 - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL “Disclosure of Lobbying Activities,” in accordance with its instructions. <https://www.hudexchange.info/resource/308/hud-form-sflll/>
 - c. The undersigned shall require that the language of this certification be included in the award documents of all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub- recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- **Authority:** The undersigned has the requisite authority to submit the application and make these certifications on behalf of the applicant.

Signature: _____ Date: _____

Print Name: _____

Title/Role: _____

Applicant: _____



APPENDIX C: INCOME LIMITS

Rental Income Limits and Rent Limits for HOME, HTF, and Other Funds

Income	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
20%	13,260	15,160	17,060	18,940	20,460	21,980	23,500	25,020
25%	16,575	18,950	21,325	23,675	25,575	27,475	29,375	31,275
30%	19,890	22,740	25,590	28,410	30,690	32,970	35,250	37,530
35%	23,205	26,530	29,855	33,145	35,805	38,465	41,125	43,785
40%	26,520	30,320	34,120	37,880	40,920	43,960	47,000	50,040
45%	29,835	34,110	38,385	42,615	46,035	49,455	52,875	56,295
50%	33,150	37,900	42,650	47,350	51,150	54,950	58,750	62,550
55%	36,465	41,690	46,915	52,085	56,265	60,445	64,625	68,805
60%	39,780	45,480	51,180	56,820	61,380	65,940	70,500	75,060
70%	46,410	53,060	59,710	66,290	71,610	76,930	82,250	87,570
80%	53,040	60,640	68,240	75,760	81,840	87,920	94,000	100,080
100%	66,300	75,800	85,300	94,700	102,300	109,900	117,500	125,100
120%	79,560	90,960	102,360	113,640	122,760	131,880	141,000	150,120
125%	82,875	94,750	106,625	118,375	127,875	137,375	146,875	156,375
140%	92,820	106,120	119,420	132,580	143,220	153,860	164,500	175,140
150%	99,450	113,700	127,950	142,050	153,450	164,850	176,250	187,650

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Rental Income Limits and Rent Limits for HOME, HTF, and Other Funds

Rent by Person	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
20%	331	379	426	473	511	549	587	625
25%	414	473	533	591	693	686	734	781
30%	497	568	639	710	767	824	881	938
35%	580	663	746	828	895	961	1,028	1,094
40%	663	758	853	947	1,023	1,099	1,175	1,251
45%	745	852	959	1,065	1,150	1,236	1,321	1,407
50%	828	947	1,066	1,183	1,278	1,373	1,468	1,563
55%	911	1,042	1,172	1,302	1,406	1,511	1,615	1,720
60%	994	1,137	1,279	1,420	1,534	1,648	1,762	1,876
80%	1,326	1,516	1,706	1,894	2,046	2,198	2,350	2,502
100%	1,657	1,895	2,132	2,367	2,557	2,747	2,937	3,127
120%	1,989	2,274	2,559	2,841	3,069	3,297	3,525	3,753
125%	2,071	2,368	2,665	2,959	3,196	3,434	3,671	3,909
140%	2,320	2,653	2,985	3,314	3,580	3,846	4,112	4,378
150%	2,486	2,842	3,198	3,551	3,836	4,121	4,406	4,691

Rent by Bedroom	-	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	-
20%		331	355	426	492	549	606	
25%		414	444	533	615	686	758	
30%		497	532	639	738	824	909	
35%		580	621	746	861	961	1,061	
40%		663	710	853	985	1,099	1,213	
45%		745	799	959	1,108	1,236	1,364	
50%		828	888	1,066	1,231	1,373	1,516	
55%		911	976	1,172	1,354	1,511	1,667	
60%		994	1,065	1,279	1,477	1,648	1,819	
70%		1,160	1,243	1,492	1,723	1,923	2,122	
80%		1,326	1,421	1,706	1,970	2,198	2,426	
100%		1,657	1,776	2,132	2,462	2,747	3,032	
120%		1,989	2,131	2,559	2,955	3,297	3,639	
125%		2,071	2,220	2,665	3,078	3,434	3,790	
140%		2,320	2,486	2,985	3,447	3,846	4,245	
150%		2,486	2,664	3,198	3,693	4,121	4,548	