SUMMARY OF CITIZEN PARTICIPATION PROCESS AND LISTING OF COMMENTS RECEIVED 2024 HOUSING CREDIT QUALIFIED ALLOCATION PLAN, 2024 HOME ACTION PLAN, 2024 NATIONAL HOUSING TRUST ALLOCATION PLAN, and A SIGNIFICANT AMENDMENT TO THE 2023 NATIONAL HOUSING TRUST FUND PLAN

In accordance with Section 42 of the Internal Revenue Code and the HOME and National Housing Trust Fund Regulations, notices of the Public Hearing and the 30-day public commenting period for the draft 2024 Housing Credit Qualified Allocation Plan, draft 2024 HOME Action Plan, draft 2024 National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Allocation Plan (Plans) were published in the Andalusia Star, Athens News Courier, Decatur Daily, Dothan Eagle, Florence Times Daily, Gadsden Times, Montgomery Advertiser, Opelika Auburn News, The Times Daily (Ft. Payne), and Tuscaloosa News. To increase awareness of availability, the Plans and Public Hearing Notice were also posted on the Alabama Housing Finance Authority (AHFA) website, and on AHFA social media platforms (Facebook and LinkedIn). AHFA emailed 1,867 notices on June 14, 2023, and 1,875 notices on June 30, 2023, of the draft Plans availability to interested parties, requesting that they submit oral comments at the Public Hearing or written comments regarding the proposed Plans by 5:00 p.m. CDT on July 31, 2023. During the designated commenting period, AHFA received 222 written comments from 34 individuals and organizations pertaining to the 2024 Plans. The comments are attached and available for review at the following AHFA website link:
https://www.ahfa.com/multifamily/allocation-application-information/current-year-allocation-plans.

AHFA determined the appropriate action to take with respect to each comment received by evaluating each for:

- Clarity and ease of implementation within the proposed 2024 Draft Plans.
- Changes which would justify a major modification to the 2024 Draft Plans but would be more appropriate for consideration during the development of the 2025 Draft (or later year's) since the material nature of the changes proposed would require adequate time to implement and require a public commenting process.
- Changes suggested would require significant research, analysis, and planning to assess fully their practicality and feasibility before incorporation into the Plans. Accordingly, a public commenting process would be required, and the proposed changes would be evaluated for consistency with the stated goals and objectives of the Plans, applicable industry standards, and AHFA policies.
- Narrative comments, opinions, or questions which do not clearly define an actionable request or are unrelated to the current Draft Plans. Under these circumstances, staff is prohibited from attempting to interpret the commenter's intent.
- Industry specific or changes in regulatory guidance which require corrections to technical language in the Plans.

AHFA reviewed the comments received and revised the Plans based on certain comments submitted. A listing of the comments received are attached for review. Once the final Plans have been formally approved, we strongly encourage each reader to review the final Plans completely to view any changes made by AHFA in their full context. When revisions have been finalized and approved, the Plans will be available for review in their entirety at the following AHFA website link:
https://www.ahfa.com/multifamily/allocation-application-information/current-year-allocation-plans

AHFA wishes to thank the many individuals and organizations who provided comments during the commenting period. While all comments were carefully reviewed and considered, only the most equitable comments pertaining to the process for the entire state and the variety of program participants resulted in changes being made to the final Plans. As the administrator of the Plans, AHFA's goal is to develop written criteria for the Plans that will provide equal access to all types of affordable housing developments, which include but are not limited to: various construction types (new construction, acquisition, rehabilitation, and adaptive reuse, etc.); diverse target populations (families, seniors, persons with mental and physical disabilities, Veterans, and homeless populations, etc.); and geographical characteristics (rural, metropolitan, qualified census tracts, distressed areas, etc.). In attempting to reach varied needs and population types across the state, our greatest challenge is to develop a fair and balanced allocation methodology with the intent to ensure that all applications, regardless of the targeted population and construction type, will have a fair chance of competing during each Application Cycle.

To that end, please keep in mind that certain perceived scoring impediments for a particular type of organization can be offset by other incentives in the Plans, which may not be necessarily applicable to other types of organizations. In addition, please consider that the Plans are not intended to serve as a replacement for other discontinued housing programs, which may have had different standards, costs, or otherwise. This is especially true as it relates to construction design standards. Any applicant that proposes to include design standards that significantly exceed AHFA standards or to include other design standards mandated by other programs must obtain additional funding sources to offset any additional costs, assuming the project's costs exceed AHFA's definition of reasonable costs. As an alternative and when feasible, applicants should consider submitting an application for Multifamily Housing Revenue Bonds, which are subject to availability, provided on a first-come, first-served basis, and subject to the criteria and requirements of the applicable Plan.

See Attached, Listing of Comments Received

A. Public Comments Submitted to AHFA. The comments are available for viewing at the following AHFA website link: [https://www.ahfa.com/multifamily/allocation-application-information/current-year-allocation-plans.](https://www.ahfa.com/multifamily/allocation-application-information/current-year-allocation-plans)

2024 Citizen Participation Process

Listing of Comments Received

2024 Draft Plans:

This document contains the cumulative list of comments received with respect to the 2024 Citizens Participation Process. The list will be updated on a weekly basis until the commenting period ends July 31, 2023. Comments from stakeholders are listed in the order received and attached as follows:

Index of Comments Received

SECTION A- COMMENTS RECEIVED THROUGH JULY 14, 2023 1

A.1 CARRIE BEARDEN, CAHABA CENTER FOR MENTAL HEALTH 1-2
A.2 RODNEY BATTLES, NWAMHC 3-4
A.3 PATRICIA MOORE, WEST ALABAMA MENTAL HEALTH CENTER 5-6
A.4 CANDACE HARDEN, SOUTHWEST ALABAMA BEHAVIORAL HEALTH 7-8

SECTION B- COMMENTS RECEIVED THROUGH JULY 21, 2023 9

B.1 CHRIS RETAN, ALETHEIA HOUSE 9
B.2 MELISSA KIRKLAND, SPECTRACARE HEALTH SYSTEMS, INC 10-11
B.3 KETCIA BARLOW, ALABAMA DEPARTMENT OF MENTAL HEALTH 12-13
B.4 STEVE GERMAN, TCU CONSULTING SERVICES 14
B.5 ANN MARIE ROWLETT, ROWLETT & COMPANY, LLC 15-16

SECTION C- COMMENTS RECEIVED THROUGH JULY 28, 2023 17

C.1 CYNTHIA M. PRATER, HCCP ORGANIZATION: THE BENNETT GROUP, LLC 17-20
C.2 MARY ELLEN JUDAH, NEIGHBORHOOD CONCEPTS, INC. 21-22
C.3 KENNARD RANDOLPH, SELMA HOUSING AUTHORITY 23
C.4 WIN YERBY, HOLLYHAND DEVELOPMENT 24
C.5 VERONICA MCGEE, ACCESSIBLE ALABAMA 25-28
C.6 DANIELLE WOOTEN, CITY OF SELMA 29
C.7 KATIE MCAULEY, THE KELSEY 30-33

SECTION D- COMMENTS RECEIVED THROUGH JULY 31, 2023 34

D.1 AMAYA SIZER, FAHE, AL CAUCUS 34-35
D.2 JENNIFER ADAMS, ITEX DEVELOPMENT, LLC. 36-39
D.3 GLYNIS TANNER, MONTGOMERY HOUSING AUTHORITY 40-43
D.4 ERINN ROOS- BROWN, TRAVOIS, INC 44-45
D.5 THOMS AMDUR, LINCOLN AVENUE CAPITAL 46-48
D.6 NANCY ANDERSON, ADAP 49-52
D.7 CARTER SWAYZE, STANDARD COMMUNITIES 53-54
D.8 JENNIFER RUCKER, DOWN SYNDROME ALABAMA/ PEOPLE FIRST OF ALABAMA 55-57
D.9 RORY L. MCKEAN, MCKEAN & ASSOCIATES, ARCHITECTS, LLC 58-64
D.10 GARY HALL, AAHA 65-68
D.11 ARON BOLDOG, CAPNA 69
D.12 GARY HALL, HALL GROUP, LLC 70
D.13 JAY RONCA, VANTAGE 71-74
D.14 JENNIFER HARRIS, INDIVIDUAL 75-78
D.15 PAULA RHODES, INVICTUS DEVELOPMENT 79
D.16 JASON FREEMAN, GATEWAY DEVELOPMENT CORPORATION 80-83
D.17 DAVID MORROW, MORROW REALTY84- 84-85
D.18 KEN KNOX, CITY OF MOBILE 86

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/14/2023

Name: Carrie Bearden Organization: Cahaba Center for Mental Health Email: carrie.bearden@cahabamentalhealth.com Phone: 334-418-6500

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for Homeless and/or Disabled persons. The list should include project and owner name, management company, number of set-aside units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan

Public Comment Form

Commenting Period June 30, 2023 – July 31, 2023

General Comment	Section		It is recommended that AHFA add language in their LIHTC and HOME restrictive covenants that require owners to give a reasonable amount of notice to tenants when restrictions are being lifted. As an example to show why this is needed: there have been current instances where tenants with leases under the "Wyatt Agreement" were only given a month or so notice that their rents are about to increase. These are tenants who were paying an average of $150 a month being told that rents would increase to $600 or more. A good bit of tenants benefiting under the LIHTC program are in income ranges of 30% AMI or less. A severe rent hike such as this could destabilize those households who already suffer with limited incomes.
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7/14/2023

Name: Rodney Battles Organization: NWAMHC Email: rodney.battles@nwamhc.com Phone: 205-302-9054

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
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Select Date Submitted

Name: Patricia Moore Organization: West Alabama Mental Health Center Email: pmoore@wamhc.org Phone: 334-289-2410

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
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Select Date Submitted

Name: Candace Harden Organization: Southwest Alabama Behavioral Health Email: candace@swamh.com
Phone: 251-238-3917

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
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Select Date Submitted

Name: Chris Retan Organization: Aletheia House Email: cretan@specialkindofcaring.org Phone: 205-533-6012

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
HOME	Point Scoring	A-9	Nonprofit CHDOs do not have owners, they have volunteer Board members. Therefore, they would not be eligible for points awarded for minority/women ownership. It is unfair to have points that can be awarded only to for-profit applicants and not to nonprofit applicants. We believe the goal of these points is a good one. We would recommend keeping these points for-profit applicants and also awarding five points to non-profits owners (including CHDOs) who have Board members who are 50%+ women and minorities.
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Revised 6/28/2023

B.2

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7/17/2023

Name: Melissa Kirkland, CEO Organization: SpectraCare Health Systems, Inc. Email: melissak@spectracare.org
Phone: 334-712-2720 Ext. 2205

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Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
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B.3

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7/17/2023

Name: Ketcia Barlow, HCCP Organization: Alabama Department of Mental Health- MICP Housing Coordinator
Email: Ketcia.Barlow@mh.alabama.gov Phone: 334-353-8954

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	Point Scoring	A-7	(A. Point Gained, (iv.) (c.)) Tenant Needs Although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless/Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless/disabled set-asides, owners may assume that they will only be required to keep the homeless/disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for Homeless and/or Disabled persons. The list should include project and owner name, management company, number of set-aside units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan,
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General Comment	Section		It is recommended that AHFA add language in their LIHTC and HOME restrictive covenants that require owners to give a reasonable amount of notice to tenants when restrictions are being lifted. As an example to show why this is needed: there have been current instances where tenants with leases under the "Wyatt Agreement" were only given a month or so notice that their rents are about to increase. These are tenants who were paying an average of $150 a month being told that rents would increase to $600 or more. A good bit of tenants benefiting under the LIHTC program are in income ranges of 30% AMI or less. A severe rent hike such as this could destabilize those households who already suffer with limited incomes.
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Select Date Submitted

Name: Steve German Organization: TCU Consulting Services Email: steve.g@tcuconsulting.com Phone: 334-420-1500

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
HOME	DQS	C-20	Strike "clear" from para e. at the top of the page. This change will bring this particular verbaige into agreement with the same specification in other parts of this document. In order to comply with this specification as stated would require the use of a "custom" door and thus drive costs up considerably, not only in the cost of a custom door, but the cascading effects to dimensions commonly used for hallways, wall space, and square footage, etc.
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Revised 6/28/2023

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Select Date Submitted

Name: Ann Marie Rowlett Organization: Rowlett & Company, LLC Email: annmarie@thebennettgrp.net Phone: 334-321-0529

Plan Section	Section Reference	Page #	Specific Comments
HOME	III	4	By incentivizing developers with points or a set-aside for developing in rural and under-served areas would help to get affordable housing where it is hardest to develop and most needed. AHFA should conisder having a sliding point scale for projects in counties where there has been no new AHFA housing developed in the past 5yrs, or even 10yrs. Withought this point incentive, I'm not sure how else the much needed housing will get done.
HOME	Point Scoring	A-7	AHFA should consider increasing points for providing additional units for tenants with disabilities and homeless populations.This could be accomplished by using a slliding scale depending on the percentage of the units selected for the set-aside.
Housing Credit	Point Scoring	A-8	Points for rehabilition of LIHTC Only projects should be increased. LIHTC only rehabs cannot compete with rehabilitation of HOME projects that have paid back the HOME loan in full or by 30%. Even if the LIHTC only rehab was able to obtain the maximum additional subsidy, it would still be far outscored by the HOME rehabs. There are more and more LIHTC only rehabs maturing, so this problem is only going to get worse if there is no way for these projects to score competitively.
HOME	Point Scoring	A-8	AHFA should consider having a sliding scale for points related to paying down maturing HOME loans. Because each project is so different and those projects in very rural counties with no economic growth are harder to make work financially, AHFA should consider giving points if you can pay down 10% of the HOME loan, 20% of the HOME loan and 30% of the HOME loan. Since most of the owners will have to get loans to make the paydowns of these HOME loans, it may not be feasible to obtain a 30% paydown loan from a bank based on the current

			value of the property. Making this range available could help some struggling deals be able to be competitive and get the credits that it needs to do renovations. Allowing the housinig to be improved and stay affordable for another 20 years.
HOME	Point Scoring	A-8	AHFA should consider adding services that qualify for points or having alternate scoring criteria for rural projects so that they can be competitive. This would apply to existing AHFA developments that are in need of rehabilitation. A lot of rural areas are declining economically and are actually losing services, rather than gaining them. They are already burdened with making the projects work financially and if they can't score competitively, then AHFA has an aging portfolio of rural projects that will just continue to decline and become even more obsolete.
General Comment	Section		AHFA consider removing the requirement for telephone availability letters as part of the application process. They are more and more difficult to acquire and the use of land-line telephones has become almost non-existant.
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7/24/2023

Name: Cynthia M. Prater, HCCP Organization: The Bennett Group, LLC Email: cindy@thebennettgrp.net Phone: 334-758-8404

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	Point Scoring	A-3	Project Characteristics: Correct total for points avialable from 82 to 81.
Housing Credit	Point Scoring	A-6	New Funds: Allow points for additional sources of new funds, including capital magnet funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources being grants or other favorable financing products an owner seeks out or is able to obtain on their own.
Housing Credit	Point Scoring	A-7	Tenant Needs: As there are currently only two types of housing that can be produced in Alabama, elderly or family, there is no reason to include points for developing one or the other. The points are equal in value and any specifics regarding requirements for being defined as either elderly or family should be made a part of the design quality standards. This set of points is of no benefit in providing a scoring advantage as they simply cancel one another out.
Housing Credit	Point Scoring	A-7	Tenant Needs: Award a greater point value to those projects that go above the minimum set-a-side for tenants with diabilities or homeless populations. If an owner commits to setting a side and filling 10%, 15%, 20%, etc., of their units with qualified tenants from the identified communities, a higher point value should be assigned to their project.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled/homeless set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals within the identified communities and award a higher point value to those projects.
Housing Credit	Point Scoring	A-7	Tenant Needs: Required annual recertification of Memorandum of Understanding with service provider(s) for leasing of units set aside for disabled/homeless individuals.

Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled/homeless individuals before they were made available to and leased to the general public.
Housing Credit	Point Scoring	A-8	Project Type: With the current scoring criteria for acq/rehab developments, no site that hasn't had a previously awarded HOME loan from AHFA can submit a competitive application. With 8 - 10 points awarded to projects that have re-aid 100% of their AHFA HOME loan or has closed a 15-year extension of said loan, there are no other categories where any other acq/rehab development can come close to making up those points.
Housing Credit	Point Scoring	A-8	Project Type: Consideration should be given to maturing HOME loan projects that are unable to borrow (or have cash avaialble) to pay down 30% of the HOME loan. This is of particular concern for smaller, rural developments that don't cash flow well enough to have accrued funds to pay down 30% of the HOME loan. Several of these developments are in areas that have seen little to no economic development, while their need for affordable housing has risen. In an effort to make these projects more competitive, AHFA could award points on a sliding scale, i.e., 2 points for a 10% paydown, 4 points for 20%, etc. The result may be fewer 5-year extensions with no paydown, and more 15-year extensions which require the projects to remain affordable.
Housing Credit	Point Scoring	A-8	Location: Consider allowing acq/rehab projects to request a waiver for any suggested neighborhood service that's outside the required 3 mile radius of the site, or for any negative neighborhood service that may have been established after the project was originally developed. Alternatively, AHFA could create a separate criteria for services for these projects that would allow them to remain competitive. The rehabilitation of these projects, and the value of keeping them affordable, should not be invalidated by the development (or lack thereof) that has occurred since they were originall approved for development by AHFA.
General Comment	Section		Consider removing the requirement for telephone service letters. This is a utility that has become less and less desired by individuals and the required letter is one that has proven time and again to be the most difficult to obtain with several providers simply refusing to respond to an owner/developer's request.
Housing Credit	I	3	Establishment of Housing Priorities: AHFA Should consider either a set-a-side or assigning a point value to projects being considered for development in counties that have seen no new AHFA awarded housing in 5, 10, or even 15 years.

			Without going back into these counties and awarding a higher level of tax credits, HOME funds, and/or additional sources of new funds (see above) how else will the individuals in those communities be served with safe, sanitary, affordable housing?
HOME	III	6	Establishment of Housing Priorities: AHFA Should consider either a set-a-side or assigning a point value to projects being considered for development in counties that have seen no new AHFA awarded housing in 5, 10, or even 15 years. Without going back into these counties and awarding a higher level of tax credits, HOME funds, and/or additional sources of new funds (see above) how else will the individuals in those communities be served with safe, sanitary, affordable housing?
HOME	Point Scoring	A-6	New Funds: Allow points for additional sources of new funds, including capital magnet funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources being grants or other favorable financing products an owner seeks out or is able to obtain on their own.
HOME	Point Scoring	A-7	Tenant Needs: As there are currently only two types of housing that can be produced in Alabama, elderly or family, there is no reason to include points for developing one or the other. The points are equal in value and any specifics regarding requirements for being defined as either elderly or family should be made a part of the design quality standards. This set of points is of no benefit in providing a scoring advantage as they simply cancel one another out.
HOME	Point Scoring	A-7	Tenant Needs: Award a greater point value to those projects that go above the minimum set-a-side for tenants with diabilities or homeless populations. If an owner commits to setting a side and filling 10%, 15%, 20%, etc., of their units with qualified tenants from the identified communities, a higher point value should be assigned to their project.
HOME	Point Scoring	A-7	Tenant Needs: Require a higher disabled/homeless set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals within the identified communities and award a higher point value to those projects.
HOME	Point Scoring	A-7	Tenant Needs: Required annual recertification of Memorandum of Understanding with service provider(s) for leasing of units set aside for disabled/homeless individuals.
HOME	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled/homeless individuals before they were made available to and leased to the general public.

HOME	Point Scoring	A-7	Neighborhood Services: Create a separate scoring criteria for rural projects that would allow them to remain competitive as many don't meet the current 3 mile requirement for services. Several of the state's rural areas have seen little to no economic development while their need for affordable housing continues to increase. As a result, making a development financially feasible in these areas is already more difficult than those in more metro areas. If AHFA doesn't allow these areas a competitive advantage of some sort, we'll continue to see a decline in the quality and amount of affordable housing in areas of our state where it's most needed.
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7/24/2023

Name: Mary Ellen Judah Organization: Neighborhood Concepts, Inc. Email: mjudah@neighborhoodconcepts.org Phone: 256-534-0075 Ext. 402

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	II	23	3) Ownership Entity & Project Housing Credit Cap - should the last line of paragraph 4 say "..count towards the HOME Fund Cap" rather than Housing Credit Cap?
Housing Credit	Point Scoring	A-2	Tiebreaker Item 5 - If the intent is to encourage diverse housing options in upper income census tracts, please consider using the same year for both the median family income as well as the tract income. To achieve this as currently written, a tract's income of 3 years ago would have to be equal to or exceed the county's current median income.
Housing Credit	Point Scoring	A-6	New Funds -FHLB AHP direct subsidy awards are not required to be repaid if the project remains in compliance for 15 years. However, equity investors often require the AHP to be "loaned" to the project by the non-profit sponsor. These sponsor loans are typically subordinate and require no repayment during the compliance period. Please consider clarifying the language stating that the FHLB AHP must be in form of a grant - perhaps stating that it must be a "FHLB Direct Subsidy" to ensure that the structure often required by equity investors is allowable.
Plan	Point Scoring	A-10 & A-11	Applicant Characteristics - Clarification is requested on how the MWOB ownership category impacts 501(c)3 non-profit corporations which do not have any ownership. Although it states on Page A-11 that applicant characteristics for non-profits are based upon the characteristics of the ownership entity itself, the language does not indicate how the MWOB characteristic would be evaluated for a non-profit: board composition, % of total staff, executive leadership, etc. If non-profits are not able to access the MWOB ownership points, please consider allowing non-profits to earn 10 points for awarding 15% or 20% of total building cost to MWOB while

			keeping the 5 point allocation for other entities that award 10% of total building cost to MWOB. As currently written, the QAP hampers a non-profit's ability to be competitive and encourages non-profits to partner with for-profit developers which could negatively impact the number of qualifying CHDO applicants.
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Select Date Submitted

Name: Kennard Randolph Organization: Selma Housing Authority Email: kennard.randolph@selmahousing.com
Phone: 334 874 6271

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	15	Jurisdictions receiving Community Development Block Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
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7/25/2023

Name: Win Yerby Organization: Hollyhand Development Email: wyerby@hollyhand.com Phone: 2053450955

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	15	Jurisdictions receiving Community Development Bloc Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
HOME	IV	19	Jurisdictions receiving Community Development Bloc Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
Housing Credit	II	12	Previously funded projects: The draft rule requires 50% completion of previous projects as shown on the quarterly progress reports for an applicant to be eligible to apply in 2024. Given delays resulting from the explosion of construction costs and continuing unforseeable delays due to supply chain issues, this rule results in arbitrary and punitive results. In addition, given the time projects closed and the timing of quarterly progress reports, some projects would be penalized unfairly based upon the timing of the application. A more appropriate standard would be to use the same standard as required for the Architect Certification of Project Progress for those years.
HOME	IV	16	Previously funded projects: The draft rule requires 50% completion of previous projects as shown on the quarterly progress reports for an applicant to be eligible to apply in 2024. Given delays resulting from the explosion of construction costs and continuing unforseeable delays due to supply chain issues, this rule results in arbitrary and punitive results. In addition, given the time projects closed and the timing of quarterly progress reports, some projects would be penalized unfairly based upon the timing of the application. A more appropriate standard would be to use the same standard as required for the Architect Certification of Project Progress for those years.

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7/28/2023

Name: Veronica McGee Organization: Accessible Alabama Email: veronica@accessiblealabama.org Phone: 205.936.3104

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	Point Scoring	A-6	Allow points for additional sources of new funds, including philanthropic funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources being grants or other favorable financing products an owner seeks out or is able to obtain on their own.With limited resources and high costs of building affordable housing, AHFA can consider incentivizing developers who use a diverse set of funding mechanisms, including philanthropic capital.
Housing Credit	Point Scoring	A-7	AHFA can incentivize developments that reserve homes for people with disabilities who use supportive services. Currently, only 2 points are awarded if 7% of the homes are reserved for people with disabilities who qualify for supportive services. We recommend more incentives for each 7% set aside up to 25% set aside for people with disabilities. For instance, if a project has 10% set aside for people with disabilities, they would receive 4 points, 15% for 6 points, and up to 25% for 10 points.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled and/or homeless set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals within the identified communities. The set aside accepted should be up to 25% and no higher than 50% to ensure that the housing developments are integrated across people with and without disabilities.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled and/or homeless individuals before they were

			made available to and leased to the general public. Example: outreach material targeting disabled/homeless prospective tenants, proof of meetings conducted with service providers to make them aware of units.
Housing Credit	Point Scoring	A-7	Tenant Needs - although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless and/or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless /Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless and/or disabled set-asides, owners may assume that they will only be required to keep the homeless and/or disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
General Comment	Section		We respectfully urge the inclusion of Executive Summaries in documents such as the 2024 Draft Housing Credit QAP. By providing concise overviews of the plans, you would facilitate broader public engagement and input. Lengthy documents can often serve as barriers to meaningful participation, as community members may not have the time or resources to thoroughly review extensive reports. Including Executive Summaries would ensure that a wider range of stakeholders can provide valuable feedback.
General Comment	Section		We would like to emphasize the critical importance of explicitly including people with disabilities as one of the communities to be prioritized in Alabama Housing Finance Authorities' Plans. Alabama has a higher prevalence of disability than the national average, with 1 in 3 adults in the state having a disability. This estimate amounts to over 1.2 million disabled individuals living in Alabama. People with disabilities face higher rates of homelessness, poverty,

			housing discrimination, and housing insecurity. It is paramount that the distribution of funds in Alabama explicitly includes incentives for homes that are affordable, accessible, integrated, and inclusive to people with disabilities, particularly those who are extremely low and low income and may require supportive services in their own homes. As of now, AHFA places people with disabilities and people experiencing homelessness in the same category. Although there is overlap in these populations, as more than 40% of unhoused people are disabled, there are distinct unmet needs of disabled people who use supportive services (who are not yet unhoused but are at risk) that AHFA should consider prioritizing alongside homeless people.
General Comment	Section		Currently, AL does not allow income averaging, which is a critical tool through the Low Income Housing Tax Credit to finance more deeply affordable homes. We urge the allowance of income averaging to ensure that more mixed-income communities are built, which can create more access to those with the lowest incomes and essential workforce housing.
General Comment	Section		Consider removing the requirement for telephone service letters. This is a utility that has become less and less desired by individuals and the required letter is one that has proven time and again to be the most difficult to obtain with several providers simply refusing to respond to an owner/developer's request.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for homeless and/or disabled persons. The list should include project and owner name, management company, number of set-aside units, number of mobility and sensory units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.
HOME	DQS		We support the introductory statement regarding adherence to accessibility requirements (p. C-1) in the Design Quality Standards and Construction Manual. Due to the diversity of accessibility needs of people with disabilities that span beyond the 504 mobility and sensory unit requirements, we recommend that AHFA include resources in the design manual that support developments to go beyond minimum code requirements and address cross-disability access needs. AHFA can achieve this by referencing The Kelsey's Housing Design

			Standards for Accessibility & Inclusion and other resources to increase universal design and cross-disability access.
General Comment	Section		Due to the disproportionate rate of disability experienced by adults in Alabama, we recomment that the following disability-forward activities be added as qualified Owner-Provided Tenant Services: Training on options for formal and informal in-home supports and services (2x annually) and training for tenants to support their required annual recertification process (annually)
General Comment	Section		For the Housing Credit, we recommend that AHFA incentivize projects that go beyond the minimum accessibility requirement of FHAA. Currently, FHAA does not adequately meet the accessibility needs of people with disabilities, therefore by incentivizing greater access, AHFA funded homes will be more accessible to the diverse needs of Alabama's residents. This type of incentive can be codified by AHFA awarding points to projects that meet The Kelsey design standards at either the Silver/Gold/Platinum level and/or all units meet the American National Standards Institute (ANSI) Type A accessibility standards and/or provide twice the number of accessible and audio/visual units as required by Section 504. See attachements for District of Columbia's QAP language.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/28/2023

Name: Danielle Wooten Organization: City of Selma Email: dwooten@selma-al.gov Phone: (334)874-2118

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	II	15	Jurisdictions receiving Community Development Bloc Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as a funding source that will exempt a project from the 2-mile rule.
Housing Credit	II		Allow two 9% projects in Dallas County (Selma) in a single year for 2024 and 2025 to ensure full use of the expected CDBG-Disaster Recevery Funds.
General Comment	I		Create a Disaster Area Recovery Pool, similar to Louisiana to ensure that housing production can be accomplished within recovery districts. The Qualified Disaster Area Pool should be used to allocate the Qualified Disaster Amount. Reserve Disaster Zone Credits for developments in proportion to the damage sustained toward affordable rental housing units in such Counties/Cities impacted by a declared national disaster. For projects in the Qualified Disaster Area, designate a maximum reservation of Disaster Credits.
General Comment	I		Utilize a competitive CDBG-DR program similar to Louisiana that provides housing resources to cities with the greatest disaster impact. Ensure that Home dollars are blended within the project as gap funding.
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Revised 6/28/2023

C.7

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7/28/2023

Name: Katie McAuley Organization: The Kelsey Email: katie@thekelsey.org Phone: 415-413-3871

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
General Comment	Section		We would like to emphasize the critical importance of explicitly including people with disabilities as one of the communities to be prioritized in Alabama Housing Finance Authorities' Plans. Alabama has a higher prevalence of disability than the national average, with 1 in 3 adults in the state having a disability. This estimate amounts to over 1.2 million disabled individuals living in Alabama. People with disabilities face higher rates of homelessness, poverty, housing discrimination, and housing insecurity. It is paramount that the distribution of funds in Alabama explicitly includes incentives for homes that are affordable, accessible, integrated, and inclusive to people with disabilities, particularly those who are extremely low and low income and may require supportive services in their own homes. As of now, AHFA places people with disabilities and people experiencing homelessness in the same category. Although there is overlap in these populations, as more than 40% of unhoused people are disabled, there are distinct unmet needs of disabled people who use supportive services (who are not yet unhoused but are at risk) that AHFA should consider prioritizing alongside homeless people.
Housing Credit	Point Scoring	A-7	AHFA can incentivize developments that reserve homes for people with disabilities who use supportive services. Currently, only 2 points are awarded if 7% of the homes are reserved for people with disabilities who qualify for supportive services. We recommend more incentives for each 7% set aside up to 25% set aside for people with disabilities. For instance, if a project has 10% set aside for people with disabilities, they would receive 4 points, 15% for 6 points, and up to 25% for 10 points.

Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals with disabilities. The set aside accepted should be up to 25% and no higher than 50% to ensure that the housing developments are integrated across people with and without disabilities.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled and/or homeless individuals before they were made available to and leased to the general public. Example: outreach material targeting disabled/homeless prospective tenants, proof of meetings conducted with service providers to make them aware of units.
Housing Credit	Point Scoring	A-7	Tenant Needs - although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless and/or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless /Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless and/or disabled set-asides, owners may assume that they will only be required to keep the homeless and/or disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
Housing Credit	Point Scoring	A-6	Allow points for additional sources of new funds, including philanthropic funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources being grants or other favorable financing products an owner seeks out or is able to obtain on their own.With limited resources and high costs of building affordable housing, AHFA can consider incentivizing

			developers who use a diverse set of funding mechanisms, including philanthropic capital.
General Comment	Section		We respectfully urge the inclusion of Executive Summaries in documents such as the 2024 Draft Housing Credit QAP. By providing concise overviews of the plans, you would facilitate broader public engagement and input. Lengthy documents can often serve as barriers to meaningful participation, as community members may not have the time or resources to thoroughly review extensive reports. Including Executive Summaries would ensure that a wider range of stakeholders can provide valuable feedback.
General Comment	Section		Currently, AL does not allow income averaging, which is a critical tool through the Low Income Housing Tax Credit to finance more deeply affordable homes. We urge the allowance of income averaging to ensure that more mixed-income communities are built, which can create more access to those with the lowest incomes and essential workforce housing.
General Comment	Section		Consider removing the requirement for telephone service letters. This is a utility that has become less and less desired by individuals and the required letter is one that has proven time and again to be the most difficult to obtain with several providers simply refusing to respond to an owner/developer's request.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for homeless and/or disabled persons. The list should include project and owner name, management company, number of set-aside units, number of mobility and sensory units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.
HOME	DQS		We support the introductory statement regarding adherence to accessibility requirements (p. C-1) in the Design Quality Standards and Construction Manual. Due to the diversity of accessibility needs of people with disabilities that span beyond the 504 mobility and sensory unit requirements, we recommend that AHFA include resources in the design manual that support developments to go beyond minimum code requirements and address cross-disability access needs. AHFA can achieve this by referencing The Kelsey's Housing Design Standards for Accessibility & Inclusion and other resources to increase universal design and cross-disability access.

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General Comment	Section		Due to the disproportionate rate of disability experienced by adults in Alabama, we recomment that the following disability-forward activities be added as qualified Owner-Provided Tenant Services: Training on options for formal and informal in-home supports and services (2x annually) and training for tenants to support their required annual recertification process (annually)
General Comment	Section		For the Housing Credit, we recommend that AHFA incentivize projects that go beyond the minimum accessibility requirement of FHAA. Currently, FHAA does not adequately meet the accessibility needs of people with disabilities, therefore by incentivizing greater access, AHFA funded homes will be more accessible to the diverse needs of Alabama's residents. This type of incentive can be codified by AHFA awarding points to projects that meet The Kelsey design standards at either the Silver/Gold/Platinum level and/or all units meet the American National Standards Institute (ANSI) Type A accessibility standards and/or provide twice the number of accessible and audio/visual units as required by Section 504. See attachements for District of Columbia's QAP language.
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Revised 6/28/2023

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7/31/2023

Name: Amaya Sizer Organization: Fahe, AL Caucus Email: asizer@fahe.org Phone: 859.986.2321 ext. 2136

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	12	3. Clarification – would an Owner who does not meet this completion threshold be able to apply for Housing Credits, or does this apply to both bond deals and housing credits?
Housing Credit	II	23	Clarification- does this count for the HOME Fund Cap or the Housing Credit Cap?
Housing Credit	Point Scoring	A-2	5. As this is currently written, the tract family income from 3 years prior would need to equal or exceed the current county median income to receive priority. We suggest using the same year to compare median family income at the county level and census tract.
Housing Credit	Point Scoring	A-6	A.ii Could a developer/ownership entity install transfer grills instead of jumper ducts to qualify for these points?
Housing Credit	Point Scoring	A-6	a.1 Although FHLB AHP do not require repayment if the project is in compliance for 15 years, equity investors often require that non-profit sponsors "loan" AHP funds to the project. We suggest changing the language that AHP funds must be in the form of a grant to ensure that this structure is explicitly allowable.
Housing Credit	Point Scoring	A-10	2. If the sidewalks of a proposed site are considered unsatisfactory, could a developer/ownership entity qualify for these points by committing to improving the sidewalk's accessibility?
Housing Credit	Point Scoring	A-10	2.i As this is currently written, non-profits applying for the CHDO set aside would not be able to qualify for these points, as it requires they be the sole general partner in an LTD structure/the sole managing member in an LLC structure. An

			amendment that instead awards these points to non-profits with diverse boards structures, or one that allows non-profits to earn 10 points by awarding 15-20% of total building costs to MWOB, can honor the intent of the criteria without making non-profits uncompetitive.
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7/31/2023

Name: Jennifer Adams Organization: ITEX Development, LLC Email: Apps_AL@itexgrp.com Phone: (409) 679-5323

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	15	C.14) Site Location. (ii) Revise language in this section to delete reference to HUD Replacement Housing Factor Funds which no longer are available from HUD. Please update this section to include language for HUD's Rental Assistance Demonstration program. Suggested language for exceptions to the 2-mile radius requirement section (ii) would read: "Applications that contain financing or rental assistance through HUD's Choice Neighborhoods Program, HUD's Capital Fund Program, Promise Zones or HUD's Rental Assistance Demonstration Program."
Housing Credit	II	15	C.14) Site Location. (iv) Revise language in this category to be consistent with demolished and cleared previously existing multifamily housing within the last 8 years based on prior comment. Suggested language for exceptions to the 2-mile radius requirement section (iv) would read: "Applications to issue Multifamily Housing Revenue Bonds to financing the substantial replacement of previously existing multifamily housing that has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of new replacement housing on the site."
Housing Credit	II	17	C.17) Multifamily Housing Revenue Bonds. Delete reference to Replacement Housing Factor Funds in last sentence of first paragraph and revise for consistency throughout the plan to "Projects funded with HUD Choice Neighborhood Funds, HUD Capital Funds or through HUD's

			Rental Assistance Demonstration Program are exempt from this requirement." Suggested language for the second to last paragraph under 17. Multifamily Housing Revenue Bonds includes: "For any applicant having a single (first time AHFA funded) Multifamily Housing Revenue Bond Project, the applicant may not submit a first-time competitive application unless, at the time of application, (i) the Project is complete (that is, the construction / rehabilitation is 100% complete per the Quarterly Status Report effect as of the date of the application), (ii) that Project has provided satisfactory documentation to AHFA that is has reached 90% occupancy, and (iii) the AHFA-engaged third-party construction consultant has performed the on-site inspection and cleared any findings. Projects funded with HUD Capital Fund Program funds, HUD Choice Neighborhood Funds, or through HUD's Rental Assistance Demonstration Program are exempt from this requirement."
Housing Credit	II	19	D. Negative Actions. Delete reference to Replacement Housing Factor Funds in last sentence and revise for consistency throughout the plan to "Projects funded with HUD Choice Neighborhood Funds, Rental Assistance Demonstration, and Capital Fund Program funds are exempt from this requirement." Suggested language for Negative Actions #15): "For any applicant having a single (first time AHFA funded) a Reservation Letter for Housing Credits and/or a HOME Written Agreement or a first time reservation or commitment for other AHFA Program Funding in a current or prior application cycle, the project must, at the time of application, (i) be complete (that is the construction/rehabilitation is 100% complete per the Quarterly Status Report effective as of the date of the application), and (ii) have provided satisfactory documentation to AHFA that it has reached 90% occupancy. Projects funded with HOME ARP Funds, HUD Capital Fund Program funds, HUD Choice Neighborhood Funds, or through HUD's Rental Assistance Demonstration Program are exempt from this requirement."
Housing Credit	Point Scoring	5 points	Addendum A Point Scoring (iii.) Rent Affordability

			(a) New Funds. CHOICE Neighborhood is a highly competitive HUD program that leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Accordingly, CHOICE Neighborhood funds should be moved from category (1) and placed in category (2) with other HUD Public Housing Program Funds. Delete reference to HUD Replacement Housing Factor Funds in category (2) which are no longer available from HUD. Increase points in category (2) for up to 5 points maximum. Include 5 points for projects that leverages at least $50,001 per unit. Suggested language for (a.)(2.) "A maximum of 5 points will be given to project that have a commitment for AHFA-approved sources of new funds from the following list: HUD Choice Neighborhood Funds, HUD Capital Fund Program, Public Housing Sales Proceeds. 5 points -- $50,001 + per unit 3 points -- $30,001 - $50,000 per unit 2 points -- $16,000 - $30,000 per unit"
Housing Credit	Point Scoring	A-7	Addendum A Point Scoring (iv.) Tenant Needs. (d) The affordable housing crisis is real and continues to escalate. In its 2023 Annual Report, The National Low Income Housing Coalition reported a national shortage of more than 7.3 million affordable rental units for extremely low-income households. The State of Alabama is one of the states hardest hit according to the report with 70% of extremely low-income renters severely cost burdened. https://nlihc.org/gap/state/al. The State of Alabama and the Public Housing Authorities whose mission is to provide rental housing in their jurisdictions to this population must actively work together to assist the extremely low-income families throughout the state. Accordingly, the number of points should be increased to at least 3 points under this category for any project that targets "and provides preferences to households on the public housing waiting lists, specifically those earning less than 30% of the Area Median Income. A marketing and preference plan will be required if the Project is approved for funding." Suggested language for (d): "3 points will be given to projects that have 1) committed in

			writing to target households on the public housing waiting lists and 2) provided preferences to households earning less than 30% of the Area Median Income. A marketing and preference plan will be required if the Project is approved for funding."
Housing Credit	Point Scoring	A-8	Addendum A Point Scoring (v.) Project Type (c.) It is necessary to revise the points and length of time under this category in light of the current affordable housing crisis coupled with challenges related to the recent COVID pandemic. Accordingly, increase the number of points to at least 4 in this category to be consistent with points available under (b.) for historic tax credits. Further revise the language to define previously existing multifamily housing as that which has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of on- or off-site replacement housing that will be evidenced by a HUD-issued Restrictive Covenant or Use Agreement. Suggested language for (c): "2 points will be given for 1) rehabilitation of existing multifamily residential rental housing, 2) replacement of multifamily housing or 3) replacement of previously existing multifamily housing. "Previously existing multifamily housing" is defined as multifamily housing that has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of new replacement housing on the same site, except for replacement of existing multifamily housing owned by public housing authorities, which may be constructed on the same site or new site."
General Comment	Section		General Comment for Application Instructions: Please consider removing the requirement for telephone availability letters as part of the application process. They are more and more difficult to acquire and the use of land-line telephones has been largely replaced by national internet, mobile, and cable TV providers.
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7/31/2023

Name: Glynis Tanner Organization: Montgomery Housing Authority Email: gtanner@mhatoday.org
Phone: (334) 206-7200

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	II	15	C.14) Site Location. (ii) Revise language in this section to delete reference to HUD Replacement Housing Factor Funds which no longer are available from HUD. Please update this section to include language for HUD's Rental Assistance Demonstration program. Suggested language for exceptions to the 2-mile radius requirement section (ii) would read: "Applications that contain financing or rental assistance through HUD's Choice Neighborhoods Program, HUD's Capital Fund Program, Promise Zones or HUD's Rental Assistance Demonstration Program."
Housing Credit	II	15	C.14) Site Location. (iv) Revise language in this category to be consistent with demolished and cleared previously existing multifamily housing within the last 8 years based on prior comment. Suggested language for exceptions to the 2-mile radius requirement section (iv) would read: "Applications to issue Multifamily Housing Revenue Bonds to financing the substantial replacement of previously existing multifamily housing that has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of new replacement housing on the site."
Housing Credit	II	17	C.17) Multifamily Housing Revenue Bonds. Delete reference to Replacement Housing Factor Funds in last sentence of first paragraph and revise for consistency throughout the plan to "Projects funded with HUD Choice

			Neighborhood Funds, HUD Capital Funds or through HUD's Rental Assistance Demonstration Program are exempt from this requirement." Suggested language for the second to last paragraph under 17. Multifamily Housing Revenue Bonds includes: "For any applicant having a single (first time AHFA funded) Multifamily Housing Revenue Bond Project, the applicant may not submit a first-time competitive application unless, at the time of application, (i) the Project is complete (that is, the construction / rehabilitation is 100% complete per the Quarterly Status Report effect as of the date of the application), (ii) that Project has provided satisfactory documentation to AHFA that is has reached 90% occupancy, and (iii) the AHFA-engaged third-party construction consultant has performed the on-site inspection and cleared any findings. Projects funded with HUD Capital Fund Program funds, HUD Choice Neighborhood Funds, or through HUD's Rental Assistance Demonstration Program are exempt from this requirement."
Housing Credit	II	19	D. Negative Actions. Delete reference to Replacement Housing Factor Funds in last sentence and revise for consistency throughout the plan to "Projects funded with HUD Choice Neighborhood Funds, Rental Assistance Demonstration, and Capital Fund Program funds are exempt from this requirement." Suggested language for Negative Actions #15): "For any applicant having a single (first time AHFA funded) a Reservation Letter for Housing Credits and/or a HOME Written Agreement or a first time reservation or commitment for other AHFA Program Funding in a current or prior application cycle, the project must, at the time of application, (i) be complete (that is the construction/rehabilitation is 100% complete per the Quarterly Status Report effective as of the date of the application), and (ii) have provided satisfactory documentation to AHFA that it has reached 90% occupancy. Projects funded with HOME ARP Funds, HUD Capital Fund Program funds, HUD Choice Neighborhood Funds, or through HUD's Rental Assistance Demonstration Program are exempt from this requirement."
Housing Credit	Point Scoring	5 points	Addendum A Point Scoring

			(iii.) Rent Affordability (a) New Funds. CHOICE Neighborhood is a highly competitive HUD program that leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Accordingly, CHOICE Neighborhood funds should be moved from category (1) and placed in category (2) with other HUD Public Housing Program Funds. Delete reference to HUD Replacement Housing Factor Funds in category (2) which are no longer available from HUD. Increase points in category (2) for up to 5 points maximum. Include 5 points for projects that leverages at least $50,001 per unit. Suggested language for (a.)(2.) "A maximum of 5 points will be given to project that have a commitment for AHFA-approved sources of new funds from the following list: HUD Choice Neighborhood Funds, HUD Capital Fund Program, Public Housing Sales Proceeds. 5 points -- $50,001 + per unit 3 points -- $30,001 - $50,000 per unit 2 points -- $16,000 - $30,000 per unit"
Housing Credit	Point Scoring	A-7	Addendum A Point Scoring (iv.) Tenant Needs. (d) The affordable housing crisis is real and continues to escalate. In its 2023 Annual Report, The National Low Income Housing Coalition reported a national shortage of more than 7.3 million affordable rental units for extremely low-income households. The State of Alabama is one of the states hardest hit according to the report with 70% of extremely low-income renters severely cost burdened. https://nlihc.org/gap/state/al. The State of Alabama and the Public Housing Authorities whose mission is to provide rental housing in their jurisdictions to this population must actively work together to assist the extremely low-income families throughout the state. Accordingly, the number of points should be increased to at least 3 points under this category for any project that targets "and provides preferences to households on the public housing waiting lists, specifically those earning less than 30% of the Area Median Income. A marketing and preference plan will be required if the Project is approved for funding." Suggested language for (d):

			"3 points will be given to projects that have 1) committed in writing to target households on the public housing waiting lists and 2) provided preferences to households earning less than 30% of the Area Median Income. A marketing and preference plan will be required if the Project is approved for funding."
Housing Credit	Point Scoring	A-8	Addendum A Point Scoring (v.) Project Type (c.) It is necessary to revise the points and length of time under this category in light of the current affordable housing crisis coupled with challenges related to the recent COVID pandemic. Accordingly, increase the number of points to at least 4 in this category to be consistent with points available under (b.) for historic tax credits. Further revise the language to define previously existing multifamily housing as that which has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of on- or off-site replacement housing that will be evidenced by a HUD-issued Restrictive Covenant or Use Agreement. Suggested language for (c): "2 points will be given for 1) rehabilitation of existing multifamily residential rental housing, 2) replacement of multifamily housing or 3) replacement of previously existing multifamily housing. "Previously existing multifamily housing" is defined as multifamily housing that has been demolished and cleared within the last 8 years or will be demolished and cleared for the construction of new replacement housing on the same site, except for replacement of existing multifamily housing owned by public housing authorities, which may be constructed on the same site or new site."
General Comment	Section		General Comment for Application Instructions: Please consider removing the requirement for telephone availability letters as part of the application process. They are more and more difficult to acquire and the use of land-line telephones has been largely replaced by national internet, mobile, and cable TV providers.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

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7/31/2023

Name: Erinn Roos-Brown Organization: Travois, Inc Email: development@travois.com Phone: 816-994-8970

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	Point Scoring	A-6	Under the list of AHFA-approved sources for new funds (A.iii.a.1), we request that the Indian Housing Development Block Grant (ICDBG) and the Indian Housing Block Grants (IHBG) be added as approved sources.
Housing Credit	Point Scoring	A-8	We request that the distance to Neighborhood Services under the Location subheading (A.vi.a) be extended to 10 miles for project in rural locations. The current distance of 3 miles in incredibly short for rural projects, especially projects on Tribal land where site selection is geographically limited. A Tribe has a specific service area and land base and do not have the capability to seek fee land outside of that area.
Housing Credit	Point Scoring	A-10	We encourage AFHA to include recognized Tribes on the specified list of minority entities eligible for points in the Applicant Characteristics category (2.i).
Housing Credit	II	12	Threshold, Pg 12, Site Control – We request that "an agreement to long-term leasehold" be listed as an acceptable form of Site Control (similar to a purchase option). An agreement to lease is commonly used by Tribal governments in LIHTC development, and it is a commitment by a Tribe to lease the land to the LIHTC ownership entity. Bureau of Indian Affairs leasing regulation prohibits land leases to be for more than two terms of 25 years (50 years total) so we execute the lease as close to equity closing/construction start as possible. A formal land lease is drafted and executed prior to equity closing. The agreement to lease states the terms, legal

			description, etc. If you would like to see an example, we are happy to provide them.
Housing Credit	II	22	Due to the way census tract lines are drawn, some Tribal areas are not recognized as QCTs/DDAs even though those Tribal areas experience extremely high development costs and poverty rates for which the basis boost is intended. In fact, the Census Bureau distinguishes Tribal census tracts from state-county census tracts because it recognizes that state-county census tracts cannot adequately measure data for American Indian Tribes: "[Tribal census tracts] recognize the unique statistical data needs of federally recognized American Indian tribes. The delineation of tribal census tracts allows for an unambiguous presentation of census tract-level data specific to the federally recognized AIR and/or ORTL without the imposition of state or county boundaries, which might artificially separate American Indian populations located within a single AIR and/or ORTL." (2020 Census Participant Statistical Areas Program (PSAP) Tribal Respondent Guide, p. 7 https://www2.census.gov/geo/pdfs/partnerships/psap/G-700.pdf) We encourage AHFA to preemptively denote in its 2024 QAP documents that all Tribal Housing projects are eligible for the 30% basis boost. Such a boost will help combat the comparatively higher cost to construct on Tribal lands and numerous barriers to financing that Tribes face.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

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7/31/2023

Name: Thom Amdur Organization: Lincoln Avenue Capital Email: tamdur@lincolnavecap.com Phone: 646-585-5526

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	17	Given the continued uncertainty of the cost environment and supply chain issues related to construction, we suggest AHFA amend II(D)(4) to allow for changes in unit design, etc...with written consent of AHFA during the application period. It should not be assumed that AHFA will or should provide consent but we feel it is appropriate that AHFA have the flexiblity to do so and allow for some value engineering at the application phase if warranted, at least during this inflationary environment.
Housing Credit	II	20	We urge AHFA to reconsider its minimum debt service coverage ratio for housing credit properties from 1.20:1 to 1.15:1. As interest rates continue to rise, we have less debt proceeds to address the continued rise in construction costs. Since many permanent lenders have debt products for affordable housign that sets a minimum DSC at 1.15:1 we believe changing the DSC will allow developers to fill some project gaps with additional permanent financing.
Plan	II	22	As affordable housing developers, the biggest challenges we face today are inflation and the escalating construction and operating cost environment. Construction materials pricing and supply chain disruptions continue to be a significant challenge. The industry is also experiencing significant inflation in the cost of insurance and land prices and building acquisition costs remain stubbornly high and labor costs are a significant barrier to financing and delivering quality affordable housing communities to the market. To make matters worse, rising interest rates have reduced the debt proceeds we are able to leverage to offset these increased costs. 4 percent LIHTC transactions are financed primarily with tax-exempt debt, making up approximately 70 percent of the capital stack, so the impact of even small

			increases in interest rates is magnified significantly for these transactions. We believe the current market dynamics are important to share as they provide context and urgency for the next discussion. The compelling financial attribute of the four percent LIHTC program is the "as of right" credits that come with meeting the IRC Section 142 requirements along with the threshold requirements set forth in MHDC's QAP. While PAB volume cap is a limited resource, the credits associated with Tax-Exempt Bond (TEB) transactions are only limited by the amount of eligible basis. This is a significant difference from the nine percent LIHTC program where the allocation of annual credit authority is capped. We recommend that AHFA take proactive steps in its QAP to maximize eligible basis at properties financed with private activity bonds and 4% LIHTCs, which in turn will generate additional tax credits and make more projects financially feasible with TEBs. From a practical perspective, increasing developer fees in a rising cost environment, as we are experiencing today, generates additional eligible basis and additional tax credit equity. This can be particularly impactful on 4% bond transactions where the LIHTCs are capped by eligible basis rather than an annual state ceiling. Maximizing developer fees, within the constraints of the tax law, regulation, and reasonable underwriting, is a proven and successful method of generating additional LIHTC eligible basis, and in turn, equity proceeds which help fill project gaps and/or reduce the need to obtain state gap financing resources. We defer a substantial portion of our developer fees to fill project gaps. We also believe it is important to acknowledge the role developer fees play in affordable housing transactions as well when you consider the appropriate fee setting mechanism. The IRS permits the inclusion of developer fees in eligible basis because these fees serve as the primary form of compensation for LIHTC developers. They pay for overhead of essential functions, including accounting, human resources, information technology, asset management, insurance and legal fees and many others. Developer fees also serve as the primary form of reimbursement for pre-development costs and resident services. Furthermore, unlike with the 9% program, there is no mechanism to provide additional supplemental allocations of LIHTCS to fill project gaps under exigent circumstances.

			We believe that a 15% developer fee for bond-financed projects is low, as compared to your peer state housing finance agencies. Furthermore, it does not consider the changing risk profile of developing affordable housing in today's environment. It is with this context that we recommend the AHFA to raise the developer fee for bond financed deals from 15% to a flat 18% regardless of project size or construction type. We further recommend that AHFA require developers of bond financed projects to defer all developer fee above 15% or at least 20% of the total developer fee, whichever is greater. Additionally, MHDC could also consider an approach recently adopted by the Arizona Department of Housing in its most recent QAP whereby the agency allows for "one-time developer fee increase of up to 5% for 4% LIHTC projects with severe hardships. Any increase in developer fee must be fully deferred and applied to cost overruns and documented to the satisfaction of the [agency]." Maximizing developer fees, within the constraints of the tax law, regulation and reasonable underwriting, is a proven and successful method of generating additional LIHTC equity proceeds and filling project gaps. It is proven strategy that has been deployed of late by many of peer HFAs in the region including Kentucky, Oklahoma, Ohio, and Tennessee, all of which have developer fees for bond transactions ranging between 20 and 25 percent. If AHFA finds it desirable, it could also require developers to defer any fee above the current 15 percent. If it would be helpful, we would be happy to share some case examples of the impact of this policy on some of our projects in the region. When the state of Tennessee increased its developer fee for bond developments from 15% to 25% in 2014 the state experienced an immediate and rapid increase in unit production and preservation in 2015 and beyond (see appendix for details). What is even more remarkable about these production increases is that Tennessee does not have another significant source of soft financing for 4% transactions, and it has a regressive property tax system that includes the value of the tax credit equity in the property tax assessment.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan,
National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
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7/31/2023

Name: **Nancy Anderson** Organization: **ADAP** Email: **nanderso@adap.ua.edu** Phone: **205.348.4928**

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
General Comment	Section		The Alabama Disabilities Advocacy Program (ADAP) is the state's federally funded protection and advocacy agency for persons with disabilities. ADAP would like to emphasize the critical importance of explicitly including people with disabilities as one of the communities to be prioritized in AHFA Plans. Alabama has a higher prevalence of disability than the national average, with 1 in 3 adults in the state having a disability. This estimate amounts to over 1.2 million disabled individuals living in Alabama. People with disabilities face higher rates of homelessness, poverty, housing discrimination, and housing insecurity. It is paramount that the distribution of funds in Alabama explicitly includes incentives for homes that are affordable, accessible, integrated, and inclusive to people with disabilities, particularly those who are extremely low and low income and may require supportive services in their own homes. As of now, AHFA places people with disabilities and people experiencing homelessness in the same category. Although there is overlap in these populations, as more than 40% of unhoused people are disabled, there are distinct unmet needs of disabled people who use supportive services (who are not yet unhoused but are at risk) that AHFA should consider prioritizing alongside homeless people.
Housing Credit	Point Scoring	A-7	AHFA can incentivize developments that reserve homes for people with disabilities who use supportive services. Currently, only 2 points are awarded if 7% of the homes are reserved for people with disabilities who qualify for supportive services. We recommend more incentives for each 7% set aside up to 25% set aside for people with disabilities. For instance, if a project has 10% set aside for people with disabilities, they would receive 4 points, 15% for 6 points, and up to 25% for 10 points.

Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals with disabilities. The set aside accepted should be up to 25% and no higher than 50% to ensure that the housing developments are integrated across people with and without disabilities.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled and/or homeless individuals before they were made available to and leased to the general public. Example: outreach material targeting disabled/homeless prospective tenants & proof of meetings conducted with service providers to make them aware of units.
Housing Credit	Point Scoring	A-7	Tenant Needs - although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless and/or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless /Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless and/or disabled set-asides, owners may assume that they will only be required to keep the homeless and/or disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
Housing Credit	Point Scoring	A-6	Allow points for additional sources of new funds, including philanthropic funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources could be grants or other favorable financing products an owner seeks out or is able to obtain on their own. With limited resources and high costs of building affordable housing, AHFA can consider incentivizing

			developers who use a diverse set of funding mechanisms, including philanthropic capital.
General Comment	Section		We respectfully urge the inclusion of Executive Summaries in documents such as the 2024 Draft Housing Credit QAP. By providing concise overviews of the plans, you would facilitate broader public engagement and input. Lengthy documents can often serve as barriers to meaningful participation, as community members may not have the time or resources to thoroughly review extensive reports. Including Executive Summaries would ensure that a wider range of stakeholders can provide valuable feedback.
General Comment	Section		Currently, AL does not allow income averaging, which is a critical tool through the Low Income Housing Tax Credit to finance more deeply affordable homes. We urge the allowance of income averaging to ensure that more mixed-income communities are built, which can create more access to those with the lowest incomes and essential workforce housing.
General Comment	Section		Consider removing the requirement for telephone service letters. This is a utility that has become less and less desired by individuals and the required letter is one that has proven time and again to be the most difficult to obtain with several providers simply refusing to respond to an owner/developer's request.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for homeless and/or disabled persons. The list should include project and owner name, management company, number of set-aside units, number of mobility and sensory units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.
HOME	DQS		We support the introductory statement regarding adherence to accessibility requirements (p. C-1) in the Design Quality Standards and Construction Manual. Due to the diversity of accessibility needs of people with disabilities that go beyond the 504 mobility and sensory unit requirements, AHFA should include resources in the design manual that support developments in going beyond minimum requirements and address cross-disability access needs. AHFA can achieve this by referencing the Housing Design Standards for Accessibility & Inclusion produced by the Kelsey and other resources to increase universal design and cross-disability access.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

General Comment	Section		Due to the disproportionate rate of disability experienced by adults in Alabama, we recomment that the following disability-forward activities be added as qualified Owner-Provided Tenant Services: Training on options for formal and informal in-home supports and services (2x annually) and training for tenants to support their required annual recertification process (annually).
General Comment	Section		For the Housing Credit, we recommend that AHFA incentivize projects that go beyond the minimum accessibility requirement of FHAA. Currently, FHAA does not adequately meet the accessibility needs of people with disabilities. By incentivizing greater access, AHFA funded homes will be more accessible to the diverse needs of Alabama's residents. This type of incentive can be codified by AHFA awarding points to projects that meet The Kelsey design standards at either the Silver/Gold/Platinum level and/or all units meet the American National Standards Institute (ANSI) Type A accessibility standards and/or provide twice the number of accessible and audio/visual units as required by Section 504.
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D.7

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan Public Comment Form
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Select Date Submitted

Name: Carter Swayze Organization: Standard Communities Email: cswayze@standard-companies.com Phone: 703-232-9962

Plan Section	Section Reference	Page #	Specific Comments
Plan	II	32	Similar to a request from last year that was not implemented regarding the 2-mile radius requirement. We request this rule to be reconsidered for elderly households and family households, specifically in new construction product. Please amend this requirement based on targeted tenancy.
Plan	ENV Policy	B-16	In light of the supreme court ruling of Sackett V. Environmental Protection Agency in May of 2023, we request that AHFA reevaluate their envionrmental policy entirely regarding wetlands. Additionally, please allow for variances in this policy as U.S. Army Corps of Engineers has delayed JD correspondence in light of the court case.
Plan	II	24	Similar to a request from last year that was not implemented, we request AHFA reconsider their developer fee policy from 15 percent to 25 percent. This is similar to neighboring Tennessee. This allows developers to not depend on the state, or local jurisdictions for additional funding for projects.
Plan	DQS	C-4	We request that AHFA remove the requirement for an exterior storage closet, as it complicates the design of balconies, and requires balconies in urban settings where the design may not require balconies on all units. An idea about smaller storage lockers in a community building we believe is workable for more urban and suburban projects.
Plan	Section	C-15	We request that AHFA to remove the standard for meeting ANSI KCMA A161.1, to lessen the amount of requirements new construction developments need to adhere to and to allow flexibility in our cabninetry selection.
HOME	Compliance	23	We request that AHFA amend the minimum DSCR of 1.20 for their HOME debt financing, as a DSCR of 1.15 is favorable to projects in urban markets that require soft funding.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan,
National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

HOME	Compliance	A-1	We request that AHFA amend their general allocation to one project per county, to 5 projects per county due to the need of housing in population dense areas in the state.
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Revised 6/28/2023

D.8

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan Public Comment Form

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7/31/2023

Name: Jennifer Rucker Organization: Down Syndrome Alabama/People First of Ala Email: prucker@charter.net
Phone: 205-936-1758

Plan Section	Section Reference	Page #	Specific Comments
General Comment	Section		As a board member for Down Syndrome Alabama and Advisor for the Shelby County chapter of People First of Alabama, I have the capacity to speak for a multitude of families with adult children with disabilities. As a resident of Shelby County and a parent who is seeking independent living for an adult daughter, I am disillusioned by our options. Currently, we have no neighborhoods that offer a sense of community to individuals with disabilities who live on fixed incomes. There are very few areas that are considered safe and walk-able; no sidewalks or conveniently located sustainable businesses such as a grocery, pharmacy, or library. Additionally, there is no public transportation in our county. These obstacles make finding safe, affordable housing virtually impossible and we respectfully request that ample and fair allocations be made so that our sons and daughters with a disability can live with dignity in a place of their own.
Housing Credit	Point Scoring	A-7	AHFA can incentivize developments that reserve homes for people with disabilities who use supportive services. Currently, only 2 points are awarded if 7% of the homes are reserved for people with disabilities who qualify for supportive services. We recommend more incentives for each 7% set aside up to 25% set aside for people with disabilities. For instance, if a project has 10% set aside for people with disabilities, they would receive 4 points, 15% for 6 points, and up to 25% for 10 points.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals with disabilities. The

			set aside accepted should be up to 25% and no higher than 50% to ensure that the housing developments are integrated across people with and without disabilities.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled and/or homeless individuals before they were made available to and leased to the general public. Example: outreach material targeting disabled/homeless prospective tenants, proof of meetings conducted with service providers to make them aware of units.
Housing Credit	Point Scoring	A-7	Tenant Needs - although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless and/or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless /Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless and/or disabled set-asides, owners may assume that they will only be required to keep the homeless and/or disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for homeless and/or disabled persons. The list should include project and owner name, management company, number of set-aside units, number of mobility and sensory units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.
General Comment	Section		For the Housing Credit, we recommend that AHFA incentivize projects that go beyond the minimum accessibility

			requirement of FHAA. Currently, FHAA does not adequately meet the accessibility needs of people with disabilities, therefore by incentivizing greater access, AHFA funded homes will be more accessible to the diverse needs of Alabama's residents. This type of incentive can be codified by AHFA awarding points to projects that meet The Kelsey design standards at either the Silver/Gold/Platinum level and/or all units meet the American National Standards Institute (ANSI) Type A accessibility standards and/or provide twice the number of accessible and audio/visual units as required by Section 504. See attachements for District of Columbia's QAP language.
General Comment	Section		Due to the disproportionate rate of disability experienced by adults in Alabama, we recomment that the following disability-forward activities be added as qualified Owner-Provided Tenant Services: Training on options for formal and informal in-home supports and services (2x annually) and training for tenants to support their required annual recertification process (annually)
HOME	DQS		We support the introductory statement regarding adherence to accessibility requirements (p. C-1) in the Design Quality Standards and Construction Manual. Due to the diversity of accessibility needs of people with disabilities that span beyond the 504 mobility and sensory unit requirements, we recommend that AHFA include resources in the design manual that support developments to go beyond minimum code requirements and address cross-disability access needs. AHFA can achieve this by referencing The Kelsey's Housing Design Standards for Accessibility & Inclusion and other resources to increase universal design and cross-disability access.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Rory L. McKean Organization: McKean & Associates, Architects, LLC Email: rmckean@mckeanarch.com
Phone: (334) 272-4044

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	Point Scoring	A-4	Addendum A.A.1.)(i)(a.) Senior Gathering Area for Multistory Developments The square footage for the Gathering Area should be defined. We suggest a required minimum of 144 square feet.
Housing Credit	Point Scoring	A-5	Addendum A.A.1.)(ii.) HVAC SEER rating should be 14.3 instead of 15. 14.3 is now the equivalent to 15 for SEER2. Third bullet point should read, "install" instead of "installed". For clarification of requirements, add period after Apartments Units and add the following, "Install so that the controls are inaccessible by tenants. Dehumidifiers may be in-wall, in-line, or free standing type." (No reference to AHFA Specifications is required.)
Housing Credit	DQS	C-1	Addendum C.I.B Accessbility Standards Large "3" and "4" after Act should be superscript to reference footnotes.
Housing Credit	DQS	C-4	Addendum C.II.C.6.) Delete "a blower door" as the ASTM tests describe the type of test. Replace the phrase, " Architect for inclusion in Observation Reports sent" with "Owner will furnish copies to AHFA for record".This recommendation is because of the contractual agreement between the Owner and the Rater. The Architect is not a part of this agreement.

Housing Credit	DQS	C-4	Addendum C.II.C.7.) Replace the phrase, "Architect for inclusion in Observation Reports sent" with "Owner will furnish copies to AHFA for record". This recommendation is because of the contractual agreement between the Owner and the Rater. The Architect is not a part of this agreement.
Housing Credit	DQS	C-5	Addendum C.II.C.7.) Testing Protocal & Situational Exemption We recommend removing this section as there are no sampling provisions given in the International Energy Conservation Code of Alabama. Some local jurisdictions may allow sampling, but that will be up to the rater to coordinate. The duct leakage exemption here is already covered in the Duct Leakage Testing Requirements.
Housing Credit	DQS	C-5	Addendum C.II.C.7.) There are no guidelines provided for improved energy conservation in rehabilitation projects. Suggest adding the following requirements based on consulation with Green Building Rater experienced in rehabilitations of this type. "Air and Duct Leakage Testing Requirements in Rehabilitation Projects Units are required to achieve a 20% improvement over existing conditions based upon pre-rehabilitation duct leakage and air dwelling unit air filtration rates or meet the code required duct and envelope leakage rates. All projects must complete pre-rehab duct leakage and dwelling air infiltration test to determine a baseline. To arrive at the pre-rehabilitation leakage rates, a sampling of units (that includes at least one of each unit type in its various configurations within the property but not less than 25% of all units) must have pre-rehabilitation duct leakage and dwelling unit air infiltration performance testing, utilizing RESNET-approved performance testing methodologies, conducted upon them prior to the rehabilitation of the property. "

Housing Credit	DQS	C-9	Addendum C.III.A.4.)d.i There should be no space between the hyphen in "factory-installed" grab bars. The first "or" should be deleted from the last sentence.
Housing Credit	DQS	C-10	Addendum C.III.A.4.)f. "a Fair Housing or" should be added before accessibility standard for clarification.
Housing Credit	DQS	C-10	Addendum C.III.A.4.)g. To clarify the Energy Star requirements of the ceiling fans, Energy Star should be deleted from the beginning of the second sentence and Ceiling should be capitalized. The second sentence should end at "bedroom", and "Where" should be capitalized to begin a new sentence. The period after "or greater" should be replaced with a comma to read, "Where the ceilings are 9' or greater, the fan must be Energy Star rated. The suggested paragraph should read: "Separately switched overhead lighting is required in each room. Star Ceiling fans with light kits are required in the living room and each bedroom. Where the ceilings are 9' or greater, the fan must be Energy Star rated. For Handicapped Units, a separate wall switch that operates the light independently from the fan speed control must be provided. Light kits for all ceiling fans must be furnished with Energy Star LED lamps."
Housing Credit	DQS	C-14	Addendum C.IV.C.4.)a. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.II.A.4.)d.i. as corrected above in previous comments.

Housing Credit	DQS	C-15	Addendum C.IV.C.4.)b. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.II.A.4.)d.ii.
Housing Credit	DQS	C-15	Addendum C.IV.C.4.)d. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.II.A.4.)d.iv.
Housing Credit	DQS	C-15	Addendum C.IV.C.6.)c. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.III.A.4.)g. as corrected in previous comments.
Housing Credit	DQS	C-16	Addendum C.IV.C.7.)f. SEER type should not be specified, and the first sentence should be deleted For clarification of SEER requirements, "HVAC Equipment must meet or exceed current EPA Standards for the Southeastern Region" should be added to the end of the paragraph. The suggested paragraph should read: "HVAC equipment must be placed so that their operation does not interfere with the comfort of the adjacent dwellings. HVAC Equipment must exceed current EPA Standards for the Southeastern Region."
Housing Credit	DQS	C-18	Addendum C.V.B.2.)g. This Paragraph has not been edited to match the "New Construction Single Family Rental Homes" Section. Paragraph should deleted in its entirety and copied from Addendum C.IV.A.2.).i.

Housing Credit	DQS	C-19	Addendum C.V.3.)b.i. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.III.C.4.)c.i.
Housing Credit	DQS	C-19	Addendum C.V.3.)b.vii. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.III.C.4.)c.vii.
Housing Credit	DQS	C-19	Addendum C.V.3.)c.i. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.II.A.4.)d.i. as corrected in previous comments.
Housing Credit	DQS	C-19	Addendum C.V.3.)c.ii. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied from Addendum C.II.A.4.)d.ii.
Housing Credit	DQS	C-19	Addendum C.V.3.)c.iv. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied Addendum C.II.A.4.)d.iv.
Housing Credit	DQS	C-20	Addendum C.V.C.3.)f. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied Addendum C.III.A.4.)g. as corrected in previous comments.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan,
National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

Housing Credit	DQS	C-20	Addendum C.V.C.4.)f. This Paragraph has not been edited to match the "Attached New Construction Rental Units" Section. Paragraph should deleted in its entirety and copied Addendum C.III.C.7.)f as corrected in previous comments.
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ALTA Survery Requirement Considerations from McKean & Associates, Architects, LLC

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

General Comment	Section	ALTA Survey Req.	The "Minimum Standards Detail Requirements For ALTA/NSPS Land Title Survey" standard only allows for one certification to be placed on an ALTA/NSPS Land Title Survey. The wording of this certificate is very specific and must be placed unaltered on the ALTA Survey. AHFA also has a very specific certificate that is required to be on the ALTA Survey. This creates a conflict for surveyors, and many will not place the AHFA certificate on the ALTA Survey, because it creates a possible legal liability on them. Instead, they provide two separate surveys. The first is an ALTA Survey that is completed according to the "Minimum Standards Detail Requirements For ALTA/NSPS Land Title Survey" and the second is an AHFA Survey that is the same as the ALTA Survey except it has the AHFA required certificate in place of the ALTA required certificate and is labeled as AHFA Survey instead of ALTA Survey. Consider requiring (2) separate surveys as described above to become the standard so that Surveyors are not being asked to do something that creates a potential legal liability.
General Comment	Section	ALTA Survey Req.	Currently the AHFA certificate that is required on the Application Survey is slightly different than certificate that is required on the Pre-Construction ALTA Survey. If possible, having one certificate for both would eliminate a lot of confusion and error.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Gary Hall Organization: AAHA Email: ghall@hallhousing.net Phone: 334-701-9024

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	ENV Policy	Add. B	AHFA indicated at our January 26th meeting that they are being held to more onerous environmental standards than HUD has published. We are requesting that AHFA adopt the requirements per the HUD Noise Standards and that only these standards be implemented moving forward. a. AHFA adopt the following HUD Environmental Standards: i. Permit the use of engineering and institutional controls to mitigate environmental conditions as addressed under HUD Multifamily Accelerated Processing (MAP) Guide; Section 9.4.5 (D)(1): Engineering and Institutional Controls (EC/IC): An Engineering Control is a physical measure that reduces or eliminates exposure to contamination. An Institutional Control is a non-engineered instrument, such as administrative and legal control. ICs typically limit land and/or resource use or provide information that helps modify or guide human behavior at a site. An appropriate mix of ECs such as capping and slurry walls, and ICs such as protective covenants, access restrictions and tenant and employee notification, are usually required for all RBCAs or other accepted cleanup program as approved by the LSTF authority. ii. Do not impose exterior noise standards at the property line. Per 24CFRPart 51, Subpart B; 51.103(c)(1): Exterior standards. (1) The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source.

			Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site. b. Remove meeting Environmental Policy Requirements as a Threshold item: The conclusions of such assessments are based on the professional opinion of Environmental Professionals (EPs) who sign the reports. The EPs firms are licensed and insured. AHFA is provided with a reliance letter for the reports, including specific insurance requirements. If AHFA or their retained attorneys or environmental consultant(s) have a difference of opinion, all parties should be permitted to resolve the differences of opinion within an adequately allotted appeal timeframe. If AHFA is not open to removing environmental as a Threshold item, consider leaving it as Threshold relative to the identification of recognized environmental conditions (RECs), but allow for differences of opinion relative to scopes of Phase II Environmental Assessments to be addressed between the parties, or resolved by getting a third environmental professional to opine.
Housing Credit	DQS	Add. C	Per our discussions at the January 26th meeing, AAHA proposes that AHFA incorporate language into the Design Quality Standards and Construction Manual for energy compliance in lieu of adding a Green Building Certification program. AAHA strongly believes that deference should be shown to local jurisdictions to determine what building standards are best to address local concerns/issues. Our policy position is rooted in two critical components. First, this prevents the misapplication of one rigid standard to counties and municipalities that have a broad diversity of storm and disaster risks, and places important deference to local governing authorities that are carefully weighing their specific disaster/catastrophe risks. Secondly, a thoughtfully tailored approach avoids the potential misallocation of precious, finite resources (due to unnecessarily driving up construction costs)

			to projects that do not have risks traditionally associated with needed fortified standards. 2 points - ADD "Humidistat controlled Energy Star ventiliation fans in all bathrooms" 1 point - MODIFY "Energy Star rated LED lighting package in the entire living unit"
General Comment	Section		Due to rising insurance premiums, AAHA is requesting that AHFA, (1) allow for Insurance Deductibles be up to $50,000, (2) or allow for developers to use creative measures such as Insurance Captives to help offset rising insurance premiums. Operating Budgets cannot absorb the increase and the rents cannot be raised enough to cover the costs.
Housing Credit	Point Scoring	A-8	AAHA is requesting that AHFA considering developing criteria for expring AHFA HOME loans to either (1) allow for forgiveness of debt for the outstanding loan, or (2) consider a sliding scale of pay downs of 30%, 20% or 10%, depending on the specific deal, in order to receive a 15 year extension. Some deals are able to pay off the HOME Loan entirely while some deals are not able to pay off any of the outstanding debt.
Housing Credit	Point Scoring	A-10	Applicant Characteristics (i) states 5 points awarded to minorities or women who have ownership in the ownership entity or any responsible owner. Non-profits who apply under the CHDO set aside cannot qualify for these points since the non-profit has to be the sole General Partner in an LTD structure and the sole managing member in an LLC structure. AAHA has fundamental concerns about this this provision for additional points based expressly upon race and sex categories. The provision appears to violate the Equal Protection Clause of the United States Constitution, as construed by the U.S. Supreme Court in Students for Fair Admissions v. University of North Carolina (Docket 21-707). In addition, such provision appears to conflict with Alabama Act 2023-409 (2023 SB261) which provides in part "no company in this state shall be required by a governmental entity to . . . establish or implement policies, procedures, guidelines, rules . . . that further social, political, or ideological interests . . . ." Sec. 4(a).

			AAHA recommends AHFA delete this language and revert back to language from 2021 and prior QAPs, whereby points were scored for MBE/WBE involvement based on meeting 10% of construction hard costs.
Housing Credit	II	12	Status of Previously Funded Projects. Making it a threshold item for a project allocated tax credits in 2020, 2021 or 2022 to be 50% complete on or before the 2024 application deadline, doesn't take into account the difficulites both AHFA and developers have had in securing the financial resouces needed for these projects to be feasible. Some have not yet begun construction in July, 2023. We suggest this requirment be removed or require that all projects that received an allocation of tax credits in 2020, 2021 or 2022 must have met the 10% test prior to submitting an application in the 2024 round.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Aron Boldog Organization: CAPNA Email: aron.boldog@capna.org Phone: 256-260-3121

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	12	#3 "Status of Previoulsy Funded Project" asking for clarificaiton. Does this include 9% LIHTC deals or does this just pertain to Bond deals?
Housing Credit	Point Scoring	A-10	b. Points deducted for site selection #2 states: 2 points deducted if the condition of the streets and sidewalks are unsatisfactory. Question: could these negative points be avoided if the owner/developer will agree to upgrade the streets/sidewalks to ADA standards?
Housing Credit	Point Scoring	A-6	A. Points Gained (ii) "Installed Jumper Ducts from a heated and cooled space to closests that do not have an HVAC duct". Question: Would AHFA allow points if owner/developer installed transfer grills instead of using jumper ducts?
Housing Credit	Point Scoring	A-10	2.) Applicant Charateristics (i) states 5 points awarded to minorites or women who have ownership in the ownership entity or any responsible owner. Comment/Question: non-profits who apply under the CHDO set aside can not qualify for these points since the non-profit has to be the sole gp in an LTD structure and the sole mananging member in an LLC structure. Could this section include the following: Non-profits can qualify for these 5 points if their board structure meets the following criteria: 40% of the Board of Directors is made up of minorities or women.
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Revised 6/28/2023

69

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

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7/31/2023

Name: Gary Hall Organization: Hall Group, LLC Email: ghall@hallhousing.net Phone: 334-794-2678

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	III	A-10	2.) Applicant Characteristics (i.) states 5 points awarded to minorities or women who have ownership in the Ownership Entity or any Responsible Owner. Comment: More generally, this provision for additional points based expressly upon race and sex categories appears to violate the Equal Protection Clause of the United States Constitution, as construed by the U.S. Supreme Court in Students for Fair Admissions v. University of North Carolina (Docket 21-707). In addition, such provision appears to conflict with Alabama Act 2023-409 (2023 SB261) which provides in part "no company in this state shall be required by a governmental entity to...establish or implement policies, procedures, guidelines, rules...that further social, political, or ideological interests..." Sec. 4(a). Proposed Change: Remove subject points item in its entirety.
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D.13

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Jay Ronca Organization: Vantage Development Email: jronca@thevantagegroup.biz Phone: 404-788-7162

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	ENV Policy	Add. B	AHFA indicated that they are being held to more onerous environmental standards than HUD has published. We are requesting that AHFA adopt the requirements per the HUD Noise Standards and that only these standards be implemented moving forward. a. AHFA adopt the following HUD Environmental Standards: i. Permit the use of engineering and institutional controls to mitigate environmental conditions as addressed under HUD Multifamily Accelerated Processing (MAP) Guide; Section 9.4.5 (D)(1): Engineering and Institutional Controls (EC/IC): An Engineering Control is a physical measure that reduces or eliminates exposure to contamination. An Institutional Control is a non-engineered instrument, such as administrative and legal control. ICs typically limit land and/or resource use or provide information that helps modify or guide human behavior at a site. An appropriate mix of ECs such as capping and slurry walls, and ICs such as protective covenants, access restrictions and tenant and employee notification, are usually required for all RBCAs or other accepted cleanup program as approved by the LSTF authority. ii. Do not impose exterior noise standards at the property line. Per 24CFRPart 51, Subpart B; 51.103(c)(1): Exterior standards. (1) The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive

			activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site. b. Remove meeting Environmental Policy Requirements as a Threshold item: The conclusions of such assessments are based on the professional opinion of Environmental Professionals (EPs) who sign the reports. The EPs firms are licensed and insured. AHFA is provided with a reliance letter for the reports, including specific insurance requirements. If AHFA or their retained attorneys or environmental consultant(s) have a difference of opinion, all parties should be permitted to resolve the differences of opinion within an adequately allotted appeal timeframe. If AHFA is not open to removing environmental as a Threshold item, consider leaving it as Threshold relative to the identification of recognized environmental conditions (RECs), but allow for differences of opinion relative to scopes of Phase II Environmental Assessments to be addressed between the parties, or resolved by getting a third environmental professional to opine.
Housing Credit	DQS	Add. C	We propose that AHFA incorporate language into the Design Quality Standards and Construction Manual for energy compliance in lieu of adding a Green Building Certification program. We strongly believe that deference should be shown to local jurisdictions to determine what building standards are best to address local concerns/issues. Our policy position is rooted in two critical components. First, this prevents the misapplication of one rigid standard to counties and municipalities that have a broad diversity of storm and disaster risks, and places important deference to local governing authorities that are carefully weighing their specific disaster/catastrophe risks. Secondly, a thoughtfully tailored approach avoids the potential misallocation of precious, finite resources (due to unnecessarily driving up construction costs)

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			to projects that do not have risks traditionally associated with needed fortified standards. 2 points - ADD "Humidistat controlled Energy Star ventiliation fans in all bathrooms" 1 point - MODIFY "Energy Star rated LED lighting package in the entire living unit"
General Comment	Section		Due to rising insurance premiums, we request that AHFA, (1) allow for Insurance Deductibles be up to $50,000, (2) or allow for developers to use creative measures such as Insurance Captives to help offset rising insurance premiums. Operating Budgets cannot absorb the increase and the rents cannot be raised enough to cover the costs.
Housing Credit	Point Scoring	A-8	We request that AHFA considering developing criteria for expring AHFA HOME loans to either (1) allow for forgiveness of debt for the outstanding loan, or (2) consider a sliding scale of pay downs of 30%, 20% or 10%, depending on the specific deal, in order to receive a 15 year extension. Some deals are able to pay off the HOME Loan entirely while some deals are not able to pay off any of the outstanding debt.
Housing Credit	Point Scoring	A-10	Applicant Characteristics (i) states 5 points awarded to minorities or women who have ownership in the ownership entity or any responsible owner. Non-profits who apply under the CHDO set aside cannot qualify for these points since the non-profit has to be the sole General Partner in an LTD structure and the sole managing member in an LLC structure. We have fundamental concerns about this this provision for additional points based expressly upon race and sex categories. The provision appears to violate the Equal Protection Clause of the United States Constitution, as construed by the U.S. Supreme Court in Students for Fair Admissions v. University of North Carolina (Docket 21-707). In addition, such provision appears to conflict with Alabama Act 2023-409 (2023 SB261) which provides in part "no company in this state shall be required by a governmental entity to . . . establish or implement policies, procedures, guidelines, rules . . . that further social, political, or ideological interests . . . ." Sec. 4(a). We recomment AHFA delete this language and revert back to language from 2021 and prior QAPs, whereby

			points were scored for MBE/WBE involvement based on meeting 10% of construction hard costs.
Housing Credit	II	12	Status of Previously Funded Projects. Making it a threshold item for a project allocated tax credits in 2020, 2021 or 2022 to be 50% complete on or before the 2024 application deadline, doesn't take into account the difficulites both AHFA and developers have had in securing the financial resouces needed for these projects to be feasible. Some have not yet begun construction in July, 2023. We suggest this requirment be removed or require that all projects that received an allocation of tax credits in 2020, 2021 or 2022 must have met the 10% test prior to submitting an application in the 2024 round.
HOME-ARP	Section	General Comm.	Allow for AHFA's HOME-ARP fund to be used in conjunction with the HOME-ARP funds from Participating Jurisdictions
HOME-ARP	Section	15	We request that AHFA's HOME-ARP be allowed to be paired with tax-exempt/4% tax credits. On page 15 of HOME ARP plan, paragraph V. Activities doesn't list Tax-Exempt Bonds, but they are listed as an option on the AHFA HOME-ARP Profile and Completeness Checklist.
HOME-ARP	Section	General Comm.	Allow for a HOME-ARP application that is not paired with 9% competitive credits to be funded in the same county as a deal that receives a 9% credit award in the same year.
HOME-ARP	Section	General Comm.	We proposed that if a development using HOME-ARP is applied for and the site is within a 2-mile radius of a previously funded AHFA deal that has not yet completed construction and/or reached 90% leased, then the proposed HOME-ARP development will be exempt from the 2-mile radius requirement.
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7/31/2023

Name: Jennifer Harris Organization: _____ Email: jennifer@alarise.org Phone: 205-440-2342

Plan Section	Section Reference	Page #	Specific Comments
General Comment	Section		We would like to emphasize the critical importance of explicitly including people with disabilities as one of the communities to be prioritized in Alabama Housing Finance Authorities' Plans. Alabama has a higher prevalence of disability than the national average, with 1 in 3 adults in the state having a disability. This estimate amounts to over 1.2 million disabled individuals living in Alabama. People with disabilities face higher rates of homelessness, poverty, housing discrimination, and housing insecurity. It is paramount that the distribution of funds in Alabama explicitly includes incentives for homes that are affordable, accessible, integrated, and inclusive to people with disabilities, particularly those who are extremely low and low income and may require supportive services in their own homes. As of now, AHFA places people with disabilities and people experiencing homelessness in the same category. Although there is overlap in these populations, as more than 40% of unhoused people are disabled, there are distinct unmet needs of disabled people who use supportive services (who are not yet unhoused but are at risk) that AHFA should consider prioritizing alongside homeless people.
Housing Credit	Point Scoring	A-7	AHFA can incentivize developments that reserve homes for people with disabilities who use supportive services. Currently, only 2 points are awarded if 7% of the homes are reserved for people with disabilities who qualify for supportive services. We recommend more incentives for each 7% set aside up to 25% set aside for people with disabilities. For instance, if a project has 10% set aside for people with disabilities, they would receive 4 points, 15% for 6 points, and up to 25% for 10 points.

Housing Credit	Point Scoring	A-7	Tenant Needs: Require a higher disabled set-a-side for projects proposed in counties with a higher than state average (metro vs. rural) population of individuals with disabilities. The set aside accepted should be up to 25% and no higher than 50% to ensure that the housing developments are integrated across people with and without disabilities.
Housing Credit	Point Scoring	A-7	Tenant Needs: Require evidence (via initial tenant file reviews and/or annual audits) of efforts made to lease units set aside for disabled and/or homeless individuals before they were made available to and leased to the general public. Example: outreach material targeting disabled/homeless prospective tenants, proof of meetings conducted with service providers to make them aware of units.
Housing Credit	Point Scoring	A-7	Tenant Needs - although is it not specified in the QAP, it warrants consideration that points for setting aside a minimum of 7% of total proposed projects for those populations who are homeless and/or disabled require owners to keep the set-aside arrangement throughout the LIHTC extended use period. Currently, the AHFA Homeless /Disability Election Form states that service provider, responsible owner, and management company shall take into account any possible future staff turnover and assure continuing availability of services for the duration of the compliance period. Because there is no definitive term period stated in the QAP for homeless and/or disabled set-asides, owners may assume that they will only be required to keep the homeless and/or disabled set-aside through the compliance period only (similarly to the Wyatt Set-aside time frame). It will be in the populations' best interest if the set-asides match the entire tax credit through extended use period. This will cause less confusion especially for those project that are combined with HTF funds (as HTF projects have a 30- year restricted period). It will also eliminate the need for an exit strategy for those populations in 15 years. If not, the state should consider adding language in its restrictive covenant to require owners to give a minimum year advance notice to tenants.
Housing Credit	Point Scoring	A-6	Allow points for additional sources of new funds, including philanthropic funds, or provide owners with guidance as to what criteria AHFA would require for other sources to qualify for points. Said sources being grants or other favorable financing products an owner seeks out or is able to obtain on their own.With limited resources and high costs of building affordable housing, AHFA can consider incentivizing

			developers who use a diverse set of funding mechanisms, including philanthropic capital.
General Comment	Section		We respectfully urge the inclusion of Executive Summaries in documents such as the 2024 Draft Housing Credit QAP. By providing concise overviews of the plans, you would facilitate broader public engagement and input. Lengthy documents can often serve as barriers to meaningful participation, as community members may not have the time or resources to thoroughly review extensive reports. Including Executive Summaries would ensure that a wider range of stakeholders can provide valuable feedback.
General Comment	Section		Currently, AL does not allow income averaging, which is a critical tool through the Low Income Housing Tax Credit to finance more deeply affordable homes. We urge the allowance of income averaging to ensure that more mixed-income communities are built, which can create more access to those with the lowest incomes and essential workforce housing.
General Comment	Section		Consider removing the requirement for telephone service letters. This is a utility that has become less and less desired by individuals and the required letter is one that has proven time and again to be the most difficult to obtain with several providers simply refusing to respond to an owner/developer's request.
General Comment	Section		It is recommended that AHFA publish a separate list of those projects that received points to set-aside units for homeless and/or disabled persons. The list should include project and owner name, management company, number of set-aside units, number of mobility and sensory units, and service provider. This will allow non-profits and other organizations the ability to reach out to those parties to gain access to those units when there is an open availability.
HOME	DQS		We support the introductory statement regarding adherence to accessibility requirements (p. C-1) in the Design Quality Standards and Construction Manual. Due to the diversity of accessibility needs of people with disabilities that span beyond the 504 mobility and sensory unit requirements, we recommend that AHFA include resources in the design manual that support developments to go beyond minimum code requirements and address cross-disability access needs. AHFA can achieve this by referencing The Kelsey's Housing Design Standards for Accessibility & Inclusion and other resources to increase universal design and cross-disability access.

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan,
National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
Public Comment Form
Commenting Period June 30, 2023 – July 31, 2023

General Comment	Section		Due to the disproportionate rate of disability experienced by adults in Alabama, we recomment that the following disability-forward activities be added as qualified Owner-Provided Tenant Services: Training on options for formal and informal in-home supports and services (2x annually) and training for tenants to support their required annual recertification process (annually)
General Comment	Section		For the Housing Credit, we recommend that AHFA incentivize projects that go beyond the minimum accessibility requirement of FHAA. Currently, FHAA does not adequately meet the accessibility needs of people with disabilities, therefore by incentivizing greater access, AHFA funded homes will be more accessible to the diverse needs of Alabama's residents. This type of incentive can be codified by AHFA awarding points to projects that meet The Kelsey design standards at either the Silver/Gold/Platinum level and/or all units meet the American National Standards Institute (ANSI) Type A accessibility standards and/or provide twice the number of accessible and audio/visual units as required by Section 504. See attachements for District of Columbia's QAP language.
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AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/25/2023

Name: Paula Rhodes Organization: Invictus Development Email: prhodes@invictusdev.com Phone: 813-448-7868

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	II	15	Jurisdictions receiving Community Development Bloc Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
HOME	IV	19	Jurisdictions receiving Community Development Bloc Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
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D.16

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Jason Freeman Organization: Gateway Development Corporation Email: jfreeman@gatewaymgt.com
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Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	ENV Policy	Add. B	AHFA indicated at our January 26th meeting that they are being held to more onerous environmental standards than HUD has published. We are requesting that AHFA adopt the requirements per the HUD Noise Standards and that only these standards be implemented moving forward. a. AHFA adopt the following HUD Environmental Standards: i. Permit the use of engineering and institutional controls to mitigate environmental conditions as addressed under HUD Multifamily Accelerated Processing (MAP) Guide; Section 9.4.5 (D)(1): Engineering and Institutional Controls (EC/IC): An Engineering Control is a physical measure that reduces or eliminates exposure to contamination. An Institutional Control is a non-engineered instrument, such as administrative and legal control. ICs typically limit land and/or resource use or provide information that helps modify or guide human behavior at a site. An appropriate mix of ECs such as capping and slurry walls, and ICs such as protective covenants, access restrictions and tenant and employee notification, are usually required for all RBCAs or other accepted cleanup program as approved by the LSTF authority. ii. Do not impose exterior noise standards at the property line. Per 24CFRPart 51, Subpart B; 51.103(c)(1): Exterior standards. (1) The degree of acceptability of the noise environment at a site is determined by the sound levels external to buildings or other facilities containing noise sensitive uses. The standards shall usually apply at a location 2 meters (6.5 feet) from the building housing noise sensitive

			activities in the direction of the predominant noise source. Where the building location is undetermined, the standards shall apply 2 meters (6.5 feet) from the building setback line nearest to the predominant noise source. The standards shall also apply at other locations where it is determined that quiet outdoor space is required in an area ancillary to the principal use on the site. b. Remove meeting Environmental Policy Requirements as a Threshold item: The conclusions of such assessments are based on the professional opinion of Environmental Professionals (EPs) who sign the reports. The EPs firms are licensed and insured. AHFA is provided with a reliance letter for the reports, including specific insurance requirements. If AHFA or their retained attorneys or environmental consultant(s) have a difference of opinion, all parties should be permitted to resolve the differences of opinion within an adequately allotted appeal timeframe. If AHFA is not open to removing environmental as a Threshold item, consider leaving it as Threshold relative to the identification of recognized environmental conditions (RECs), but allow for differences of opinion relative to scopes of Phase II Environmental Assessments to be addressed between the parties, or resolved by getting a third environmental professional to opine.
Housing Credit	DQS	Add. C	Per our discussions at the January 26th meeing, Gateway proposes that AHFA incorporate language into the Design Quality Standards and Construction Manual for energy compliance in lieu of adding a Green Building Certification program. Gateway strongly believes that deference should be shown to local jurisdictions to determine what building standards are best to address local concerns/issues. Our policy position is rooted in two critical components. First, this prevents the misapplication of one rigid standard to counties and municipalities that have a broad diversity of storm and disaster risks, and places important deference to local governing authorities that are carefully weighing their specific disaster/catastrophe risks. Secondly, a thoughtfully tailored approach avoids the potential misallocation of precious, finite

			resources (due to unnecessarily driving up construction costs) to projects that do not have risks traditionally associated with needed fortified standards. 2 points - ADD "Humidistat controlled Energy Star ventiliation fans in all bathrooms" 1 point - MODIFY "Energy Star rated LED lighting package in the entire living unit"
General Comment	Section		Due to rising insurance premiums, Gateway is requesting that AHFA, (1) allow for Insurance Deductibles be up to $50,000, (2) or allow for developers to use creative measures such as Insurance Captives to help offset rising insurance premiums. Operating Budgets cannot absorb the increase and the rents cannot be raised enough to cover the costs.
Housing Credit	Point Scoring	A-8	Gateway is requesting that AHFA considering developing criteria for expring AHFA HOME loans to either (1) allow for forgiveness of debt for the outstanding loan, or (2) consider a sliding scale of pay downs of 30%, 20% or 10%, depending on the specific deal, in order to receive a 15 year extension. Some deals are able to pay off the HOME Loan entirely while some deals are not able to pay off any of the outstanding debt.
Housing Credit	Point Scoring	A-10	Applicant Characteristics (i) states 5 points awarded to minorities or women who have ownership in the ownership entity or any responsible owner. Non-profits who apply under the CHDO set aside cannot qualify for these points since the non-profit has to be the sole General Partner in an LTD structure and the sole managing member in an LLC structure. Gateway has fundamental concerns about this this provision for additional points based expressly upon race and sex categories. The provision appears to violate the Equal Protection Clause of the United States Constitution, as construed by the U.S. Supreme Court in Students for Fair Admissions v. University of North Carolina (Docket 21-707). In addition, such provision appears to conflict with Alabama Act 2023-409 (2023 SB261) which provides in part "no company in this state shall be required by a governmental entity to . . . establish or implement policies,

			procedures, guidelines, rules . . . that further social, political, or ideological interests . . . ." Sec. 4(a). Gateway recommends AHFA delete this language and revert back to language from 2021 and prior QAPs, whereby points were scored for MBE/WBE involvement based on meeting 10% of construction hard costs.
Housing Credit	II	12	Status of Previously Funded Projects. Making it a threshold item for a project allocated tax credits in 2020, 2021 or 2022 to be 50% complete on or before the 2024 application deadline, doesn't take into account the difficulites both AHFA and developers have had in securing the financial resouces needed for these projects to be feasible. Some have not yet begun construction in July, 2023. We suggest this requirment be removed or require that all projects that received an allocation of tax credits in 2020, 2021 or 2022 must have met the 10% test prior to submitting an application in the 2024 round.
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7/31/2023

Name: David Morrow Organization: Morrow Realty Email: davidm@morrowrealty.com Phone: 205-759-5781

Plan Section	**Section Reference**	**Page #**	**Specific Comments**
Housing Credit	II	12	3) Status of Previously Funded Projects. If any application has a Responsible Owner that is also a Responsible Owner for a project that (i) received an initial allocation of Housing Credits in 2020, 2021 or 2022... Please change the allocation years of "2020, 2021 or 2022" to "2019, 2020 or 2021." This would be a consistent move forward by a year change from the 2023 QAP which has "2018, 2019 o r2020" as the allocation years. Most 2022 allocated new construction developments have not begun constructoin or are just now starting construction so 50% completion will be nearly impossible to meet by the December quarterly progress report (assuming a return to the normal February/March application date) and would be very difficult to meet by the March progress report (if AHFA continues with a July application date) as most new construction projects hare taking 15-18 months to complete due to continued shortages of both labor and materials.
General Comment	Section		
Housing Credit	Point Scoring		Reservation of credits for HOME projects need to be considered for future year reservations or in the event they are not future year binding credits the ability to reprocess their reservation for a future year credits in the event the environmental approval by the HUD process is not approved within 120 days. investors, owners, and developers are very concerned about meeting placed in service requirements given the extended time for supply chain issues, weather effects, and the overall lack of construction trade subcontractors/workers to timely get developments built. Additonal staff may be needed to encourage environmental responses in a quicker timeframe than just the typical allowed

			times to respond to inquiries or allow developers to make contacts. Having a status of where each development is in the approval process via a checkoff would improve communications to stakeholders.
General Comment	Section		Due to rising insurance premiums (1) allow for Insurance Deductibles, especially named storm or wind, be up to $50,000 or up to the operating deficit reserve acount whichever is higher, (Operating Budgets cannot absorb the increase and the rents cannot be raised enough to cover the costs.
General Comment	Section		Development underwriting is under strain due to increased operating costs, increased construction costs, smaller projects, and limited increases in the area median incomes throughout the state necessitating the need for additioanl sources to make projects financially feasible. In the event proposed or future legislation regarding a state housing credit is enacted and is implemented through the Alabama Housing Finance Authority, these additonal sources should be made immediately available to projects in the underwritign process before, during, and after the application submission date in the current published QAP. Additionally, HOME ARP funds and remaining ERA funds should be used as GAP funding to assist in making projects more financially feasible . Lastly, increasing the basis in census tract areas that are adjacent to QCT areas or within a certain mile radius of an QCT or any rural designated areas.
Housing Credit	II	12	Expiring AHFA HOME loans, especially in lower income rural areas of the state such as the black belt where incomes have not increased proportionally and in all areas where operating expenses have increased substantially, in being able to refinance to an amortizing HOME loan or pay down on a non amortizing HOME loan to stay in compliance with AHFA participation process. Additional consideration should be considered to allow for forgiveness of debt for extenuating circumstances with or without restructured debt while still allowing participation in the program if applicant is in compliance with all other requirements.
Housing Credit	Section		Census Tracts have changed since last year which means income data used by AHFA will not allign with using the current method of defining the income percentage. A different methodology needed to be used.
Plan	Section		
Plan	Section		
Plan	Section		

D.18

AHFA 2024 Draft Low-Income Housing Credit Qualified Allocation Plan, HOME Action Plan, National Housing Trust Fund Allocation Plan, and a Significant Amendment to the 2023 National Housing Trust Fund Plan
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7/31/2023

Name: Ken Knox Organization: City of Mobile Email: ken.knox@cityofmobile.org Phone: 251.208.6293

Plan Section	Section Reference	Page #	Specific Comments
Housing Credit	II	15	Jurisdictions receiving Community Development Block Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
HOME	IV	19	Jurisdictions receiving Community Development Block Grant -- Disaster Relief funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
Housing Credit	II	12	Jurisdictions receiving HOME-ARP funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
HOME	IV	19	Jurisdictions receiving HOME-ARP funds are under strict HUD time constraints to utilize the funds. These funds should be added as funding that will exempt a project from the 2-mile rule.
Housing Credit	Point Scoring	A-1	Given unique time constraints with CDBG-DR funds, the City of Mobile requests the ability to fund more than 1 new construction tax credit projects for 2024 and 2025 cycles.
Plan	Section		
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