File No. 240813 **Committee Item No.** 6
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee **Date** September 4, 2024
Board of Supervisors Meeting **Date** _____

Cmte Board

Cmte	Board	
☐	☐	**Motion**
☒	☐	**Resolution**
☐	☐	**Ordinance**
☐	☐	**Legislative Digest**
☐	☐	**Budget and Legislative Analyst Report**
☐	☐	**Youth Commission Report**
☐	☐	**Introduction Form**
☒	☐	**Department/Agency Cover Letter and/or Report**
☐	☐	**MOU**
☐	☐	**Grant Information Form**
☐	☐	**Grant Budget**
☐	☐	**Subcontract Budget**
☐	☐	**Contract/Agreement**
☐	☐	**Form 126 – Ethics Commission**
☐	☐	**Award Letter**
☒	☐	**Application**
☐	☐	**Public Correspondence**

OTHER **(Use back side if additional space is needed)**

☒	☐	Legislation Attachment 1
☒	☐	Notice of Funding Availability Memo 7/9/2024
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	

Completed by: Brent Jalipa **Date** August 29, 2024
Completed by: Brent Jalipa **Date** _____

[Apply for Grant Application - California Department of Housing and Community Development - Local Housing Trust Fund Program Grant - Not to Exceed $5,000,000]

Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute and submit a grant application for a grant to fund affordable housing development under the California Department of Housing and Community Development's Local Housing Trust Fund Program, for an amount not to exceed $5,000,000.

WHEREAS, The State of California (the "State"), California Department of Housing and Community Development ("Department") is authorized to provide up to $53 million under the Local Housing Trust Fund ("LHTF") Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code, Section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) ("Program"); and

WHEREAS, The Department issued a Notice of Funding Availability ("NOFA") dated July 9, 2024, under the LHTF Program ("LHTF NOFA"); and

WHEREAS, The City and County of San Francisco ("Applicant") has established an eligible "Local or Regional Housing Trust Fund" (as defined under the Program) and, acting through the Mayor's Office of Housing and Community Development ("MOHCD"), desires to apply to the Department for Program Funds to administer one or more eligible activities using Program Funds, which includes the development of affordable housing; and

WHEREAS, The Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of Health and Safety Code, Section 50842.2, the LHTF Program Guidelines, LHTF NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients; now, therefore, be it

RESOLVED, That if the Applicant receives an award of LHTF funds from the

Department pursuant to the above referenced LHTF NOFA, Applicant represents and certifies that it will use all such funds on Eligible Projects in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules and laws regarding the LHTF Program, as well as any and all contracts Applicant may have with the Department("Eligible Project"); and, be it

FURTHER RESOLVED, That the Mayor's Office of Housing and Community Development is hereby authorized to act as the manager in connection with the Department's award of LHTF funds to Eligible Projects (as defined under the Program) pursuant to the LHTF NOFA in an amount not to exceed $5,000,000 (the "LHTF Award"); and, be it

FURTHER RESOLVED, That as condition of the Program Funds, the Applicant will match on a dollar for dollar basis the LHTF Award pursuant to Guidelines Section 104, subject to any applicable approval by the Board of Supervisors, and will use such matching funds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by Health and Safety Code, Section 50843.5(c); and, be it

FURTHER RESOLVED, Pursuant to this Resolution, the LHTF Award will be expended only for Eligible Projects and consistent with all program requirements, as described in Attachment 1, on file with the Clerk of the Board of Supervisors in Board File No. 240813; and, be it

FURTHER RESOLVED, If the Application is successful and the Applicant receives an LHTF Award, MOHCD shall seek Board of Supervisors prior approval to accept and expend the LHTF Award and to execute the Standard Agreement; and, be it

FURTHER RESOLVED, The Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, Health and Safety Code, Section 50842.2, and LHTF Program Guidelines; and, be it

FURTHER RESOLVED, The Director of the Mayor's Office of Housing and Community Development, or his designee, is authorized to execute the LHTF Program Application and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate; and, be it

FURTHER RESOLVED, That within thirty (30) days of the Standard Agreement being fully executed by all parties, MOHCD shall provide the final agreement to the Clerk of the Board for inclusion into the official file.

RECOMMENDED:

\s_____

Dan Adams, Director,

Mayor's Office of Housing and Community Development

Attachment 1 – Local Housing Trust Fund Program

If awarded by the California Department of Housing and Community Development, applicant will use the Local Housing Trust Fund and matching funds through the San Francisco Housing Trust Fund for construction financing of 100% affordable new construction rental housing affordable to and restricted to households at 60% Area Median Income or less, including at least 30% of the units restricted to Extremely Low-Income households at 30% of Area Median Income or less, with incomes as defined by the Department of Housing and Community Development.

- All financing will support 100% affordable new construction projects in the City and County of San Francisco
- At least 30% of the units will be permanent supportive housing units restricted to Extremely Low-Income households at 30% of Area Median Income or less
- The City and County of San Francisco will prioritize projects for funding that have already completed a first phase of predevelopment funding supported by MOHCD sources and can be brought on line as quickly as possible

Local Housing Trust Fund (LHTF) Program Application

Rev. 5/2024

2024 Notice of Funding Availability

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State of California
Governor Gavin Newsom

Tomiquia Moss, Secretary
Business, Consumer Services and Housing Agency

Gustavo Velasquez, Director
Department of Housing and Community Development

651 Bannon Street, Sacramento, CA 95811
Website for Local Housing Trust Fund
Program Email: LHTF@hcd.ca.gov

NOFA Release: July 9th , 2024

Project and Applicant Information

Rev. 5/2024

§101(p) "Local Housing Trust Fund" definition

§101(dd) "Regional Housing Trust Fund" definition.

§102 Eligible Applicants

Applicant Type:	(a) City and County

Applicant Information

Applicant Name:	Mayor's Office of Housing and Community Dev't on behalf of City and County of San Francisco						Organization Type:	Local Public Entity			
Address:	1 South Van Ness, 5th Floor		City:	San Francisco	County:	San Francisco	State:	CA	Zip Code:	94103	
Auth Rep Name:	Daniel Adams	Title:	Director		Auth Rep. Email:	daniel.adams@sfgov.org			Phone:	(415) 701-5500	
Address:	1 South Van Ness, 5th Floor				City:	San Francisco	State:	CA	Zip Code:	94103	
Contact Name:	Mara Blitzer	Title:	Dir. Of Special Projects		Contact Email:	mara.blitzer@gmail.com			Phone:	(628) 652-5820	
Address:	1 South Van Ness, 5th Floor				City:	San Francisco	State:	CA	Zip Code:	94103	

Trust Fund Information

Full Trust Fund Name:	San Francisco Housing Trust Fund					Date Established	7/23/12
Trust Fund Address:	1 South Van Ness, 5th floor		City:	San Francisco	State: CA	Zip Code:	94103
Trust Fund Type:	(a) Existing Local Housing Trust Fund (or Existing Regional Housing Trust Fund)						
(a) The minimum application request shall be $1 million with a max request of $5 million.					Amount of LHTF Program Funds Requested		**$5,000,000**

Proposed Activity Timeline - provide a timeline of implementation of your Project(s) (§101(g), (1)(2)(3)&(4))

Project Type and Activity	Name of Project	When will you issue commitments?	When will you issue a NOFA/RFQ?	When will loan closing occur?	When do you anticipate disbursement of LHTF funds?	Amount of Matching Funds designated to project:	Amount of Program Funds designated to project:
Rental new construction	967 Mission Street	Loan approved 9/15/2023	Completed	6/1/2026	6/1/2026	$5,000,000	$5,000,000
		Issue commitment upon					

Certifications

On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I

Daniel Adams		**Director**				**8/28/2024**
Authorized Representative Printed Name		Title		Signature (Please Type Name)		Date

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§102 Eligible Applicants		§103 Funding Amount Minimums and Maximums
Applicant Type:	**(a) City and County**	**(a) Existing Local Housing Trust Fund (or Existing Regional Housing Trust Fund)**
	Amount Requested:	**$5,000,000**
(a)(1)(A) How was the Housing Trust Fund established? The Housing Trust Fund utilizes a public, or joint public and private, fund established by legislation, ordinance, resolution, or a public-private partnership, to receive specific revenue to address local housing needs. From the dropdown list please select the documentation that establishes the HTF. Please highlight the sections in your documentation that outline the reqirements below. - Language establishing the Local Housing Trust Fund - Identify the specific revenue given to the Local Housing Trust Fund - Identify the language that states the Housing Trust Fund addresses the local housing needs - NOTE: For public RHTFs only, RHTF must include Resolution or Ordinance from each Local government entity that is a member of the RHTF		Legislation
(a)(1)(B) Does the Housing Trust Fund meet the minimum Ongoing Revenue requirements? The Trust Fund is funded from Ongoing Revenues as required by the definition in §101 from Dedicated Sources of funding such as taxes, fees, loan repayments, or public or private contributions. Please see requirements in Section 101(z).		Yes: The existing HTF meets the Ongoing Revenues requirement averaging $100k/year for a min. of 3yrs after Program award date
(a)(2) Does the city or county have a Housing Element that was adopted by the city or county's governing body and determined by HCD to be in compliance with state Housing Element law pursuant to GC §65585?		Yes
(a)(3) The city or county has submitted to HCD the Annual Progress Report required by GC Code §65400 for the current or prior year?		Yes
(4) A Local Housing Trust Fund or Regional Housing Trust Fund that was created, funded, and operated by a combination of two or more cities or counties, agrees to utilize Program Funds only for Eligible Projects located in cities or counties that have, at the time of application, an adopted Housing Element meeting the requirements of subparagraph (2) above, and for which the Annual Progress Report was submitted for the current or prior year by the application deadline date, as required by subparagraph (3) above?		N/A

§102(d): Previous Awardees

Enter the dollar amount of Program Funds that have been committed from all previous LHTF awards (leave blank if not previously awarded)	**Total Awarded**	**$ 5,000,000**
	Total Committed	**$ 5,000,000**

Matching Funds Committed

New Applicants (no previous LHTF award) provide the amount of local Matching Funds that have been committed (leave blank if previously awarded)	**$ 5,000,000**

§104 Matching Funds Requirements

Name of Matching Funds	Select Type of Matching Fund	Specify Source of Funds	Matching Fund Amount	Required Documentation for Matching Funds	
Example- Public Contribution	*Example- Residential Local Impact Fee*	*Example- Residential local impact fees*	*$3,000,000*	*Match_Fund_1*	*Uploaded to HCD?*
Example- Land Donation	*Example- Public Contribution*	*Example- The public contribution will be from foreclosed land.*	*$5,000,000*	*Match_Fund_2*	*Uploaded to HCD?*
Public Contribution	Residential Local Impact Fees	Impact Fees	$5,000,000	Match_Fund_1	Proof of Deposit(s)
		Total Matching Funds	**$5,000,000**		

Ongoing Revenue

Name of Ongoing Revenue	Select Type of Ongoing Revenue	Specify Source of Funds	Annual average amount deposited into the HTF	Required documentation for Ongoing Revenue NOTE: Executed documentation only; no drafts	
Example: Loan Repayments	*Loan Repayments*	*Developer Loan*	*$50,000*	*Ongoing_Rev_1*	*Uploaded to HCD?*
Example: Taxes	*Taxes*	*Residential local impact fees*	*$40,000*	*Ongoing_Rev_2*	*Uploaded to HCD?*
Housing Trust Fund	Public Contributions	Housing Trust Fund	$45,200,000	Ongoing_Rev_1	Legislation
		Total Ongoing Revenues	**$45,200,000**		

§105 Eligible Uses of Funds

105(a): How will Program Funds be used by the Grantee? **Note: Please reference the 2023 LHTF NOFA (II.G.2. Rating and Ranking) for details regarding scoring**					
105(a)	**105(b)**	**105(c)**	**105(d)**	**105(e)**	**Total Program Funds accounted for:**
What is the simple interest rate for Program Funded Loan(s)	**Will Program Funds be used toward administrative expenses? (5% Maximum)**	**Enter percentage of Program Funds designated to serving housholds no higher then 30% Area Median Income**	**Enter percentage of Program Funds designated to serving housholds no higher then 120% Area Median Income**	**Enter percentage of Program Funds designated to serving housholds no higher then 80% Area Median Income**	
3%	**No**	**30%**	**0%**	**70%**	**100%**
Minimum Amount of Matching Funds		**$1,500,000**	**$0**	**$3,500,000**	

NOFA Section II(G)(1)(f) Loan Guidelines and Underwriting Standard and Procedures

Applicant has adopted the Uniform Multifamily Regulations (UMRs) as their loan guidelines, underwriting standards, and procedures. The UMRs can be found on our website at https://hcd.ca.gov/grants-funding/already-have-funding/uniform-multifamily-regulations/docs/uniform-multifamily-regulations-2017.pdf	**No**

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Certification & Legal Status

Legal Disclosure

For purposes of the following questions, and with the exceptions noted below, the term “applicant” shall include the applicant and joint applicant, and any subsidiary of the applicant or joint applicant if the subsidiary is involved in (for example, as a guarantor) or will be benefited by the application or the project.

In addition to each of these entities themselves, the term “applicant” shall also include the direct and indirect holders of more than ten percent (10%) of the ownership interests in the entity, as well as the officers, directors, principals and senior executives of the entity if the entity is a corporation, the general and limited partners of the entity if the entity is a partnership, and the members or managers of the entity if the entity is a limited liability company. For projects using tax-exempt bonds, it shall also include the individual who will be executing the bond purchase agreement.

The following questions must be responded to for each entity and person qualifying as an "applicant," or "joint applicant" as defined above.

Explain all positive responses on a separate sheet and include with this questionnaire in the application.

Exceptions: Public entity applicants without an ownership interest in the proposed project, including but not limited to cities, counties, and joint powers authorities with 100 or more members, are not required to respond to this questionnaire.

Members of the boards of directors of non-profit corporations, including officers of the boards, are also not required to respond. However, chief executive officers (Executive Directors, Chief Executive Officers, Presidents or their equivalent), and chief financial officers (Treasurers, Chief Financial Officers, or their equivalent) must respond.

Civil Matters	
1. Has the applicant filed a bankruptcy or receivership case or had a bankruptcy or receivership action commenced against it, defaulted on a loan or been foreclosed against in *past ten years*?	No
2. Is the applicant currently a party to, or been notified that it may become a party to, any civil litigation that may materially and adversely affect (a) the financial condition of the applicant’s business, or (b) the project that is the subject of the application?	No
3. Have there been any administrative or civil settlements, decisions, or judgments against the applicant within the past ten years that materially and adversely affected (a) the financial condition of the applicant’s business, or (b) the project that is the subject of the application?	No
4. Is the applicant currently subject to, or been notified that it may become subject to, any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency?	No
5. In the past ten years, has the applicant been subject to any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency that resulted in a settlement, decision, or judgment?	No
Criminal Matters	
6. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, felony charges against the applicant?	No
7. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, misdemeanor charges against the applicant for matters relating to the conduct of the applicant’s business?	No
8. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, criminal charges (whether felony or misdemeanor) against the applicant for any financial or fraud related crime?	No
9. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, that could materially affect the financial condition of the applicant’s business?	No
10. Within the past ten years, has the applicant been convicted of any felony?	No
11. Within the past ten years, has the applicant been convicted of any misdemeanor related to the conduct of the applicant’s business?	No
12. Within the past ten years, has the applicant been convicted of any misdemeanor for any financial or fraud related crime?	No

Please provide a letter of explanation if you responded "Yes" to any of the questions above.

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Daniel Adams	Director		8/28/24
Printed Name	Title of Signatory	Signature (Please Type Name)	Date

Application Score - 100 points max §106(f)							Rev. 5/2024	65
(1) Non-Residential Matching Funds - 15 points max								0
Matching Funds (sources other than residential Local Impact Fees or In Lieu Fees)	$0	Total Matching Funds	$5,000,000	% of Matching Funds	0.00%			
(2) Deeper Income Targeting - 20 points max								20
Does Applicant commit to expend no more than 18% of its Program Funds and Matching Funds on Moderate-Income (MI) households?	Yes	If yes, select MI exp. %	0%	Program + Matching Funds - Admin Exp.	$9,500,000	Max MI exp. (per commitment)	$0	
(3) Readiness - 15 points max								5
Has Applicant completed a first phase funding process for multifamily rental projects and announced on its website the status of each project, including those projects that were approved to submit a final application upon award of Program Funds by HCD §106(f)(3)?	Yes	Direct link (website address) to page showing project status:						
Project Name	**967 Mission**	Pre-approved Amount	$ 5,000,000	Direct link to website	https://www.sf.gov/meeting/september-15-2023/citywide-affordable-housing-loan-committee-meeting			
Project Name		Pre-approved Amount		Direct link to website	Note: all loan committee actions are available on MOHCD's website.			
Project Name		Pre-approved Amount		Direct link to website	MOHCD publishes a dashboard and data set that includes all affordable housign in progress:			
Project Name		Pre-approved Amount		Direct link to website	https://www.sf.gov/data/mohcd-affordable-housing-dashboard			
Project Name		Pre-approved Amount		Direct link to website	Commitment letter to be written upon notice of approval of State funds			
Project Name		Pre-approved Amount		Direct link to website				
Project Name		Pre-approved Amount		Direct link to website				
Project Name		Pre-approved Amount		Direct link to website				
Project Name		Pre-approved Amount		Direct link to website				
Project Name		Pre-approved Amount		Direct link to website				
Total Amount of pre-approved First Phase Funding	$5,000,000	Total Program Funds Requested	$5,000,000	First Phase Funding vs. Requested (times)	1			
(4) Increasing the Supply of Lower-Income (LI) Rental Housing - 20 points max								20
How will the Applicant use the HCD Program Funds and Matching Funds - for permanent or construction financing?	Construction	(A) Program Funds + Matching Funds - Admin Exp.	$9,500,000	(B) Percentage of Program Funds and Matching Funds Applicant commits to use for new construction of rental housing developments Affordable to and restricted to households with average incomes of no more than 60% of AMI?	Funding for Permanent OR Construction financing for 60% AMI or less	100%	(C) Amount Applicant commits based on (B) %	$9,500,000
(5) Community Need - 15 points max ***(NOTE: this section will be scored by HCD using CHAS data (Comprehensive Housing Affordability Strategy): https://www.huduser.gov/portal/datasets/cp.html#2006-2016-datacollapse***								0
HCD will provide the percentage of Lower-Income Households paying more than 50 percent of their household income for rent or owner expenses. **Applicant does not complete this field.**								
(6) Regional Housing Trust Fund Applicants - 5 points				Does your Regional Housing Trust Fund meet the description and requirements below?	N/A			0

A Regional Housing Trust Fund meeting the description herein receive all points in this category: A Regional Housing Trust Fund is one that includes six jurisdictions (in counties with total populations of 250,000 or less) or eight jurisdictions (in counties with more than 250,000), or that meets the minimum threshold (two jurisdictions with more than one million people, or three jurisdictions in counties with total populations of 250,000 or less, or four jurisdictions in counties with more than 250,000), and includes more than 66% of the population of the county or counties.

List the jurisdictions that your trust fund serves: City of, County of, or Town of	**Of those served, which Jurisdictions will be served with this application.**	**Are you serving the unincorporated county only, or the entire county including all incorporated areas?**

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List the appropriate representatives from the areas that the Applicant serves.

Congressperson Name(s) (First and last name)	**District #**	**State Senator Name(s) (First and last name)**	**District #**	**State Assembly Member Name(s) (First and last name)**	**District #**

(7) Performance - Applicant has committed at least 40 percent of the Program Funds previously awarded to the Applicant - 10 points								10
New Applicant (not previously awarded) has committed at least 40 percent of the local Matching Funds - 10 points								10
Tie Breaker								
Tie Breaker, if needed. Readiness: The extent to which the application identifies specific multifamily rental projects for which the trust fund has issued Letters of Intent (LOIs) to developers for construction or permanent financing, (which includes dollar amounts). Explain below.								
Project Name	967 Mission	Funding Source	HTF, Inclusionary	Commitment Amount	$ 24,750,000	Loan Type	Construction	
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
Project Name		Funding Source		Commitment Amount		Loan Type		
				Commitment vs. Request	*495%*			

LOCAL HOUSING TRUST FUND (LHTF) Document Checklist

Use this document to properly name your attachments before uploading them with your application submission.

You must confirm below that you have completed this step.

Threshold Requirement?	What You'll Name Your Document:	Document Description	Included?
§102(d) Eligible Applicants: Previous Awardees			
Yes	**Award_Commitment**	**Previously awarded applicants only**. Documentation evidencing the commitment of at least 40% of the previously awarded LHTF funds.	Included
Yes	**LHTF_AR**	**Previously awarded applicants only**. §106(e) Submit evidence that the most recently required LHTF Annual Report was submitted to HCD State Grants Management (e.g. include a copy of the email submission)	Included
New Applicants (no previous LHTF award)			
No	**MF_Commitment**	**New Applicants only**. Documentation evidencing the commitment of at least 40% of the local Matching Funds.	N/A
Application Information			
Yes	**HTF**	§102(a),(b),(c): Legislation, Ordinance, Resolution, or public-private partnership agreement creating the HTF. RHTF must include Resolution or Ordinance from each Local government entity that is a member of the RHTF (public RHTFs only).	Included
Yes (if applicable)	**OrgDoc1, OrgDoc2, etc.**	§106(e) Organizational Documents (Articles of Incorporation, Bylaws, Amendments, Certificate of Good Standing, etc.)	N/A
Yes (if applicable)	**Org_Chart**	§106(e) Organizational Chart	N/A
Yes *(if applicable)*	**Gov_TIN_Form**	§106(e) Government Agency Taxpayer ID Form	Included
Yes *(if applicable)*	**STD_204**	§106(e) STD-204 Payee Data Record	Included
Yes *(if applicable)*	**Sig_Block**	**501(c)(3) nonprofit corporation only** §106(e) - Signature Block, upload as a Microsoft Word document	N/A
Yes *(if applicable)*	**Fin_Statements**	**501(c)(3) nonprofit corporation only** §106(e) - Audited financial statements (2 years)	N/A
Yes *(if applicable)*	**501c3_Determination**	**501(c)(3) nonprofit corporation only** §106(e) - IRS determination letter regarding 501(c)(3) status (this letter must address the name of the 501(c)(3), which must match the name of the HTF)	N/A
Yes	**App_Reso**	§106(e) Application Resolution Note: Only one Application Resolution may be submitted and must be from the Applicant. Additionally, ***Attachment 1*** must be an attachment to the Resolution *prior* to approval by the governing body and must be included with your submission.	Included
Yes	**Guidelines_107d**	§107(d) Loan guidelines and underwriting standards and procedures	Included
Yes *(if applicable)*	**Cert_LOE**	Letter of Explanation for any applicable items on "Certification & Legal" tab of the application	Included
Matching Funds and Ongoing Revenue			
Yes	**Match_Fund_1, Match_Fund_2, etc.**	§104 Required Documentation for Matching Funds	Included
Yes *(if applicable)*	**Binding_Agreement**	§104(b) Fully executed **commitment letter** or a fully executed **contract** to provide **Matching Funds**, specifying the source(s) of the Matching Funds, the amount of Matching Funds from each source, the date upon which the funds will be deposited into the LHTF or RHTF account, and **remedies** for not depositing the Matching Funds on/by that date.	Included
Yes	**Ongoing_Rev_1, Ongoing_Rev_2, etc.**	§102(a),(b),(c) Required Documentation for Ongoing Revenues	Included
§106 Application Scoring			
No	**Readiness_1, Readiness_2, etc.**	§106(f)(3) Readiness List	N/A
No	**LOI_1, LOI_2, etc.**	§106(g)(1) Letter(s) of Intent	N/A

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I have reviewed the Document Checklist and have named my documents according to the instructions.
I will upload all required documents to the LHTF submission portal.

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY GAVIN NEWSOM, *Governor*
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF STATE FINANCIAL ASSISTANCE
651 Bannon Street
Sacramento, CA 95811
(916) 263-2771
www.hcd.ca.gov

7/9/2024

MEMORANDUM FOR: **ALL POTENTIAL APPLICANTS**

FROM: Jennifer Seeger, Deputy Director
Division of State Financial Assistance

SUBJECT: **2024 Local Housing Trust Fund Program**
Notice of Funding Availability

The California Department of Housing and Community Development (HCD) is pleased to announce the release of this Notice of Funding Availability (NOFA) for approximately $53 million in funds for the Local Housing Trust Fund (LHTF) Program. This funding provides Matching Grants to Local Housing Trust Funds established by cities and counties, Native American Tribes and incorporated 501(c)(3) nonprofit organizations.

Program Funds awarded under this NOFA shall be used to provide construction loans and/or permanent financing loans at simple interest rates of no higher than 3 percent per annum, for payment of predevelopment costs, acquisition, construction, or rehabilitation as well as to construct, convert, reconstruct, rehabilitate, and/or repair Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs).

Fifteen percent of the funds made available by this NOFA shall be reserved for Local or Regional Housing Trust Funds meeting the definition of New Local Housing Trust Fund. In the event that there are insufficient applications from New Local Housing Trust Funds that pass threshold, the funds shall be used for applications from Existing Local Housing Trust Funds.

Application materials must be submitted electronically through the Department's website. Requirements for uploading the Application Workbook and required supporting documentation, including naming conventions, are described in the application instructions available at https://www.hcd.ca.gov/grants-and-funding/programs-active/local-housing-trust-fund. The Department no longer requires a hardcopy submittal of the Application Workbooks or supplemental documentation.

The application portal is open beginning on August 20, 2024 through September 17, 2024. The portal will close at 4 p.m. on September 17, 2024. Please note that the on-line support and technical assistance closes at 3:30 p.m. Pacific Standard Time on September 17, 2024.
To receive information on workshops and other updates, please subscribe to the LHTF Program listserv. If you have any further questions, please contact LHTF@hcd.ca.gov.

Attachment

Local Housing Trust Fund Program

2024 Notice of Funding Availability

Gavin Newsom, Governor
State of California

Tomiquia Moss, Secretary
Business, Consumer Services and Housing Agency

Gustavo Velasquez, Director
California Department of Housing and Community Development

651 Bannon Street, Sacramento, CA 95811
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LHTF email: LHTF@hcd.ca.gov

7/9/2024

Table of Contents

I. Overview 2

A. Notice of Funding Availability 2

B. Timeline 2

C. Authorizing Legislation and Regulations (Regulatory Authority) 2

II. Program requirements 3

A. Eligible Applicants 3

B. Eligible activities 3

C. Funding Limits 4

D. Matching funds requirements 4

E. Ongoing Revenues 5

G. Underwriting, administration, and reporting requirements 5

H. Application requirements 6

I. State and federal requirements 10

III. Application, submission, workshops, and appeals 10

A. Application forms 10

B. Application submission process 11

C. Application workshops 11

D. Disclosure of application 12

IV. Award announcements and contracts 13

A. Award Announcements 13

B. Contracts 13

V. Other state requirements 13

A. Housing First practices 13

B. Pet Friendly Housing Act of 2017 14

C. Prevailing wage law requirements 14

D. Accessibility and Non-discrimination 14

VI. Other terms and conditions 15

A. Right to modify or suspend 15

B. Conflicts 15

I. Overview

A. Notice of Funding Availability

The California Department of Housing and Community Development (Department) is announcing the availability of approximately $53 million in funding for the Local Housing Trust Fund (LHTF) Program. Funding for this Notice of Funding Availability (NOFA) is provided by the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1), adopted by voters on November 6, 2018.

Program Funds awarded under this NOFA shall be used to provide construction loans and/or permanent financing loans to pay for construction or rehabilitation of Affordable rental housing projects, Emergency Shelters, Permanent Supportive Housing, Transitional Housing and Affordable homebuyer/homeowner projects. Program Funds may also be used to assist income-eligible first-time homebuyers to purchase homes and to rehabilitate houses owned by income-eligible occupants, as well as to construct, convert, reconstruct, rehabilitate and/or repair Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs).

B. Timeline

NOFA Release	July 09, 2024
Application Due Date	September 17, 2024
Award Announcements	December 2024

C. Authorizing Legislation and Regulations (Regulatory Authority)

Health and Safety Code (HSC) Section 50842.2 established the LHTF Matching Grant Program.

HSC Section 50843.5(a) authorized the Department to provide matching funds to Local Housing Trust Funds established by cities and counties, Native American Tribes, and/or incorporated 501(c)(3) nonprofit organizations.

Senate Bill 3 (SB 3) (Chapter 365, Statutes of 2017) authorized the Veterans and Affordable Housing Bond Act of 2018 and authorized the issuance of bonds in the amount of $4 billion under the State General Obligation Bond Law. Specifically, SB 3 allows for the allocation of $300 million of the Bond proceeds for the LHTF Program.

SB 3 also allowed the Department to adopt Guidelines instead of regulations for the LHTF Program, establishing requirements for administration of the Program. The Department adopted Guidelines in April 2020.

Applications submitted under this NOFA are subject to the Guidelines, all applicable statutory requirements, and this NOFA. All section references in this NOFA refer to the Guidelines unless otherwise noted. The Guidelines and NOFA are available on the Department's website.

Capitalized terms not otherwise defined in this NOFA shall have the meanings set forth in Guidelines Section 101.

II. Program requirements

The following is provided as a summary for the allocation of the LHTF Program funds to Local Housing Trust Funds. This is not to be considered a complete representation of the eligibility, threshold, or other requirements, terms, and conditions.

A. Eligible Applicants

An applicant must be:

1. A city, county, or city and county that has created, funded, and operated an Existing Local Housing Trust Fund or that has created and funded a New Local Housing Trust Fund in compliance with Guidelines Sections 102(a)(1), 102(a)(2), and 102(a)(3).

   A Local Housing Trust Fund or Regional Housing Trust Fund that was created, funded, and operated by a combination of two or more cities or counties must agree in its application to utilize Program funds only for Eligible Projects located in cities or counties that at the time of application have met the requirements outlined in Guidelines Section 102(a)(4).

2. A charitable nonprofit organization described in Section 501(c)(3) of the Internal Revenue Code that is an Existing Local Housing Trust Fund or a New Local Housing Trust Fund and which complies with Guidelines Section 102(b)(1), 102(b)(2) and 102(b)(3).

3. A Native American Tribe, or sect of Tribes, that has created, funded, and operated an Existing Local Housing Trust Fund, or that has created and funded a new Local Housing Trust Fund in compliance with Guidelines Section 102(c)(1), 102(c)(2), and 102(c)(3).

B. Eligible activities

PLEASE NOTE: LHTF is not a reimbursement Program.

Pursuant to Guidelines, Section 105, the LHTF funds shall be allocated in compliance with all of the following:

1. To provide construction loans and/or permanent financing loans at simple interest rates of no higher than 3 percent per annum for payment of predevelopment costs, acquisition, construction, or rehabilitation associated with Affordable rental housing projects, Emergency Shelters, Transitional Housing, Permanent Supportive Housing, homebuyer/homeowner projects to purchase for-sale housing units or to rehabilitate an owner-occupied dwelling. Funds may also be used for the construction, conversion, repair, and rehabilitation of Accessory Dwelling Units or Junior Accessory Dwelling Units.

2. Administrative expenses may not exceed 5 percent of Program Funds and Matching Funds.

3. A minimum of 30 percent of Program Funds and Matching Funds, after deducting administrative expense, shall be expended on assistance to Extremely Low-Income Households. To comply with this requirement, dwelling units or shelter beds must be Affordable to and restricted for Extremely Low-Income Households with household income of no more than 30 percent of Area Median Income (AMI).

4. No more than 20 percent of the Program Funds and Matching Funds, after deducting administrative expense, shall be expended on assistance to Moderate-Income Households. To comply with this requirement, dwelling units must be Affordable to and restricted for Moderate-Income Households with household income of no more than 120 percent of AMI.

5. The remaining Program Funds and Matching Funds shall be expended on assistance to Lower-Income Households. To comply with this requirement, dwelling units must be Affordable to and restricted for Lower-Income Households with household income of no more than 80 percent AMI.

C. Funding Limits

Pursuant to Guidelines, Section 103, the funding minimums and maximums apply as detailed below.

The minimum application request by an Applicant that is an Existing Local Housing Trust Fund shall be $1 million.

The minimum application request by an Applicant that is a New Local Housing Trust Fund, but which is not a Regional Housing Trust Fund, shall be $500,000.

The minimum application request by an Applicant that is a New Local Housing Trust Fund, which is also a Regional Housing Trust Fund, and which is utilizing Permanent Local Housing Allocation Funds as Matching Funds, shall be $750,000.

The maximum application request for all Applicants shall be $5 million.

Fifteen percent of the funds made available by this NOFA shall be reserved for Local or Regional Housing Trust Funds meeting the definition of “new Local Housing Trust Fund.” In the event there are insufficient applications from new Local Housing Trust Funds that pass threshold, the funds shall be used for applications from existing Local Housing Trust Funds.

D. Matching funds requirements

1. All Program Funds provided pursuant to this section shall be matched on a dollar-for-dollar basis with dedicated sources of funding, such as taxes, fees, or loan repayments, or public or private contributions by the Applicant. Lines of credit and loans received by the Local Housing Trust Fund are not eligible sources of Matching Funds.

2. An application for Program Funds shall not be considered unless the application contains required documentation of the deposit in the Local Housing Trust Fund account of the local Matching Funds, and the identity of the source of Matching Funds, or evidence of a Legally Binding Commitment to deposit the required Matching Funds, and the identity of the source of Matching Funds.

3. Funds restricted for housing use by state or federal law (such as funds from the Home Investment Partnerships Program, the Community Development Block Grant Program, redevelopment agency low- and moderate-income housing fund set-aside funds, or state housing programs administered by the Department) shall not be considered Matching Funds. However, Permanent Local Housing Allocation program funds may be considered Matching Funds for Regional Housing Trust Funds.

4. Matching Funds shall be On Deposit prior to disbursement of Program Funds.

5. Program Funds must be utilized on a dollar-for-dollar basis for the same Eligible Project for which local Matching Funds are used, as required by HSC Section 50843.5(c).

E. Ongoing Revenues

1. For an Existing Housing Trust Fund, a public or private source, or sources, of Ongoing Revenues totaling at least an average of $100,000 per year for three years after the date of the Program award is required.

2. For a New Housing Trust Fund, public or private sources of Ongoing Revenues sufficient to pay for the Trust Fund's operating costs for a minimum of five years after the date of the Program award is required.

3. Ongoing Revenues are required to be derived from dedicated sources of consistent funding, such as taxes, fees, repayments of loans made by the Trust Fund, or regular annual public or private contributions. Ongoing Revenues may not include one-time donations, such as land donations or large bequests, and may not include loans or lines of credit.

F. Program administrative costs

Pursuant to Guidelines, Section 105(b), a Local Housing Trust Fund that receives an award under this NOFA shall not use more than 5 percent of the allocation and not more than 5 percent of Matching Funds for administrative costs related to the execution of eligible activities.

G. Underwriting, administration, and reporting requirements

A grantee of the LHTF Program must comply with the underwriting and loan requirements of Guidelines, Section 107, the administrative requirements of Sections 108 and 109 (b), and the reporting requirements of Section 112.

H. Application requirements

1. Threshold

Only complete applications on forms made available by the Department submitted on or before the application deadline stated in this NOFA shall be considered for funding. Applications must meet the requirements set forth in Guidelines, Sections 106(d) and 106(e).

An application must have all of the information requested and provide adequate documentation and information for the Department to determine the Local Housing Trust Fund's eligibility for funding pursuant to HSC, Section 50843.5(b), and the Guidelines, and the eligibility of the Project pursuant to HSC, Section 50843.5(d), and the Guidelines.

HSC, Section 50843.5(b) requires that Housing Trusts eligible for funding shall have the following characteristics:

a. Utilization of a public or joint public and private fund established by legislation, ordinance, resolution, or a public-private partnership to receive specific revenue to address local housing needs.

b. Receipt of ongoing revenues from dedicated sources of funding such as taxes, fees, loan repayments, or public or private contributions.

Previously awarded applicants must have committed at least 40 percent of the previous award(s) to be eligible to submit an application for this NOFA.

Previously awarded applicants must have submitted the most recently required LHTF Annual Report in order to be eligible to submit an application for this NOFA.

In addition, the following requirements must be met and demonstrated in each application:

a. City or County Applicants must have a housing element that was adopted by the Applicant’s governing body and subsequently determined by the Department to be in compliance with state Housing Element Law by the time awards are announced. If an applicant is determined to be out of compliance at the time awards are announced, it will be ineligible to receive funding and the next highest scoring eligible application may be funded in its place.

b. City or County Applicants must have submitted to the Department the Annual Progress Report on the housing element for the 2023 Calendar Year by the application deadline date.

c. Nonprofit Charitable Organization Applicants shall in their application agree to utilize Program Funds only for Eligible Projects located in cities or counties that have, at the time of award, an adopted housing element determined by the Department to be in compliance with state Housing Element Law, and which have submitted to the Department the Annual Progress Report on the housing element for the 2023 Calendar Year by the application deadline date.

d. A Native American Tribe or Tribes shall, in their application, agree to utilize Program Funds only for Eligible Projects either (A) located on Native American Lands or (B) in cities and counties that have, at the time of award, an adopted housing element determined by the Department to be in compliance with state Housing Element Law and which shall have submitted to the Department the Annual Progress Report on the housing element for the 2023 Calendar Year by the application deadline date.

e. Only applications containing the required documentation of the deposit in the Local Housing Trust Fund of the local Matching Funds, and that identify the source(s) of Matching Funds or provide evidence of a Legally Binding Commitment to deposit the required Matching Funds, and the identity of the source(s) of Matching Funds, shall be considered eligible.

f. Only applications including the required application resolution shall be considered eligible. This includes “Attachment 1” to be completed as part of the resolution prior to approval by the governing body. The resolution and “Attachment 1” can be found on the LHTF website.

g. The Applicant shall submit documentation of its loan guidelines and underwriting standards and procedures for review by the Department as part of its Program application. Below are the factors that must be addressed in underwriting standards that Applicants must submit to ensure project feasibility:
   - Required debt coverage ratio
   - Minimum projected operating expenses
   - Required replacement reserve
   - Required capitalized operating reserve
   - Requirements for positive cash flow
   - Required projected vacancy rate
   - Requirements for construction contingency if construction financing is being provided with LHTF funds
   - Requirements for senior lender loan types and junior lender loan types
   - Simple interest rate no higher than 3 percent per annum
   - Leasehold security requirements

2. Rating and Ranking

In the event that the amount of funding requested in complete and eligible applications exceeds the funds available, applications shall be evaluated and funded using the criteria outlined below.

a. The Department's Negative Points Policy (Administrative Notice Number 2022- 01) dated March 30, 2022 and published on the Department's website, is hereby incorporated by this reference to this LHTF NOFA as if set forth in full herein, and shall apply with equal force as all other provisions set forth herein.

   If the Applicant is subject to a negative points assessment based on the criteria outlined in the Department's Negative Points Policy, or is determined to be ineligible for funding, the Department shall notify the Applicant in writing in the initial point score letter.

Rating Criteria	Max Pts.
Non-Residential Matching Funds: Extent to which the Applicant provides Matching Funds from sources other than residential Local Impact Fees or In Lieu Fees (Guidelines Section, 106(f)(1)) • 0% – 25% from other sources ~ 5 points • 26% - 50% from other sources ~ 10 points • 51% or more from other sources ~ 15 points	**15**
Deeper Income Targeting: Extent to which the Applicant commits to expend less than 20 percent of Program Funds and Matching Funds to serve Moderate-Income Households (Guidelines, Section 106(f)(2) • 11% - 18% funding for Moderate-Income Household ~ 5 points • 6% - 10% funding for Moderate-Income Household ~ 10 points • 1% - 5% funding for Moderate-Income Household ~ 15 points • 100% funding for Lower-Income Household ~ 20 points	**20**
Readiness: Extent to which the Applicant has completed a first phase funding process for multifamily rental projects and announced on its website the status of each project, including those projects that were approved to submit a final application upon award of Program Funds by the Department (Guidelines, Section 106(f)(3)). • Website posting of pipeline projects with status ~ 5 points, **PLUS EITHER** of the next two (2) factors: ➢ Projects included posting of pipeline projects with first phase funding completed representing two (2) times the application request (e.g., if requesting $5 million, pipeline projects must total at least $10 million) ~ 5 points **OR**	**15**

➢ Projects included public posting of pipeline projects with first phase funding completed representing three (3) times the application request (e.g., if requesting $5 million, pipeline projects must total at least $15 million) ~ 10 points Note: applications requesting funds solely for single family activities will receive zero points in the category.	

Increasing the Supply of Lower-Income Rental Housing: Extent to which the Applicant commits to use Program Funds and Matching Funds for the new construction of rental housing developments affordable and restricted to households with average incomes of no more than 60 percent of AMI (Guidelines, Section 106(f)(4)) • ≤50% funding for 60% AMI or less ~ 0 points • 51% - 74% funding for 60% AMI or less ~ 10 points • 75% - 99% funding for 60% AMI or less ~ 15 points • 100% funding for 60% AMI or less ~ 20 points	**20**

Community Need: Percentage of Lower-Income Households paying more than 50 percent of their household income for rent or owner expenses, in jurisdictions to be served by the application, in comparison with jurisdictions to be served by other applications (Guidelines, Section 106(f)(5)) • 0% - 25% ~ 5 points • 26% - 44% ~ 10 points • 45% or higher ~ 15 points Note: This section will be scored by HCD using CHAS data (Comprehensive Housing Affordability Strategy): https://www.huduser.gov/portal/datasets/cp.html#2006-2016-datacollapse.	**15**

Regional Housing Trust Fund Applicants: Applicants which are a Regional Housing Trust Fund meeting the description herein get all points in this category. A Regional Housing Trust Fund, for the purposes of these points, is one that includes six jurisdictions (in counties with total populations of 250,000 or less), or eight jurisdictions (in counties with more than 250,000), **or** that meet the minimum threshold (two jurisdictions with more than one million people, three jurisdictions in counties with total populations of 250,000 or less, or four jurisdictions in counties with more than 250,000, **and** include more than 66 percent of the population of the county or counties (Guidelines, Section 106(f)(6)).	**5**

Performance: Extent to which Applicants exceed the minimum 40 percent commitment threshold stated in Guidelines, Section 102(d) OR New Applicants (no previous LHTF award) who have committed 40 percent or more of local Matching Funds.	**10**
Total maximum points possible:	**100**

3. Tie Breaker

In the event of tied point scores, the Department shall rank tied applications based on the extent to which the application identifies specific multifamily rental projects for which the Trust Fund has issued Letters of Intent to developers for construction or permanent financing.

I. State and federal requirements

Climate Adaptation - Executive Order B-30-15 addressed the need for climate adaptation and ordered that:

1. All state agencies with jurisdiction over sources of greenhouse gas emissions shall implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

2. State agencies shall take climate change into account in their planning and investment decisions and employ full life-cycle cost accounting to evaluate and compare infrastructure investments and alternatives.

3. State agencies planning and investments shall be guided by the following principles:
   - Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions;
   - Where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts;
   - Actions should protect the state's most vulnerable populations; and
   - Natural infrastructure solutions should be prioritized.

   In response to the Governor's Executive Order, the Department strongly encourages Awardees to implement the LHTF-funded project in a manner that reduces greenhouse gas emissions and adapts to climate change. In addition, Awardees must obtain specific information from local governments indicating the progress made in planning to adapt to climate change.

III. Application, submission, workshops, and appeals

A. Application forms

Applications must be on the Department's forms and cannot be altered or modified by the Applicant. Excel forms must be in Excel format, not a PDF document. Applications that do not meet the Program requirements outlined in this NOFA will not

be eligible for funding. Application forms are available for download on the LHTF webpage.

B. Application submission process

Application materials must be submitted electronically to the Department's website. Requirements for uploading the Application Workbook and required supporting documentation, including naming conventions, are described in the application instructions available at https://www.hcd.ca.gov/grants-and-funding/programs-active/local-housing-trust-fund. The application instructions and submittal portal will be available beginning August 20, 2024. The Department no longer requires a hardcopy submittal of the Application Workbooks or supplemental documentation.

Applicants must upload all application materials to the Department's website. The application portal is open beginning on **August 20, 2024,** through **4:00 p.m. Pacific Standard Time on September 17, 2024.** Please note that the on-line support and technical assistance closes at 3:30 p.m. Pacific Standard Time on September 17, 2024.

Personal deliveries will not be accepted. No facsimiles, incomplete applications, application revisions, or walk-in application packages will be accepted. Applications that do not meet the filing deadline requirements will not be eligible for funding.

C. Application workshops

The Department will conduct application webinars for the LHTF Program application submittal process. Applicants are strongly encouraged to attend an application workshop to gain information critical for preparing the application. LHTF Program workshop details and related Program information will be posted on the LHTF webpage.

D. Appeals

1. Basis of Appeals

    a. Applicants may appeal HCD's written determination that an application is incomplete, has failed threshold review, or has otherwise been determined to provide an insufficient basis for an award (including point scoring and tie breaker).

    b. At the sole discretion of the Department, the Department's written determination may include a request for clarifying and/or corrective information. For purposes of this section, "clarifying information" includes information and/or documentation that resolves ambiguities in any application materials that will inform the Department's threshold, scoring and feasibility determinations.

    c. No Applicant shall have the right to appeal a decision of HCD relating to another Applicant's application (e.g., eligibility, award).

d. Any request to appeal HCD's decision regarding an application shall be reviewed for compliance with the Guidelines and this NOFA. All decisions rendered shall be made by the Program Manager or his/her designee. The decision shall be final, binding, and conclusive, and shall constitute the final action of HCD.

e. The appeal process provided herein applies solely to decisions of HCD made pursuant to this NOFA.

2. Appeal Process and Deadlines

a. Process: To file an appeal, Applicants must submit to HCD, by the deadline set forth below, a written appeal which states all relevant facts, arguments, and evidence upon which the appeal is based. Furthermore, the Applicant must provide a detailed reference to the area or areas of the application that provide clarification and substantiation for the basis of the appeal. No new or additional information will be considered if this information would result in a competitive advantage to an Applicant. Once the written appeal is submitted to HCD, no further information or materials will be accepted or considered thereafter. Appeals are to be submitted to HCD at lhtf@hcd.ca.gov according to the deadline set forth in HCD review letters.

b. Filing Deadline: Appeals must be received by HCD no later than five (5) business days from the date of HCD's threshold review, or initial score letters, as applicable, representing HCD's decision made in response to the application.

D. Disclosure of application

Information provided in the application will become a public record available for review by the public, pursuant to the California Public Records Act (Chapter 1473, Statutes of 1968). As such, any materials provided will be disclosable to any person making a request under this Act. The Department cautions applicants to use discretion in providing information not specifically requested, including, but not limited to, bank account numbers, personal phone numbers, and home addresses. By providing this information to the Department, the applicant is waiving any claim of confidentiality and consents to the disclosure of submitted material upon request.

IV. Award announcements and contracts

A. Award Announcements

Awards will be announced in August 2024. Awards will be posted on the LHTF Program website.

B. Contracts

Successful Applicants (Awardee(s)) will enter into a Standard Agreement with the Department. The Standard Agreement contains all the relevant state and federal requirements, as well as specific information about the award and the work to be performed.

A condition of an award will be that a Standard Agreement must be executed by the awardee within 30 days (contracting period) of the awardee's receipt of the Standard Agreement(s). Failure to execute the Standard Agreement(s) within the Contracting Period may result in award cancellation. The Awardee(s) shall remain a party to the Standard Agreement for the entire term of the Standard Agreement; removal of the Awardee(s) shall be prohibited.

V. Other state requirements

A. Parking

Recipients of Program funding shall examine the feasibility of shared parking agreements to replace new parking construction or limit the number of new parking spaces that will be constructed. These requirements do not apply to proposals located on land owned or leased by the state (Gov. Code, § 65863.1, subd. (j)). An examination of the feasibility of shared parking shall include, at a minimum, identification of parking facilities on contiguous properties or nearby properties that would not require users to cross a street and then consideration of the apparent availability of those facilities for shared parking (Gov. Code, § 65863.1, subd. (i)(3)). The examination of the feasibility of shared parking shall be submitted to the Department prior to the execution and approval of the Standard Agreement. Tribal Entities are not required to examine the feasibility of shared parking for Projects located in Indian Country where an Indian tribe exercises jurisdiction.

B. Housing First practices

Housing First is an evidence-based model designed to permanently house an individual and make available optional supportive services to help them remain stably housed. Housing First means that housing is made available with very low barriers to entry and applicants are not rejected due to poor credit, financial history, lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of housing readiness. Supportive services providers shall also utilize Housing First principles and offer services as needed and/or requested on a voluntary basis. Housing shall not be contingent upon participation in services. Applicants will certify and document adherence to Housing First practices in the application, property management plan, and supportive services plan. Adherence to Housing First practices shall be subject to periodic compliance monitoring.

C. Pet Friendly Housing Act of 2017

Housing funded through the LHTF Program is subject to the Pet Friendly Housing Act of 2017 (HSC Section 50466). Each Awardee is required to submit a signed and dated certification that residents of the LHTF Program-funded housing development will be authorized to own or otherwise maintain one or more common household pets.

D. Prevailing wage law requirements

LHTF Program Funds awarded under this NOFA are subject to state prevailing wage law, as set forth in Labor Code Section 1720 et seq., and require the payment of prevailing wages unless the project meets one of the exceptions of Labor Code, Section 1720 (c), as determined by the Department of Industrial Relations (DIR). The DIR can be contacted via its website at https://www.dir.ca.gov/oprl/DPreWageDetermination.htm. Applicants are urged to seek professional advice as to how to comply with state prevailing wage law.

E. Accessibility and Non-discrimination

All projects or programs shall adhere to the accessibility requirements set forth in California Building Code, Chapter 11A and 11B and the Americans with Disabilities Act, Title II. In addition, projects or programs shall adhere to either the Uniform Federal Accessibility Standards, 24 Code of Federal Regulations (CFR) Part 8, or U.S. Department of Housing and Urban Development's (HUD) modified version of the 2010 American Disabilities Act Standards for Accessible Design (Alternative 2010 ADAS), HUD-2014-0042-0001, 79 F.R. 29671 (5/27/14) (commonly referred to as "the Alternative Standards" or "HUD Deeming Memo"). Accessible units shall, to the maximum extent feasible and subject to reasonable health and safety requirements, be distributed throughout the project and be available in a sufficient range of sizes and amenities consistent with 24 CFR, Section 8.26.

Recipients shall adopt a written non-discrimination policy requiring that no person shall, on the grounds of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, age, medical condition, genetic information, citizenship, primary language, immigration status (except where explicitly prohibited by federal law), arbitrary characteristics, and all other classes of individuals protected from discrimination under federal or state fair housing laws, individuals perceived to be a member of any of the preceding classes, or any individual or person associated with any of the preceding classes be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with Program funds made available pursuant to this NOFA.

Recipients shall comply with the requirements contained in the Americans with Disabilities Act, the Fair Housing Amendments Act, the California Fair Employment and Housing Act, the Unruh Act, Government Code Section 11135, Section 504 of the Rehabilitation Act, and regulations promulgated pursuant to those statutes, including 24 CFR Part 100, 24 CFR Part 8, and 28 CFR Part 35, in all of the Sponsor's activities.

VI. Other terms and conditions

A. Right to modify or suspend

The Department reserves the right, at its sole discretion, to suspend, amend, or modify the provisions of this NOFA at any time, including without limitation, the amount of funds available hereunder. If such an action occurs, the Department will notify all interested parties and will post the revisions to the Department's website. You may subscribe to the Department's email list.

B. Conflicts

In the event of any conflict between the terms of this NOFA and either applicable state or federal law or regulation, the terms of the applicable state or federal law or regulation shall control. Applicants are deemed to have fully read and understand all applicable state and federal laws, regulations, and guidelines pertaining to the LHTF Program, and understand and agree that the Department shall not be responsible for any errors or omissions in the preparation of this NOFA.

From:	Trejo, Sara (MYR)
To:	BOS Legislation, (BOS)
Cc:	Paulino, Tom (MYR); Nickolopoulos, Sheila (MYR); Gluckstein, Lisa (MYR)
Subject:	Mayor -- Resolution -- Local Housing Trust Fund Program Grant
Date:	Tuesday, July 30, 2024 2:40:23 PM
Attachments:	Attachment 1 Local Housing Trust Fund Reso Draft.docx LHTF july 2024 resolution (kn) (003).docx

Hello Clerks,

Attached is a Resolution authorizing the Mayor's Office of Housing and Community Development on behalf of the City and County of San Francisco to execute and submit a grant application for a grant to fund affordable housing development under the California Department of Housing and Community Development's Local Housing Trust Fund Program, for an amount not to exceed $5,000,000.

Best regards,

Sara Trejo
Legislative Aide
Office of the Mayor
City and County of San Francisco