

ANN ARBOR AFFORDABLE HOUSING FUND

PREFACE

The Ann Arbor Affordable Housing Fund was first proposed in the City of Ann Arbor Housing Policy adopted by City Council in July, 1989. The Affordable Housing Fund guidelines were developed by the Community Development Department and approved by the Housing Policy Board in February, 1991 and by the Ann Arbor City Council in April, 1991. Since its inception, the Housing and Human Services Advisory Board (HHSAB) has recommended and City Council has approved a range of housing projects with the vast majority targeted for residents with the lowest incomes.

STATEMENT OF PURPOSE

The Ann Arbor Affordable Housing Fund is established for the creation and preservation of long term affordable housing for households with incomes at or below 60% of the City's Area Median Income (AMI) as defined by the U.S. Department of Housing and Urban Development (HUD) or successor government department or agency that determines area median income. Further, the Fund is established to improve housing conditions for City of Ann Arbor residents, with priority given to those whose income is at or below 30% of the median household income.

It is the goal of the City to provide a full range of housing opportunities to all its citizens. It is the intent of the City to administer this fund in a flexible manner in order to best meet the housing needs of the City.

The Ann Arbor Affordable Housing Fund is established to provide financial support in the form of loans, grants or other forms of financial assistance to organizations or projects that create or preserve long term affordable housing.

ESTABLISHMENT OF FUND

The Mayor and City Council established by resolution a special revenue account under the name "Ann Arbor Affordable Housing Fund" with revenues specifically dedicated to the Affordable Housing Fund by City Council, through donations, grants, and general fund allocations from public and private sources. It is the intention of the City Council that the Affordable Housing Fund be a dedicated fund in perpetuity for the purposes established in this document. Principal and interest from loan repayments, proceeds from grant repayments, forfeitures, reimbursements, investments, and all other income generated from Fund activities will be deposited into the Fund. Funds repaid to the City from any of the above sources shall be administered subject to applicable federal, state and city requirements. All funds in the account earn interest at least at the same rate as the City's pooled investments managed by the City Treasurer. All interest earnings from the account are reinvested and dedicated to the account. All appropriated funds in the Affordable Housing Fund are available for eligible program expenditures.

DISTRIBUTION AND USES OF FUNDS

Funds in the Affordable Housing Fund are used to meet the housing needs of individuals and families with incomes that do not exceed 60% of the Area Median Income, as defined by HUD, or a successor government department or agency that determines median income. Eligible uses include acquisition, demolition, new construction, renovation, and related infrastructure to develop affordable housing. In addition, nonprofits may request funding for pre-development feasibility activities and technical assistance.

It is the City's intent that the terms of its loans and grants be established so that projects that set aside units for households at 30% AMI or less receive higher per unit funding and lower interest rates for loans than projects that do not set aside units for households at 30% AMI or less.

Minimum affordability period will vary by and within project type (see Terms and Conditions). Projects which commit to longer than the minimum affordability periods will receive more favorable consideration.

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ELIGIBILITY REQUIREMENTS

ADMINISTRATIVE APPROVAL FOR PROJECTS UNDER \$75,000:

Project applications are available from the Washtenaw County Office of Community & Economic Development (OCED) and may be submitted at any time during the program year. OCED will review and approve these proposals as an administrative function and will follow the City's procurement guidelines. All administrative approvals will be reported to the HHSAB and City Council. All projects under \$75,000 will be grants.

OPEN QUARTERLY APPLICATION FOR PROJECTS \$75,000 to \$250,000:

OCED will accept applications on a rolling basis from eligible entities interested in financial support from the Ann Arbor Affordable Housing Fund. Applications for projects \$75,000 or greater will be reviewed each quarter by the HHSAB. Applicants will be invited to present their project at a designated HHSAB meeting, and members will openly deliberate and make funding recommendations to City Council for final approval.

COMPETITIVE SEALED BID PROCESS FOR PROJECTS AND/OR FUNDING OVER \$250,000:

When the Fund balance exceeds \$250,000, OCED will issue a Request for Proposals for Ann Arbor Affordable Housing funds within 6 months of funding availability. When feasible, AAAHF RFPs will be timed to align with other affordable housing RFPs such as County HOME funds or MSHDA Low Income Housing Tax Credits (LIHTC). Applicants will be invited to present their project at a designated HHSAB meeting, and members will openly deliberate and make funding recommendations to City Council for final approval. The HHSAB and OCED may utilize consultants to conduct an underwriting and subsidy layering analysis to ensure that projects are not over-subsidized.

Funding may be awarded to non-profit corporations, municipal corporations, for-profit corporations, companies, partnerships, or limited equity cooperatives.

Pre-development grants are available to non-profit affordable housing developers only and cannot exceed \$100,000 per project.

All projects must be decent, safe and sanitary and meet the Housing Quality Standards or similar standards as established by HUD and the local Code. Affordable Housing Fund dollars can only be used for projects within the City limits.

Financial assistance shall not be awarded by the Affordable Housing Fund to any corporation, partnership, company, or cooperative in default according to Section 14.3(e) of the City Charter at the time of final consideration in payment of property taxes, or whose subject property has violations of the City Housing or Building codes or is in violation of the zoning ordinance relating to the subject project. Consideration shall be given to projects which propose correction of the above-mentioned violations.

TERMS AND CONDITIONS

Affordable Housing Funds can be awarded in any form determined advisable by the HHSAB, subject to applicable local, state and federal laws and regulations, including but not limited to: low interest loans with terms determined by the "gap financing" needed to make the project feasible; a deferred loan which requires repayment under conditions defined for the project; or other types of financial assistance determined to be appropriate and necessary for the project. In general, the City has flexibility in how to award funds, either as a grant or as a loan.

When funds from the Affordable Housing Fund are awarded for acquisition, construction, or rehabilitation, the owner must sign an enforceable affordability agreement and/or deed restriction relating to the long term affordability of the unit. Annual income and rent reporting is also required.

The required affordability period will vary based on type of project:

New Construction Projects: 30 years

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 - ¶ the perpetual affordability of units;¶
 - projects which serve predominantly individuals and families with incomes less than 30% of the City's median income.
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Rehabilitation Projects:

Per Unit Subsidy	Affordability Term
< \$15,000 per unit	5 years
\$15,000 to \$40,000 per unit	10 years
> \$40,000 per unit and/or refinancing of rental project	15 years

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Repayments to the City are deposited into the Affordable Housing Fund and reused for other eligible projects.

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ADMINISTRATION OF THE FUND

The HHSAB, as appointed by the Mayor and City Council, administers the Affordable Housing Fund as specified herein. The HHSAB reviews applications and makes recommendations to City Council on the allocation of the Affordable Housing Fund for requests of \$75,000 or greater. The number of members, tenure of office, duties, manner of calling meetings and other tasks of the HHSAB are stated in the Bylaws approved by the HHSAB.

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The City Council makes final decisions on the allocation of Affordable Housing Funds of \$75,000 or greater. City Council shall take action on recommendations of the HHSAB. Applications will be processed on a quarterly basis with funding recommendations going to the next available City Council meeting. The Office of Community & Economic Development provides staff assistance to the HHSAB. This includes: maintaining the financial and other records of the Fund; seeking third-party underwriting review; assisting prospective applicants in the preparation of their applications/proposals; monitoring the use of the monies distributed to applicants to assure ongoing compliance with the purpose of the Fund and the conditions under which the monies were granted or loaned; reporting periodically, but not less than every twelve (12) months to the City Council regarding the operation and activity of the Fund.

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For a copy of the application form, contact:

The Washtenaw County Office of Community & Economic Development,
Housing & Infrastructure Division by calling (734) 544-3039 or emailing: cohent@washtenaw.org

Last revised: October, 1997
Last revised: November 9, 2006
Last revised: October 20, 2014

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P.O. Box 8645¶
Ann Arbor, Michigan 48107¶
Applications are also available through the OCED¶
website at www.ewashtenaw.org or call

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