

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
2007 Second Round Cycle
September 26, 2007

Project Number CA-2007-120

Project Name Jack London Gateway Senior Housing

Site Address: 900 Market Street
Oakland, CA 94607

County: Alameda

Census Tract: 4026

Applicant Information

Applicant: East Bay Asian Local Development Corporation

Contact: Lynette Jung Lee

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Oakland, CA 94607

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General Partners(s)Type: Nonprofit

Information

Set-Aside: N/A

Housing Type: Senior

Geographic Area: North & East Bay - Alameda

Eligible Basis

Requested: \$12,293,728

Actual: \$19,051,991

Maximum Permitted: \$12,293,728

Adjustments to Threshold Basis Limit:

Required to Pay Prevailing Wages Parking Beneath Residential Units

Local Impact Fees

Utilizing New Energy Technologies

3 or More Energy Efficiency/Resource Conservation/Indoor Air Quality Features

Region Where Development Costs Frequently Exceed Published Limit

Tax Credit Amounts

Federal/Annual

State/Total

Requested: \$1,299,963 \$0

Recommended: \$1,299,963 \$0

Project Information

Construction Type: New Construction

Federal Subsidy: N/A

Total # of Units: 61

Total # Residential Buildings: 1

Income/Rent Targeting

Federal Set-Aside Elected: 40%/60%

% & No. of Tax Credit Units: 100% - 60 units

Breakdown by %: 15% @ 30%, 20% @ 35%, 45% @ 50%

Selection Criteria	Max. Possible Points	Requested Points	Points Awarded
<i>Cost Efficiency/Credit Reduction/Public Funds</i> Maximum of 20 points	20	20	20
<input checked="" type="checkbox"/> Credit Reduction	20	2	2
<input checked="" type="checkbox"/> Public Funds	18	18	18
<i>Owner / Management Characteristics</i> Maximum of 9 points	9	9	9
<input checked="" type="checkbox"/> General Partner Experience	6	6	6
<input checked="" type="checkbox"/> Management Experience	3	3	3
<i>Housing Needs</i> Maximum of 10 points	10	10	10
<i>Site Amenities</i> Maximum of 15 points	15	15	15
<input checked="" type="checkbox"/> Within ¼ mile of transit stop with service every 30 minutes & 25 units per acre density	7	7	7
<input checked="" type="checkbox"/> Within ½ mile of public park or community center open to general public	2	2	2
<input checked="" type="checkbox"/> Within ½ mile of public library	2	2	2
<input checked="" type="checkbox"/> Within ¼ mile of a full-scale grocery store with staples, fresh meat and fresh produce	4	4	4
<input checked="" type="checkbox"/> Senior project within ½ mile of daily operated senior center or facility for seniors	2	2	2
<input checked="" type="checkbox"/> Within ½ mile of medical clinic or hospital	3	3	3
<i>Service Amenities</i> Maximum of 10 points	10	10	10
<input checked="" type="checkbox"/> High speed internet service provided in each unit	5	5	5
<input checked="" type="checkbox"/> Contract for services or provision of senior counseling services, with contract in place	5	5	5
<i>Neighborhood Revitalization</i> Maximum of 9 points	9	9	9
<i>Sustainable Building Methods</i> Maximum of 8 points	8	8	8
<input checked="" type="checkbox"/> New construction/adaptive reuse increases energy efficiency 10% above Title 24	4	4	4
<input checked="" type="checkbox"/> Flow restrictors for kitchen & bath faucets or water-saving fixtures	1	1	1
<input checked="" type="checkbox"/> No-VOC interior paint	1	1	1
<input checked="" type="checkbox"/> CRI Green-label, low-VOC carpet and pad	1	1	1
<input checked="" type="checkbox"/> Bathroom fans in all bathrooms w/humidistat, timer and outdoor exhaust	2	2	2
<input checked="" type="checkbox"/> Construction Indoor Air Quality Management plan	2	2	2
<input checked="" type="checkbox"/> Project has nonsmoking buildings or contiguous sections within a building	1	1	1
<i>Lowest Income</i> Maximum of 52 points	52	52	52
<input checked="" type="checkbox"/> Basic Targeting	50	50	50
<input checked="" type="checkbox"/> Deeper Targeting – at least 10% of units @ 30% AMI or less	2	2	2
<i>Readiness to Proceed</i> Maximum of 20 points	20	20	20
<i>State credit substitution</i> Maximum of 2 points	2	2	2
Total Points	155	155	155

Tie-Breaker Information

Tie-Breaker Categories Apply to this Project: **Yes**

First: Housing Type **Senior**

Second: Maximum Neighborhood Revitalization Points/Federal Designated Area **Yes**

Third: Calculated Ratio per Regulation 10325(c)(12) **68.318%**

<u>Unit Type & Number</u>	<u>2007 Rents % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
8 1 bedroom	30%	\$471
13 1 bedroom	35%	\$549
28 1 bedroom	50%	\$785
8 1 bedroom	55%	\$863
3 2 bedroom	30%	\$565
1 2 bedroom	Manager's Unit	\$400

The general partner or principal owner is East Bay Asian Local Development Corporation.

The project developer is East Bay Asian Local Development Corporation.

The management agent is East Bay Asian Local Development Corporation.

The market analyst is Laurin Associates.

The Local Reviewing Agency has not yet completed a site review of this project. Any negative comments in the LRA report will cause this staff report to be revised to reflect such comments.

Project Financing

Estimated Total Project Cost: \$20,391,767 Per Unit Cost: \$334,291 Construction Cost Per Sq. Foot: \$327

Construction Financing		Permanent Financing	
Source	Amount	Source	Amount
Silicon Valley Bank	\$12,674,000	Silicon Valley Bank	\$964,500
Oakland RDA	\$4,900,000	Silicon Valley Bank	\$979,200
AHP	\$396,500	AHP	\$396,500
Investor Equity	\$1,500,000	Oakland RDA	\$4,900,000
		GP Equity - grant	\$50,000
		GP Equity - other	\$436,915
		Deferred Developer Fee	\$400,000
		Investor Equity	\$12,264,652
		TOTAL	\$20,391,767

Determination of Credit Amount(s)

Requested Eligible Basis:	\$12,293,728
130% High Cost Adjustment:	Yes
Applicable Fraction:	100%
Qualified Basis Credit Reduction (2%)	\$319,637
Qualified Basis:	\$15,662,209
Applicable Rate:	8.30%
Total Maximum Annual Federal Credit:	\$1,299,963
Total State Credit:	\$0
Approved Developer Fee:	\$1,400,000
Tax Credit Factor:	\$0.94346

Applicant requests and staff recommends annual federal credits of \$1,299,963 and total state credits of \$0, based on a qualified basis of \$15,662,209 and a funding shortfall of \$12,264,652.

Cost Analysis and Line Item Review

The requested eligible basis \$12,293,728 is at the TCAC's threshold basis limit \$12,293,728. The basis limit was increased by the following extraordinary features: projects that are located in regions where development costs frequently exceed the published limit, projects that are required to pay state or federal prevailing wages, projects that are required to provide parking beneath the residential units, projects that include distributive energy technologies such as micro turbines and/or renewable energy sources such as solar, local development impact fees, the adjustment for projects with 3 or more energy efficiency/resource conservation/indoor air quality items. Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitations.

Annual operating expenses exceed the minimum operating expenses established in the Regulations, and the project pro forma shows a positive cash flow from year one.

Staff has calculated federal tax credits based on 8.30% of the qualified basis, or, in the case of acquisition Credit or Credit combined with federal subsidies, 3.60%. Applicants are cautioned to consider the expected federal rate when negotiating with investors. TCAC's financial evaluation at project completion will determine the final allocation.

Special Issues/Other Significant Information: None

Legal Status: Staff has reviewed the Applicant's responses to the questions contained in the Legal Status portion of the Application. No information was disclosed that raised any question regarding the financial viability or legal integrity of the applicant.

Recommendation: Staff recommends that the Committee make a preliminary reservation of tax credits, in the following amount(s) contingent upon standard conditions and any additional conditions imposed by the Committee:

Federal/Annual	State/Total
\$1,299,963	\$0

Standard Conditions

An application for a carryover allocation must be submitted by October 31, 2007, as required by regulation section 10328(d), together with the applicable allocation fee and all required documentation. The time for meeting the "10%" test and submitting related documentation will be no later than six (6) months after the date of the executed carryover allocation (as defined by IRC Section 42 and IRS Notices). The applicant must ensure the project meets all Additional Threshold Requirements for the housing type of the proposed project.

The applicant must submit all documentation required for a Final Reservation no later than February 1 of the year that the building(s) must be placed in service pursuant to Section 42(h)(E)(i) of the Internal Revenue Code of 1986, as amended. The applicant shall provide the Committee a Final Reservation application providing the documentation for the project set forth in Section 10322(i)(1) of these regulations. Failure to provide the documentation at the time required may result in rescission of the Credit reservation and cancellation of a carryover allocation.

TCAC makes the preliminary reservation only for the project specified above in the form presented, and involving the parties referred to in the application. No changes in the development team or the project as presented will be permitted without the express approval of TCAC.

The applicant must pay TCAC a performance deposit and allocation fee calculated in accordance with regulation. The performance deposit must be paid by cashier's check within 20 calendar days of any preliminary reservation. The allocation fee must be paid within a time period specified in the preliminary reservation letter. The allocation fee will be due prior to execution of a carryover allocation or issuance of tax forms, whichever comes first. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are preliminary estimates only, staff recommends that a reservation be made in the amount of federal credit and state credit shown above on condition that the final project costs be supported by itemized lender approved costs and certified costs after the buildings are placed in service.

All unexpended funds in reserve accounts established for the project must remain with the project to be used for the benefit of the property and/or its residents, except for the portion of any accounts funded with deferred developer fees.

All fees charged to the project must be within TCAC limitations. Fees in excess of these limitations will not be considered when determining the amount of credit when the project is placed-in-service.

The applicant/owner shall be subject to underwriting criteria set forth in Section 10327 of the regulations through the final feasibility analysis performed by TCAC at placed-in-service.

Credit awards are contingent upon applicant's acceptance of any revised total project cost, qualified basis and tax credit amount determined by TCAC in its final feasibility analysis.

If points were awarded for service amenities, the applicant will be required to provide such amenity or amenities identified in the application, for a minimum period of ten years and at no cost to the tenants.

Applicants that received points for sustainable building methods (energy efficiency) must submit the certification required by Section 10325(c)(8) at project completion.

Applicants that received increases (exceptions to limits) in the threshold basis limit under Section 10327(c)(5) must submit the certification required by Section 10322(i)(2)(P) at project completion.

Additional Conditions:

Applicants that received 20 points for readiness to proceed must meet ALL of the following requirements. The applicant must be ready to begin construction within 150 days of the Credit Reservation which is February 22, 2008, as evidenced by submission, within that time of, recorded deeds of trust for all construction financing, payment of all construction lender fees, issuance of building permits and notice to proceed delivered to the contractor. Failure to meet this timeline will result in rescission of the Credit Reservation.

Project Analyst: Elaine Johnson