

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
Tax-Exempt Bond Project
August 20, 2008

Project Number CA-2008-879

Project Name Amistad House
Address: 2050 Delaware Street
Berkeley, CA 94709 County: Alameda

Applicant Information

Applicant: Satellite Housing, Inc.
Contact: Ryan Chao
Address: 1521 University Avenue
Berkeley, CA 94703
Phone: (510) 647-0700 Fax: (510) 647-0820
Sponsors Type: Nonprofit

Bond Information

Issuer: CA Municipal Finance Authority
Expected Date of Issuance: October 2008
Credit Enhancement: N/A

Eligible Basis

Actual: \$8,426,663
Requested: \$8,426,663
Maximum Permitted: \$16,230,995

Extra Feature Adjustments:

55-Year Use/Affordability Restriction - Each 1% of Low-Income Units are Income Targeted Between 50% AMI & 36% AMI: 12%

Tax Credit Amounts	Federal/Annual	State/Total
Requested:	\$310,139	\$0
Recommended:	\$310,139	\$0

Project Information

Construction Type: Acquisition and Rehabilitation
Federal Subsidy: Tax-Exempt/Project Based Section 8
HCD MHP Funding: No
Total # of Units: 60
Total # Residential Buildings: 1

Income/Rent Targeting

Federal Setaside Elected: 40%/60%
% & No. of Targeted Units: 100% - 59 units
55-Year Use/Affordability Restriction: Yes
Number of Units @ or below 50% of area median income: 7
Number of Units @ or below 60% of area median income: 52

<u>Unit Type & Number</u>	<u>2008 Rents % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
1 SRO/Studio	50%	\$753
6 One-Bedroom	50%	\$807
52 One-Bedroom	60%	\$969
1 One-Bedroom	Manager's Unit	\$754

The general partner or principal owner is Amistad House, LLC.

The project developer is Satellite Housing, Inc.

The management services will be provided by Satellite Housing, Inc.

The market analysis was provided by Novogradac & Company.

The Local Reviewing Agency, the City of Berkeley Housing Department, has completed a site review of this project and strongly supports this project.

Project Financing

Estimated Total Project Cost: \$12,329,655 Per Unit Cost: \$205,494 Construction Cost Per Sq. Foot: \$27

<u>Construction Financing</u>		<u>Permanent Financing</u>	
<u>Source</u>	<u>Amount</u>	<u>Source</u>	<u>Amount</u>
US Bank, Tax Exempt Bonds	\$3,822,718	US Bank, Tax Exempt Loan	\$2,345,225
US Bank, Tax Exempt Bonds	\$2,477,282	US Bank, Tax Exempt Loan	\$1,477,493
Seller Take-Back Loan	\$4,199,441	Seller Take-Back Loan	\$4,099,441
Cash reserves transferred from seller	\$500,709	Reserves transferred from seller	\$500,709
Deferred Developer Fee	\$611,938	Deferred Developer Fee	\$611,938
Investor Equity	\$250,000	G.P. Equity	\$337,192
		Investor Equity	2,957,657
		TOTAL	\$12,329,655

Determination of Credit Amount(s)

Requested Rehabilitation Eligible Basis:	\$1,448,169
Requested Acquisition Eligible Basis:	\$6,978,494
130% High Cost Adjustment:	Yes
Applicable Fraction:	100%
Qualified Rehabilitation Basis:	\$1,882,620
Qualified Acquisition Basis:	\$6,978,494
Applicable Rate:	3.50%
Maximum Annual Federal Rehabilitation Credit:	\$65,892
Maximum Annual Federal Acquisition Credit:	\$244,247
Total Maximum Annual Federal Credit:	\$310,139
Approved Developer Fee:	\$1,099,130
Tax Credit Factor: Community Economics	\$0.95366

Applicant requests and staff recommends annual federal credits of \$310,139, based on a qualified rehabilitation basis of \$1,882,620, a qualified acquisition basis of \$6,978,494, and a funding shortfall of \$2,957,657.

Cost Analysis and Line Item Review

The requested eligible basis \$8,426,663 is below TCAC's adjusted threshold basis limit \$16,230,995. The basis limit includes the adjustment for extraordinary features for 55-year use/affordability restriction for projects where each 1% of low-income units are income targeted between 50% AMI & 36% AMI. Staff analysis of project costs to determine reasonableness found all fees to be within TCAC's underwriting guidelines and TCAC limitation.

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 3.50% of the qualified basis. Unless the applicant fixed the rate at bond issuance, the Federal Rate applicable to the month the project is placed-in-service will be used to determine the final allocation.

Special Issues/Other Significant Information: None

Recommendation: Staff recommends that the Committee make a 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
\$310,139	\$0

Standard Conditions

If applicant is receiving tax-exempt bond financing from other than CalHFA, the applicant shall apply for a bond allocation from the California Debt Limit allocation Committee's next scheduled meeting, if not previously granted an allocation; shall have received an allocation from CDLAC; and, shall issue bonds within time limits specified by CDLAC.

The applicant anticipates financing more than 50% of the project aggregate basis with tax-exempt bond proceeds as calculated by the project tax professional. Therefore, the federal credit reserved for this project will not count against the annual ceiling.

The IRS has advised TCAC that the amount of tax-exempt bonds issued, equivalent to at least 50% of aggregate basis, must remain in place through the first year of the credit period or until eligible basis is finally determined.

TCAC makes the 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 will be permitted without the express approval of TCAC.

The applicant must pay TCAC an allocation fee calculated in accordance with regulation. Additionally, TCAC requires the project owner to pay a monitoring fee before issuance of tax forms.

As project costs are anticipated to be the final project costs, staff recommends that a reservation be made in the amount of federal credit shown above on condition that the final project costs be supported by itemized lender approved costs, and certified costs of the buildings as completed.

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 credits 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.

Additional Conditions: The applicant/owner is required to provide the tenants with educational classes, contracts for services (such as assistance with daily living activities, or provisions of senior counseling services) for a minimum of ten (10) years in accordance with the bond allocation from CDLAC. These services may be changed to meet the needs of the tenants upon prior approval from CDLAC and written notification to TCAC.

Project Analyst: Velia Martinez