

CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
Project Staff Report
Tax-Exempt Bond Project
July 8, 2009

Project Number CA-2009-814

Project Name Desert Oak Apartments
Address: 2870 Oak Creek Road
Mojave, CA 93501

County: Kern

Applicant Information

Applicant: Kern 2008 Community Partners, LP
Contact Wilfred N Cooper, Jr.
Address: 17782 Sky Park Circle
Irvine, CA 92614
Phone: (714) 662-5565
Email: wcooper@wncinc.com
Sponsors Type: Joint Venture

Fax: (714) 662-6834

Information

Housing Type: At-Risk

Bond Information

Issuer: CSCDA
Expected Date of Issuance: 5/27/09
Credit Enhancement: N/A

Eligible Basis

Actual: \$3,200,798
Requested: \$3,200,798
Maximum Permitted: \$11,076,535

Extra Feature Adjustments:

55-Year Use/Affordability Restriction – 1% for Each 1% of Low-Income Units are Income Targeted
Between 50% AMI & 36% AMI: 13%

Tax Credit Amounts	Federal/Annual	State/Total
Requested:	\$112,028	\$0
Recommended:	\$112,028	\$0

Project Information

Construction Type: Acquisition and Rehabilitation
Federal Subsidy: Tax-Exempt/RHS
HCD MHP Funding: No
Total # of Units: 42
Total # Residential Buildings: 6

Income/Rent Targeting

Federal Setaside Elected: 40%/60%
 % & No. of Targeted Units: 100% - 41 units
 55-Year Use/Affordability Restriction: Yes
 Number of Units @ or below 50% of area median income: 13
 Number of Units @ or below 60% of area median income: 28

<u>Unit Type & Number</u>	<u>2009 Rents % of Area Median Income</u>	<u>Proposed Rent (including utilities)</u>
4 One-Bedroom	50%	\$504
10 One-Bedroom	60%	\$605
7 Two-Bedroom	50%	\$605
14 Two-Bedroom	60%	\$726
2 Three-Bedroom	50%	\$698
4 Three-Bedroom	60%	\$839
1 Two-Bedroom	Manager's Unit	\$0

The general partner or principal owner is Kern Community Partners, LLC.

The project developer is WNC CPP, LLC.

The management services will be provided by Professional Property Management.

The market analysis was provided by Lea and Company.

The Local Reviewing Agency, the Housing Authority of the County of Kern, has completed a site review of this project and supports this project.

Project Financing

Estimated Total Project Cost: \$3,797,976 Per Unit Cost: \$90,428 Construction Cost Per Sq. Foot: \$23

<u>Construction Financing</u>		<u>Permanent Financing</u>	
<u>Source</u>	<u>Amount</u>	<u>Source</u>	<u>Amount</u>
Bonneville Multifamily – Tax-Exempt	\$1,810,000	Bonneville Multifamily– Tax-Exempt	\$985,000
USDA RD Loan	\$1,711,815	USDA RD Loan	\$1,711,815
Deferred Developer Fee	\$21,439	Deferred Developer Fee	\$21,439
RD Reserves	\$127,485	RD Reserves	\$127,485
Investor Equity	\$127,237	Investor Equity	\$952,237
		TOTAL	\$3,797,976

Determination of Credit Amount(s)

Requested Rehabilitation Eligible Basis:	\$1,337,798
Requested Acquisition Eligible Basis:	\$1,863,000
130% High Cost Adjustment:	No
Applicable Fraction:	100%
Qualified Rehabilitation Basis:	\$1,337,798
Qualified Acquisition Basis:	\$1,863,000
Applicable Rate:	3.50%
Maximum Annual Federal Rehabilitation Credit:	\$46,823
Maximum Annual Federal Acquisition Credit:	\$65,205
Total Maximum Annual Federal Credit:	\$112,028
Approved Developer Fee:	\$417,495
Tax Credit Factor: WNC & Associates	\$0.85

Applicant requests and staff recommends annual federal credits of \$112,028, based on a qualified rehabilitation basis of \$1,337,798, a qualified acquisition basis of \$1,863,000, and a funding shortfall of \$952,237.

Cost Analysis and Line Item Review

The requested eligible basis \$3,200,798 is below TCAC's adjusted threshold basis limit \$11,076,535. The basis limit includes the adjustment 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
\$112,028	\$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: None

Project Analyst: Elaine Johnson