­

**2022 Housing Tax Credit Program**

**Questions and Answers**

Published February 25, 2022

Updated March 7, 2022

The pages that follow are DCA responses to questions pertaining to the Housing Tax Credit program.

# Part I: Overview

## Submitting Questions

Questions must be submitted through the online 2022 Housing Tax Credit program Q&A survey hosted on the “2022 QAP and Related Documents” webpage of the DCA website ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/qualified-0/2022)).

* **Having issues using the online survey?** Please email hfdround@dca.ga.gov.
* **Concerned about the timing of DCA’s response?**
	+ At this time, DCA is prioritizing questions pertaining to the Pre-Application deadline and site selection. For all other questions, please expect at least two weeks to see a posted response.
	+ If you have concerns related to response timing, please email hfdround@dca.ga.gov
* **Have a project-specific question?** There is no separate option for “project-specific” questions. Currently, all questions go through the same approval and publication process.
* **Want to add context to a previously-submitted question?** DCA updates the Q&A postings based on what has been submitted through the online survey. To ensure your comment is considered, please do not email individual DCA staff. Instead, please submit your additional context through the online survey and reference the previously-submitted question.

## Deadline to Submit Questions

The deadline to submit questions is the later of the following two dates:

* Monday, April 25, 2022
* One week following the posting of the Emphasys application for 9% Credit application preparation

This deadline is to ensure that all applicants have sufficient time to react to posted DCA responses before the May 20application submission deadline.

After this deadline, DCA will only respond to questions pertaining to the mechanics of application submission (e.g., issues accessing the online application portal, Emphasys).

## Q&A Document Update Process

DCA will update the Q&A document in small, incremental response sets. As this will increase the number of updates to the document relative to prior years, DCA will not send an email notification each time the Q&A document is updated.

Please monitor the “Updated” date by the Q&A document on the DCA website to track when DCA has released additional responses. By default, the table below will be sorted such that the most recent responses are at the top.

## Navigating the Q&A Table

The below table, as posted to the DCA website, is sorted in descending order by date posted. If preferred, the document can also be sorted by category (in Microsoft Word, select the full table, select “Home” 🡪 “Sort”, under the Paragraph section).

In the window that pops up, select the following:

* The **Date** **Posted** column should be sorted by “Type: Date”
* The **Category** column should be sorted by “Type: Number”

Question categories are assigned a number for purposes of table sorting. Below are the category breakdowns in the Q&A table:

* 1-Core Plan
* 2-Threshold
* 3-Scoring
* 4-Compliance Appendix
* 5-Manuals
* 6-Emphasys Application Portal
* 7-Application Materials (Forms, etc.)
* 8-Post-Award Clarifications (for developments that have not yet received 8609s)
* 9-Other

Category numbers take the following form:

*[Category number]* ***.*** *[subsection #]*

For example, the 6th section of *Core Plan* is *9% Round Set Asides*. This section is numbered as “1.06” in the Q&A table.

## Log of Updates to this Q&A Document

This section provides a high-level description of changes made to the document from one version to the next.

|  |  |
| --- | --- |
| **Update** | **Changes** |
| 2/25/22 | * Initial document publication
* Posted first Q&A set
 |
| 3/3/22 | * New Q&A set posted
 |
| 3/7/22 | * New Q&A set posted
 |

# Part II: Question and Answer Table

|  |  |  |
| --- | --- | --- |
| **Date****Posted** | **Category** | **Question and Answer** |
| 3/7/22 | 2.20 Threshold;Experience, Capacity, and Performance Requirements for General Partner and Developer Entities | **Question**: Q0302\_01 I see that financials are not listed in the instructions of the pre-application workbook; however, upon reviewing the slides for the Emphasys tutorial financials are mentioned and there are examples of how to upload them.  Can you please confirm if financials are required to be submitted at pre-application? If so, what years and documentation type is acceptable?   **Answer**:  In the Pre-Application instruction slides ([click here](https://www.dca.ga.gov/node/7804) and select “2022 Pre-Application- Emphasys Submission Instructions”), one of the file-naming examples is “0303FinancialStmts”. This is an example for purposes of naming a financial statement if it is applicable to upload to Emphasys. However, financial statements are not required by default.   The 2022 QAP states under **(Threshold Criteria) Experience, Capacity, and Performance Requirements for General Partners)**, subsection **B. Requirements for Capacity (Certifying Entity)**:“*DCA may request information including but not limited to…financial statements…*”  Further, under the 2021 Q&A process, DCA provided the following guidance on this issue ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/qualified-0/2021) and select “Q&A Instructions and DCA Responses”):   **Q0226\_03:** “Financial statements are not required at Pre-Application unless requested by DCA during the Qualification review.”   This 2021 guidance also applies to the 2022 Pre-Application process. |
| 3/7/22 | 2.25Threshold; Occupied Developments | **Question**: Q22\_0304\_02 On the Relocation Summary tab of the Supplemental Pre-Application workbook, the following cells do not allow entry. Will a new version of the form be released or should we just add responses in the comments section? Cells D13, D17, H22, and M22  **Answer**:  An updated version of the *2022 Supplemental Pre-Application* form has been posted to the DCA website ([click here](https://www.dca.ga.gov/node/7804)). Applicants are welcome to either use the updated form or add the relevant information into the comments box as proposed above.  |
| 3/7/22 | 2.25Threshold; Occupied Developments | **Question**: Q22\_0304\_05 We are planning an acquisition rehabilitation of a property, and the property is currently fully occupied. We are not planning on permanently displacing any residents. They all will be temporarily relocated for approximately 10-20 days while their unit is being rehabbed. Since they are leaving their unit for a short period of time and being temporarily relocated, will you please confirm that this is not considered an "in-place" rehab and a waiver is not required?  **Answer**:  Yes, this is not considered an "in-place" rehab and a waiver is not required.  Please see Q0223\_01 for additional discussion comparing “in-place rehab” circumstances and “temporary relocation.”  |
| 3/7/22 | 2.25Threshold; Occupied Developments | **Question**: Q22\_0302\_06On page 7 of the **2022 Relocation Manual** ([click here](https://www.dca.ga.gov/node/7818)), it states the following under General Information Notices:*"This notice must be provided between the ION Date and at least 15 days before initial submission to DCA of the application for federal funding or assistance."*Does "initial submission to DCA of the application" refer to the Pre-Application or the Full Application Submission?Further, the Multifamily LIHTC-Only Relocation Toolkit states the following (to view, [click here](https://www.dca.ga.gov/node/7818) and download the *Relocation Documents for Multifamily - LIHTC Only* zip folder):*"Submit General Information Notices (GIN) draft with Pre-Application."*Does this mean that DCA will be providing comments or approval of the draft GIN notices submitted at Pre-Application, and therefore the approved GINs will not be able to be distributed to residents until after DCA's approval and the earlier of the ION Date and at least 15 days before Full Application Submission?**Answer**: The "initial submission to DCA of the application" refers to the Full Application submission due in May.Yes, GIN notices require DCA approval during the Pre-Application stage. The approved GINs will then be distributed to residents at least 15 days before Full Application submission. |
| 3/7/22 | 2.25Threshold; Occupied Developments | **Question**: Q0223\_01In the multifamily LIHTC Relocation template, it says that if in-place rehab is expected you must submit a waiver at pre-application. On pg. 6, under the checklist, it says that certain tabs in the relocation workbook should be completed for the Permanent Displacement Waiver. Is this the same case for the in-place rehab waiver? Or is all that is required for in-place rehab, the waiver and the draft GIN?The document I’m referencing is “Toolkit.Multifamily-LIHTCOnly.pdf” in the downloadable folder, “Relocation Documents for Multifamily - LIHTC Only”, on the DCA website (under 2022 Federal Compliance & Relocation Manuals and Forms). **Answer**: First, please note that in most cases, Applicants reaching out to DCA about in-place rehabilitation waivers are actually conflating the terms “temporary relocation” and “in-place rehabilitation.” Please see the below distinctions:

|  |  |
| --- | --- |
| **Term** | **Definition** |
| Temporary relocation | Temporary relocation refers to when an occupant must occupy temporary shelter during the rehabilitation process for at least one overnight. |
| In-place rehabilitation | In-place rehabilitation is when the resident is not relocated. The resident spends the day away (e.g., in a community center), then returns to their unit that night. This is only possible if all rehabilitation for the unit can be completed in one day.  |

 Due to DCA’s construction requirements, true in-place rehabilitation rarely occurs. Further, in-place rehabilitation requires significant planning and logistics. This is why a relocation waiver is required for in-place rehabilitation. For applicants pursuing in-place rehabilitation as described above, the following waiver submission requirements apply ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/application) to access all references Manuals and Forms):* Relocation and Displacement Plan including a Narrative describing how the In-Place Rehabilitation will occur and the provisions of what will be made available on a daily basis to residents who are waiting that day for their units to be rehabilitated.
	+ Please see description of In-Place Waiver Relocation Requirements on pages 16 and 17 of the DCA Relocation Manual.
	+ For relevant requirements, go to “*2022 Federal Compliance & Relocation Manuals and Forms*” on DCA website ([click here](https://www.dca.ga.gov/node/7818)) -- download “*2022 DCA Relocation Manual.pdf*” -- see section “*In-Place Rehab with Waiver*.”
* Updated Relocation and Displacement Workbook: Submit the Workbook based on the checklist below:
	+ Go to “*2022 Federal Compliance & Relocation Manuals and Forms*” on DCA website ([click here](https://www.dca.ga.gov/node/7818)) -- download “*Relocation Documents for Multifamily - LIHTC Only.zip*” -- “*Toolkit.Multifamily-LIHTCOnly.pdf” --* seesection *Relocation Workbook Checklist*, checklist associated with subsection *Pre-Application Submission.*
* Manually fill in the Pre-Application Relocation Summary tab.
	+ Go to “*2022 Pre-Application Forms*” -- download “*2022 Supplemental Pre-Application (includes Submission Summary tab for Fee Transmittal)*” -- see “*Relocation Summary*” tab.
* Written confirmation from federal agency (if applicable); and
* Any other supporting documentation.

The same tabs in the checklist on page 6 must be completed in the Relocation Excel Workbook for an In-Place Rehab Waiver. This completed waiver documentation is required along with a copy of the GIN Draft.  |
| 3/7/22 | 7.00Application Materials (Forms, etc.) | **Question**: Q22\_0304\_01 Do the fees paid at pre-application need to be paid by certified funds?  **Answer**:  In the 2022 Supplemental Pre-Application (under Pre-Application 2022 Pre-Application Forms, [click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/application)), the **Fee Submission Instructions** require a “*properly executed check*.” DCA does not require fees to be paid by certified funds.   |
| 3/7/22 | 7.00Application Materials (Forms, etc.) | **Question**: Q0223\_04 On the 2022 Capacity Form of the Pre-Application, it states to list projects that have not yet finished construction and/or begun lease up.  In the 2022 Performance Workbook instructions, it states that the Capacity Form should include projects the Certifying Entity is participating in but have not completed leasing.    For a project that is currently leasing up, per the directions on the Capacity Form, the project would not be listed on this form because it has begun lease-up.  Per the Instructions, our project would be listed on this form because it has not completed leasing.  Could you please clarify which projects should go on the Capacity Form?  **Answer**:  The instructions referenced are the following:

|  |  |
| --- | --- |
| **Performance Workbook:** **Instructions for Capacity Form**  | **Performance Workbook:** **Capacity Form**  |
| “…list all affordable housing projects…[that] have not completed leasing.”   | “The Certifying Entity must list each affordable housing property currently [under review]… and/or any other multifamily development…that has not yet finished construction and/or begun lease up…”  |

 For purposes of a property that has placed in service and begun lease-up, in the above question, the applicant is interpreting the instructions on the right to mean, “list each affordable housing property…that has not yet finished construction and/or **[not yet]** begun lease up…” This is not a correct interpretation. In the form instructions, “not yet” only refers to “finished construction.”  Any property that has begun lease up but has not reached stabilized occupancy should be included on the Capacity Form.  |
| 3/7/22 | 7.00Application Materials (Forms, etc.)  | **Question**: Q22\_0302\_02A Rent Schedule & Summary tab is included in the Pre-Application Submission Transmittal form, which also indicates similar proposed unit mix information will need to be entered into the Emphasys Pre-App submission portal.Can DCA confirm if it is necessary to complete the Rent Schedule & Summary tab, as well as any other unit mix information to be requested in the Emphasys portal, at Pre-Application, if the applicant is not requesting any pre-application waivers?If it is necessary to provide this information at Pre-Application, can DCA clarify if this information can change between Pre-Application and Application Submission (ie; total units, bedroom mix, income targeting, proposed rents, utility allowances, or PBRA subsidy)?**Answer**: Where the Pre-Application requests unit mix information, it is for purposes of DCA staff assessing a waiver request related to this information. If your Pre-Application submission will not include a waiver request, then you do not need to complete those portions of the application requesting unit mix information (e.g., the *Rent Schedule & Summary* tab of the *2022 Supplementary Pre-Application*, [click here](https://www.dca.ga.gov/node/7804) to view).  |
| 3/3/22 | 1.13 Core Plan; Submission Requirements And Award Limitations | **Question**: Q0216\_03 Please confirm that the DCA Rehabilitation Work Scope Form is required for 9% Rehab Pre-Applications.   For context: The pre-application is due at the very early stages of pre-development and considering the volatility of the market, the Rehab Work Scope will not provide an accurate estimate of the costs for the rehab.  Additionally, GC's and sub-contractors will be reluctant to put a project out for pricing multiple times.  **Answer**: DCA has logged this public input for future consideration in our online QAP Public Input Survey ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/qualified-0/2022) to provide additional input). However, for purposes of the 2022 Competitive Round, the QAP states:  **(Core Plan) Submission Requirements and Award Limitations**, subsection **A. Pre-Determinations and Waivers**: “*Applicants must submit the following requests with pre-applications…Applications proposing rehabilitation or Adaptive Reuse:…DCA Rehabilitation Work Scope Form*”   For more discussion about supporting documentation during the Pre-Application stage, please see Q&A posting **Q0216\_01**.  |
| 3/3/22 | 1.13 Core Plan; Submission Requirements And Award Limitations | **Question**: Q0216\_01My Physical Needs Assessment (PNA) will not be ready by the Pre-Application Deadline. Will my Pre-Application Submission package, which includes Architectural waivers, be rejected for failure to include a PNA? **Answer**: The QAP states the following in **Core Plan, Submission Requirements and Award Limitations, A. Pre-Determinations and Waivers**: “*Applicants must submit the following requests with pre-applications…Applications proposing rehabilitation or Adaptive Reuse:…Physical Needs Assessment report*…*All of the above-listed waivers must be submitted at the pre-application stage.*”All waivers must be submitted by the Pre-Application deadline. If DCA requires additional documentation to assess a waiver request and said documentation was not originally included in the Pre-Application submission package, DCA will request this documentation.  |
| 3/3/22 | 1.16Evaluation of 9% Tax Credit Competitive Applications | **Question**: Q0222\_03Will solely assisted USDA 515 properties be eligible for 9% tax credit funding under the current 2022 QAP?**Answer**: The QAP lists all 9% Competitive Round sub-determinations in **(Core Plan) Evaluation Of 9% Tax Credit Competitive Applications, D. Selection, 2. Sequence of Competitive Round Award Determinations**. These include:* Preservation Set Asides: RAD, Housing Tax Credit, and HUD-assisted properties
* New Supply competitions

However, DCA anticipates publishing a NOFA targeting USDA preservation with HOME funds this year, separate from the 9% Competitive Round. To receive updates regarding the NOFA, please subscribe to our email list ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc) and go to “Join our email list”). |
| 3/3/22 | 2.25Threshold;Occupied Developments | **Question**: Q0216\_02 It is likely that some of our market rate residents will not qualify for a tax credit unit after re-syndication and rehabilitation. Do we need to apply for a waiver during the Pre-Application stage?   **Answer**:  Yes. The QAP states:   **Threshold Criteria, Occupied Developments**: “*Applicants that foresee in-place rehabilitation or permanent displacement of residents or non-residential tenants must submit a waiver request at pre-application*.”  |
| 3/3/22 | 6.00 Emphasys Application Portal | **Question**: Q0302\_15On March 1st, the “DCA Housing Finance Updates” email blast stated that the Emphasys Pre-Application was posted, but at the bottom it also included the same email blast from the week prior indicating that DCA staff “are working to integrate the Pre-Application into Emphasys.” Please confirm the status of the Emphasys Pre-Application. **Answer**: In the March 1st email blast referenced, the inclusion of the prior week’s email notification about DCA staff “working to integrate the Pre-Application into Emphasys” was an error. The Emphasys Pre-Application was posted the week of February 25th.  |
| 3/3/22 | 7.00Pre-Application Form | **Question**: Q0223\_03 When reviewing the 2022 9% Pre-App Submission Instructions for Emphasys it references a form that I am not finding either on the website or part of the Performance Workbook. The file is called "Supplemental Pre-Application" and is supposed to be part of the "Submission Summary Tab". Is this not viewable until the Pre-Application is available in Emphasys?   **Answer**:  The Supplemental Pre-Application is posted to the DCA website on the 2022 Pre-Application Forms page, which can be found via the Application Manuals and Forms link on the Housing Tax Credit Program (LIHTC) webpage ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/application)).  |
| 2/25/22 | 1.19Core Plan;DCA Pre-Application Fees and Deadline Schedules | **Question**: Q0201\_05When is the 9% Credits Pre-Application deadline? **Answer**: DCA has extended the 9% Credits Pre-Application deadline to Friday, March 11th, 2022. This extension applies to all 9% Credit deadlines previously listed as “3/4/22” in *Core Plan, Exhibit A: DCA Pre-Application Fees and Deadline Schedules*. |
| 2/25/22 | 1.19Core Plan;DCA Pre-Application Fees and Deadline Schedules  | **Question**: Q0201\_06When is the deadline for submitting a Full Application for consideration under the 2022 9% Credits Competitive Round? **Answer**: The “Application Submission” deadline for 9% Credit applications is May 20th, 2022. The term “Application Submission,” used throughout the QAP, refers to this date for purposes of the 9% Credits Competitive Round. See the “9% Deadline” column in *Core Plan, DCA Pre-Application Fees and Deadline Schedules* for all deadlines associated with the 9% Credits Competitive Round.  |
| 2/25/22 | 2.20Threshold; Experience, Capacity and Performance Requirements for General Partner and Developer Entities | **Question**: Q0218\_02 We were pre-qualified last year. Do we need to submit another pre-application for qualifications review this year or could we rely on last year’s qualified determination?  If the latter, do we just submit last year’s qualifications approval with our Full Application?   **Answer**: The 2022 QAP states in *Threshold Criteria, Experience, Capacity and Performance Requirements for General Partner and Developer Entities:** *Overview*:“DCA reviews the following four areas of the proposed Project Team: Experience, Capacity, Performance, Compliance History…”
* *C. Requirements for Experience (Certifying Entity)*: “A certifying entity that was deemed to meet experience requirements in 2021 is only exempt from submitting documentation of experience for the 2022 round. All other sections…of the performance workbook must be completed. Only those certifying entities that have received a determination letter of “Qualified” in the 2021 round will be deemed to qualify under grandfathering.”

 Applicants seeking Experience approval under “grandfathering,” as described above, can submit the letter received from DCA confirming qualifications approval for the 2021 Competitive Round. All other parts of the qualifications review must be submitted in full for the 2022 Competitive Round.  |
| 2/25/22 | 7.00Application Materials (Forms, etc.)  | **Question**: Q0221\_02 For certain Pre-Application waiver requests, we have to submit a draft Core Application. When does DCA anticipate posting the Core Application? Or can we use the most recent Core Application version available?   **Answer**:  Where a draft Core Application is needed for a Pre-Application submission, please utilize the most recent available, which at this time is the 2021 Core Application ([click here](https://www.dca.ga.gov/safe-affordable-housing/rental-housing-development/housing-tax-credit-program-lihtc/application) to view posted Application Manuals and Forms by year). |
| 2/25/22 | 9.00 Other;2021 QAP requirement  | **Question:** Q0218\_01Do we still need to submit a Cost Limit waiver at the Pre-Application stage? **Answer:** *Threshold Criteria, Cost Limits* was dropped from the 2021 QAP. Therefore, there is no cost limit requirement to waive under the 2022 QAP.  |