Schedule D, Section 1

A. Private Activity Tax-Exempt Bond Financing ("Bonds") Requirements

1. All applicants for 4% RHTC and tax-exempt bonds will be required to meet the threshold and scoring criteria of the Allocation Plan including but not limited to the following:

    a. Applicant must submit the Multi-Family Housing Finance Application, including the Application Fee, on the application date(s) stated in the Allocation Plan.

    b. IHCDA will not accept requests for tax-exempt bonds for a Development without an accompanying request for 4% RHTC.

    c. Minimum scoring threshold for tax-exempt bond/4% RHTC applications is ~~40~~55.

    d. Applications will be limited to a maximum request of $35,000,000 in bonds, while applicants will be limited to a maximum of $80,000,000 in bonds in a calendar year. If IHCDA determines that in its sole and absolute discretion it is in the interest of the State to allocate additional bond volume to such person, entity, or Development, then IHCDA, with approval from the Indiana Finance IHCDA (IFA), may waive such limitation.

    e. For Applicants proposing rehabilitation, the rehabilitation hard costs must be in excess of $~~20~~25,000 per unit.

    f. Applicants who are awarded bonds must file a Notice of Issuance by the date established in the Determination Letter. Applicants must close on bonds within six months of the date of the determination letter. Applicants who fail to meet this closing deadline may request a three-month extension. IHCDA will allow no more than two extensions, for a maximum extension of six months beyond the original deadline. Each extension request is subject to a $1000 extension fee as outlined in Section 7.2(C) of the QAP. If the Applicant has not closed by the end of the second extension deadline, they must return the bond volume and credits and reapply.

    g. Bond counsel on the transaction must be an Indiana firm.

    h. If a Local Unit of Government will issue the bonds, the Local Units of Government must pass a resolution prior to application submittal stating they will support and issue the bonds. The Inducement Resolution must be submitted with the Application package and placed in Tab B. This requirement does not apply if IHCDA will be the issuer.

    i. Applicants proposing an acquisition/rehabilitation Development must submit an Attorney's Opinion confirming that all buildings satisfy the 10-year general lookback rule of IRC Section 42(d)(2)(B) or that the buildings qualify for the acquisition credit based on an exception to this general rule [e.g., Section 42(d)(2)(D)(ii) or Section 42(d)(6)]. Place in Tab B.

j. If the tax-exempt bond request represents 50% or more of the aggregate basis of the building and land of the development, a formal allocation of credits from IHCDA is not necessary. At the time of submitting the application, the Applicant must provide IHCDA with an opinion of counsel stating that the applicant is not required to obtain an allocation of tax credits from IHCDA and that the Development meets the requirements of the Qualified Allocation Plan and the Code.

k. Within 30 days after the date of the Determination Letter, the Applicant must pay a reservation fee to IHCDA. This fee is payable in addition to the application fee and equals six and half percent (6.5%) of the annual anticipated amount of RHTCs for the Development or $15,000, whichever is greater.

l. IHCDA must approve any changes in ownership in accordance with Schedule B of this Allocation Plan.

m. Escrow closings will not be permitted under any circumstance.

n. IHCDA reserves the right to use any and all carryforward bond volume solely for developments on which IHCDA acts as bond issuer.

2. IHCDA's criteria for evaluating tax-exempt multifamily bond applications are the same threshold and scoring criteria as defined in the QAP for 9% RHTC applications.

B. Private Activity Tax-Exempt Bond Financing ("Bonds") Requirements – IHCDA as Issuer

In addition to the general guidelines set forth in Schedule D, Section 1A above, the stipulations below will apply when IHCDA acts as the bond issuer.

a. Applicant must submit Form J along with the application.

b. In addition to the fees listed above, a fee equal to 0.5% of the total bond issuance will be charged to cover IHCDA costs. Such fee is payable at the closing of the bonds. The Applicant is also responsible for paying for issuer's counsel. IHCDA reserves the right to charge a lower fee depending on the structure of the bonds.

c. Applicants must schedule a meeting with IHCDA no less than 30 days prior to the application due date to discuss the proposed Development and the possibility of IHCDA assuming the role of bond issuer for said transaction.

d. The use of IHCDA as the bond issuer will not give priority or preference to such applications over applications in which IHCDA does not assume this role.