

JANOFA 2015 QUESTIONS ANSWERS



JANOFA APPLICATION PROCESS - ADDENDA 2.1: We encourage applicants to review the information contained in the QAP, the HOME AP and the Request of Proposals for PBV, and any other applicable rule before submitting. Any request for clarification or supplemental information regarding the application requirements or process must be directed to the Evaluation Committee, no later than Wednesday, August 19, 2015, to the following email address: [janofa2015@afv.pr.gov](mailto:janofa2015@afv.pr.gov). No other communications from applicants will be considered beyond this due date. The Evaluation Committee reserves the right not to consider any matter related to revision or modification of threshold requirements or ranking criteria that were subject to previous public consultation. An Addenda containing clarifications or supplemental information will be notified to all registered applicants and posted in the Department's and Authority's websites: [www.vivienda.pr.gov](http://www.vivienda.pr.gov) and [www.afv.pr.gov](http://www.afv.pr.gov), respectively, no later than August 26, 2015.

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1	IV.019. As drafted, it is not possible to comply with the requirement. The Certification issued by the Authority's Audit and Compliance Department should attest that owner.... are currently in compliance or as of the date, the Certification is issued...	Submit the certification as of the most recent audit/compliance review.
2	V.012. Needs clarification or supplemental information.	Applies to any (investors, others) required reserves at closing.
3	V.013. Should clearly indicate it applies to the rehabilitation of projects.	Rehabilitation projects applying for 9% credits must certify, via CPA, non-feasibility under the tax-exempt bond/4% Tax Credit program.
4	I want to ask if my non-profit organization is eligible to request funds availability. We pretend to establish a "Transitional Housing Facility" for females that are still in jail but had good behavior while in prison for the last two consecutive years. The purpose is to rehabilitate, instruct and prepare them for their return to the free community's life. The program is going to last one year. In this program, they will study to start their small business and to develop a ministry in a "Bible Institute". The facilities, of military nature, will also include a Savings Cooperative Institution for them to be able to rent a house for themselves when they finish the program. We want to transform these female's life.	Persons in jail do not qualify for: (1) low-income housing tax credits (IRC Sec. 42); (2) HOME funds; and (3) PBV. In addition, "Transitional Housing" is not an eligible project under 24CFR§ 983.53: "Prohibition of assistance for ineligible units".

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5	Rehabilitación Estructura para Vivienda. Saludos. Hoy estuve en la Oficina Secretaria Subsidio de la Vivienda y me dieron su corre para dudas. Entré en la Página afv.pr.gov y quisiera me explicara cual es la documentación que debo completar no esta claro para mi. Le incluyo presentacion preparada que le da la información y le agradeceré me indique cómo debo continuar con esto.	Pasos a seguir para descargar la documentación requerida: 1. Acceda a <a href="http://www.afv.pr.gov/janofa/">http://www.afv.pr.gov/janofa/</a> ; 2. Vaya a "Documents required to apply"; 3. Verá una lista enumerada del 1 al 6; 4. Descargue cada uno de estos. El número 6 contiene todos los anejos. A consecuencia de que nos encontramos en un proceso competitivo, no estamos concediendo citas, llamadas, reuniones ni entrevistas.
6	Can the application and annexes R to X be delivered via email if requested with evidence of application number? Many are having problems downloading those specific items from the AFV website.	Delivered.
7	<b>I.2 Desirable Activities.</b> I.2.1 requires that "project located within 500 meters of the following amenities..." The documentation required asks for a map locating "the facility and the distance along a "walkable" public pathway or roadway". These two statements are not compatible. The term "within" is what is typically used in urban planning and refers to an area defined by a radius of X meters. If you measure a "walkable" path in straight lines, curves and turns is going to probably exceed the "within 500 meter radius" which is a common practice in defining a "walkable" neighborhood. <b>Please clarify this and we respectfully request</b> that the AFV consider keeping the wording for the documentation requiring a map locating amenities "within 500 meters" of the site.	Measure as per required documentation: along walkable public pathway or roadway. Recommendation not accepted: see JA-NOFA Application Process, 2.1.
8	<b>II.4 Site Characteristics: II.4.1 Mobility.</b> A point is awarded to projects that "provides an enclosed bicycle storage facility on the ground floor with at least one bicycle rack space for every two units" For an elderly project this requirement seems excessive. For example a 100 unit elderly project, 50 bicycle spaces will be required. We will like to suggest that a reduction of 60% of the total enclosed bicycle rack requirement is considered. The 60% reduction is permitted for the amount of parking spaces required in an elderly project as per JP Reglamento Conjunto.	Recommendation not accepted: see JA-NOFA Application Process, 2.1.
9	<b>II.4 Site Characteristics: II.4.1 Mobility.</b> Also please clarify what is the meaning of "enclosed": Is it a space enclosed with a fence around it? If this is the case, and the bicycle racks are located inside the secured fenced property, the fence around the bicycle racks area will still be required? The visitor bicycle rack requirement is reasonable and clear.	Private, covered, secured room within the building limits.
10	<b>II.4.2 Urban Considerations.</b> One point is awarded if: "The commercial spaces offered to the project tenants serve the general public and can be directly accessed from public street" Question: if an elderly project provides a space with services to the tenants and public (at no cost) and is accessed directly from the street, can this amenity or service be considered under "the commercial spaces" and the point would be awarded to the project for providing this use?	As long as it is a commercial space, the point is granted.

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<p><b>11</b></p>	<p><b>II.6.1 Cost containment.</b> "The Authority's total development cost..." Although the costs averages provided in this section seem reasonable to achieve a "green building" in a urban center and comply with the design requirements included in the point scoring criterion, it is a reality that these types of projects will cost more to build than a regular building with no green considerations located outside an urban area. It is prohibitive for a project in these conditions to achieve a reduction of 20% or 15% under the established cost standard for these type of projects. Is the AFV willing to consider a reduction of the percentages included to reflect: 10%, 5% or 2% respectively?</p>	<p>Recommendation not accepted: see JA-NOFA Application Process, 2.1.</p>
<p><b>12</b></p>	<p><b>II.6.2 Energy Efficiency.</b> In this topic there are some conflicts when describing "all appliances initially placed in common areas and apartments, AND building envelope products..." The obstacle to obtain a point where appliances and building envelope are in the same category is that is not achievable in PR for affordable housing. An airtight environment with energy star label windows and doors is only necessary for buildings that are fully mechanically ventilated. For example in cold climates all residential buildings required to be mechanically heated. In this case it is very important that the windows and doors are airtight and to have the appropriate type of glass so less heat is lost and less energy is wasted. In commercial buildings in cold climates is the same as well as in our climate where the commercial/office buildings are fully mechanically cooled. In residential buildings in our climate (where no heating is required), the units are naturally ventilated and in the specific case of affordable housing units, air conditioning is not provided.</p>	<p>As recommended, it will be modified to read as follows: "All appliances initially placed in common areas and apartments, and/or building envelope products (specifically: refrigerators, bath fans, clothes washers-dryers, and/or windows, doors, and skylights), as well as their replacement are specified to be Energy Star-qualified".</p>
<p><b>13</b></p>	<p><b>II.6.2 Energy Efficiency.</b> We are proposing for your consideration to separate the items regarding building envelope from the appliances as two different line items for either/or points OR just add the wording "and / or". Also on the appliances item, residential washer/dryers today (for an individual unit) are commonly rated energy star at an affordable cost. For common laundry facilities in a residential project (coin operated) the washer and dryer has to be commercial grade. Electric commercial washers can be provided with energy star label (at a costly price) but electric commercial dryers are not yet available with the energy star label. What it is available with the energy star label: refrigerators, bath fans, commercial washers and residential asher/dryer for individual use. Can you please consider revising the appliance list as per items mentioned above?</p>	<p>Recommendation not accepted: JA-NOFA Application Process 2.1. Please, see: <a href="http://www.energystar.gov/productfinder">http://www.energystar.gov/productfinder</a>.</p>
<p><b>14</b></p>	<p><b>V.4 State Funding.</b> "Projects which have been contributed federal or state-owned land for redevelopment will be awarded 2 points". In the case of PR, the island is considered a state for purpose of the wording above? and if so, is municipal land is considered "state-owned" land? We assume it is but please clarify.</p>	<p>Island = State; Municipal land is not equal to State land.</p>

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15	<b>HOME Program:</b> The application related fee of 1% of the requested or allocated amount will be paid with the application or once it is allocated? If paid in advance and the allocation is less than the amount requested, will the difference be returned to applicant?	<b>HOME Application Fee:</b> as QAP details: pay the <b>GREATER</b> of \$7,000, 1% of amount requested, or 1% of amount allocated.
16	Regarding the two percent (2%) deposit of annual amount requested or allocated, will the fee paid for [...] at a previous tax credit allocation cycle for 2013, be credited for the next allocation cycle, as informed to us by PRHFA per meeting held on May 13, 2014, and as per letter dated May 9, 2014 (copy of which is hereby included), giving us the option to have our application considered in the next allocation cycle? As you may recall, our application failed the basic threshold review because the Housing Department could not honor the rental assistance (Law 173) contract for lack of funds.	<b>LIHTC Application Fee:</b> pursuant to the QAP-2013, section XI.B.1.b, you are entitled to a credit of 50% of the <i>amount</i> paid for TC2013-002.
17	An Infill Site, as described in the 2015 QAP point scoring (p.28), will be scored up to five points, please explain the scoring of an infill site from 1 point to 5 points individually.	<b>Infill Sites:</b> you will receive 1 point for each site and an additional point for each non-contiguous infill site of the proposed development, if requesting Tax Credits and/or HOME funds, and for each contiguous infill site if requesting PBV.
18	Targeted units - for "III.II" of both point scoring in PRHFA and PRDOH, the point criteria differ slightly. If a project that combined elderly (62 years or older) with disabled household (21 years or older) all of one bedroom apartments, with at least 75% of elderly households will they score (3 Points)?	Targeted units: yes.
19	<b>Home ownership conversion:</b> if projects that combined elderly households and disabled household that also proposed home owner conversion after the extended use period will score that point (1 point)?	Homeownership: yes, if all other conditions stated in the QAP are met.
20	Regarding the requirement for the mayor of the municipality to personally sign the endorsement of the project. Some of the municipalities particularly the biggest ones have executives that sign endorsements in lieu of the Mayor. We would like to know if it's necessary that the Mayor personally sign if we have the endorsement of the Municipal planning board and the Municipal office of housing?	Mayor endorsement letter: Mayor or a Municipality Authorized Representative's signature.
21	Section 5.1.4.2. states that: "Unexpired evidence of site control (99 plus years for lease agreements under HOME program, or another lease term, as long as it qualifies as a valid agreement for the intended purpose.)"cWhat would be considered a valid agreement for a lease? Is a 50 year term valid?	Yes, if it is valid under the applicable regulation, e.g., it would be acceptable under IRC Sec. 42 but unacceptable under the HOME program.

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22	Section 5.1.4.6. states that: "Project location must be identified in the NFIP map (FEMA Map) to demonstrate compliance with the Floodplain Management Act - 24 CFR 55, Executive Order 11988. The project must be located outside the 100-year floodplain, coastal high hazard areas and floodways. If the project is located inside the 100 year floodplain, FEMA's approval letter of map amendment (LOMA) or letter of map revision (LOMR) will be submitted." This Section creates ambiguity since it starts by saying the project must be located outside the flood plain and then providing an option for those projects that are inside the floodplain. Please clarify which of both options is required and how this information will be determined correct. We would greatly appreciate the clarification of the above mentioned doubts. Should you need additional information, please contact us.	<b>MUST</b> is not taxative: the project's preferred location is outside the 100-year floodplain, but an option exists if it lies within.
I'm enclosing our questions in reference to the documents that compose the 2015 JANOFA, as per instructions:		
23	<b>QAP. iv.</b> In 2008, the Puerto Rico Housing Administration (PRPHA) closed the largest tax-exempt bond (over \$600 million) in the nation to modernize 30 projects of its existing portfolio, and construct new units. At the time, the PRPHA, the Puerto Rico Housing Finance Authority (PRHFA), and HUD proved that by adjoining efforts, initiatives and human resources, such a transaction was feasible and possible. Seeing the success in this transaction, having a Public Housing Set-Aside minimizes the amount of private projects that can benefit from the available funds.	No answer required.
24	<b>QAP. 21.</b> QAP states financing commitment with agency, if marked is final. On the other hand, such item is not included in the Ranking Self-Evaluation Checklist. <b>Please clarify.</b>	Once PRHFA's financing is selected, there's no option to do otherwise.
25	Basic Threshold Checklist. SHPO.001 to SHPO.006. If a project is in receipt of a Technical Assistance Letter from SHPO stating there are no historic properties and there are no adverse effect to the surroundings, does the Owner need to submit all the documents to the PRHFA? Or shall the Owner just submit copy of the letter on or before August 24, 2015?	The letter with the "no adverse effect" determination is acceptable.
26	Basic Threshold Checklist. Please, provide "fillable" Site Selection Standards Checklist.	Annex R.
27	Ranking Self-Evaluation Checklist. G.001. <b>Deconcentration:</b> Provide list of PRPHA's standing portfolio - name, address, total units with bedroom distribution - and a list of PRPHA's past, proposed, and approved demolition projects - include name, address, total units with bedroom distribution, units demolished, units constructed or proposed.	Will be provided.
28	Ranking Self-Evaluation Checklist. II.004. <b>Accessibility:</b> Clarify if % of fully accessible units for mobility disabilities is above required 7% (5% mobility + 2% visual/hearing), or is the 7% already contemplated in the %?	Above 5%.

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29	Ranking Self-Evaluation Checklist. II.010. <b>Bycicle Storage Facilities:</b> In fairness of all types of projects to strive for the maximum points, specifically the elderly projects, we suggest revision of this criterion, as it is not aimed for this target population, and further limits space that can be used for other target geared services.	Recommendation not accepted: see JA-NOFA Application Process, 2.1.
30	Ranking Self-Evaluation Checklist. II.6.2. <b>Energy Efficiency:</b> Reference is made to the appliances and building envelope, where we suggest the item read "appliances or building envelope".	See answer to question "12", above.
31	Ranking Self-Evaluation Checklist. II.6.3. <b>Design Layout:</b> Substitute "PVB" for "PBV".	Amended.
32	Ranking Self-Evaluation Checklist. II.034. <b>Urban Considerations:</b> Please clarify if "code" refers to Reglamento de Ordenación Territorial, and if a project needs to meet one out of three, or all?	Whichever code is applicable.
33	Ranking Self-Evaluation Checklist. III.006. <b>Preservation:</b> In documentation required, addition "or obsolete" in the certification, as will be consonant with the criterion.	As recommended, the certification will include number of obsolete or demolished units.
34	Ranking Self-Evaluation Checklist. IV.015. <b>CHDO:</b> Please clarify, as the criterion states the CHDO must file an application, or provide evidence of CHDO if requesting from the Tax Credit CHDO Set Aside.	There's no Tax Credit CHDO Set-Aside, only Tax Credit Non-profit Set-Aside; IV.015 will be amended to read as follows: "Application to become a Community Housing Development Organizations (CHDO) filed with the Authority".
35	Ranking Self-Evaluation Checklist. IV.015. <b>CHDO:</b> Please, provide CHDO Application, as it is not part of the JANOFA annexes.	Posted.
36	Ranking Self-Evaluation Checklist. IV.015. <b>CHDO:</b> Does evidence of a CHDO from another jurisdiction satisfy this requirement?	No.
37	Ranking Self-Evaluation Checklist. IV.016. <b>Financial Strength:</b> Reference is made to the audited financial statements of the juridical persons, what is an acceptable document if the entities are of new creation? What is an acceptable document if, for instance, the juridical entity's fiscal year ended by December 31, 2014 and the audited FS were issued by March 31, 2015?	CPA certification of a new entity; most recent statements, if within 6 months of the application.
38	Ranking Self-Evaluation Checklist. IV.035. <b>Experience:</b> In documentation required, addition "CASA Contract (Law 173 Program)", as applicable.	Recommendation not accepted: see JA-NOFA Application Process, 2.1.
39	Ranking Self-Evaluation Checklist. V.3. <b>Operating Expenses:</b> The State Funding criterion makes reference to "federal or State-owned land", please confirm this also includes the "municipalities", as they are part of the Commonwealth of Puerto Rico.	No; only federal or state.
40	Ranking Self-Evaluation Checklist. V.008. <b>Funds Leveraging:</b> Please clarify if the documentation required, ID is "V.008" or "V.010".	Whichever is applicable.
41	Ranking Self-Evaluation Checklist. V.008. <b>Local Government Funding:</b> Please clarify if the documentation required, ID is "V.008" or "V.010".	V.010.
42	Ranking Self-Evaluation Checklist. V.008. <b>Supportive Services:</b> Please clarify if the documentation required, ID is "V.008" or "V.010".	Whichever is applicable.

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43	Instructions. 6. <b>Notification (Selection Notice):</b> What is the estimated period for the selection evaluation process?	Depends on a plethora of variables, e.g., volume of submitted applications.
44	<b>Annexes. Q1.</b> The annex does not include the maps for the following municipalities: San Juan, Vega Baja and San Lorenzo. Please provide the same maps or its equivalent as illustrated by the <i>Junta de Planes/Departamento de la Vivienda</i> .	Please, search in corresponding map: Q1 through Q3.
45	Acorde a los criterios de puntuación en la Sección II. <i>Project Characteristics</i> , 11.3 <i>Adaptive Reuse</i> , ¿Podría proveer aclaración sobre el término “adaptive reuse”? ¿Esto aplica solamente al uso que se le está dando a estructuras existentes o también al uso o calificación de un terreno? Ejemplo, si el <i>Project site</i> está calificado como uso Dotacional General (DTG) y ahora le estamos dando un uso residencial, aplicaría este punto?	Sólo aplica a estructuras existentes.
46	Acorde a los criterios de puntuación en la Sección I.2 <i>Desirable Activities</i> , 1.2.1 <i>General “Hospital, diagnostic, and treatment center (CDT) or federally qualified health center”</i> , ¿podiera proveer aclaración sobre qué se entiende por “federally qualified health center” y/o si existe alguna fuente, mapa o recurso disponible dónde podemos corroborar si la institución a considerar cumple con los requerimientos aplicables?	Please, see <a href="http://www.hrsa.gov">www.hrsa.gov</a> .
47	Acorde a los criterios de puntuación en la Sección II <i>Building Characteristics: Section 11.5.3 Building Amenities: a. “Equipped playground outdoor área with visual control from the main entrance”</i> , En caso de los proyectos de egidas, el término “playground room” , ¿podiera aplicar para este punto un área abierta donde puedan recrearse los residentes, por ejemplo un área destinada para juegos de mesa tales como dómimo, ajedrez, cartas, etc...)?	No; community meeting centers cover those aspects.
48	Acorde a la carta circular de Política Contributiva 1510 del Departamento de Hacienda, la exención de la tasa estatal del impuesto sobre ventas y usos (IVU Estatal) del incremento del 4.5% correspondiente a proyectos de edificación calificado, se considera un beneficio de reducción de impuestos aplicable para la sección V.2 <i>Local Government Funding</i> , si se obtiene la carta de aprobación del Departamento de Hacienda ?	No; this section only applies to local governments.
49	Para la entrega de la aplicación en formato digital se requiere una copia individual (CD) para cada uno de los fondos aplicables (LIHTC, HOME y PBV)?	No.
50	¿A quien se dirige la carta de trámite para la entrega de la copia digital (CD) de la solicitud?	To whom it may concern.
51	Estudio Arqueológico- En el Basic Threshold Requirements de HOME Anual Plan Punto 7 sección L(b) se indica que estudio arqueológico es requerido solo si SHPO o ICP recomienda el mismo. ¿Es necesario de todos modos? o con la carta	Sólo si requerido.

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52	Costo de Estudios HOME-Cuales son los costos este ciclo de estudios hechos por HOME como Razonamiento de Costo, Feasability e Inspecciones. ¿Son igual al año pasado o hubo algún cambio para este ciclo?	Para esos 3 tipos de costo: igual al año previo.
53	Operating Cash Flow-Para Operating Cash Flow; ¿existe un formato requerido por la Autoridad o queda a discreción de nosotros ya sea utilizar formato del año pasado u algún otro de preferencia?	No; discreción.
54	Vacancy Factor- Basado en que este proyecto es relativamente pequeño (20 unidades) Se usa el Vacancy Factor de 7% or se tiene que ajustar basado en tamaño de proyecto?	QAP: 5% con PBV; 7%: otros.
55	Estudio Ambiental Fase I- ¿Este estudio es requerido para cualquier proyecto sin distincion de fondos que quiera someter (LIHTC, HOME, PBV)?	Sí.
<b>CHANGES TO PRIOR DOCUMENTS</b>		
56	Annex I ( <i>Form for Attorney's Opinion</i> )	
57	Fees to be paid as per QAP–Section 12	
58	Application Form – typos and/or corrections with no effect on substance.	
59	JA-NOFA Application Process 3.1	Registration open through <b>August 28, 2015, 4:00 PM.</b>
60	JA-NOFA Application Process 4.1	SHPO review submittal open through <b>August 28, 2015, 4:00 PM.</b>