

<b>State: WEST VIRGINIA (QAP 2013014)</b>	West Virginia Housing Development Fund (WVHDF)
<b>Measure</b>	<b>Evidence</b>
<b>HOUSING LOCATION: Site and Neighborhood Standards</b>	
A1. <b>Mandatory restrictions</b> prohibiting increases in racial and economic (or low-income) concentration	No.
A2. <b>Scoring</b> that discourages racial and economic concentration.	<p>⚡ Up to 60 points for projects located in areas with the lowest % (0%-1.13%) of LIHTC unit production (as a % of 2010 renter-occupied housing units). Fewer points given to projects in areas with a higher % of LIHTC units (in 5 point increments) so that the lowest point amount (5) is for projects located in areas where LIHTC units make up 12/54%=13.67% of all renter-occupied units (p. 17). Similarly, up to 40 points for projects located in areas with the lowest % of LIHTC production (1990-2012) as a % of 1990 renter-occupied units substandard and not suitable for rehab (0%-17.73%) (p.19).</p> <p>⚡ Up to 40 points for projects located in counties where the tax credit rent restriction as a % of average monthly wage falls in the highest percentage category (39.07%-42.71%). Fewer points given to projects in areas with lower % categories for a lowest amount of 5 (p. 20).</p>
A3. <b>Mandatory requirements</b> for development in high-opportunity areas	See A4a.
A4a. <b>Scoring</b> that encourages development in high-income areas.	⚡ [Set-aside/scoring] Up to 50 points for New Small Supply set-aside. Category for the exclusive use of either a newly constructed property, a substantial rehabilitation property, or an acquisition with substantial rehabilitation property, all of which must result in a direct increase of the stock of low-income residential rental units. Properties in this category will not have more than 50 residential rental units (p. 7). [This is not explicit to high-income areas, but it could be assumed given that direct stock is so low in these areas? Also, as a set-aside, this provision could also fall within A3.]
A4b. <b>Scoring</b> that encourages development in high opportunity areas.	No.
A5. <b>Scoring</b> or <b>requirements</b> that preference siting near high-quality schools.	No
A6. <b>Scoring</b> that discourages development in distressed neighborhoods. <sup>1</sup>	⚡ (-) [Set-aside/scoring] Up to 50 points to projects that fall within the HUD Preservation or New Construction (including HOPE VI) set-aside. This category is for the exclusive use for either new construction or preservation of <u>existing</u> HUD low-income residential rental units financed, guaranteed, or subsidized (property-based) through any HUD finance,

<sup>1</sup> Evidence of the inverse: preference for development in distressed neighborhoods (by overemphasizing QCT/DDA preference, preference for existing subsidized housing in distressed neighborhoods, preferences for low-income matched financing, etc.) should also be noted.

	<p>guarantee, or subsidy (property- based) program (p. 7).</p> <p>≈ (-) Up to 50 points for projects located in areas where median family income falls into the lowest category (\$30,200-35,380). Fewer points given to projects in higher median income areas (in 5 point increments) so that the lowest point amount (5) is for projects located in areas where median family income is between \$76,821-\$82,000 (p. 16). [This is the opposite of what we might hope to see for mobility-inducing incentives as it locates housing in the most impoverished areas.] Similarly, up to 20 points to projects located in areas with the highest % of renter-occupied housing lacking complete plumbing (7.21%-8.05%) (p. 18).</p>
A7. <b>Scoring</b> or <b>requirements</b> that preference siting near mass transit.	No.
A8. <b>Focus</b> on and operationalization of a neighborhood revitalization plan.	<p>≈ 40 points to projects located in a QCT, provided that the development of such property is a <b>clearly</b> and <b>specifically stated</b> part of a community revitalization plan that has been approved by the appropriate governing body of the local jurisdiction within which such “community” is located. “Clearly and specifically stated” means the property must be located in specified boundaries within the community and the development of such housing fulfills the specified goals of the plan <b>OR</b> the property is specifically named in the plan and the development of such housing fulfills the specified goals of the plan (p. 27).</p>
B1. Local participation in site selection is limited to statutory minimum. <sup>2</sup>	<p>≈ (-) 30 points for projects submitting a letter addressed to the WVHDF and signed by the chief executive officer of the locality in which the proposed development is to be located, without qualification or limitation, supporting the allocation of federal housing tax credits requested (30 points) (p. 20).</p>
<b>HOUSING ACCESS: Affirmative Marketing, Priority Groups</b>	
C1. Mandatory requirements ensuring affirmative marketing.	No.
C2. Scoring that incentivizes affirmative marketing.	No.
C3. Scoring that incentives language access and marketing to non-English speakers.	No.
D1. Scoring that promotes Section 8 voucher access in high-opportunity areas.	<p>≈ 25 points to projects that have entered into a written commitment with a PHA to utilize the authority’s waiting list and to target the persons appearing on that waiting list to occupy all vacant low-income units in the property on an on-going basis (p. 23).</p>
D2. Requirements for monitoring Section 8 voucher access <i>in high-opportunity areas</i> .	No.
F1. Incentives for larger	No.

<sup>2</sup> Evidence of the inverse: preferences or requirements for local participation should also be noted.

family units.	
F2. Incentives targeting families/families with children	≈ 25 points to projects that target for occupancy large families (family unit with 3+ children <18) and/or single-parent families for at least 25% of the residential rental units in the property. The units in the property should be designed and suitable for the targeted occupancy populations (p. 22). [Not available to projects applying for special needs populations points noted in O2.]
G1. Scoring that promotes units for lowest-income households ( <i>outside high-poverty areas</i> ).	≈ Up to 50 points for projects that use the highest percentage (25%) of total units to serve tenants with annual incomes <40% AMGI. (20% of units=40 points, 15% of units=30 points, 10% of units=20 points, 5% of units=10 points) (p. 24).) OR Up to 40 points for projects that use the highest percentage (25%) of total units to serve tenants with annual incomes <50% AMGI. (20% of units=32 points, 15% of units=24 points, 10% of units=16 points, 5% of units=8 points) (p. 25). In either case, this is in addition to the minimum set-aside (20/50 or 40/60) selected by owner.
<b>REPORTING REQUIREMENTS</b>	
H1. Racial/demographic reporting requirements.	No.

### OVERALL ASSESSMENT

TOTAL POINTS POSSIBLE: 1055<sup>3</sup> (Scoring systems is such that points can only be gained.)  
Minimum threshold for application review is 500.

- *Property location and housing needs characteristics that are highlighted in **A2** and **A6** seem to work against one another (almost to the point where they could cancel one another out).*
- *Aside from some of the positive location characteristics which appear to get at development in higher-economic areas (A3), not many strong provisions – particularly related to affirmative marketing.*
- *Fair housing point requirement is good (and somewhat unusual).*

#### Notes:

Set-aside categories include: Non-profits (10%), Rural Development Preservation (20%), Rural Development New Construction (15%), HUD Preservation or New Construction (includes HOPE VI) [(-)**A6**](25%), New Small Supply [**A3** potentially] (25%), Top Off (5%). Points given to each of these categories and as noted, as appropriate, above.

As part of annual compliance monitoring, owner must demonstrate that if a low-income unit in the property became vacant during the year, reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units in the property were or will be rented to tenants not having a qualifying income (p. 43). [Potentially applies to affirmative marketing reqs, **C1**.]

<b>OTHER CATEGORIES</b>	
O1. Scoring that promotes units for persons with disabilities.	See O2.
O2. Scoring that promotes units for special needs populations.	≈ 25 points to projects that target for occupancy one or more special needs populations (homeless, displaced, elderly, handicapped, disabled) for at least

<sup>3</sup> Because the total possible point score is so much larger than for other QAPs, the scoring rank code has been shifted so that point values <90 seen as moderate/weak; points>90 and/or requirements are ranked as strong.

	25% of the residential rental units in the property. The units in the property should be designed and suitable for the targeted occupancy populations (p. 21-2). [Not available to projects applying for HHs with children points noted in F2.]
O3. Scoring to promote home ownership.	≈ 15 points to projects for which all residential rental units are committed to eventual tenant ownership, beginning no later than four years after the end of the initial 15-year minimum compliance period. Only applies to single family homes, duplexes, townhomes, and applicant must provide a business plan describing how the residential units will be converted to tenant ownership (p. 23).
O4. Provisions affirmatively furthering fair housing laws.	<p>≈ 5 points to projects in which the property's Architect and Contractor have completed (within three years prior) Fair Housing Act and Americans with Disabilities Act training and certification (passed an examination) programs addressing design and construction requirements provided and administered by an organization that is acceptable to the WVHDF (p. 33).</p> <p>≈ As part of annual compliance monitoring, owner must demonstrate that all units in the property were for use by the general public including the requirement that no finding of discrimination under the Fair Housing Act occurred for the property. ≈ A finding of discrimination includes an adverse final decision by the Secretary of HUD, an adverse final decision by a substantially equivalent State or local fair housing agency, or an adverse judgment from a federal court (p. 42).</p>