



## Housing Tax Credits (HTC) Review Procedures

The City of Arlington will consider providing resolutions of support or no objection for applicants seeking financing under the State's Low Income Housing Tax Credit (LIHTC) program. The City desires projects that provide long term, high quality sustainable housing in the city. Consideration of the developer's request for a Resolution of Support, development support, or a Resolution of No Objection in no way impacts the City's right to approve, disapprove, or modify the developers proposed site plans or to approve, disapprove, or modify the zoning for the proposed development. The City of Arlington has established the following requirements to receive support for a Housing Tax Credit (HTC) project. The procedures below outline the process for applicants that are requesting "a resolution of no objection" or "a resolution of support".

1. **January 14, 2025, at 5pm** is the last date for applicants to submit the HTC project review package to the City of Arlington. Please see Attachment 1 for the Application.
2. During the Review Process, all questions and concerns about this application process must be directed to the City's appointed single point of contact, **Mindy Cochran**, Executive Director of Housing ([Mindy.Cochran@arlingtontx.gov](mailto:Mindy.Cochran@arlingtontx.gov)). Questions about the planning or zoning process should be directed to **Richard Gertson**, Assistant Director of Planning & Development Services ([Richard.Gertson@arlingtontx.gov](mailto:Richard.Gertson@arlingtontx.gov)). Developers and their representatives are prohibited from communicating with council members, City officials and their staff, regarding their housing tax credit projects from close of business December 19, 2024 through January 5, 2025. Please see Attachment 2, Contact with City Council, Staff and Advisors, for additional information. Owners of the property being acquired for the development are considered representatives of the developer for purposes of this process. If developers wish to invite City Council members to neighborhood meetings that might occur during this timeframe, they can do so through the single point of contact.
3. Developers are required to attend a Pre-Application Meeting with staff from the Planning and Development Services (PDS) Department. The Pre-Application Meeting request can be found on the PDS website. Each site requires a separate meeting. Any changes to the proposed development as a result of meetings with Planning and Development Services staff will be accepted up to the date the project is being reviewed by the Community and Neighborhood Development Committee.
4. If applications are considered incomplete, staff will notify the developer of the deficiency and provide five (5) business days to correct the deficiency.
5. The applications will be evaluated and ranked by staff based on the City's Housing Tax Credit Review Policy, which is included as Attachment 3, and the responses to information requested in the application.
6. Staff will schedule time on an available Council Committee agenda for review of project applications. If adequate information is not provided timely, the project will not be scheduled for review by Council Committee.
7. Developers are encouraged to attend Council Committee meetings to respond to any questions about their proposal. During the meeting, staff will provide a presentation with information about each development, and developers are permitted to respond to any questions from the Committee members or provide clarification about their project.
8. Council Committee will meet as necessary to review all complete applications. The number of scheduled meetings is dependent upon the number of complete applications received. Target Committee meeting dates are January 28, 2025 and February 4, 2025 if needed.
9. City Council will have the final decision about issuing a resolution of support or a resolution of no objection,

and whether to provide development support. City Council may support or decline to support any applications for any one or a combination of factors evaluated through this process. City Council meetings are open to the public and developers are permitted to attend and address council members during this time.

10. Staff will notify developers of any approved City Council action.



## HOUSING TAX CREDIT PROJECT APPLICATION

The following information will be used to review and evaluate Housing Tax Credit projects for consideration of City Council support. Please provide the following information in sections as detailed below.

### Section I: General Information

- A. Contact Information:** Provide the development name, developer company name, and primary contact for the project. Please also provide related partners if known. Provide names, addresses, phone and email for each.
- B. Experience Certificate/Statement:** Provide evidence of the applicant/developer acting in capacity as owner, general partner or developer of at least 100 residential units. Provide resume of major partners and management team. Provide a five-year history of Fair Housing complaints received in any properties owned or managed. Please also provide a summary of any lawsuits involving the applicant, developer or related parties in the past five years and the resolution if known.
- C. Organizational Chart & Owner's Ownership Structure:** Include all ownership organizations and key persons within these organizations.
- D. Management:** Describe the anticipated ongoing property management of the development, their experience, and a list of properties currently managed. Please indicate how many property management staff will be assigned to this development, including their roles (maintenance, porter, intake, etc.), and whether or not they are onsite full or part-time. Provide a five-year history of Fair Housing complaints received in any properties owned or managed.
- E. Ownership:** Please state whether the developer intends to be the long-term owner, and the length of ownership of other properties in the portfolio, as well as a list of those sold and the year at which they were sold.
- F. HOME ARPA:** Please indicate whether you intend to seek HOME ARPA funding in support of your development. HOME ARPA dollars are intended to provide permanent supportive housing for the chronically homeless.

### Section II: Project Description

- A. Project Description and General Information.** The City prioritizes developments that demolish substandard structures (primarily multi-family), and develop new housing. City Council may consider this when determining whether to provide development support for any applicant.

Please provide the following information:

- a. Type - new construction, demolition and new construction, rehabilitation
- b. Total number of units
- c. Number of low-income units by income level – The City's Housing Needs Analysis (HNA) describes the housing needs for the City. City Council may prioritize applications that meet the needs described in the HNA.

- d. Number of market rate units. The City prefers mixed income developments that include market rate units.
- e. Population to be served (workforce/senior/permanent supportive housing)
- f. Bedroom size mix
- g. Proposed gross rents for affordable and market rate units
- h. Identify if income averaging will be utilized.

**B. Preliminary site plan**

**C. List of proposed unit and development amenities**

**D. Zoning:** Identify current and proposed zoning. If not currently zoned for multi-family, please identify where you are in the re-zoning process and describe outreach about the rezoning to neighborhoods, community groups, City Council members or other groups and the responses received. In section III A below, you will need to describe these efforts including who you contacted and the community reaction. City Council prefers housing to be built on property appropriately zoned for multifamily housing, or that has demonstrated concerted efforts to align with the style of the existing neighborhood and is deemed by Planning and Development Services to be consistent with the City's Comprehensive Plan. This factor will be given significant consideration when making determinations on requests for resolutions of support and/or development fee support.

**E. Units per acre**

**F. Describe any anticipated variances from the Unified Development Code.** Please review carefully – it is highly unlikely that there will be no variances. In the area of parking, if you will be deficient in parking requirements, please identify the number of parking spaces provided and parking spaces required by total spaces, covered spaces and garage spaces.

**G. Development timeline if awarded credits**

**H. Identify energy efficient measures that EXCEED the City's energy code** – Please do not list energy efficient elements that are required by code.

**I. Identify anticipated sustainable building materials used in construction.**

**J. Site control:** Provide evidence of site control.

**K. Development characteristics:** Provide a copy of your TDHCA pre-application (if applicable) and Self-Score sheet including the score you anticipate to be your final score for TDHCA. Additionally:

- a. Criteria to Serve and Support Texans Most in Need – Provide evidence of how points were selected for these scoring categories.
  - i. Income levels of residents
  - ii. Rent levels of tenants
  - iii. Resident supportive service
  - iv. Residents with special housing needs
  - v. Opportunity index
  - vi. Underserved areas
  - vii. Proximity to jobs
- b. Criteria Promoting Community Support and Engagement - Provide evidence of or documentation of how points were selected for these scoring categories.

- i. Are you requesting a commitment of development funding by the City?
- ii. Quantifiable Community Participation – identify the neighborhood/organization providing support.
- iii. Input from Community Organizations – identify the community organizations providing support.
- iv. Concerted revitalization plan – which City plan is this development contributing to?

**L. Poverty rate:** Provide poverty rate for the census tract where the development will be located.

**M. Unique:** If applicable, provide a narrative about what is unique about this development, compared to others in the City; be specific.

**N. HOME ARPA:** If you are also seeking HOME ARPA funds, please indicate how many units will be set aside as HOME ARPA units, the amount requested, and who the supportive services provider will be. Questions related to HOME ARPA should be directed to Dr. Nikky Lewis at [Nikky.Lewis@arlingtontx.gov](mailto:Nikky.Lewis@arlingtontx.gov).

### **Section III: Outreach & Communication**

**A. Community involvement:** Include list of neighborhood associations and the frequency of contact, method of contact, response to outreach, and number of property owners notified about the development. Provide information about outreach to applicable school districts including method of contact, point of contact at the school district, and their response.

**B. Describe any outreach to City Council members or State Representatives and their responses.**

**C. Identify the date of the Pre-Application meeting with Planning and Development Services.**

### **Section IV: Miscellaneous**

**A. Brief Financing Narrative/Plan:** Include preliminary project financials, proposed development budget, and development cost per square foot.

**B. Provide a statement about whether the development is seeking a tax exemption or other financial support from the City or a component unit of the City (Arlington Housing Authority, Arlington Housing Finance Corporation, etc.). If the development is seeking a full or partial tax exemption, provide justification and alternative solutions explored. City Council has a strong preference for developments that are not seeking ad valorem tax exemptions and may place considerable weight on this factor when determining support and/or development support for 9% projects.**

**C. Provide a statement if the developer is willing to identify the Arlington Housing Finance Corporation (AHFC) or an eligible, related entity designated by the AHFC as the intended recipient of Right of First Refusal if any partnership structure with AHFC is being considered.**

**Submit PDF application electrically via a Zip File. See instructions below:**

1. Locate the **file(s)** or folder you want to **zip** together.
2. Select them by right-clicking on the **file(s)** or folder and select "**Send to**" and then "Compressed (**zipped**) folder" from the dropdown menu.
3. Then attach the Zip Folder to your email to [Mindy.Cochran@arlingtontx.gov](mailto:Mindy.Cochran@arlingtontx.gov).

4. Please send a separate email notification that an application has been submitted to be sure it didn't get blocked for any reason.

**The complete application must be received no later than 5:00 p.m. on 1/14/2025.** If you have any questions concerning this process, please contact Ms. Cochran at [Mindy.Cochran@arlingtontx.gov](mailto:Mindy.Cochran@arlingtontx.gov)

**Note:** Exceptions to the above required package contents may be considered on a case-by-case basis.

## **CONTACT WITH CITY COUNCIL, STAFF AND ADVISORS**

All questions concerning the application process for City of Arlington review of 9% Housing Tax Credit projects must be directed to the **single point of contact**: Mindy Cochran, Executive Director, Housing, at [Mindy.Cochran@arlingtontx.gov](mailto:Mindy.Cochran@arlingtontx.gov). Questions related to the planning or zoning process should be directed to Richard Gertson, Assistant Director, Planning & Development Services at [Richard.Gertson@arlingtontx.gov](mailto:Richard.Gertson@arlingtontx.gov).

The following provisions are intended to ensure a fair and equitable review process so that there is no actual or potential situation where one developer secures or attempts to secure an unfair advantage over another developer or creates a situation where there is an appearance of impropriety in contacts between the developer, developer's agent, or developer's consultant and City officials or staff.

Developers are prohibited from communicating with council members, from close of business December 19, 2024 through January 5, 2025.

These restrictions extend to letters, phone calls, emails, social media, or any contact that results in the direct or indirect discussion of the project review process. Violation of this provision by the developer or developer's agent may lead to disqualification from consideration of a resolution of support or no objection. Exceptions to the restrictions on communication with City Council include:

1. Developer participation at Council Committee meetings and City Council Committee meetings for the purpose of reviewing the developer's project.
2. Contacts by the developer with City when such contact does not pertain to the housing tax credit project under review. Examples include: private (non-business) contacts with the City by the developer or developer's agent acting in their personal capacity; presentations and/or responses to inquiries initiated by City Staff; and if a representative of the project has a question about any potential contact as described above, the single point of contact will be notified in order to make a determination as to whether any contact is allowed in accordance with the housing tax credit review process.



**Housing Tax Credit Review Policy – City of Arlington, Texas**  
(Revised 01/11/2022)

The City of Arlington will consider providing a Resolution of Support or a Resolution of No Objection for the State's Low-Income Housing Tax Credit (LIHTC) developments that provide long term, high quality sustainable housing to the city. To determine if a proposed LIHTC development meets this standard, staff will evaluate both the proposed development as well as the proposed development entity using the following criteria.

1. The proposed developer has a track record of developing and managing high quality LIHTC housing, with hands-on management which includes comprehensive tenant screening.
2. The proposed development should be consistent with Comprehensive & Consolidated Plans.
3. The proposed development should use:
  - a. Energy-efficient measures
  - b. Sustainable building materials
  - c. Materials from the City's preferred materials list
4. The City has a preference for demolishing existing structures and building new housing.
5. The City has a preference for developers with experience constructing and owning/managing well-maintained, quality properties and a preference for local, on-site property management.
6. The City has a preference for developers who are willing to identify the Arlington Housing Finance Corporation (AHFC) or an eligible, related entity designated by the AHFC, as the intended recipient of Right of First Refusal.
7. The City has a preference for developments that serve a mixture of income levels, including market rate units.
8. The City has a preference for developments located near jobs and quality childcare.
9. The City has a preference for developments with sites that have existing multi-family zoning.
10. The City has a preference for developments that are not seeking a property tax exemption.

The Developer should address how the development entity and the proposed development meet each of these criteria in their request to the City. City staff will evaluate the developer's proposal using these criteria as well as applicable city ordinances and will make a recommendation to the Community and Neighborhood Development Committee as to whether the proposed development should be reviewed by City Council and considered for a Resolution of Support or Resolution of No Objection.

Consideration of the developer's request for a Resolution of Support or a Resolution of No Objection in no way impacts the City's right to approve, disapprove or modify the developers proposed site plans or to modify the zoning



for the proposed development.

### NON-DISCRIMINATION POLICY

It is the policy of the City of Arlington to comply with Title VIII of the Civil Rights Act of 1968, as amended (Commonly known as the Fair Housing Act) by ensuring that its Housing Tax Credit Review Policy does not discriminate against a person based on race, color, religion, national origin, sex, disability, or familial status. This policy means that, among other things, the City and all of its officials, agents and employees will not discriminate in any aspect of housing based on the protected class characteristics, including by:

- (a) making unavailable or denying a dwelling to any individual based on familial status;
- (b) discriminating against any individual in the terms, conditions or privileges of a dwelling, or in the provision of services or facilities in connection therewith based on familial status;
- (c) making, printing, or publishing, or causing to be made, printed, or published any notice, statement, or advertisement, with respect to a dwelling that indicates any preference, limitation, or discrimination based on familial status;
- (d) representing to individuals because of familial status that any dwelling is not available when such dwelling is in fact so available;
- (e) interfering with any person in the exercise or enjoyment of, or on account of them having exercised or enjoyed, or on account of them having aided or encouraged any other developer or individual in the exercise or enjoyment of, any right protected by the Fair Housing Act;
- (f) interfering with the funding, development, or construction of any affordable housing units because of familial status; and
- (g) discriminating on the basis of familial status in any aspect of the administration of its Housing Tax Credit Review Policy, zoning, land use, or building ordinances, policies, practices, requirements, or processes relating to the use, construction, or occupancy of dwellings.

Any developer or individual who believes that any of the above policies have been violated by the City of Arlington, may contact the City's Fair Housing Officer at [Shana.washington@arlingtontx.gov](mailto:Shana.washington@arlingtontx.gov) or (817) 459-6232. Developers or individuals may also contact the:

U.S. Department of Housing and Urban Development  
Fort Worth Regional Office  
307 W. 7<sup>th</sup> Street  
Fort Worth, TX 76102  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)  
(800) 688-9777 or (817) 978-5600

Or

U.S. Department of Justice  
Civil Rights Division  
Housing & Civil Enforcement Section  
150 M Street, NE  
8<sup>th</sup> Floor  
Washington, D.C. 20002  
<https://civilrights.justice.gov/>  
(833) 591-0291 and (202) 514-4713

## HOUSING TAX CREDIT REVIEW TIMELINE

Fall 2024 through January 14, 2025	Pre-Application Meetings with Council and PDS
No Contact Period	December 19, 2024 – January 5, 2025
TDHCA Pre-Application Deadline	January 9, 2025
Deadline to submit applications to COA	January 14, 2025
Community and Neighborhood Development Committee Meetings	January 28, 2025 (If needed) February 4, 2025
City Council Work Session	February 4 or 25, 2025
City Council Meeting – Action requested	February 4 or 25, 2025
Applications due to TDHCA	February 28, 2025

*The City of Arlington reserves the right to amend the above schedule depending upon the number of applications that are received or expected to be received, and the posting of TDHCA's Pre-application log. All applicants will be notified of any changes to this schedule.*