
**TENNESSEE HOUSING DEVELOPMENT
AGENCY**

**2003 MULTIFAMILY TAX-EXEMPT
BOND AUTHORITY PROGRAM**

This package includes:

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Tennessee Housing Development Agency Multifamily Tax-Exempt Bond Authority 2003 Summary

- **THDA has authorized the allocation of tax-exempt bond authority to local issuers for multifamily developments:**
 - **\$50 million in 2003 Multifamily Tax-Exempt Bond Authority** for developments which will close permanent financing by the date specified in the Commitment Letter. \$16,666,666 will be available in East Tennessee, \$16,666,666 will be available for Middle Tennessee, and \$16,666,666 for West Tennessee. Any unused, recaptured or released amounts after July 1, 2003 will be available first to any remaining eligible applications from that same Grand Division. If there are no remaining eligible applications from that same Grand Division, then the authority will be available to the next highest ranking application regardless of Grand Divisions until October 15, 2003.
- **Bonds must be issued by a local board or other issuing entity with jurisdiction in the area of the proposed development.**
- **Some units must be occupied low-income households:** twenty percent (20%) of the units must be occupied by households with incomes no greater than fifty percent (50%) of area median income, or forty percent (40%) of the units must be occupied by households with incomes no greater than sixty percent (60%) of area median income. Seventy-five percent (75%) of the units must be occupied by households with incomes no greater than one hundred and fifteen percent (115%) of the area median income.
- THDA will allocate **a maximum of seven million five hundred thousand dollars (\$7,500,000)** in tax-exempt bond authority per development.
- The application submission period is February 3, 2003, to October 15, 2003.
- Tax-exempt bond authority will be allocated only to **eligible applications** on a first come, first served basis. If THDA receives multiple applications on the same day that, in the aggregate, request more authority than is available, those applications will be ranked according to Part VI D.
- **Applicants must meet THDA and federal tax requirements and all other applicable federal, State, and local laws or ordinances.**
- **A non-refundable \$1,000 application fee is required with each application.** If a Commitment Letter is issued, the applicant must submit **a commitment fee of one percent (1%) of the amount of bond authority allocated and separate incentive fee equal to twenty percent (20%) of the commitment fee.** Subject to the requirements of the Program Description, part of these fees may be returned.

This is only a brief description of some elements of the program. For a complete Program Description, contact Ed Yandell, Director of Multifamily and Special Programs, at (615) 741-9666.

Tennessee Housing Development Agency Multifamily Tax-Exempt Bond Authority for 2003

Program Description

Part I: Background, Eligibility, and Requirements

The Tennessee Housing Development Agency (THDA) is making tax-exempt bond authority available to local issuers for permanent financing for multifamily housing units in Tennessee. Part of this tax-exempt bond authority is available in each of the three Grand Divisions of the State. The tax-exempt bond authority can be used only to provide permanent financing for new construction of affordable rental housing units, for conversion of existing properties through adaptive reuse, or for acquisition and rehabilitation of rental units, subject to the conditions and requirements described below, and subject to Internal Revenue Service requirements.

A. Use of Tax-Exempt Bond Authority:

1. Any tax-exempt bond authority allocated pursuant to this Program Description must be used to provide permanent financing for the development. The tax-exempt bond authority is not intended for short-term financing, construction financing, "bridge" financing, or any other financing which is not the permanent financing for the development.
2. Applicants for and Recipients (as defined in Part II C) of 2003 Multifamily Tax-Exempt Bond Authority must issue bonds no later than 1 PM (Central Time) on the date specified in the Commitment Letter.
3. To the extent not otherwise specified herein, all federal tax requirements for private activity bonds must be met.

B. Eligible Developments:

The development must be:

1. New construction;
2. A conversion of an existing property not being used for housing; or
3. Acquisition and rehabilitation, with rehabilitation hard costs equal to at least twenty percent (20%) of building acquisition costs.

C. Identity of Interests

If a development involves acquisition of land or buildings, there can be no more than a ten percent (10%) identity of interest between buyer and seller.

D. Tenants to be Served

1. Seventy five percent (75%) of the units in the development must be occupied by households with incomes no greater than one hundred fifteen percent (115%) of the area median income and
2. a. Twenty percent (20%) of the units in the development must be occupied by households with incomes no greater than fifty percent (50%) of the area median income; or

- b. Forty percent (40%) of the units in the development must be occupied by households with incomes no greater than sixty percent (60%) of the area median income.

E. Limit on Cost per Unit

The total cost per unit (Total Development Costs; item #12 on page 5 of the application; divided by total number of units in the proposed development) must not exceed \$90,000 in MSA counties and must not exceed \$69,900 in other counties.

F. Maximum Amount of Bonds per Development

A development may not receive more than seven million five hundred thousand dollars (\$7,500,000) of tax-exempt bond authority.

G. Maximum Amount of Bonds per Developer or Related Parties

The maximum amount of tax-exempt bond authority that may be committed to a single applicant, developer, owner, or related parties shall not exceed fifteen million dollars (**\$15,000,000**). THDA reserves the right, in its sole discretion, to determine whether related parties are involved for the purpose of applying this limitation.

H. Limit on Developer's Fee

1. The developer and consultant fees cannot exceed five percent (5%) on the portion of the basis attributable to acquisition (before the addition of the fees), and cannot exceed fifteen percent (15%) of the portion of the basis attributable to new construction or to rehabilitation (before the addition of the fees).
2. If the developer and contractor are related parties, then the combined fees for contractor's profit, overhead, and general requirements plus the developer's and consultant's fees, cannot exceed fifteen percent (15%) of the portion of the basis attributable to acquisition (before the addition of the fees), and cannot exceed twenty-five percent (25%) of the portion of the basis attributable to new construction or to rehabilitation (before the addition of the fees).

I. Limits on Costs of Issuance

As provided in Section 147 (g), the costs of issuance financed by the proceeds of private activity bonds issued to finance multifamily housing may not exceed two percent (2%) of the proceeds of the issue.

J. Market Study Required

1. The application must include a market study performed by an **independent third party**. The market study must contain current information (less than six months old) at the time of submission. "Comparables" as used in property appraisals are not acceptable. THDA will determine, in its sole discretion, whether the market study and other information available to THDA supports the proposed development.
2. A market study must include, without limitation, all of the following:
 - a. Name and telephone number of person performing the study, their qualifications to perform this market study, and a statement indicating the person and/or entity performing the study has no identity of interest with any person or entity involved in the development, including, without limitation, the ownership entity and any of its partners, any other member of the development team, or any individuals involved in any such entities;
 - b. On-site field study by the person performing the market study;

- c. Data identifying and describing the market areas, neighborhood and site, including geographic and demographic information;
- d. Data identifying existing units and rent types, as well as any existing tax credit developments, tax-exempt bond developments, or proposed tax credit or proposed tax-exempt bond developments which have reservations or commitments and are proposed to be built or renovated in the market area or neighborhood;
- e. Data to support a proposed rent structure lower than the maximum rents allowed by this program, if such a rent structure was proposed in the application;
- f. Data identifying vacancies of rental units in the market area and neighborhood;
- g. Data identifying income qualified households at income levels required by this program in the market area;
- h. Current and projected need based on market conditions supported by data from various market sources including waiting list information from all Section 8 and local public housing authorities serving that market area;
- i. Projected absorption time (rent up) of the proposed units by the market; and
- j. Color photos of the proposed site and surrounding neighborhood.

K. Appraisal Required

The application must include an appraisal of the proposed development performed in accordance with industry standards, by an appraiser licensed in Tennessee. The appraisal cannot be based solely or largely on a “cost” approach to value, but must also consider market and income approaches to value. If the application is proposing acquisition of an existing structure, an “as is” appraisal must also be included.

L. Minimum Score Required

The application must receive at least 70 points under Part VII.

M. Program Requirements and IRS Requirements

All program description requirements, application requirements, and IRS requirements must be met. If there is any inconsistency or conflict among the requirements, the most stringent of the requirements will apply, as determined by THDA.

Part II: Tax-Exempt Authority Available

- A. Fifty million dollars (\$50,000,000) of 2003 Multifamily Tax-Exempt Bond Authority is available.**
- B. A total of sixteen million six hundred and sixty-six thousand six hundred and sixty-six dollars (\$16,666,666) of 2003 Multifamily Tax-Exempt Bond Authority will be available initially in each of the three Grand Divisions (East, Middle, and West), then subsequently as provided in Part VI.
- C. Recipients are eligible for commitments for 2003 Multifamily Tax-Exempt Bond Authority, provided that they meet all of the other requirements of this Program Description.

Part III: Receipt of Applications

The applicant must submit an original application and **ONE COPY** with content, formatting, and pagination identical to the attached application. Only complete applications will be accepted and they will be accepted only at the Tennessee Housing Development Agency, 404 James Robertson Parkway, Suite 1114, Nashville, Tennessee, 37243. (applications by express delivery services should be sent to the same address, but at Zip Code 37219-1505). Applications submitted prior to the beginning of the application period indicated in Part IV will be reviewed following the beginning of the application period as indicated in Part V. No application or parts of applications will be accepted at any other location and no application or parts of applications will be accepted via facsimile transmission. All documents submitted to THDA must bear original signatures.

Part IV: Application Submission Period

Applications will be opened beginning February 3, 2003. No application will be accepted after 1:00 PM CDT October 15, 2003. Applications resubmitted under Part VIII B. will be treated as new applications.

Part V: Review of Applications for Completeness

A. Applications must be complete.

An application must be complete, as determined by THDA in its sole discretion, based on the requirements in this Program Description and the attached application. Incomplete applications will be returned to the applicant. THDA may request additional documentation and/or information for purposes of clarification. An applicant may request a determination from THDA's Executive Director or Deputy Executive Director regarding the reasonableness of such a request.

B. Information must be current.

1. Appraisal and market information older than six months, as determined by the date prepared and information contained therein will not be considered current or complete. Supplemental documentation, including any commitments, should not have expired if they contain an expiration date, or the application will not be considered complete. Documents indicating approval dates that have passed will not meet application requirements. Applications with such documents will be considered incomplete.
2. A resolution authorizing the issuance of bonds passed by the relevant issuing entity must be current and valid at the time of application. The applicant should coordinate any updates that may be required for the resolution to remain in effect. Information submitted that is not current will not be accepted by THDA and will cause the application to be deemed incomplete. Any information or documentation, which is not current or complete, will impair an applicant's chances of receiving tax-exempt bond authority.

C. Responsibility for complete and current information

It is the sole responsibility of the applicant to submit a complete application with current information.

D. Multiple Applications for a Single Development

1. Multiple applications submitted as separate phases of one development will be considered as one development and reviewed as one application. THDA reserves the right to request additional information or documentation, if necessary, to determine if applications submitted will be considered and reviewed as one or more developments.
2. Only one application may be submitted and be considered for a development. THDA reserves the right to request additional information or documentation to determine if applications submitted will be considered and reviewed as one or more developments.

Part VI: Scoring Process and Allocation Per Grand Division

- A. All applications will be scored according to the criteria described below. An application must receive at least 70 points to be eligible to receive tax-exempt bond authority.
- B. Tax-exempt bond authority will be allocated on a first come, first served basis to eligible applicants by Grand Division until the total amount of authority available in each Grand Division is allocated. If THDA receives multiple eligible applications on the same day that, in the aggregate, request more authority than is available, those applications will be ranked according to Part VI D. The process of allocating authority within Grand Divisions will end with the last complete eligible application that can be allocated the full amount of authority requested in any Grand Division. **No partial allocations of authority will be made.**
- C. If there is any tax-exempt bond authority remaining in any Grand Division, or if any additional tax-exempt bond authority is recaptured or released, any such amounts shall remain available first to qualified applicants in that same Grand Division until July 1, 2003. THDA will issue a commitment of tax-exempt bond authority to each eligible application in each Grand Division until the final amount of available tax-exempt bond authority is exhausted. Following July 1, 2003, any remaining tax-exempt bond authority will be available statewide on a first come, first served basis to eligible applicants. The limits specified in Part I G of the 2003 Multifamily Tax-Exempt bond Authority Program Description will not apply. THDA will not issue commitments for 2003 Multifamily Tax-Exempt Bond Authority after October 31, 2003. **No partial commitments of tax-exempt bond authority will be made.**

D. Multiple Applications Received on the Same Day

1. If, on or before July 1, 2003, THDA receives multiple eligible applications for the same Grand Division on the same day that, in the aggregate, request more authority than is available in that Grand Division, the eligible applications will be ranked in ascending order by authority requested per unit and priority will be given to the eligible application(s) with the lowest authority requested per unit. If two or more eligible applications request the same amount of authority per unit, the eligible applications will be ranked in ascending order by authority requested per square foot of heated, residential floor space reserved for low-income tenants and priority will be given to the eligible application(s) with the lowest authority requested per square foot of heated, residential floor space reserved for low-income tenants.

2. If, after July 1, 2003, THDA receives multiple eligible applications on the same day that, in the aggregate, request more authority than is available, the eligible applications will be ranked in ascending order by authority requested per unit and priority will be given to the eligible application(s) with the lowest authority requested per unit. If two or more eligible applications request the same amount of authority per unit, the eligible applications will be ranked in ascending order by authority requested per square foot of heated, residential floor space reserved for low-income tenants and priority will be given to the eligible application(s) with the lowest authority requested per square foot of heated, residential floor space reserved for low-income tenants.

Part VII: Scoring Criteria

Points will be awarded, as indicated below, to applications demonstrating that they meet the following conditions:

A. Meeting Housing Needs: (Maximum 50 points)

1. Developments located in counties where the annual median income is less than eighty percent (80%) of the state median (**Exhibit 1**). (25 points)
2. Developments in counties with the greatest rental housing need (**Exhibit 2**). (Maximum 20 points)
3. Developments located wholly and completely in a Qualified Census Tract or a Difficult to Develop Area as designated by HUD (**Exhibit 6**): (5 points)

B. Meeting Energy / Maintenance Standards: (Maximum 35 points)

1. Developments designed and built to promote energy conservation by meeting the standards of the Council of American Building Officials Model Energy Code. Certification from the design architect will be required on developments of 11 units or more, from contractor on ten units or fewer, as specified in the Commitment Letter. Confirmation from the supervising architect or contractor, as appropriate, will be required prior to partial refund of the Commitment Fee pursuant to Part X D: (10 points)
2. Developments designed and built to meet a 15-year maintenance-free exterior standard. Certification from the design architect will be required on developments of 11 units or more, from contractor on ten units or fewer, as specified in the Commitment Letter. Confirmation from the supervising architect or contractor, as appropriate, will be required prior to any partial refund of the Commitment Fee pursuant to Part X D: (10 points)
3. Developments designed and built with a minimum of 60% brick exterior. Certification from the design architect will be required on developments of 11 units or more, from contractor on ten units or fewer, as specified in the Commitment Letter: Confirmation from the supervising architect or contractor, as appropriate, will be required prior to any partial refund of the Commitment Fee pursuant to Part X D: (15 points)

C. Serving Special Populations: (Maximum 50 points)

1. One hundred percent (100%) of the units designed, built and occupied by the elderly. All tenants must be age 62 or older or at least one person in each unit must be 55 or older and policies and procedures must be in place that demonstrate an intent to make units available to persons who are 55 or older. Certification from the design architect will be required on developments of 11 units or more, from contractor on 10 units or fewer, following the issuance of

the Commitment Letter. Confirmation from the supervising architect or contractor, as appropriate, will be required prior to any partial refund of the Commitment Fee pursuant to Part X D: (5 points)

2. The greater of one unit or at least five percent (5%) of the total number of units in the development (which number shall be rounded up) must fully meet accessibility requirements for persons with disabilities. Certification from the design architect will be required on developments of 11 units or more, from contractor on 10 units or fewer, following the issuance of the Commitment Letter. Confirmation from the supervising architect or contractor, as appropriate, will be required prior to any partial refund of the Commitment Fee pursuant to Part X D: (5 points)
3. Election to set aside a minimum of twenty percent (20%) of the units for households with incomes no higher than fifty percent (50%) of the area median income: (40 points)

D. Increasing Housing Stock: (25 points)

Developments which are new construction or are conversions of buildings not being used for housing which make them usable as housing: (25 points)

Part VIII: Eligibility Determination and Completeness Notification

A. Notice to Applicants Meeting Eligibility Requirements

1. THDA will notify each applicant when the eligibility determination and scoring of the application is complete.
2. If THDA determines that an application meets all of the eligibility requirements of this Program Description, the notice will include information about the number of eligible applicants received before this applicant and the status of the allocations per Part VI. A Commitment Letter (see Part IX) may be issued in lieu of this information.

B. Notice to Applicants Not Meeting Eligibility Requirements or Incomplete

1. If THDA determines that an application does not meet one or more of the eligibility requirements of this Program Description or is incomplete, THDA will return the application with notice to the applicant describing items that were erroneous, missing, incomplete, or inconsistent. THDA will also notify applicants if THDA determines that (a) any two or more developments proposed in two or more applications constitute a single development for purposes of applying the development limits specified in Part I F or (b) developers or related parties reflected in two or more applications constitute a single entity for purposes of applying the developer or related party limitation specified in Part I G.
2. Applicants may cure the deficiencies and resubmit the application, in accordance with Part IV. The resubmitted application will be treated as a new application in accordance with Part IV. A resubmission fee may be due as described in Part X B.

Part IX: THDA Commitment for Volume Cap

A. Issuance of Commitments

1. a. All commitments, as described below, will be issued only to the relevant local issuing authority, and will be valid only to provide permanent financing for a specific applicant, for a specific development, on a specific site. Any change in the applicant entity, the ownership entity, or in the size, nature, or other characteristics of the development; may, in THDA's sole discretion, invalidate the commitment. Under no condition may the site proposed for the development be changed to another site. The applicant and the local issuing authority are obligated to report any such changes to THDA regardless of whether such changes occur prior to or after the issuance of a Commitment Letter.
- b. For the commitment to be valid, the applicant and the issuer must comply with all of the terms stated in the Commitment Letter, which might include compliance with performance requirements related to any other development for which tax-exempt bonds have been issued.
2. For successful applications for 2003 tax-exempt bond authority pursuant to this Program Description, THDA will issue a Commitment Letter stating the terms of the commitment.

B. Expiration of Commitment

1. Once a THDA Commitment Letter is issued, it is valid for a maximum of 90 days from the date specified in the Commitment Letter. The bonds must be used to provide the permanent financing for the development, the local issuer must issue and sell the bonds, and the sale must be closed on or before the date specified in the Commitment Letter, otherwise the commitment expires and the authority allocated automatically reverts to THDA.
2. **THDA, in its sole discretion, may extend the date and time for closing the sale of the bonds beyond 1 PM (Central Time) on the date specified in the Commitment Letter. A written request for an extension must be received by THDA a minimum of five (5) business days prior to the expiration of the Commitment Letter in order for the request to be considered. THDA will not approve requests for extensions of more than ten (10) business days. If an extension is granted, the Incentive Fee WILL NOT be refunded.**
3. Closings in escrow, or any form of contingent closing are not considered "closed" for purposes of expiration of the commitment.

Part X: Fees, Partial Refunds of Fees, and Fees Retained by THDA

A. Application Fee

An Application Fee of one thousand dollars (\$1,000) must be submitted to THDA at the time an application is submitted. THIS FEE IS NOT REFUNDABLE. If the fee is not submitted at the time an application is submitted, the application is incomplete and will be returned. Applications returned for this reason must submit the full one thousand dollar (\$1,000) Application Fee if resubmitted.

B. Resubmission Fee

A Resubmission Fee of seven hundred and fifty dollars (\$750) must be submitted to THDA if an application is resubmitted following the resubmission deadline specified in the notice described in Part VIII B.

C. Commitment Fee and Incentive Fee

1. Applications receiving a commitment from THDA for a specific amount of tax-exempt bond authority must submit a Commitment Fee and an Incentive Fee prior to the commitment being valid.
2. The Commitment Fee will be an amount equal to one percent (1%) of the bond authority allocated to the local issuer.
3. The Incentive Fee will be equal to twenty percent (20%) of the Commitment Fee.

D. Refund of Commitment Fee and Incentive Fee

1. One half (1/2) of the Commitment Fee will be refunded when: (1) documentation from the issuing authority's bond counsel is provided to THDA that the bonds have been issued and sold; and (2) acceptable proof is furnished to THDA that all units are constructed and the facility is placed in service; and (3) all THDA requirements have been satisfied; and (4) all forms to be filed by the issuing authority have been completed and filed to THDA's satisfaction.
2. If all the conditions of Part X D 1 have been met and the bonds were issued and sold on or before 1 PM (Central Time) on the date specified in the Commitment Letter, THDA will refund the Incentive Fee.

E. Release of Commitments and Partial Refund of Commitment Fee

1. Commitments may be released by notifying THDA, in writing, prior to the expiration of the commitment, that the bonds will not be issued.
2. A commitment which is released according to these requirements will receive a refund of seventy-five percent (75%) of the Commitment Fee. THDA will retain twenty-five percent (25%) of the Commitment Fee.

F. Commitment Fee and Incentive Fee Retained by THDA

1. If the bonds are not issued by the expiration date of the commitment, and the commitment has not been released according to Part X D, THDA will retain the full amount of the Commitment Fee and the full amount of the Incentive Fee. **NONE** of the Commitment Fee and **NONE** of the Incentive Fee will be refunded to the applicant.
2. If the bonds are issued and sold, but the development is not placed in service, THDA will retain the full amount of the Commitment Fee and the full amount of the Incentive Fee. **NONE** of the Commitment Fee and **NONE** of the Incentive Fee will be refunded to the applicant.
3. If a request for an extension to the deadline for closing the sale of the bonds beyond 1 PM (Central Time) on the date specified in the Commitment Letter is approved in accordance with Part IX B. 2., **NONE** of the Incentive Fee will be refunded to the applicant.

Part XI: Application for Low-Income Housing Tax Credits

If the development also seeks non-competitive Low-Income Housing Tax Credit (“non-competitive Tax Credit”), a separate application must be submitted to Tennessee Housing Development Agency to request the non-competitive Tax Credit. Receipt of authority to issue tax-exempt bonds does not guarantee receipt of non-competitive Tax Credit. THDA retains the authority to determine eligibility to receive non-competitive Tax Credit and the amount of non-competitive Tax Credit to be allocated to the development, up to the maximum amount eligible with tax-exempt financing. Any development seeking non-competitive Tax Credit must apply for non-competitive Tax Credit in the same calendar year in which the tax-exempt bonds are issued. THDA will conduct an eligibility and scoring review with regard to a non-competitive Tax Credit application submitted in conjunction with an application for Multifamily Tax-Exempt Bond Authority within forty-five (45) days of THDA’s receipt of such non-competitive Tax Credit application. Any applicant for non-competitive Tax Credit will be subject to all fees and requirements stated in the State of Tennessee's Tax Credit Qualified Allocation Plan for 2003, including monitoring fees.

If a development is the subject of a pending **competitive** 2003 Tax Credit application and subsequently becomes the subject of a 2003 Multifamily Tax-Exempt Bond Authority application, the issuance of a Commitment Letter in accordance with Part IX-A of this Program Description shall constitute the withdrawal of the **competitive** Tax Credit application.

The maximum obtainable rents supported by the market study will be expected to support reasonable operating expenses and maximum mortgage debt service prior to Tax Credits filling any financial “gaps”. This may require that the development obtain additional financing from other sources over and above the maximum amount of tax-exempt bond authority or non-competitive Tax Credit committed to the development by THDA.

Part XII: Information and Applications

THDA staff will attempt to assist with information in completing an application, however if clarification or interpretation is required, an interested party should submit their specific request in writing to THDA.

For more information call:

**Ed Yandell, Director of Multifamily and Special Programs, THDA
(615) 741-9666**

**Information about the program is available on the THDA web site at:
<http://www.state.tn.us/thda>**

Tennessee Housing Development Agency

Multifamily Tax-Exempt Bond Authority

Application Requirements Checklist

An Application must meet all of the requirements specified in the Program Description, must meet all federal tax requirements, and must provide complete information and all documents required in the Application. Original documents are required, as are original signatures where signatures are required. No copies or faxes will be accepted.

All of the following are required to be submitted by the relevant application deadline:

- 1. A complete Application with all required original supporting documents and information and two complete copies;
- 2. An Inducement Resolution from the issuer of the bonds signifying the issuer's commitment to issue the bonds in the amount specified in the Application;
- 3. A current independent market study, acceptable to THDA, including, but not limited to, all requirements indicated in Part I-J of the 2003 Multifamily Tax-Exempt Bond Authority Program Description;
- 4. A current appraisal of the proposed development performed in accordance with industry standards, by an appraiser licensed in Tennessee, and meeting the requirements of Part I-K. of this Program Description. If the Application is proposing acquisition of an existing structure, an "as is" appraisal must also be included;
- 5. An **opinion of bond counsel**, addressed to the Tennessee Housing Development Agency, stating that all of the requirements of this Program Description and the Application have been met, and that all federal tax requirements for the bonds will be met;
- 6. A commitment for the purchase of the bonds in the form of **Exhibit 7**.
- 7. A copy of the **notice of public hearing** of the bond issue as required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA); the hearing must have been held prior to submitting a 2003 application; and
- 8. A **certified check**, payable to the Tennessee Housing Development Agency, for the Application Fee or Resubmission Fee. (A Commitment Fee and Incentive Fee will also be required and collected at the time a Commitment Letter is issued).

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- Submit this "Application Requirements Checklist" and the "Self-Check and Scoring Summary Sheet" with your Application**