

2018 AOCR- Compliance Questions Cheat Sheet

#	Question	Yes	No	N/A
Questions 1-12 are for ALL Multifamily Rental Properties				
1	During this reporting period, have any buildings been placed in service for the first time?	<ul style="list-style-type: none"> • For new construction, if Certification of Occupancy (CO's) were received in 2018 • For Acquisition/Rehabs, if the Rehab was placed in service in 2018 	If all buildings in the project were already placed in service by 1/1/2018 or if no building had placed in service by 12/31/2018	
2	During this reporting period, have the occupancy requirements in the Land Use Restriction Agreement/Regulatory Agreement (LURA) been met?	If all occupancy requirements as outlined in the LURA have been met	If there was an issue and, as a result, the occupancy requirements were not met; you will have to provide written details	
3	Has each low income household completed the Income Certification and/or the Annual Eligibility Certification (AEC) form(s) (Treasury Regulation 1.42-5(c)(1)(iii))?	<ul style="list-style-type: none"> • If the Income Certification was received from each low income household at move in • When required, the Income Certification completed annually • For 100% low income or P15 HTC projects, the AEC was completed for all low income households annually 	Please provide details	
4	For each low income household, has documentation been maintained to support the Income Certification form (Treasury Regulation 1.42-5(c)(1)(iii))?	If you properly income qualified every low income household at move in and annually when required	<ul style="list-style-type: none"> • If a program unit was leased to a household that did not qualify • If a program unit was leased to a household and there was not appropriate documentation to support that the household was eligible • Please provide details 	
5	During this reporting period, have the rent requirements in the LURA been met (Treasury Regulation 1.42-5(c)(1)(iv))?	If rents at all levels required by the LURA continuously met	Please provide details	
6	If a low income unit in the building became available during the reporting year, were all reasonable attempts made to rent that unit (or the next available unit of smaller or comparable size) to a low income tenant before a market rate tenant (Treasury Regulation 1.42-5(c)(1)(ix))?	<ul style="list-style-type: none"> • If the property is marketing the low income units • Even if no units became available, as long as you are marketing, compliance can be demonstrated • 100% low income properties 	Please provide details	
7	Have the buildings and low-income units in the project been suitable for occupancy, taking into account local health, safety, and building codes (or other habitability standards)?	If all units that have been vacant for more than 30 days are ready for occupancy (made ready) by 12/31/2018 (other than units down due to reported casualty loss)	If any unit(s) vacant for more than 30 days as of 12/31/2018 have not been made ready; you will need to provide written details	

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8	Has the State or local government unit responsible for making local health, safety, or building code inspections issued a violation report for any building or low-income unit in the project? If a violation report or notice was issued by a governmental unit (other than TDHCA), the owner must attach a statement summarizing the violation report or notice or a copy of the violation report or notice to the annual certification. In addition, the owner must state whether the violation has been corrected (Treasury Regulation 1.42.5 (c) (1) (vi)).	If any governmental entity (other than TDHCA) inspected the property and found any deficiencies/violations; please provide details	<ul style="list-style-type: none"> • If any governmental entity (other than TDHCA) inspected the property and NO deficiencies/violations • If no inspections occurred 	
9	Did the development experience a casualty loss that has not already been reported to TDHCA?	If a casualty and/or disaster loss occurred during 2018 and it was NOT reported to TDHCA; please provide details	<ul style="list-style-type: none"> • If casualty and/or disaster loss occurred in 2018 and it has already been reported • If no casualty and/or disaster loss occurred in 2018 	
10	During this reporting period, has there been a change in the General Partner or Ownership of the development that was not reported to or approved by TDHCA?	<ul style="list-style-type: none"> • If there has been any change to any person/entity in the ownership structure and TDHCA was not notified • Contact your Asset Manager 	If there was no change	
11	Has the development approved and distributed an Affirmative Fair Housing Marketing Plan as required in 10TAC§10.617 ?	<ul style="list-style-type: none"> • If you have an Affirmative Marketing Plan that meets the requirement in 10TAC§10.617 • If there are NO vacancies and the waitlist is closed, affirmative marketing is not required 	<ul style="list-style-type: none"> • If there is no Affirmative Marketing Plan • If there are NO vacancies, the waitlist has not been closed and there is no affirmative marketing plan and there is no affirmative marketing efforts • Please provide details 	
12	Are marketing effort and leasing activities conducted in accordance with the Affirmative Fair Housing Marketing Plan as required in 10TAC§10.617 ?	<ul style="list-style-type: none"> • If you are marketing to Persons with Disabilities AND to the groups identified on your plan as least likely to apply • If you are NOT marketing because there are NO vacancies and the waitlist has been closed 	<ul style="list-style-type: none"> • If there is a plan but no marketing efforts have been conducted • If you are NOT marketing because there are NO vacancies and the waitlist has NOT been closed 	
Questions 13-23 are for Housing Tax Credit (HTC) or HTC Exchange Properties only				
13	Has the development met the minimum set-aside requirement of the 20/50 or 40/60 test under section 42(g)(1) (Treasury Regulation 1.42-5(c)(1)(i)) ?	As of 12/31/2018, were there enough units in the project(s) occupied with households who were income qualified and rent restricted to meet the minimum set-aside	If for any project(s) in the development, the minimum set-aside was not met on 12/31/2018	

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14	During the reporting period was there a change in the applicable fraction (low income occupancy), as defined in section 42(c)(1)(B) for any building in the development (Treasury Regulation 1.42-5(c)(1)(ii))?	<ul style="list-style-type: none"> • If there was an increase or a decrease in the applicable fraction as defined in the LURA for any building • For Post 15, if there was an increase/decrease in the total number of low income households property wide • Please give details 	If there was no change	
15	During the reporting period, were all units in the development for use by the general public (as defined in section 1.42-9) (Treasury Regulation 1.42-5(c)(1)(v))?	<ul style="list-style-type: none"> • If units are leased in a manner consistent with the general public use requirements • If occupancy restrictions or preferences that favor tenants <ol style="list-style-type: none"> 1) with special needs; 2) who are members of a specified group under a Federal program or state program or policy that supports housing for such specified group; or, 3) who are involved in artistic or literary activities 	<ul style="list-style-type: none"> • If units are not leased in a manner consistent with the general public use requirements • If a residential unit is provided only for a member of a social organization or provided by an employer for its employees • Please provide details 	
16	Did HUD, or an equivalent fair housing agency or federal court find that the development violated the Fair Housing Act (Treasury Regulation 1.42-5(c)(1)(v))?	If a finding was cited that the development violated the Fair Housing Act; please provide details	<ul style="list-style-type: none"> • If a complaint was filed, but there was no finding of a violation • If no complaint was filed 	
17	For mixed income projects where annual recertifications are required, if at recertification a household's income increased above 140% of the current income limit determined by the minimum set-aside, was (or will) the next unit in the building of smaller or comparable size leased to a low income household (Treasury Regulation 1.42-5(c)(1)(x))?	<ul style="list-style-type: none"> • If the rule was followed • Post 15 	<ul style="list-style-type: none"> • If there was an over income (OI) household and the next unit rented of smaller/comparable size was to a market household • Even if the issue has been since corrected • Please provide details 	<ul style="list-style-type: none"> • If 100% low income project(s) • If you are mixed income and NO household's income exceeds 140% of the current AMI for the household size
18	During the reporting period, has there been a change in eligible basis (Treasury Regulation 1.42-5(c)(1)(vii))?	You will need to describe the nature of the change (i.e. a common area has become a commercial space or a fee is charged for a resident facility where the cost of that facility was included in the eligible basis)	No	
19	Are all resident facilities that were included in eligible basis for an building in the project (such as swimming pools, other recreational facilities, or parking areas, etc.) provided on a comparable basis without charge to all residents in the buildings (Treasury Regulation 1.42-5(c)(1)(vii))?	<ul style="list-style-type: none"> • No fees charged for any residential facility • If fees are charged, you are sure that the cost for that facility was excluded from eligible basis 	A fee is being charged for a resident facility for which the cost to construct that facility was included in the eligible basis calculation; you will need to provide details	

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20	Are all low income units in the development used on a non-transient basis (i.e. initial lease contracts require a minimum six month term), except for transitional housing for the homeless or single-room occupancy units rented on a month-by-month basis (Treasury Regulation 1.42-5(c)(1)(xii))?	<ul style="list-style-type: none"> You are doing leases for less than 6 months but only for transitional housing for the homeless or SRO's All initial lease terms are at least 6 months 	Please provide details	
21	Is this reporting year the first year of the development's credit period?	If 2018 is the first year of the credit period for any project that comprises the development (Note: you could have multiple allocations of credits, please be sure to answer considering all allocations)	If 2018 was the 2 nd year or later in the credit period or if the credit period will not begin until 2019 or later	
22	Is there a fully executed and recorded LURA in effect (Treasury Regulation 1.42-5(c)(1)(xi))?	Your LURA has been signed by all parties, recorded in the county's records and the original document has been returned to the Department	<ul style="list-style-type: none"> If there is NO LURA If the LURA has not been fully executed (including signing, filing and/or returning original document) 	
23	Department records indicate that this question is not applicable to the development.			If for #23 this message appears, it means that, based on a reconciliation of Department records, the property is not required to affirmatively market to veterans.
23	Have you Affirmatively Marketed to Veterans as required by the LURA, application or QAP?	You are affirmatively marketing to organizations specializing in assisting veterans	Please provide details	If this question is available to answer, it is applicable to you!
Questions 24-25 are for HOME Properties only				
24	Is each building and all HOME assisted units in the project suitable for occupancy, taking into account State and local health, safety, and other applicable codes, ordinances, and requirements, and the ongoing property standards established by TDHCA (the participating jurisdiction) to meet the requirements of §92.251 ?	<ul style="list-style-type: none"> If all units are suitable for occupancy If any governmental entity (other than TDHCA) inspected the property and NO deficiencies/violations OR No inspection occurred 	<ul style="list-style-type: none"> If any governmental entity (other than TDHCA) inspected the property and found any deficiencies/violations If any unit(s) are not suitable for occupancy Please provide details 	
25	If required per the LURA, has the CHDO continually maintained its nonprofit designation?	<ul style="list-style-type: none"> The CHDO has maintained their nonprofit status 	<ul style="list-style-type: none"> Please provide details 	