

From: [TDHCA](#)
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Subject: Waivers Granted on Certain Resolutions for Housing Tax Credit Applications
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In recognizing Shelter in Place orders that have been issued in various cities across the state in response to COVID-19, and the associated impact of those orders on the ability of local government to conduct its business in a timely manner, the Texas Department of Housing and Community Affairs (the Department) requested temporary relief pertaining to statutory requirements for resolutions required for Housing Tax Credit applications. On Friday, March 27, 2020, Governor Greg Abbott granted waivers associated with the specific resolutions listed below.

* Tex. Gov't Code Sec. 2306.67071 relating to applications for non-competitive housing tax credits include a resolution of no objection from the governing body stating they do not object to the applicant filing a housing tax credit application with TDHCA.

* Tex. Gov't Code Sec. 2306.6703(a)(3) relating to applications involving a proposed development that is located within one mile of another housing tax credit development that has already been awarded and proposes to serve the same target population.

* Tex. Gov't Code Sec. 2306.6703(a)(4) relating to applications involving a proposed development that is located in a municipality or county (as applicable) that has more than twice the state's average of units per capita supported by housing tax credits or private activity bonds at the time the application is submitted.

For housing tax credit applications that have been submitted to the Department and are currently under review and for which the applicable resolution(s) has not yet been submitted, the application will be allowed to move forward without the resolution.

For housing tax credit applications that are submitted to the Department on or prior to the earlier of the date the Governor disaster declaration of March 13, 2020, is lifted or expires, the applicable resolution(s) will not be required, even if there is further review by the Department of those applications after such date.

Questions relating to the resolution requirements and the waiver granted by Governor Abbott may be directed to Teresa Morales, Director of Multifamily Bonds at teresa.morales@tdhca.state.tx.us.

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