

**AMENDMENT TO THE 2016, 2017, 2018, AND 2019
WASHINGTON COUNTY COMMUNITY DEVELOPMENT AGENCY
LOW INCOME HOUSING TAX CREDIT QUALIFIED ALLOCATION PLANS**

The Washington County Community Development Agency is hereby amending its Low Income Housing Tax Credit Qualified Allocation Plans for 2016, 2017, 2018, and 2019. Each Plan is amended to insert Section 7.5 and subparagraphs, as follows:

Section 7.5 The applicant shall make a minimum set-aside election and meet one of the income and rent level tests set forth in subparagraph (a), (b), or (c) below. The minimum set-aside election requirement for a qualified low-income housing project under Code Section 42(g) is irrevocable once made in the original application for Credits. If a Project fails to meet its elected minimum set-aside standard at the end of a year, it is not a qualified low-income housing project for the year under Code Section 42(g)(1)(C) and this noncompliance must be reported on IRS Form 8823. The owner may be subject to the loss of Tax Credits.

- (a) 20-50 Test. The project meets the requirements of this minimum set-aside if 20 percent or more of the residential units in such project are both rent-restricted and occupied by individuals whose income is 50 percent or less of area median gross income.
- (b) 40-60 Test. The project meets the requirements of this minimum set-aside if 40 percent or more of the residential units in such project are both rent-restricted and occupied by individuals whose income is 60 percent or less of area median gross income.
- (c) Average Income Test. The project meets the requirements of this minimum set-aside if 40 percent or more (25 percent or more in the case of a project described in section 142(d)(6)) of the residential units in such project are both rent-restricted and occupied by individuals whose income does not exceed the imputed income limitation designated by the project owner with respect to the respective unit. In order for a project to elect the minimum set-aside set forth in this subparagraph (c), the following requirements must be satisfied:
 - (i) This minimum set-aside is only available to projects which have not filed Form 8609 before April 2, 2019. The designation must be made at initial application, carryover application or application for Form 8609.
 - (ii) This minimum set-aside is only available to projects with 100% Tax Credit units.
 - (iii) The project owner shall designate the imputed income limitation of each unit taken into account under this minimum set-aside. The designation of imputed income limitations below 60% shall be included in the Declaration of Land Use Restrictive Covenants.

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- (iv) The imputed income limitations designated for each unit shall have reasonable parity in terms of the layout, number of bedrooms and unit square footage.
- (v) The average of the imputed income limitations designated under this set-aside shall not exceed 60 percent of area median gross income.
- (vi) The designated imputed income limitation of any unit shall be 20 percent, 30 percent, 40 percent, 50 percent, 60 percent, 70 percent, or 80 percent of area median gross income. The maximum number of increments is four.
- (vii) Projects with more than one building must be designated as a multiple-building project on Form 8609.
- (viii) For projects which also have Project Based Housing Choice Vouchers (PBV), the designation of imputed income limitation for the PBV units must match the rent level of that unit. The maximum gross rent shall not exceed the lower of the designated rent limit or PBV Payment Standard rent limit.