

**FEDERAL HOME LOAN BANK OF CHICAGO
2012 AFFORDABLE HOUSING PROGRAM IMPLEMENTATION PLAN**

This Implementation Plan (the “Plan”) sets forth certain policies, procedures, guidelines and requirements applicable to the Affordable Housing Program (“AHP”) of the Federal Home Loan Bank of Chicago (the “Bank”), as required by Part 1291 of the Code of Federal Regulations governing the AHP (12 C.F.R. Part 1291) (“Regulations”). While the Implementation Plan includes pertinent information pertaining to the Bank’s AHP, the plan is not intended to be a comprehensive statement of all of the Bank’s policies and procedures applicable to the AHP. In the event of a conflict between the Plan and the Regulations, the Regulations will govern.

Plan Contents	Page
I. Median Income Standard	2
II. Requirements for the Bank’s Competitive Program (“Competitive Program”)	2
A. Funding Periods and Application Process	2
B. Minimum Eligibility Requirements	2
- Project Feasibility and Cost Guidelines (Exhibit I)	
C. Scoring Guidelines (Exhibit II)	
D. Modification of Approved Competitive Program Applications	7
E. Procedure for Funding Competitive Program Subsidies	7
F. Monitoring Requirements for the Competitive Program (Exhibit III)	
III. Requirements for the Bank’s Homeownership Set-aside Program (“Set-Aside Program”).....	9
A. Establishment of Set-Aside Program	9
B. Eligible Applicants	9
C. Minimum Eligibility Requirements	9
D. Procedure for Funding Set-Aside Subsidies	12
E. Monitoring Requirements for Set-Aside Program	13
IV. Retention Agreement Requirements	13

Exhibits

Exhibit I: Project Feasibility and Cost Guidelines

Exhibit II: Scoring Guidelines

Exhibit III: Monitoring Guidelines

The Bank has not adopted, and does not have a program for revolving loan funds or loan pools. The Bank will not permit the re-use of repaid AHP direct subsidies for the same project.

I. Median Income Standard

Section 1291.3(a) of the Regulations requires the Bank to adopt one or more applicable median income standards. Accordingly, the median income guidelines published annually by the U.S. Department of Housing and Urban Development are adopted as the income standard used by the Bank. Such income guidelines are posted on the Bank's Community Investment website.

II. Requirements for the Bank's Competitive Program

A. Funding Periods and Application Process

1. In 2012 there will be a single funding round. The application deadline will be July 9, 2012.
2. The Bank will accept applications for AHP subsidies under its Competitive Program only from institutions that are members of the Bank at the time the application is submitted to the Bank and will award subsidies only to institutions that are members of the Bank at time of award approval.
3. Competitive Program applications must contain information sufficient for the Bank to:
 - a. Determine that the proposed AHP project meets the eligibility requirements pursuant to Section II.B below; and
 - b. Evaluate the application pursuant to the scoring guidelines in Exhibit II.

B. Minimum Eligibility Requirements

Projects receiving AHP subsidies pursuant to the Competitive Program must meet the following eligibility requirements:

1. *Owner-occupied or rental housing*

The AHP subsidy must be used exclusively for:

 - a. Owner-occupied housing. The purchase, construction, or rehabilitation of an owner-occupied project by or for very low-income or low- or moderate-income households. A household must have an income meeting the income targeting commitments in the approved AHP application at the time it is qualified by the project sponsor for participation in such project.
 - b. Rental housing. The purchase, construction, or rehabilitation of a rental project, where at least 20 percent of the units in such project are occupied by and affordable for very low-income households. A household must have an income meeting the income targeting commitments in the approved AHP application upon initial occupancy of the rental unit, or for projects involving the purchase or rehabilitation of rental housing that

already is occupied, at the time the application for AHP subsidy is submitted to the Bank for approval.

2. *Need for subsidy*

A project's estimated uses of funds must equal its estimated sources of funds, as reflected in such project's development budget. The difference between a project's sources of funds and uses of funds is the maximum amount of AHP subsidy such project may receive.

A project's sources of funds must include:

- a. Cash contributions by the sponsor, any funds from sources other than the sponsor, and estimates of funds the sponsor has obtained, or intends to obtain from other sources but which have not yet been committed to such project.
- b. In the case of homeownership projects where the sponsor extends permanent financing to the homebuyer, the sponsor's cash contribution must include any cash down payment from the buyer, plus the present value of any purchase note the sponsor holds on the unit. The present value of the note must be determined using a market rate of interest to discount the projected cash flows.
- c. Estimates of the market value of in-kind donations, volunteer professional labor and services, and sweat equity committed to the project should not be included as a source of funds.

3. *Project costs*

- a. A project's cash uses are the actual outlay of cash needed to pay for materials, labor, and acquisition or other costs of completing such project. Cash costs do not include in-kind donations, voluntary professional labor or services, or sweat equity. Non-cash costs should not be included as a use of funds.
- b. Taking into consideration the geographic location of a project, development conditions, and other non-financial project characteristics, the Bank will determine whether a project's costs, as reflected in such project's development budget, are reasonable in accordance with the Bank's project cost guidelines.
- c. Cost of property and services provided by a member. The purchase price of property or services, as reflected in the project's development budget, sold to the project by a member providing the AHP subsidy to the project, or, in the case of property, upon which such member holds a mortgage or lien, may not exceed the market value of such property or services as of the date the purchase price was agreed upon. In the case of "real estate owned property" sold to a project by a member providing an AHP subsidy to such project, or property sold to the project upon which the member

holds a mortgage or lien, the market value of such property is deemed to be the “as-is” or “as-rehabilitated” value of such property, whichever is appropriate, as reflected in an independent appraisal of such property performed by a state certified appraiser or licensed appraiser, as defined in 12 CFR 564.2(j) and (k) respectively, within six months prior to the date the Bank disburses the AHP subsidy to a project.

4. *Project feasibility*

- a. Developmental feasibility. A project must be likely to be completed and occupied, based on relevant factors, including, but not limited to the development budget, market analysis, project timeline, and the project sponsor’s experience in providing the requested assistance to households.
- b. Operational feasibility of rental projects. A rental project must be able to operate in a financially sound manner, and in accordance with the Bank’s Project Feasibility and Cost Guidelines, attached hereto as Exhibit I, as projected in the project’s operating pro forma.
- c. The Bank will evaluate the operational and financial feasibility of a project and the need for AHP subsidy, as required by the Regulation, using the Project Feasibility and Cost Guidelines, attached hereto as Exhibit I.

5. *Financing costs*

The rate of interest, points, fees, and any other charges for all loans that are made for the project in conjunction with the AHP subsidy must not exceed a reasonable market rate of interest, points, fees and other charges for loans of similar maturity, terms, and risk.

6. *Timing of AHP subsidy use*

At the time of application, the AHP subsidy must be likely to be drawn down by the project or used by such project to procure other financing commitments within 12 months of the date of approval of the application for AHP subsidy.

7. *Counseling costs*

AHP subsidies may be used to pay for counseling costs only where such costs are incurred in connection with counseling of homebuyers who actually purchase an AHP-assisted unit, and the cost of counseling has not been covered by another funding source, including the member.

8. *Refinancing*

A project may use an AHP subsidy to refinance an existing single-family or multi-family mortgage loan, provided that the refinancing produces equity proceeds, and such equity proceeds up to at least the amount of the AHP subsidy in such project must be used only for the purchase, construction, or

rehabilitation of housing units meeting the applicable eligibility requirements of Section II.B of this Plan.

9. Retention

- a. Owner-occupied units will be subject to a 5-year retention agreement, as described in Section IV of this Plan.
- b. Rental projects will be subject to a 15-year retention agreement, as described in Section IV of this Plan.

10. Project Sponsor qualifications

Sponsor is defined as a not-for-profit or for-profit organization or public entity that (1) has an ownership interest in a rental project or (2) is integrally involved in an owner-occupied project.

- a. For purposes of the definition of sponsor, “ownership interest” means that (i) the sponsor is the owner of the rental property or (ii) the sponsor has an ownership interest (including any partnership interest) in the entity that is the owner of the rental project.
- b. For purposes of the definition of sponsor, “integrally involved” means the sponsor (i) exercises control over the development or management of an owner-occupied project or (ii) provides homebuyer or homeowner counseling, or (iii) qualifies borrowers and provides or arranges financing for the owners of the owner-occupied units.
- c. A project's sponsor must be qualified and able to perform its responsibilities as committed to in an application for an AHP subsidy.

11. Fair housing

A project, as proposed, must comply with applicable federal and state laws on fair housing and housing accessibility, including, but not limited to, the Fair Housing Act, the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Architectural Barriers Act of 1969, and the project must demonstrate how such project will be affirmatively marketed.

12. Calculation of AHP subsidy

- a. Where an AHP direct subsidy is provided to a project to write down the interest rate on a loan extended by a member, sponsor, or other party to a project, the net present value of the interest foregone from making the loan below the lender’s market interest rate must be calculated as of the date the application for the AHP subsidy is submitted to the Bank, and subject to adjustment under section 1291.5(g)(4) of the Regulations.
- b. Where an AHP subsidized advance is provided to a project, the net present value of the interest revenue foregone from making a subsidized advance at a rate below the Bank’s cost of funds must be determined as of the earlier of the date of disbursement of the subsidized advance or the date

prior to disbursement on which the Bank first manages the funding to support the subsidized advance through its asset/liability management system, or otherwise.

13. District eligibility requirements

Pursuant to section 1291.5(c)(15)(i) of the Regulations, the Bank has adopted the following district eligibility requirements:

- a. The Bank will limit the amount of subsidy a member may receive to a maximum of 25% of the subsidy awarded for each application period. If the Bank can not award the full amount of the subsidy available for the application period using the 25% per member limit, the Bank will increase the per member limit up to a maximum of 30% of the subsidy awarded or the subsidy announced for the application period, whichever is greater.
- b. The Bank will limit the amount of subsidy per project to \$700,000.

14. Prohibited uses of AHP subsidies

A project must not use AHP subsidies to pay for:

- a. Prepayment fees imposed by the Bank on a member for a subsidized advance that is prepaid, unless,
 - i. The project is in financial distress that cannot be remedied through a project modification pursuant to section 1291.5 (f) of the Regulations;
 - ii. The prepayment of the subsidized advance is necessary to retain the project's affordability and income targeting requirements;
 - iii. Subsequent to such prepayment, the project will continue to comply with the terms of the approved AHP application and the requirements of the Regulations for the duration of the original retention period;
 - iv. Any unused AHP subsidy is returned to the Bank and made available for other AHP projects; and
 - v. The amount of AHP subsidy used for the prepayment fee may not exceed the amount of the member's prepayment fee to the Bank.
- b. Cancellation fees and penalties imposed by the Bank on a member for a subsidized advance commitment that is cancelled; or
- c. Processing fees charged by members for providing direct subsidies to a project.

C. Scoring Guidelines

The Bank's scoring system is described in detail in the Scoring Guidelines, attached hereto as Exhibit II.

D. Modification of Approved Competitive Program Applications

1. If, prior to or after final disbursement of funds to a project from all funding sources, there is or will be a change in the project that would change the score that the project application received in the funding period in which it was originally scored and approved, had the changed facts been operative at that time, the Bank, in its discretion, may approve in writing a modification to the terms of the approved application, provided that:
 - a. The project, incorporating any such changes, would meet the eligibility requirements of Section II.B of this Plan;
 - b. The application, as reflective of such changes, continues to score high enough to have been approved in the funding period in which it was originally scored and approved by the Bank; and
 - c. There is good cause for the modification, and the analysis and justification for the modification are documented by the Bank in writing.
2. Modifications involving an increase in AHP subsidy must be approved or disapproved by the Bank's board of directors ("Board of Directors").
3. A change to the location of the project is generally not allowed and will be considered by the Bank on a case-by-case basis based on an evaluation of information and documentation justifying the need for the change. It is solely within the Bank's discretion to allow or deny any such proposed modification.
4. A change to the project's sponsor(s) is generally not allowed and will be considered by the Bank on a case-by-case basis based on an evaluation of information and documentation justifying the need for the change.. It is solely within the Bank's discretion to allow or deny any such proposed modification.

E. Procedure for Funding Competitive Program Subsidies

1. The Bank may disburse AHP subsidies only to institutions that are members of the Bank in good standing at the time they request a draw-down of the AHP subsidies. If an institution with an approved application for AHP subsidy loses its membership, the Bank in its discretion, and on such terms, conditions and documentation as are acceptable to the Bank, may disburse AHP subsidies to (a) a member of the Bank to which the institution has transferred its obligations under the approved application, or (b) through another Federal Home Loan Bank ("FHLBank") to a member of that FHLBank that has assumed the institution's obligation under the approved application.
2. The Bank will verify that the AHP subsidies for a project approved under the Competitive Program are fully or partially drawn down by the project or used by the project to procure other financing commitments within 12 months of

the date of approval of the application for AHP subsidy funding the project. At its discretion, the Bank may approve an extension of the AHP subsidy award for projects not meeting the 12 month use requirement. The Bank will assess whether satisfactory progress is being made and approve or deny such requests according to its internal Bank policies. Projects that are not approved for extension are subject to the cancellation of the AHP subsidy award. If the Bank cancels an application approval, the AHP subsidy will be made available for other AHP-eligible projects.

3. Prior to its initial disbursement of AHP subsidies for an approved project, and prior to each subsequent disbursement, if the need for AHP subsidy has changed, the Bank will verify that the project meets the eligibility requirements of section 1291.5(c) of the Regulations and all obligations committed to in the approved application. The Bank will also verify that there is an executed subsidy agreement between the Bank, the member and the sponsor pursuant to the requirements of the Regulations.
4. Projects are subject to applicable retention agreements per Section IV of this Plan.
5. The Bank may reduce the amount of AHP subsidy if additional funding has been secured or the project's costs were reduced as a result of a restructuring of the development, or in any other circumstances deemed appropriate by the Bank. If the Bank reduces the amount of an AHP subsidy, the amount of the reduction must be returned to the Bank's AHP fund. If the Bank increases the amount of AHP subsidy approved for a project, the amount of such increase shall be drawn first from any currently uncommitted or repaid AHP subsidies and then from the Bank's required AHP contribution for the next year.
6. In cases where the AHP direct subsidy has been approved to write down, prior to closing, the principal amount or the interest rate on a loan to a project (and an interest rate assumption was made in determining the amount of subsidy needed at the time of approval), the final amount of the AHP subsidy awarded to the project may be changed through a project modification. Further, the Bank is not obligated to commit to more AHP funding than the amount of the original award.

F. Monitoring Requirements for the Competitive Program

Competitive Program projects will be monitored in conformity with the initial monitoring requirements of section 1291.7(a)(1) of the Regulations and the long-term monitoring requirements in section 1291.7(a)(4) of the Regulations. The Bank's policies for monitoring its Competitive Program are further described in Monitoring Guidelines, attached hereto as Exhibit III.

III. Requirements for the Bank's Set-Aside Program

A. Establishment of Set-Aside Program

The Bank's Set-aside Program will consist of two funding pools: a general pool (referred to as Downpayment Plus[®] or DPP[®]) and a restricted pool (referred to as Downpayment Plus Advantage[®] or DPP Advantage[®].) In 2012, the Bank will allocate up to the greater of \$4.5 million or 35% of funds available for the 2012 AHP programs to the Set-Aside Program. At least one-third of the Bank's aggregate set-aside allocation will assist first-time homebuyers, as required in section 1291.2(b)(2) of the Regulations.

Members participating in DPP may access set-aside subsidies on behalf of eligible homebuyers or homeowners to whom they are providing first mortgages. Members participating in DPP Advantage may access set-aside subsidies on behalf of eligible homebuyers with first mortgage financing from a non-profit organization. Of the funds allocated to the Set-aside Program, up to \$800,000 will be allocated to DPP Advantage for 2012.

Unless otherwise noted, eligibility, funding and monitoring requirements set forth below for the Set-aside Program apply to both DPP and DPP Advantage.

B. Eligible Applicants

The Bank may only accept applications for its Set-aside Program from institutions that are members of the Bank at the time of the member's enrollment with the applicable program administrator. The program administrators are the Illinois League of Financial Institutions and the Wisconsin Partnership for Housing Development (collectively, the "Program Administrators").

C. Minimum Eligibility Requirements

The Bank's Set-Aside Program eligibility requirements include the following:

1. *Member allocation criteria*

The member will apply to the applicable Program Administrator for a reservation of funding for the homebuyer within 90 days prior to closing. Program Administrators will accept reservations from participating members after the allocation for the program year has been announced. Reservations will be granted on a first come/first served basis until program funds have been fully reserved.

The 2012 member limit for DPP is \$400,000 for the 2012 program year. There is no member limit for DPP Advantage funds. Program utilization will be monitored throughout the year, and if Bank management determines that the funds allocated to the Set-Aside Program are not likely to be reserved prior to year-end, the Community Investment Officer, based on an evaluation of needed down payment assistance within the 7th District, is authorized to

increase the member limit to up to \$700,000, effective on or after August 1, 2012. The Community Investment Officer will inform the Affordable Housing Committee of the Board of Directors and the Bank and Program Administrators will notify participating members of any such change to the member limit for 2012.

2. *Eligible households*

Members must ensure the following requirements are satisfied:

- a. Households must have incomes that do not exceed 80% of median income for the area at the time of enrollment. The member will determine household eligibility and apply to the Program Administrator for a reservation for funding. The reservation date will be considered the “time of enrollment.”
- b. Households using the DPP subsidy to assist with the purchase of a home must complete a homebuyer education program. The homebuyer education program must include a financial literacy component, and must provide information alerting borrowers to practices characteristic of predatory and sub-prime lending. The program must be provided by an organization experienced in homebuyer or homeowner counseling.
- c. A minimum of one-third of households accessing DPP funds must be first-time homebuyers, pursuant to the first-time homebuyer requirement in section 1291.2(b)(2) of the Regulations. A first-time homebuyer is defined by the Bank as a household meeting any one of the following criteria:
 - i. An unmarried individual or an individual and his or her spouse who has/have not owned a home during the three-year period prior to the date of purchase of a home with AHP assistance.
 - ii. A divorced or legally separated individual who has only owned with a (former) spouse.
 - iii. An unmarried individual or an individual and his or her spouse who has/have only owned a property that was not in compliance with state, local, or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.
- d. Homebuyers accessing DPP must contribute a minimum of \$1,000 toward the purchase of the home. Households using the DPP Advantage Program are not required to make the \$1,000 equity contribution.
- e. Households can receive a DPP subsidy once every five (5) years.

3. *Maximum grant amount*

Grants to households cannot exceed \$8,000. Program utilization will be monitored throughout the year, and if Bank management determines that the funds allocated to the Set-Aside Program are not likely to be reserved prior to year- end, the Community Investment Officer, based on an evaluation of

needed down payment assistance within the 7th District, is authorized to increase the maximum grant amount per household to up to \$12,000, effective on or after August 1, 2012. The Community Investment Officer will inform the Affordable Housing Committee of the Board of Directors and the Bank and Program Administrators will notify participating members of any such change to the maximum grant amount per household for 2012.

4. *Eligible uses of AHP direct subsidy*

Households must use the subsidy to pay for down payment, closing costs, counseling, or rehabilitation assistance in connection with the household's purchase or rehabilitation of an owner-occupied unit, including a condominium or cooperative housing unit or manufactured housing, to be used as the household's primary residence.

5. *Retention Agreement*

An owner-occupied unit purchased or rehabilitated using an AHP direct subsidy will be subject to a 5-year retention agreement per section IV of this Plan.

6. *Financial or other concessions*

a. Members accessing DPP set-aside funds for purchase or rehabilitation must:

- i. Fund or originate the mortgage. The mortgage may be funded or originated by a wholly owned subsidiary of the member or wholly owned subsidiary of the member's parent company.
- ii. Provide financial or other incentives in connection with the related first mortgage financing. Payment to a Program Administrator of enrollment fees and/or processing fees cannot be passed on to the borrower and as such can be considered as incentives meeting this requirement.

b. Members accessing DPP Advantage funds are not required to provide financial concessions.

7. *Financing costs*

The rate of interest, points, fees and any other charges for loans made to households using the DPP subsidy for purchase or rehabilitation must not exceed a reasonable market rate of interest, points, fees and other charges for loans of similar maturity, terms and risk.

8. *Counseling costs*

Set-aside funds may be used to pay for counseling costs provided by someone other than the member only where the costs are incurred in connection with counseling of homebuyers who actually purchase an AHP-assisted unit and the cost has not been covered by another funding source, including the member. Counseling costs reimbursed by the set-aside funds may not exceed \$650 per household. If the member charges a fee for providing homebuyer or homeowner counseling, the set-aside subsidy will be reduced accordingly.

9. *Cash back to household*

A member may provide cash back to a household at closing on the mortgage loan in an amount not exceeding \$250. The member must use any set-aside subsidy exceeding such amount that is beyond what is needed at closing for closing costs and the approved mortgage amount as a credit to reduce the principal of the mortgage loan or as a credit toward the household's monthly payments on the mortgage loan.

D. Procedure for Funding Set-Aside Subsidies

1. *Reservation of set-aside subsidies*

The member will determine household eligibility and will apply to the applicable Program Administrator for a reservation of funding for the homebuyer. Program Administrators will accept reservations after the allocation for the program year has been announced to the Bank's members. Funds will be available on a first-come, first served basis, until the member limit has been reached or the program funds have been fully reserved, whichever occurs first.

2. *Progress towards use of set-aside subsidies*

The Bank requires its set-aside funds to be drawn down and used by members by the end of the first quarter of the year following the allocation year. If a member's reservation exceeds the 90-day period, the Program Administrator may allow, per Bank policy in effect at that time, an extension of the reservation. Likewise, if necessary, the Bank may allow an extension of the funds to be drawn down and used by members. If an extension is not granted, the reservation will be cancelled. The reserved amount will then be returned to the DPP general pool of funds.

3. *Disbursement of Set-Aside Subsidies*

- a. At closing, the member will disburse its own funds and submit loan documentation and verification of eligibility to the Program Administrator. After review, the Program Administrator will submit the documentation to the Bank for reimbursement to the member. The Bank will:
 - i. Verify that the requesting institution is a member at time of disbursement;
 - ii. Verify there is an executed subsidy agreement between the Bank, the member and Program Administrator pursuant to the Regulations; and
 - iii. Review each loan for certification of eligibility pursuant to the Regulations prior to member reimbursement.
- b. The member or Program Administrator, depending on culpability, will be required to assume the liability for any
 - i. Subsidies made to an ineligible household, or
 - ii. Subsidies used for an ineligible purpose.

E. Monitoring Requirements for Set-Aside Program

1. The Bank will require the member to certify prior to each disbursement for each set-aside transaction that:
 - a. The set-aside subsidy was provided to a household meeting all applicable eligibility requirements of section 1291.6(c) of the Regulations and the Bank's Set-aside Program policies; and
 - b. All other applicable eligibility requirements in section 1291.6 of the Regulations and the Bank's Set-aside Program policies are met.
2. The Bank will require the member to maintain for the Bank's review any documentation necessary for the Bank to determine whether assisted households meet all applicable eligibility requirements of section 1291.6(c) of the Regulations and the Bank's Set-aside Program policies, including that the AHP-assisted units are subject to the retention agreements.
3. The Bank will review certifications provided by the member for each set-aside transaction prior to disbursement of the set-aside subsidy.
4. The Bank will establish and use a reasonable sampling plan to select households to be monitored, and to review the back-up documentation and any other documentation received by the Bank.

IV. Retention Agreement Requirements

A. Retention Agreements

The Bank will require retention agreements for its Competitive and Set-Aside Programs consistent with the requirements of section 1291.9(a)(7) and (a)(8) of the Regulations. Members will be required to incorporate the terms of the retention agreement into a deed restriction or a mortgage (or other appropriate real property security instrument under applicable law) securing solely the AHP subsidy. Members will be responsible for ensuring that the deed restriction or mortgage (or other appropriate security instrument) is enforceable under applicable law, is in proper form for recording under applicable law and is properly recorded. The Bank has provided sample retention agreements on its website at www.fhlbc.com. While the Bank does not require that a member use the sample retention agreements, if a retention agreement will differ substantially from the Bank's sample retention agreements, the member should contact the Bank.

1. Rental project requirements include:
 - a. The rental units, or applicable portion thereof, must remain occupied by and affordable for households with incomes at or below the levels committed to be served in the approved AHP application for the duration of the retention period;
 - b. The Bank or its designee is to be given notice of any sale or refinancing of the project occurring prior to the end of the retention period;
 - c. In the case of a sale or refinancing of the project prior to the end of the retention period, the full amount of the direct subsidy received by the owner must be repaid to the Bank, unless (i) the project continues to be subject to a deed restriction or other legally enforceable retention agreement or mechanism incorporating the income-eligibility and affordability restrictions committed to in the approved AHP application for the duration of the retention period, or (ii) if authorized by the Bank, in its discretion, the households are relocated, due to the exercise of eminent domain, or for the expansion of housing or services, to another property that is made subject to a deed restriction or other legally enforceable retention agreement or mechanism incorporating the income-eligibility and affordability restrictions committed to in the approved AHP application for the remainder of the retention period; and
 - d. The income-eligibility and affordability restrictions applicable to the project terminate after any foreclosure.
2. Owner-occupied project requirements include:
 - a. The Bank or its designee is to be given notice of any sale or refinancing of the unit occurring prior to the end of the retention period;

- b. In the case of a sale prior to end of the retention period, an amount equal to a pro-rata share of the direct subsidy, reduced for every full month the seller owned the unit, will be repaid to the Bank, from any net gain realized upon the sale, unless (i) the unit is sold to a very low- or low- or moderate-income household, or (ii) the unit was assisted with a permanent mortgage loan funded by an AHP subsidized advance;
 - c. In the case of refinancing prior to the end of the retention period, an amount equal to a pro rata share of the direct subsidy reduced for every full month the seller owned the unit, will be repaid to the Bank, from any net gain realized upon the refinancing, unless (i) the unit continues to be subject to a deed restriction or other legally enforceable retention agreement or mechanism for the duration of the retention period, or (ii) the unit was assisted with a permanent mortgage loan funded by an AHP subsidized advance.
 - d. The obligation to repay AHP subsidy to the Bank will terminate after any foreclosure.
3. Inception of Retention Period:
- a. For rental projects, the date of project completion as reported by the sponsor or the date of the last AHP subsidy disbursement, whichever is later, will be considered the inception of the 15-year retention period.
 - b. For owner-occupied projects using the AHP subsidy for construction or purchase, the closing date from the HUD-1 settlement statement will be considered the inception of the 5-year retention period.
 - c. For owner-occupied projects using the AHP subsidy for rehabilitation only, the execution date of the retention documents will be considered the inception of the 5-year retention period.

Approved by the Board of Directors
on the 15th day of December, 2011
and first amended on this 27th day of February, 2012
by the Affordable Housing Committee of the
Board of Directors

AFFORDABLE HOUSING COMMITTEE OF
THE BOARD OF DIRECTORS

Its Corporate Secretary

Exhibit I – Project Feasibility and Cost Guidelines for the Competitive Program

The Bank has established guidelines for determining project feasibility and the need for the requested AHP subsidy pursuant to section 1291.5(c)(4) of the Regulations. These guidelines serve as a benchmark for evaluating projects and may be used as a basis for adjusting or rejecting requests for a subsidy in the application, modification, and pre-and post-disbursement stages of a project. Exceptions to these guidelines will be considered by the Bank on a case-by-case basis based on an evaluation of information and supporting data justifying the need for such exception. Bank staff will report their recommendations to the Bank’s Community Investment Advisory Council and Affordable Housing Committee of the Board of Directors.

Development	Criterion	Guideline		
Budget for Rental Properties	Cost per unit Excludes land acquisition costs, off-site costs, soft costs, developer / consultant fees, financing costs and capitalized reserves	Unit Size 0 BR 1 BR 2 BR 3 BR ≥4 BR	Illinois Chicago region \$165,097 \$190,356 \$229,576 \$293,864 \$327,376	Wisconsin and Illinois – outside Chicago region \$132,485 \$152,755 \$184,228 \$235,817 \$262,709
	Bank staff will apply limits established by the applicable Federal Home Loan Bank for out-of-district projects. Counties included in the Chicago region include Cook, DuPage, Will, Lake, Kane, Kendall, McHenry and Grundy.			
	Developer/consultant fee (as a % of development cost, excluding developer and consultant fees). Market value of donated or discounted land, labor, and materials will not factor into development cost for purposes of this calculation.	Maximum fee of 12% of development costs for projects with 25 or more units. Maximum fee of 15% of development costs for projects with 24 or less units. For rental projects where hard costs of rehabilitation / construction are between 5% and 25% of total development costs, there is a mandatory deferral of developer fees exceeding 7.5%. For rental projects consisting of acquisition-only or acquisition and rehabilitation, where the hard costs of rehabilitation are 0% to 5% of total project costs, the maximum allowable fee is 7.5%. For acquisition or recapitalization projects involving identity of interest between buyer and seller: If seller loans are used to finance the transaction, developer fees will be limited to 5% of the acquisition portion of the transaction. The above limits will apply to the remainder of development costs, as defined in the adjacent cell.		

	Tax credit sales price for Low Income Housing Tax credits	Minimum subject to market conditions.
	Maximum capitalized reserves	12 months of (operating expenses plus debt service plus replacement reserves).

	Criterion	Guideline
Operating Budget for Rental Properties	Debt Coverage Ratio	1.15 – 1.4x For projects with no debt, operating expenses plus replacement reserves should be at least 85% of net rents.
	Operating Cost/Unit (net of real estate taxes)	\$2,500 - \$5,000 Bank staff will consult with the applicable Federal Home Loan Bank for of out-of-district projects.
	Replacement Reserves/Unit	\$250 - \$400 for new construction \$300 - \$500 for existing properties
	Vacancy Rate	5% - 10% (upon stabilization)
	Management Fee	\$30-\$45 per unit per month
	Spread on financing from any source	Up to 3% or 300 basis points
	Hard cost contingency	Minimum of 5% of hard costs for new construction and 8% of hard costs for rehab projects
	Income & expense trending	2% for income and 3% for expenses

	Criterion	Guideline																		
Guidelines for Owner-Occupied Properties	Cost per unit Excludes land acquisition costs, off-site costs, soft costs, developer / consultant fees, and financing costs	<table border="1"> <thead> <tr> <th>Unit Size</th> <th>Illinois Chicago region</th> <th>Wisconsin and Illinois – outside Chicago region</th> </tr> </thead> <tbody> <tr> <td>0 BR</td> <td>\$165,097</td> <td>\$132,485</td> </tr> <tr> <td>1 BR</td> <td>\$190,356</td> <td>\$152,755</td> </tr> <tr> <td>2 BR</td> <td>\$229,576</td> <td>\$184,228</td> </tr> <tr> <td>3 BR</td> <td>\$293,864</td> <td>\$235,817</td> </tr> <tr> <td>≥4 BR</td> <td>\$327,376</td> <td>\$262,709</td> </tr> </tbody> </table> <p>Bank staff will apply limits established by the applicable Federal Home Loan Bank for out-of-district projects.</p> <p>Counties included in the Chicago region include Cook, DuPage, Will, Lake, Kane, Kendall, McHenry and Grundy.</p>	Unit Size	Illinois Chicago region	Wisconsin and Illinois – outside Chicago region	0 BR	\$165,097	\$132,485	1 BR	\$190,356	\$152,755	2 BR	\$229,576	\$184,228	3 BR	\$293,864	\$235,817	≥4 BR	\$327,376	\$262,709
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	≥4 BR	\$327,376	\$262,709																	

	<p>Developer/consultant Fee (as a % of development cost, excluding developer and consultant fees). Market value of donated or discounted land, labor, and materials will not factor into development cost for purposes of this calculation.</p>	<p>Up to 12% of development cost, excluding developer and consultant fees for new construction of owner-occupied units. For owner-occupied projects consisting of rehabilitation-only, maximum developer/consultant fee is limited to 12% of hard rehabilitation costs per unit.</p> <p>For owner-occupied projects consisting of acquisition only, no developer fee will be allowed.</p>
	<p>Counseling costs subsidized by AHP subsidy</p>	<p>May not exceed \$650 per household.</p>
	<p>Spread on financing from any source</p>	<p>Up to 3% or 300 basis points</p>

Additionally, the Bank may limit or deny funds for projects submitted to more than one Federal Home Loan District if such projects are the same or substantially similar.

EXHIBIT II

Scoring Guidelines

Projects meeting all eligibility requirements will be reviewed and scored based on nine scoring criteria that equal a maximum of 100 points. Each of the nine scoring criteria has been assigned a maximum point value, and is designated as either a fixed point or variable point scoring item. Fixed point criteria (i.e., pass/fail) are those that cannot be satisfied in varying degrees (“Fixed”). Applications meeting a fixed point criterion will receive the maximum number of points allocated to that category. Variable point criteria are those where there are varying degrees by which an application can satisfy the criteria (“Variable”).

The applications receiving the highest overall scores will be recommended to the Affordable Housing Committee of the Bank’s Board of Directors for award approval. Such Committee will approve applications sufficient to exhaust the AHP funds available for the applicable round. The next four highest scoring applications will be recommended for approval as alternates, and within one year of approval, the Bank may fund such alternates if any previously committed AHP subsidies become available.

1. Donated / Discounted Government or Other Properties (5 points - Variable)

Projects that can document the financing of housing using a significant proportion, defined as a minimum of 20% of the total land or units, of (1) land or units donated or conveyed to the project by the Federal government or any agency or instrumentality thereof, or (2) land or units donated or conveyed by any other party, for an amount that is at least 20% below the fair market value (“FMV”) of the units or land conveyed. FMV must be supported by a third-party appraisal completed within 18 months of the earlier of the conveyance date or the AHP application date.

Applicants must indicate what is being donated or sold to the project at a discount, and include addresses if multiple land parcels or buildings are involved.

Evidence of donation or conveyance must be included as an attachment to the application to receive credit for donated properties. For properties conveyed at a discount to FMV, evidence of conveyance cost must be provided, along with an appraisal completed within 18 months of the earlier of the conveyance date or the AHP application date to receive credit. Points will be awarded for properties conveyed up to 3 years prior to the application deadline. The discount is calculated by subtracting the actual cost of all land or units in the project, including any carrying costs reflected on the Sources and Uses Statement, from the FMV of all the land or units in the project, and dividing the result by the FMV.

Rehabilitation-only projects that do not involve the acquisition of land or buildings are not eligible to receive points in this category.

Points will be awarded as follows:

5 points	If property or units are fully donated by a non-affiliated third party.
4 points	If conveyed by a non-affiliated third party and discount is between 80-99.99% of FMV per appraisal.
3 points	If conveyed by a non-affiliated third party and discount is between 60-79.99% of FMV per appraisal.
2 points	If conveyed by a non-affiliated third party and discount is between 40-59.99% of FMV per appraisal.
1 point	If at least 20% of (1) the land or units are donated or conveyed by the federal government; or (2) land or units donated or conveyed by a third party are discounted between 20-39.99% of FMV per appraisal. A maximum of 1 point will be awarded for the conveyance of land or units with a discount of at least 20% by a subsidiary or affiliate of the ownership entity, or other entity with an ownership interest in the project.

2. Project Sponsorship (5 points - Variable)

Project-sponsorship by a not for profit organization, a state or political subdivision of a state, a state housing agency, a local housing authority, a Native American Tribe, an Alaskan Native Village, or the government entity for Native Hawaiian Home Lands that:

- has an ownership interest in a rental project; or
- is integrally involved in an owner-occupied project, by exercising control over the development or management of the project, by providing homebuyer/homeowner counseling, or by qualifying borrowers and providing or arranging financing for the owners of the housing.

Evidence of sponsor capacity must be provided for all sponsors and co-sponsors.

Rental Projects	
2 points	Criteria 1: Sponsor must have non-profit status (or be a state or political subdivision of a state, a state housing agency, a local housing authority, Native American Tribe, an Alaskan Native Village, or the government entity for Native American Home Lands) and ownership interest in the project.
1 point	Criteria 2: If Criteria 1 is met and if ownership interest by non-profit sponsor exceeds 50% of the managing member, general partner, or overall property ownership.
Up to 2 points	If Criteria 1 and 2 are both met and the non-profit sponsor plays an integral role in the project by directly exercising operational control by (a) developing the property, (b) providing property management of the project, or by (c) directly providing supportive services to residents of the project. One point will be awarded for each integral role, to a maximum of 2 points. Points will not be awarded for a co-developer role.

Owner-Occupied Projects	
2 points	Criteria 1: Sponsor must have non-profit status (or be a state or political subdivision of a state, a state housing agency, a local housing authority, Native American Tribe, an Alaskan Native Village, or the government entity for Native American Home Lands) and the sponsor plays an integral role in the project, by (a) managing the construction or rehabilitation of the property, by (b) providing homebuyer/homeowner counseling, or (c) by qualifying borrowers and arranging financing for the owners of the housing units.
Up to 3 points	If Criteria 1 is met, one point will be awarded for each integral role (described in Criteria 1 above) that the sponsor performs.

3. Targeting (20 points - Variable)

The Bank will consider the extent to which the project creates housing for very low, low or moderate income households. For purposes of this scoring criterion, applications for owner-occupied and rental projects will be scored separately.

Owner-Occupied Projects

Points will be awarded to projects that finance the purchase, construction and/or rehabilitation of owner-occupied homes for low and moderate income households in that priority order. For owner-occupied projects, incomes cannot exceed 80% of the Area Median Income (“AMI”) and units must be retained as affordable for a minimum of 5 years.

Owner-occupied projects will be awarded points on a declining scale. Those with the greatest percentage of households with low incomes (60% of AMI or less) and moderate incomes (61%-80% of AMI), in that order, will receive the most points. A weighted average is calculated with the greater weight given to low income households. The following formula is used to determine the score:

$$20 \left[\frac{B}{A} \right] + 12 \left[\frac{C}{A} \right] = \text{SCORE}$$

Where: A = Total Number of Units

B = Number of Units <= 60% of AMI

C = Number of Units 61% - 80% of AMI

Rental Projects

Points will be awarded to projects that finance the purchase, construction, and/or rehabilitation of rental housing, of which at least 20% of the units in the project will be occupied by, and affordable to, very low income households with incomes at or below 50% of AMI. For rental projects, units must be retained as affordable for a minimum of 15 years.

- a. Rental projects where 60% or more of the total units will be occupied by, and affordable to, very-low income households (at or below 50% of AMI) will receive 20 points.
- b. Rental projects that do not meet the 60% very low income criteria will be awarded points on a declining scale based on the percentage of units in a project that are reserved for very-low income households and on the percentage of remaining units reserved for moderate income households. Rental projects will be scored using the following formula:

$$25 \left[\frac{B - (.20(A))}{.80(A)} \right] + 16 \left[\frac{C}{.80(A)} \right] + 8 \left[\frac{D}{.80(A)} \right] + 0 [E] = \text{VALUE}$$

Where: A = Total Number of Units

B = Number of Units <= 50% of AMI

C = Number of Units 51% - 60% of AMI

D = Number of Units 61% - 80% of AMI

E = Number of Units >80% of AMI

4. Promotion of Empowerment (5 points - Variable)

Up to 5 points are available for projects that empower residents by providing housing in combination with empowerment program(s) as identified below.

Sponsors must provide a Service Plan to receive points. The sponsor must explain how each service will economically empower and benefit the residents and indicate the plan to deliver services, if services will not be available on site. Such service plan(s) should indicate how the sponsor will track, monitor, and demonstrate that the empowerment services listed are provided.

In addition to the Service Plan, to receive points for sponsor-provided activities or services, the application must include a brochure or annual report detailing the services to be provided to the tenants or homebuyers. If these materials are not available, an expanded service plan including detailed descriptions of services the sponsor will directly provide to the residents will be acceptable. Applicants must also indicate the source of funding for each of the activities the sponsor will provide.

To receive points for services provided by organizations other than the sponsor, a Commitment to Provide Services (pre-printed form included with the application) should be completed by each service provider. A Service Plan must also be completed.

Points will not be awarded for commitments dated more than one year prior to the AHP application date. Applications will be scored in the following manner, based on information contained in the Commitments to Provide Services and sponsor-provided documentation.

Rental Projects	
<i>Rental projects will be eligible to receive empowerment points for resident and/or supportive services, if (a) identified services are provided on-site or (b) there is a budgeted position for a case manager or service coordinator that makes referrals for identified services. An on-site manager serving in this capacity will not satisfy the scoring criteria.</i>	
Up to 2 points	Resident services designed to increase the economic self-sufficiency of a household. Each of the following services is eligible for 1 point (up to the 2 point maximum): vocational training; employment/career counseling; job placement; welfare to work programs; financial literacy; adult accredited education programs such as English as a Second Language (ESL) or General Educational Development (GED); or youth education programs serving as a substitute for childcare. Services should be appropriate for the population served.
Up to 2 points	Supportive services designed to increase the housing stability and retention of special needs populations. Each of the following services is eligible for 1 point (up to the 2 point maximum): active and frequent comprehensive case management*; mental and behavioral health services; or substance abuse treatment programs. Only projects committing to serving a special needs population are eligible to receive points for supportive services. Services should be appropriate for the population served. *Case management activities should encompass individual assessments, development of individual treatment/development plans, regular follow-up on residents' progress, and evaluation of program effectiveness.
1 point	Resident involvement in decision-making affecting the creation or operation of the project via resident council or resident participation on the board.

Owner-Occupied Projects	
2 points	A maximum of two points will be awarded for either of the following: <ul style="list-style-type: none"> • For projects involving purchase: Pre-purchase homebuyer counseling if counseling is mandatory for all AHP-assisted homebuyers. • For projects involving rehabilitation with no purchase: Post-purchase homeowner counseling, with included home maintenance topics, if counseling is mandatory for all AHP-assisted homeowners.
Up to 2 points	A maximum of two points will be awarded for financial literacy training which includes the following topics, if mandatory for all AHP-assisted homebuyers/homeowners. <ul style="list-style-type: none"> • One point will be awarded for course content which includes budgeting and credit topics. • One point will be awarded if the curriculum includes both a predatory lending component and foreclosure prevention.
1 point	A maximum of one point will be awarded for sweat equity programs requiring a minimum of 200 hours per household, if mandatory for all homebuyers/homeowners. Applicants must submit a program description

	that clearly notes sweat equity to receive points.
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5. Housing for Homeless Households (5 points - Fixed)

Projects that (i) create rental housing, excluding overnight shelters, reserving at least 20% of the units for homeless households, (ii) create transitional housing for homeless households permitting a minimum of six months occupancy, or (iii) create permanent owner-occupied housing reserving at least 20 percent of the units for homeless households, are eligible to receive 5 points, if referral source(s) and source of funding for specialized services (if provided) are identified, and an acceptable supportive service plan for homeless residents has been provided.

Homeless households are defined as those households recognized as homeless under current Department of Housing and Urban Development (“HUD”) statutes, regulation, or regulatory interpretations.

6. District Priority 1 (20 points - Variable)

a. Member Financial Participation (5 points-Variable)

This scoring criterion measures the extent to which a member participates **financially** in a project, excluding pass-through of the AHP subsidy. Attach a Commitment of Member Financial Involvement to receive points in this category. A maximum of 5 points will be awarded for this criterion.

Rental Projects	
4 points	If member applicant provides long-term financing with a minimum term of 15 years to the project (i.e., permanent financing, letter of credit for credit enhancement, or direct purchase of tax credits), which constitutes at least 10% of total project costs. Points will also be awarded to consortium projects providing long-term financing to the project if member participation constitutes at least 10% of total project costs. Projects consisting of rehabilitation-only are eligible to receive points for long term financing only if the member commits to provide financing for the proposed rehabilitation.
2 points	If member applicant provides long-term financing to the project with a minimum term of 15 years in an amount $\geq 5\%$ and $< 10\%$ of total development costs. Long-term financing will include permanent financing, letter of credit for credit enhancement or direct purchase of tax credits. Points will also be awarded to consortium projects providing long-term financing to the project if member participation consists of $\geq 5\%$ and $< 10\%$ of total development costs. OR If member applicant has an existing permanent loan on a project consisting of rehabilitation only. Applicant must provide a copy of the loan agreement, promissory note, or mortgage to be eligible for points.

1 point maximum	If member is providing intermediate or short-term financing to the project (i.e., primary construction or bridge loan, or performance guaranty letters of credit.)
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Owner-Occupied Projects	
5 points	If member applicant(s) will definitively provide financing (with a minimum loan term of 5 years) to at least 50% of all qualified homebuyers/homeowners.
2 points	If member applicant(s) will provide only short-term financing to the project (i.e., construction loan or bridge loan), or will definitively provide financing with a minimum 5 year loan term to at least 20% of homebuyers/homeowners.
1 point	If member applicant(s) will provide financing with a minimum 5 year loan term to 10% - 19.99% of homebuyers/homeowners.

b. Special Needs Housing (5 points - Variable)

The financing of housing where at least 20% of the units are reserved for occupancy by households with special needs.

Special needs housing includes housing for:

- the elderly
- mentally or physically disabled persons
- persons recovering from physical, alcohol, or drug abuse
- persons with HIV/AIDS

Referral source(s) and source of funding for specialized services (if provided) must be identified.

The applicant should have experience serving the identified population and the application commitment should not exceed the sponsor's historical performance in serving the identified population.

5 points	At least 80% of the units will be occupied by households with special needs
2 points	20% - 79.9% of the units will be occupied by households with special needs

c. First-Time Homebuyer (5 points - Fixed)

Projects that provide financing of housing for first-time homebuyers will receive 5 points. 80% of the units must be reserved for, and sold to, first-time homebuyers to qualify for credit. A first-time homebuyer is defined as a household meeting any one of the following criteria:

- An unmarried individual or an individual and his or her spouse, who has/have not owned a home during the three-year period immediately prior to the date of purchase of a home with the AHP subsidy.
- A divorced or legally separated individual who has only owned a home with a (former) spouse.
- An unmarried individual or an individual and his or her spouse who has/have only owned a home that was not in compliance with State, local, or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

d. Rural Housing (5 points-Variable)

Points will be awarded on a pro rata basis, based on the percentage of units that satisfies the criterion.

The Bank’s definition of a rural area will be consistent with the Rural Housing Service, U.S. Department of Agriculture definition per 7 C.F.R. 3550.10. To determine if a particular location is designated as rural per 7 C.F.R. 3550.10, please refer to <http://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do>.

7. District Priority 2 (14 points - Variable)

The creation of housing that satisfies any of the following second district priorities:	
3 points	Foreclosure Recovery & Prevention: Projects involving the acquisition or rehabilitation of foreclosed or REO properties or properties acquired via a short sale. A minimum of 33% of total units in the project must meet the criteria to receive credit. If the application scores well enough to receive an award, applicants must be able to provide documentation to verify that the criteria has been met.
3 points	Indian Areas: At least of 20% of total housing units are located in Indian areas as defined by Native American Housing Assistance and Self-Determination Act (See 24 C.F.R. 1000.10). If the project is located in an Indian area, supporting documentation must be submitted with the application to receive points.
3 points	Large Rental Units: At least 20% of the total units in a rental project have 3 or more bedrooms.

2 points	<p>Mixed Income Locations: Housing for very low-, low- or moderate income households. If at least 50% of the total units in the project are located in census tracts where the median income equals or exceeds median income for the county or metropolitan area that the project is located in, 2 points will be awarded.</p> <p>The income for the census tract where the property is located is divided by the HUD median income for the county or metropolitan area. A Census Tract Median Family Income of greater than or equal to the median income for the county or metropolitan area is necessary to qualify for points under this criterion.</p>
3 points	<p>Project Readiness: In an effort to resolve the critical shortage of affordable housing in a timely manner, a project that demonstrates readiness in accordance with the following criteria will qualify for points.</p> <p>Committed funding sources of at least 50% of total development costs. A firm commitment must indicate the source and amount of the funding, the date of the commitment and date of commitment expiration, and must be documented at time of application by a letter, grant or loan agreement, or other document from the funding agency.</p>

8. AHP Subsidy per Unit (19 points - Variable)

The Bank will consider how effectively the project uses AHP subsidy dollars. Scoring is based on the extent to which the project proposes to use the least amount of AHP subsidy per AHP targeted unit (units <= 80% of AMI), i.e.:

$$\frac{\text{AHP Subsidy}}{\text{\# of units } \leq 80\% \text{ AMI}} = \$ \text{ Subsidy per Unit}$$

\$ Subsidy per Unit	Points
\$8,000 or less	19
\$8,001 - \$8,500	18
\$8,501 - \$9,000	17
\$9,001 - \$9,500	16
\$9,501 - \$10,000	15
\$10,001 - \$10,500	14
\$10,501 - \$11,000	13
\$11,001 - \$11,500	12
\$11,501 - \$12,000	11
\$12,001 - \$12,500	10

\$ Subsidy per Unit	Points
\$12,501 - \$13,000	9
\$13,001 - \$13,500	8
\$13,501 - \$14,000	7
\$14,001 - \$14,500	6
\$14,501 - \$15,000	5
\$15,001 - \$15,500	4
\$15,501 - \$16,000	3
\$16,001 - \$16,500	2
\$16,501 - \$17,000	1
More than \$17,000	0

In the case of an application for a project financed by a subsidized advance, the total amount of AHP subsidy used by the project shall be estimated based on the Bank’s cost of funds as of the date on which all applications are due for the funding period in which the application is submitted.

9. Community Stability (7 points - Variable)

A maximum of 7 points will be awarded as follows

2 points	<p>Creation of new affordable housing units by one of the following:</p> <ul style="list-style-type: none"> • Adaptive re-use projects; or • Rehabilitation of vacant or abandoned buildings; or • New construction <p>To receive points, (a) a minimum of 50% of the units in the project must meet one of above criteria and (b) a third party market study must demonstrate a need for the proposed units. Either a property appraisal or a third party market study must be provided, indicating that the building is vacant, abandoned, or adaptive re-use.</p> <p>OR</p> <p>Owner-occupied projects consisting of rehab-only.</p>
2 points	<p>Projects located in Targeted Areas:</p> <ul style="list-style-type: none"> • HUD Qualified Census Tracts; or • NSP Census Tracts; or • HUD-designated Difficult Development Areas (DDA); • Superfund/Brownfield; or • Federal Disaster Areas, if properties are eligible to receive individual FEMA Assistance <p>All units must meet criteria to receive credit.</p> <p>In the case of projects submitting for federal disaster points, FEMA proceeds must be reflected on the Sources tab to receive points.</p>
Up to 2 points	<ul style="list-style-type: none"> • Owner-Occupied Projects involving the preservation of long-term affordability by use of a land trust are eligible to receive 2 points, provided the application includes a copy of the land trust agreement. All of the units must meet the criteria to receive points. • Rental Projects that involve the preservation of existing affordable housing units with land use or tax credit covenants that have expired or will expire within 5 years. Affordable housing units are defined as projects financed under or assisted by the following: <ul style="list-style-type: none"> ○ Section 8 of the U.S. Housing Act of 1937, as amended, that will be renewed as part of the redevelopment process; ○ Public housing projects that receive assistance through an annual contribution contract; ○ Section 202 or 811 of the National Housing Act; ○ Programs under section 514 or 515 of the Housing Act of 1949; ○ Section 236 of the National Housing Act; ○ Section 42 of the Internal Revenue Code; ○ Or the preservation of a project that is currently occupied, has no rent or income

	restrictions, and whose unit rents do not exceed 60% of the Area Median Income as determined by HUD for the project's location.
1point	Demonstrated support for the project by a local government (other than as a project sponsor) in the form of (a) property tax deferment or abatement or (b) infrastructure improvements for the project.

Applicants must indicate whether displacement will occur, and whether or not there is a resettlement plan. Any project that displaces residents must provide a plan for relocation of those to be displaced.

EXHIBIT III

Monitoring Guidelines

1. Initial Monitoring Policies

a. Monitoring Prior to Project Completion

The Bank will require project members and sponsors to report at least once in the first year after award, and semi-annually thereafter, a project's progress. The Bank will review such reports to assess whether satisfactory progress is being made towards draw-down and use of the subsidy, and project completion. The Bank may cancel its AHP approval for lack of such progress.

b. Monitoring After Project Completion

1. Project Completion Definition

Owner Occupied Projects - The Bank defines completion as the later of the date of the final AHP subsidy disbursement, the date when construction or rehabilitation is complete, the date all units are sold, or the date unused funds are deobligated.

Rental Projects – The Bank defines completion as the later of the date the project reports an 85% occupancy rate or the date of the final AHP subsidy disbursement.

2. Review, Documentation and Certifications

The Bank will require project members, sponsors and owners, as applicable, to maintain and submit any project documentation required to demonstrate a project's compliance with commitments made in the AHP application and the Bank's financial feasibility and scoring guidelines.

- a. Eighteen (18) months after project completion, the Bank will determine and collect documentation to demonstrate whether a project meets the following requirements:
 1. AHP subsidies were used for eligible purposes according to the commitments made in the approved AHP application;
 2. household incomes and rents comply with the income targeting and rent commitments made in the AHP application;
 3. actual costs were reasonable in accordance with the Bank's Project Feasibility and Cost Guidelines;

4. AHP subsidies were necessary for the completion of the project as currently structured;
 5. each AHP-assisted unit of an owner-occupied project and rental project is subject to a deed restriction or other legally enforceable retention agreements or mechanisms meeting Section IV. of this Plan; and
 6. services and activities committed to in the AHP application have been provided in connection with the project.
- b. Within eighteen (18) months after project completion, the member, sponsor and owner of a project will submit executed certifications to supplement documentation used to confirm the above mentioned requirements.
3. Household and Tenant Documentation
- a. For owner occupied projects, the Bank will review back up documentation regarding household incomes at the time of disbursement. Where the subsidy is used for construction of the units, the review will be done when the project completes. The documentation will be collected for each owner occupied project and its units according to the Bank's risk based sampling plan.
 - b. For rental projects, the Bank will review back-up documentation regarding tenant incomes and rents at project completion. The documentation will be collected for each rental project and its units according to the Bank's risk based sampling plan.

2. Long-Term Monitoring Policies

- a. **Owner Occupied Projects**
There will be no long term monitoring of owner occupied projects beyond the member bank servicing the recorded lien for AHP assisted units.
- b. **Low Income Housing Tax Credit Projects**
The Bank elects to rely on the "Low Income Housing Tax Credit Program" monitoring by the applicable state-designated housing credit agency for compliance with the income targeting and rent commitments for rental projects as allowed under section 1291.7 (a)(iii)(2) of the Regulations.
- c. **Non-Low Income Housing Tax Credit Projects**
For completed non-Low Income Housing Tax Credit projects, the Bank will use a reasonable, risk-based sampling plan to select the rental projects and units to be monitored. The Bank will conduct its long term monitoring

commencing in the second year after completion and through the full 15-year retention period.

1. Annually the Bank will require owners of rental properties to certify that the tenant incomes and rents comply with the income targeting and rent commitments made in the approved AHP application.
2. For projects involving new construction, every five (5) years, the Bank will require members to certify, based on an exterior visual inspection, that the rental project appears to be suitable for occupancy.
3. For projects involving rehabilitation, every three (3) years, the Bank will require members to certify, based on an exterior visual inspection, that the rental project appears to be suitable for occupancy.
4. Periodically the Bank will review back-up documentation regarding tenant incomes and rents to verify compliance with income targeting and rent commitments in the approved AHP application. The Bank will use a risk-based sampling plan to determine the frequency and sampling of project units for such reviews. The Bank will conduct on-site reviews for higher risk projects.

3. Events of Non-compliance

- a. Failure to comply with monitoring requirements of the Regulations or Bank's policies.
- b. Actions or omissions that result in the subsidy not being used in compliance with the terms of the AHP application or Regulations.

4. Remedial Actions for Non-compliance

- a. Non-compliant projects will have an opportunity to be cured within a reasonable period of time or through a project modification, as determined by the Bank in compliance with the Regulations.
- b. When the event cannot be cured or a modification cannot eliminate the non-compliance, repayment of the subsidy will be required in accordance with the Regulations.
- c. In accordance with the Bank's policy and Regulations, the Bank may suspend or debar a member, project sponsor, or project owner from participation in the Bank's Competitive Program if such party shows a pattern of noncompliance, or engages in a single instance of flagrant noncompliance, with the terms of an approved application for AHP subsidy or the requirements of the Regulations.