FHLBank
San Francisco

Affordable Housing Program (AHP)
Implementation Plan

Effective: January 1, 2021

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I. Introduction

A. General

1. The Federal Home Loan Bank of San Francisco ("Bank") has established an Affordable Housing Program ("AHP"), pursuant to Section 21 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, to assist in financing affordable housing for very low-, low-, and moderate-income individuals. This Implementation Plan ("Plan") has been adopted, and from time-to-time amended, by the Bank in accordance with the requirements of Part 1291 of the Federal Housing Finance Agency Regulations governing the AHP, as amended from time to time. (12 C.F.R. Part 1291) ("Regulation").

2. This Implementation Plan sets forth certain policies, procedures, standards, and requirements applicable to the Bank's AHP, as required by the Regulation. While the Implementation Plan includes other pertinent information pertaining to the Bank's AHP, the plan is not intended to be a comprehensive statement of all of the Bank's applicable policies and procedures.

3. The Bank President is responsible for the development and implementation of this Plan and for proposing amendments to this Plan for Board approval as appropriate. The President may delegate specific aspects, duties, and responsibilities of this Plan to management committees, officers of the Bank, or other Bank staff as deemed appropriate.

4. The Bank's AHP consists of a competitive application program and two homeownership set-aside programs, as described in this Implementation Plan. References in the Implementation Plan to the Bank's AHP shall mean both the competitive application program and the set-aside programs, unless otherwise stated. As required by statute, the Bank will offer AHP subsidized advances upon request.

B. Funding the AHP

1. The total amount of funds available annually for the Bank's AHP is determined in accordance with the statute and subject to paragraph 2 below.

2. The Bank allocates a portion of the total AHP funds available in each year to the homeownership set-aside programs, as approved by the Bank's Board of Directors and stated in Section III of the Implementation Plan. All remaining AHP funds available for that year, plus any reserved set-aside funds not utilized during the previous reservation year, plus such additional amounts made available from the cancellations, repayments, or reductions of subsidies, are added to the competitive application program.

3. The Bank may allot to its current year's AHP from its annual required AHP contribution for the subsequent year subject to the requirements and limitations in Section 1291.2(b)(3) of the Regulation.

C. Federal Housing Finance Agency Regulation

This Implementation Plan will be adopted as prescribed in Section 1291.3(a) of the Regulation. The Federal Housing Finance Agency (Finance Agency) published a final rule amending the Regulation effective December 28, 2018 (Final Rule). The Final Rule requires the Federal Home Loan Banks (FHLBanks) to implement the owner-occupied retention agreement requirements by January 1, 2020, and to fully implement the Final Rule by January 1, 2021. The Final Rule also provides that an FHLBank may implement any provision of the Final Rule before the applicable implementation date, provided it implements all related provisions at the same time. Accordingly, the Bank is implementing certain provisions of the Final Rule.

D. Definitions

The definitions set forth in Section 1291.1 of the Regulation, as amended from time to time, will apply to the Bank's AHP and this Implementation Plan.

1. First-Time Homebuyer– (First-Time Homebuyer) must meet one of the following requirements to qualify:
    a. The potential homebuyer or spouse has had no ownership in a principal residence for a three-year period ending on the purchase date of the property. If either qualifies under one of these requirements, both are considered First-Time Homebuyers.
    b. The potential homebuyer is a single parent who has only owned a home with a former spouse while they were married.
    c. The potential homebuyer is a displaced homemaker who has only owned a home with a spouse.
    d. The potential homebuyer is an individual who has only owned a principal residence not permanently affixed to a permanent foundation, according to applicable regulations.
    e. The potential homebuyer is an individual who has only owned a property that was not in compliance with state or local building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

2. Project—A project may consist of one or more structures as long as all of the residential units in the structure(s) are included in the total project units. Units may not be distributed within one or more structures and be designated as separate projects. The Bank, in its sole discretion, may make an exception to this definition for a state tax credit agency "hybrid" project, or similar scenario, where certain residential units within a structure (s) are identified by a separate legal description and financed and operated independently.

E. Median Income Standards

Income eligibility for recipient households in both the competitive and the set-aside programs will be based on median income standards for the area, as published annually by HUD, adjusted for family size, with two exceptions: 1) owner-occupied housing programs/projects serving Indian areas may elect to use median income standards allowable under the Native American Housing Assistance and Self-Determination Act (NAHASDA); and 2) owner-occupied housing utilizing the U.S. Department of Agriculture's Rural Development Self-Help 502 Loan Program may use the income qualification guidelines prescribed under that program.

II. Competitive Program

A. Competitive Funding Round

The Bank will offer one competitive funding round at least once each calendar year. The schedule for the competitive round will be announced by December 31 of the prior year.

B. Eligibility

1. Member eligibility

    a. The Bank accepts applications for AHP funds only from current Members of the Bank as specified in Section 1291.5(b)(2) of the Regulation. For purposes of the competitive application program and set-aside programs, a Member must be in good standing, as determined by the Bank: the Member is creditworthy and has fulfilled all necessary requirements for membership in the Bank, including the purchase of all required capital stock in the Bank, and is not in default with regard to any obligations or commitments under any of its programs including, without limitation, the AHP.
    b. The maximum subsidy a Member may apply for in a single competitive round is $15,000,000.[1]

[1] If a Member sponsoring an AHP application, fails during the competitive round, prior to approval of the application for subsidy, the Bank will not approve the application unless a substitute Bank Member is found to sponsor the project. Without a Bank Member to sponsor the application, the application is ineligible for consideration. If a successor Member is found, the maximum subsidy the successor Member may apply for in the round will be raised to include the subsidy requested in each failed Member's application(s) assumed by the successor Member, not to exceed $15 million per failed Member.

2. Basic project eligibility – All projects must meet the minimum eligibility requirements in Section 1291.5(c) of the Regulation, and the Bank's project cost guidelines and feasibility guidelines set forth in Attachment A of this Implementation Plan.

    a. Retention requirements and Agreements with Members and Sponsors
        1) All units in an owner-occupied project must be, or must be committed to be, subject to a retention agreement meeting the requirements set forth in Section 1291.15(a)(7) of the Final Rule, for the period specified in such regulation. Each rental project must be, or must be committed to be, subject to a retention agreement described in Section 1291.15(a)(8) of the Final Rule, for the period specified in such regulation.
        2) Each Member and Sponsor receiving AHP subsidy through the competitive application program will be required to execute with the Bank documents in a form satisfactory to the Bank and meeting the requirements of the Regulation.

    b. A project's Sponsor must be qualified and able to perform its responsibilities as committed to in the application and must also:
        1) In the case of rental projects, have an ownership interest in the project (including any leasehold, partnership, or controlling interest).
        2) In the case of owner-occupied projects, be integrally involved defined as exercising control in at least one of the following development activities: planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing for owners of the units.
    c. The Bank does not currently allow loan pools and revolving loan funds to participate in the AHP competitive application program.
    d. The maximum amount of subsidy a project may apply for is $1,250,000.

C. Application and Approval Process

The Bank approves competitive program applications pursuant to the requirements detailed in Section 1291.5(e) of the Regulation.

1. Scoring system – The Bank evaluates, scores, and rates AHP competitive program applications based on a scoring system adopted by the Bank consistent with Section 1291.5(d) of the Regulation. The scoring system allocates 100 available points among nine scoring criteria. Applications are scored based on the extent to which the proposed projects satisfy the scoring criteria. The Bank's scoring system is described in detail in the Scoring Guidelines set forth in Attachment B of this Implementation Plan. Attachment B is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.

    Tie-Breaker Criterion—If two or more projects receive identical scores, and those projects are not requesting more than the amount of funds that remain to be awarded, the Bank may rank those projects in descending order, based on the largest percentage of committed sources of funds, measured in dollars, over the total sources of funds. If an AHP application receives a numerical score identical to the score of another application in that funding round, and, if that application requests more subsidy than the amount of AHP funds that remain to be awarded, then the Bank shall approve that application as an alternate and exclude it from participation in the tie-breaking event.

2. Feasibility and need-for-subsidy analysis – The Bank evaluates the operational and financial feasibility of a project and the need for AHP subsidy, as required by Section 1291.5(c)(4) of the Regulation, using the Feasibility Guidelines set forth in Attachment A to this Implementation Plan. The Feasibility Guidelines include a set of development cost and financing criteria and related benchmark ranges, designed to guide the Bank in assessing a project's developmental feasibility and need for subsidy. Another set of benchmarks analyzes a rental project's operational feasibility. The Bank takes into account such other limits and restrictions on project costs and financing terms as required by the Regulation, including those pertaining to Member-provided property and services, and those related to the rates, points, fees and other charges for all loans financing a project.

3. Multiple applications for AHP subsidy– Members and Sponsors of incomplete projects with existing AHP awards, from FHLBank San Francisco, or another FHLBank, may submit new applications for these projects in a competitive round on condition that the existing subsidies are canceled and any previously disbursed subsidies are repaid.

4. Modifications for additional subsidy—As an alternative to withdrawing an existing award and reapplying in a competitive round, Members and Sponsors may request additional subsidy using the Bank's modification process, subject to the availability of funds, Board approval, and certain other restrictions. (See paragraph G.2).

D. Procedures for Disbursement of Subsidy

1. The Bank will only disburse subsidies

    a. To an institution if that institution is a Member of the Bank in good standing, or
    b. If an institution's membership in the Bank terminates either through merger, or other charter change, but the surviving entity is a Member of another FHLBank, the Bank in its discretion, and on such terms and conditions, and documentation, as are acceptable to the Bank, may disburse subsidy to that institution.

2. Review at Disbursement of Subsidy

    a. Request for Disbursement - A project approved under the competitive program that is ready to receive funds may request disbursement of all or part of the approved subsidy. Disbursements will be processed by the Bank in accordance with the Bank's procedures and guidelines for funding of subsidies and applicable monitoring procedures, which are published on the Bank's website, fhlbsf.com. If the disbursement request cannot be processed within 45 calendar days of the Bank's receipt of the request because of incomplete or missing information, the request for disbursement may be returned to the Member for resubmission at a later time.
    b. Documentation Requirements - The Bank's funding and monitoring procedures and guidelines for the competitive program require that the applicant Member and project Sponsor provide the Bank with current information about the project sufficient to enable the Bank to verify, prior to funding, that the project maintains compliance with the requirements of the AHP. The Member or, as may be delegated, the project Sponsor must complete and submit to the Bank a comprehensive package of project-related documents including, but not limited to, current income and expense statements, current development budgets, relevant closing and loan documents, sample or actual retention documents, monitoring agreements from other monitoring entities, if applicable, and evidence of affirmative marketing. The Bank's Instructions to Members for Requesting Funds are provided to Members and Sponsors on its website fhlbsf.com.
    c. Compliance Review - In processing disbursement requests, the Bank reviews the information submitted with the disbursement request and other pertinent project information obtained from the Member and Sponsor during the review process. The Bank verifies that the project continues to qualify for the awarded subsidy based on the applicable threshold requirements and scoring criteria and that the project is in compliance with the obligations committed to in the approved application. The Bank re-evaluates the financial and operational feasibility of the project, and verifies the project's continued need for subsidy. Members and Sponsors requesting AHP funds from the Bank must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, and may be required, upon the Bank's request, to provide copies of such agreements to the Bank prior to the Bank's disbursement of funds.
    d. Adjustments to Subsidy Amounts - In cases where AHP subsidy was approved to fill a funding gap and such approval was based on estimates of other funding sources or applicable costs at the time of application, the amount of subsidy finally awarded, funded and allowed to remain outstanding to a project may change if actual project data varies from the estimates or representations made in the application. The Bank re-evaluates the need for AHP subsidy in a project, in accordance with the Bank's Feasibility Guidelines and its policies and procedures. If the Bank determines that the amount of subsidy awarded to a project was never, or is no longer justified based on information available to the Bank, the Bank may cancel or reduce the amount of subsidy.

3. Timing of Disbursement from Member to Sponsor or Homebuyer – Upon receipt of the AHP funds from the Bank, a Member must disburse the funds to the project, Sponsor or Homebuyer within 30 days or return funds to the Bank. The Bank will charge interest to the Member for each day that AHP funds are not disbursed by the Member within that 30-day period. The rate of interest charged is based upon the Bank's average monthly overnight deposit rates. Interest collected by the Bank from Members pursuant to this disbursement policy is contributed to the Bank's AHP fund and made available for other AHP-eligible projects. The Bank may waive interest charges incurred by a Member pursuant to this disbursement policy if the total interest owed by the Member for any project is less than $500.

E. Compliance Monitoring

All competitive program projects approved for and receiving AHP subsidies must be monitored in accordance with the requirements of Section 1291.5 of the Final Rule and the Bank's policies and procedures for monitoring. Members and project Sponsors must have in place documents in a form satisfactory to the Bank and meeting the requirements of the Regulation, prior to requesting funding from the Bank. The Bank's procedures for carrying out its initial and long-term monitoring obligations are included in this plan as Attachment C. Attachment C is a part of this Implementation Plan and may only be amended in accordance with the regulatory requirements for amending the Implementation Plan.

F. Time Limits on Use of Subsidy

1. Under the competitive application program, a project has four years from the approval date of the awarded AHP subsidy to draw down the approved subsidy and complete all units. If a project does not meet this standard, the Bank may cancel its approval of the subsidy and make the subsidy available for other AHP-eligible projects.

2. If, prior to four years from the approval date, the Bank determines that a project has failed to make reasonable progress towards draw down of the subsidy and completion of all proposed units such that it is unlikely to complete the project within four years, the Bank may, at its discretion, cancel up to the entire amount of the AHP subsidy awarded to the project. Factors considered in determining whether reasonable progress is being made may include, without limit, the status of project construction and financing, and compliance with application commitments.

3. If the Bank, pursuant to this Time Limits on Use of Subsidy policy, cancels a subsidy that has already been drawn down, the Member or project Sponsor, as applicable, shall repay the subsidy, along with such interest as the Bank may require.

4. The Bank may, at its discretion, and subject to such conditions as the Bank may impose, extend the time limit for the use of the subsidy on a case-by-case basis, if sufficient evidence is provided to the Bank documenting, to the Bank's satisfaction, that reasonable progress has been made towards draw down of subsidy and project completion or that such progress is likely to be made during the extension period.

G. Modifications

1. The Bank processes project modifications in accordance with the requirements of Section 1291.5(f) of the Regulation and the Bank's project modification procedures. The Bank requires that project Sponsors and Members report to the Bank any material changes in an approved project. A material change means any change that could affect the facts under which the competitive program application was originally scored and approved by the Bank.

2. Special procedures for requesting additional subsidy – Modifications involving requests for additional subsidy are subject to the availability of funds, Board approval, and certain other restrictions. Members and Sponsors are therefore encouraged to contact Bank staff well in advance of any funding needs to ensure adequate processing time for the request.

H. Subsidy Recovery

If AHP subsidies are not used in compliance with the terms of an approved application the requirements of the Regulation, and the Bank's policies and procedures, the Bank will take remedial actions in accordance with the requirements of Section 1291.8 of the Regulation and the Bank's other documentation executed by the Member and project Sponsor.

1. Except as provided below in sections 5 and 6, Members must repay the Bank the amount of subsidy that is not used in compliance with the terms of the application and the Regulation if the noncompliance is the result of the Member's own actions or omissions.
2. Except as provided below in sections 5 and 6, Members must take steps to recover from the project Sponsor, and repay to the Bank, any amount of subsidy (plus interest if appropriate) that is not used in compliance with the application and the Regulation as a result of the Sponsor's actions or omissions.
3. Except as provided below in sections 5 and 6, the Sponsor of the project must be required to repay to the Member the amount of any subsidies (plus interest, if appropriate) that, as a result of the Sponsor's- actions or omissions, are not used in compliance with the terms of the application and the Regulation.
4. The Bank must take steps to recover from a Member the amount of subsidy (plus interest, if appropriate) that is not used in compliance with the terms of the application and the Regulation if noncompliance is the result of the Member's actions or omissions, and the Bank will also take steps to recover from a Member any amount of subsidy that the Member recovers or is required to recover from a Sponsor due to noncompliance resulting from project Sponsors actions or omissions.
5. A Member will not be liable to the Bank for the return of any amounts that cannot be recovered from the Sponsor through reasonable collection efforts.
6. Repayment of subsidy will not be required if the Member or Sponsor is able to cure the noncompliance within a reasonable time or the circumstances of noncompliance are eliminated through an approved project modification.
    a. The Bank may enter into a settlement agreement with a Member, project Sponsor, or project Owner, for the purpose of settling claims against the Member for repayment of subsidies.
    b. A Member or project Sponsor may, at its option and upon written request to the Bank, enter into a written agreement with the Bank under which the Member or Sponsor consents to be a party to an enforcement proceeding initiated by the Finance Agency regarding the repayment of subsidies received by the Member or Sponsor, or the suspension or debarment of such parties, provided the Member or Sponsor agrees to be bound by the Finance Agency's final determination in the enforcement proceeding.
    c. Subsidy amounts repaid to the Bank as a result of noncompliance will be made available for other AHP-eligible projects.

III. Homeownership Set-Aside Programs

The Bank will set aside a portion of its annual AHP contribution each year to fund one or more homeownership set-aside programs offered by the Bank pursuant to the Regulation. The Bank has established the following homeownership set-aside programs: IDEA and WISH.

A. Program Requirements for Individual Development and Empowerment Account (IDEA) and Workforce Initiative Subsidy for Homeownership (WISH)

1. Member eligibility
   The Bank accepts applications for AHP funds only from current Members of the Bank that are in good standing as specified in Section 1291.41 of the Final Rule.

2. IDEA or WISH set-aside funds may be used only as a grant toward the downpayment and/or reasonable and customary closing costs for the purchase by an eligible household of an owner-occupied housing unit to be used as the household's primary residence. The final Closing Disclosure and related closing documents must show that all AHP subsidies were used for these, and only these, purposes. If a Closing Disclosure shows cash back to the homebuyer in an amount greater than $250, the AHP set-aside subsidy that the Bank will pay to the Member from IDEA or WISH for the homebuyer will be reduced, unless the Member and the homebuyer provide

sufficient documentation showing that the cash back was used to pay down the mortgage principal or for reasonable and customary closing costs or as a credit toward the household's monthly payments on the mortgage loan.

3. The Member may only provide IDEA or WISH set-aside funds to households who are enrolled in that set-aside program and whose incomes at the time the household enrolled in the set-aside program by the Member are no greater than 80% of the area median income in accordance with the median income standards described in Section I of this Implementation Plan and with the income eligibility guidelines published by the Bank.

4. The homebuyer must have successfully completed, and the Member must certify completion of, a homebuyer's counseling program provided by, or based on one provided by, an organization recognized as experienced in homebuyer counseling.

5. The housing unit purchased with IDEA or WISH set-aside funds must be subject to a five (5) year retention agreement consistent with the requirements of Section 1291.15(a)(7) of the Final Rule.

6. The Member must certify that the IDEA or WISH set-aside funds are used for an eligible purpose and the rate of interest, points, fees and any other charges for all loans made in conjunction with the AHP direct subsidy shall not exceed a reasonable market rate of interest, points, fees and other charges for loans of similar maturity, terms, and risk.

7. Reservation of funds

    a. Beginning in January of each year, Members may apply for AHP Funds for the IDEA and WISH programs. Applications will be subject to a deadline date within the first quarter of the calendar year to be determined and published by the Bank. The Bank will reserve funds for households on a first-come, first-served basis until allocated funds for IDEA and WISH in the program year are exhausted.
    b. IDEA or WISH reservations not disbursed by March 31st of the following year will be cancelled and made available for other AHP-eligible projects. IDEA or WISH reservations may be extended beyond March 31st only on condition that escrow has opened or that the buyer has deposited funds for the closing (or other equivalent process for consummating the commencement of a sale of property in the applicable state) by March 31st on the home purchases to be subsidized.

8. Conditions for reimbursement of IDEA or WISH funds by the Bank to the Member:

    a. At the time the Member requests reimbursement of IDEA or WISH funds from the Bank, the Member must provide the Bank with sufficient documentation verifying that the homebuyer is income eligible at the time of enrollment in that set-aside program in accordance with the Bank's published income eligibility guidelines.
    b. In addition, the Member must provide certification and sufficient documentation if requested by the Bank, verifying that the:
        1) homebuyers and units funded by the Member satisfy the Bank's requirements and guidelines for the applicable AHP set-aside program,
        2) the funds will be used for eligible purposes,
        3) the homebuyers have completed a homebuyer counseling program, meeting the requirements of the Final Rule,
        4) the household participating in the IDEA or WISH program is a First-Time Homebuyer according to the First-Time Homebuyer definition.
        5) that the units are subject to a retention agreement, consistent with the requirements of Section 1291.15(a)(7) of the Final Rule.
    c. The Bank will reimburse the Member for the amount of AHP subsidy that has been funded by the Member to the homebuyer. The Bank will reimburse the Member for such funds only upon receipt from the Member of the final Closing Disclosure evidencing that the full amount of the requested AHP subsidy was passed on to the homebuyer and was used for downpayment and/or reasonable and customary closing costs.

d. Each Member receiving AHP subsidy will be required to execute with the Bank documents in a form satisfactory to the Bank and meeting the requirements of the Regulation.

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

10. Households are eligible to receive AHP subsidies from only one Bank set-aside program, or from the Bank's competitive program.

11. The Bank shall recover the amount of any AHP subsidy that is not used in compliance with the commitments made in the approved application and other documentation executed by the Member in accordance with the requirements of the Regulation.

B. The IDEA and WISH Programs: Descriptions and Guidelines

1. Individual Development and Empowerment Account (IDEA)

a. IDEA Program Description – The IDEA program makes AHP funds available through participating Bank Members to qualified homebuyers who have participated in an Individual Development Account (IDA) program or who have successfully completed a Family Self-Sufficiency (FSS) contract of participation with the goal of homeownership, in a form approved by the Department of Housing and Urban Development (HUD) pursuant to the HUD Regulation[2], or who have participated in a lease-to-own program administered by a nonprofit organization or government entity that supports property retention of foreclosed homes for low-and moderate-income families.

b. IDEA Program Guidelines

1) The homebuyer is eligible to receive the lesser of $22,000 or four times the amount of:
   a) the homebuyer's savings used for downpayment and/or reasonable and customary closing costs in a dedicated savings account under an IDA program; or
   b) an escrow account maintained by a public housing authority for households who have successfully completed the requirements of an FSS contract of participation leading to homeownership.
   c) the homebuyer savings used for downpayment and/or reasonable and customary closing costs under a lease-to-own program.
2) The homebuyer must have saved for a minimum of 10 months with the IDA or FSS savings program and for a minimum of three years under a lease-to-own program.
3) The homebuyer is a First-Time Homebuyer according to the First-Time Homebuyer definition.
4) Homebuyers eligible for IDEA funds must meet income guidelines as stated in Section III(A)(3) of this Implementation Plan.
5) Homebuyers eligible for IDEA funds must open escrow or deposit funds for the closing (or other equivalent process for consummating the commencement of a sale of property in the applicable state), on a home purchase transaction within five (5) years of enrollment in the IDEA program.

2. Workforce Initiative Subsidy for Homeownership (WISH)

a. WISH Program Description – The WISH program makes AHP funds available through participating Bank Members to qualified homebuyers and promotes and increases homeownership opportunities for workforce populations.

b. WISH Program Guidelines

[2] 24 C.F.R. Part 984 as may be amended and renumbered from time to time

1) The homebuyer is a First-Time Homebuyer according to the First-Time Homebuyer definition.
2) Homebuyers eligible for WISH funds must meet income guidelines, as stated in Section III(A)(3) of this Implementation Plan.
3) Homebuyers eligible for WISH funds must open escrow or deposit funds for the closing (or other equivalent process for consummating the commencement of a sale of property in the applicable state), on a home purchase transaction within one (1) year of enrollment in the WISH program.
4) The homebuyer is eligible to receive the lesser of $22,000 or four times the amount of the household contribution, such as household savings or gifts received by the household, toward the purchase of the home. Grants are not considered part of the household contribution.

IV. Restrictions and Debarments

A. General

The Bank may restrict or debar a Member or Sponsor from participation in the Bank's Affordable Housing Program ("AHP") if such entity shows a pattern of noncompliance, or engages in a single instance of flagrant noncompliance, depending on the nature and extent of the noncompliance and the specific circumstances that gave rise to the noncompliance. Noncompliance is the failure of a Member or Sponsor to comply with the terms of Section 10(j) of the FHLB Act or the Regulation, this Implementation Plan, the Bank's policies, procedures, guidelines and instructions covering among other things, the use of the Bank's AHP funds under the AHP ("the Bank's AHP Policies and Procedures"), the AHP Direct Subsidy Agreement, and any commitments made in an AHP Application to the Bank. In addition, the Bank may debar a Member or Sponsor that has been (i) convicted of certain crimes, including fraud or a similar offence, embezzlement, theft, conversion, forgery, bribery, making false statements or claims, tax evasion, obstruction of justice, or any similar offence in connection with a housing development or the use of housing funds, including without limit AHP subsidies, or (ii) that has been suspended or debarred by any Federal agency for conduct described in Section IV A. (i).

B. Restrictions

The Bank may restrict a Member or a Sponsor from participation in the Bank's Affordable Housing Program because of noncompliance by the Member or Sponsor. Members or Sponsors may be restricted from receiving disbursements of existing awards or from submitting new applications in a competitive round. Members may be restricted from receiving disbursements or reservations of funds in any of the homeownership set-aside programs. The imposition of a restriction or debarment will not eliminate a Member's or Sponsor's existing obligations to comply with the Regulation, the Bank's Policies and Procedures and any commitments made in an AHP Application to the Bank.

C. Debarments

The Bank may debar a Member or Sponsor from participation in the Bank's Affordable Housing Program.

D. Existing Awards

Following restriction or debarment, the Bank may, on a project-by-project basis, determine whether and under what conditions any AHP subsidies previously awarded to the restricted or debarred Member or Sponsor, or set-aside subsidies reserved for a restricted or debarred Member, may be disbursed.

Attachment A

Financial Review Guidelines (Competitive Application Program Only)

Pursuant to Section 1291.5(c), paragraphs (2), (3), (4) and (5) of the Regulation, the Bank has established guidelines for determining need for subsidy, that the project's costs are reasonable, and that the project is feasible. These guidelines serve as a benchmark for evaluating projects and may be used as a basis for setting, adjusting, or rejecting requests for subsidy in the application, modification, and pre-/post-disbursement stages of a project. Variances to these standards will be considered by the Bank on a case-by-case basis based on an evaluation of information and documentation justifying the need for such exception.

In general, the Bank considers and reviews pertinent project information presented in the application or otherwise provided to the Bank, independently or upon request, during the relevant review process. Information required by the Bank to confirm compliance with project feasibility and need for subsidy standards normally will include the following:

Sources and uses of funds: The project's estimated sources of funds shall equal its estimated uses of funds, as reflected in the project's development budget. The difference between the project's sources of funds and uses of funds is the project's need for AHP subsidy, which is the maximum amount of AHP subsidy the project may receive. A Sponsor should demonstrate need for AHP subsidy by performing a cash sources and uses analysis. The analysis should calculate the gap between the cash costs[3] to complete the project and the sum of (1) any cash sources other than the Sponsor, and (2) any cash contribution by the Sponsor.[4] The gap resulting from this calculation represents the maximum amount of AHP subsidy the Sponsor may receive for the project.

Project costs: Project costs, as reflected in the project's development budget, must be reasonable and customary and within the ranges outlined in these Feasibility Guidelines (including Exhibit I), which consider industry standards for the project location and the long-term affordability and financial needs of the project.

Operational feasibility of rental projects: A rental project must be able to operate in a financially sound manner, in accordance with the Bank's Feasibility Guidelines, as projected in the project's operating pro forma. The requested AHP subsidy must be necessary for the financial feasibility of the project, as structured at application, disbursement, and completion/closing. In determining ongoing feasibility and need for subsidy, the Bank will take into consideration the conformance of the rate of interest, points, fees, and any other charges for all loans financing the project with market rate financing terms available for loans of similar maturity, terms, and risk.

Member involvement: The purchase price of property or services, as reflected in the project's development budget, sold to the project by a Member providing 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 AHP subsidy to the 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 the property, whichever is appropriate. That value shall be reflected in an independent appraisal of the property performed by a state certified or licensed appraiser, as defined in 12 CFR 564.2(j) and (k), within 6 months prior to the date the Bank disburses AHP subsidy to the project.

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[3] Cash costs are the actual total cash outlay needed to pay for materials, labor, land acquisition, or other costs of completing the project. This does not include donations of land, or in-kind donations of labor, materials, or services.

[4] In the case of homeownership projects where the sponsor extends permanent financing for the homebuyer, the sponsor's cash contribution must include the present value of any payments the sponsor is to receive from the buyer. The present value of payments the sponsor is to receive from the buyer includes any cash downpayment from the buyer, plus the present value of any purchase note the sponsor holds on the unit. If such a note carries a market interest rate commensurate with the credit quality of the borrower (market rate), the present value of the note equals the face value of the note. If the note carries an interest rate below the market rate, the present value of the note can be determined using the market rate to discount the cash flows.

The Bank has identified a set of feasibility analysis standards to use as benchmarks in evaluating a project's financial and operational feasibility and need for subsidy. These Feasibility Analysis Standards are described in Exhibit I to these Guidelines.

Attachment A – Exhibit 1

Feasibility Analysis Standards

Benchmarks used to Establish a Project's Feasibility and Need for Subsidy

	Criterion	Feasibility Benchmark	Oversubsidization Benchmark
Rental Development Budget	Capitalized replacement reserves	$0 on new construction projects; variable on rehabilitation projects depending on age and condition of building.	$0 on new construction projects; variable on rehabilitation projects depending on age and condition of building; exceptions made if reserves required by funding agency.
	Capitalized operating reserves	$0	12 months of operating expenses and debt service payments (must be covered by financing sources other than AHP)
	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates provided by the RSMeans Company and included in the application package.	
	Developer fee	0%	Not greater than 12% of total residential development costs (including developer fee, but *excluding all capitalized reserves*)
	Hard cost contingency	New construction - 5% of hard costs Rehab - 7.5% of hard costs	New construction - 10% of hard costs Rehab - 20% of hard costs
	Soft cost contingency	0% of soft costs	10% of soft costs

	Criterion	Feasibility Benchmark	Oversubsidization Benchmark
Rental Operating Budget	Vacancy and bad debt rate - residential	5% of gross rents, or, if Section 8 project-based certificates, then 3%	10% of gross rents (except with market justification, especially with SRO projects)
	Vacancy and bad debt rate - commercial	10% of gross rents	50% of gross rents
	Operating reserves	$0, but if zero, must have adequate debt service coverage ratio	Not greater than $300 per unit per year
	Operating cost per unit	Not less than $4,000 per unit per year	Not greater than $8,000 per unit per year
	Management fees	Not less than $25 per unit per month	Not greater than $65 per unit per month
	Replacement reserves	$250 per unit per year	$600 per unit per year
	Pro forma assumptions for income compared to expense increases	Expenses increase 1% faster than revenues (e.g., 3% income increase versus 4% cost increase)	Expenses increase 2% faster than revenues (e.g., 3% income increase versus 5% cost increase)
	Debt service coverage ratio in year 1; defined as net operating income[5] divided by debt service payment	1.05	1.45
	Cashflow in year 1	$0	Not to exceed 10% of gross income in year one unless cashflow is needed by project to cover deficits throughout retention period, or in order to meet minimum underwriting requirements for other lenders.
	Cashflow in years 1 through 5	$0	Not to exceed the amount of the subsidy request
	Partnership management fees (tax credit projects only)	$0	$10,000 in year one (annual increases not to exceed 3.5%)
	Term of Permanent Financing	N/A	Not less than 15 years
	Interest rate assumptions	To ensure consistent and reasonable rate assumptions, interest rates and spreads should be set in accordance with the Interest Rate Assumptions memorandum included in the application package.	

[5] Net Operating Income should be expressed as the difference between 1) effective gross income, or gross rents and miscellaneous income less vacancy allowance, and 2) operating expenses, taxes and assessments, and reserves. Operating reserves may be included up to the maximum limit established above.

	Criterion	Feasibility Benchmark	Oversubsidization Benchmark
Ownership	Construction Cost per Square Foot (excluding land costs and soft costs)	To ensure consistent and reasonable cost assumptions, the per square foot construction cost should not be greater than the gross residential square footage cost estimates provided by the RSMeans Company and included in the application package.	
	Developer fee	0%	Not greater than 12% of total residential development costs (including developer fee, but *excluding all capitalized reserves*)
	Term of mortgage	N/A	Not less than 15 years
	Housing payment including principal, interest, taxes, insurance, and homeowners' dues as percentage of gross income	35%	N/A
	Interest rate assumptions	Must be consistent with single-family mortgage rates in effect at the time the mortgage is funded. For purposes of estimating a rate at the time of application, applicants should base assumptions on single-family mortgage rates as published in the application package.	

Attachment B

Scoring Guidelines

Points awarded in the various criteria will be either fixed or variable. Variable-point criteria are those that can be satisfied to varying degrees by an application. The application(s) best achieving each variable-point criterion in each funding round will receive the maximum point score available for that criterion, and the remaining applications will be scored on a declining scale. An application meeting a fixed-point criterion will be awarded the total number of points allocated to that criterion.

Scoring Criteria

I. Use of Donated or Conveyed Government-owned or Other Properties

5 points maximum, variable

In General
The creation of housing opportunities using a significant proportion (at least 20 percent) of: 1) units or land donated or conveyed by the federal government or any agency or instrumentality thereof; or 2) units or land donated or conveyed for a nominal price ($1,000 or less) or units or land conveyed at a price significantly below fair market value by any other party. For properties donated, or conveyed at a nominal price, or at a price significantly below market value, points awarded are based on the percent of total units or land in the project/program meeting the above criterion.

Transaction consummation may occur prior to or after the application deadline. For properties that were donated or conveyed at a nominal or below market price prior to application, transaction consummation must have occurred within five years of the application deadline. Donation or conveyance at a nominal or below market price must ultimately be documented to maintain points.

Calculation of Score
Donations of a significant proportion of land or units from any party are eligible for up to five points (prorated for partial donations) provided that the conveyance of land or units was not from an affiliated party (e.g., transfers from a nonprofit organization to a nonprofit affiliate or from a general partner to a partnership entity). Non-arm's length transactions, as determined at the sole discretion of the Bank, would be ineligible for points.

Modest expenses related to the conveyance of the property for use by the project may be paid by the recipient in addition to the "nominal price." Projects with annual land lease payments of $1,000 or less over the retention period (15 years for rental - corroborated by operating pro-forma) will receive full credit.

Properties conveyed by the federal government, its agencies, or instrumentalities free of charge or at any price are automatically awarded one point, provided that the land or units constitute a significant proportion of the project's total units. Long-term leases from a federal government entity greater than or equal to 15 years also qualify for one point.

Properties donated or conveyed for more than a nominal price, but for below fair market value (FMV) may qualify for points in this category. The discount from FMV must be at least 80%. The property's FMV must be established by an appraisal from a federal, state, or local agency, or an appraiser with a Member, Appraisal Institute (MAI) designation. The appraisal must specify an "as of" valuation date that is within six months of the fully executed acquisition agreement and must have been ordered by and/or for the benefit of an institutional lender and/or public agency for the purpose of providing financing to the buyer of the property. The points are awarded as follows:

Price is > 15% and < or = 20% of FMV = 1 point
Price is > 10% and < or = 15% of FMV = 2 points
Price is > 5% and < = 10% of FMV = 3 points
Price is > $1,000 and < or = 5% of FMV = 4 points

The points will be prorated based on the number of units conveyed at below FMV as a percentage of total units.

Property donations will be validated by cross-referencing the project development budget acquisition line item and confirming the acquisition cost.

II. Sponsorship by a Not-For-Profit Organization or Government Entity

7 points maximum, variable

In General

Project sponsorship by a sufficiently documented nonprofit 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. Qualified sponsorship must entail an ownership interest (including any leasehold, partnership, or controlling interest) in a rental project through the entire AHP 15-year retention period or integral involvement in an owner-occupied project, such as exercising control over the planning, development, or management of the project, or by qualifying borrowers and providing or arranging financing of the units. For rental projects where a limited partnership owns or will own the project, and the general partner interest in the limited partnership is held all or in part by a qualified not-for-profit or government entity Sponsor, points are awarded based on the Sponsor's percentage share of ownership of the general partner(s). Points are also awarded to projects where the qualified not-for-profit or agency Sponsor receives at least 25% of the developer fee, if any.

Points will be awarded based on the actual ownership interest and developer fee percentage in place on the AHP application deadline. Points will not be awarded for commitments that are made contingent on receipt of AHP funding that will be documented by future agreements or amendments to the Limited Partnership Agreement (LPA).

Calculation of Score

If the Sponsor demonstrates the following:	**Rental**	**Owner-occupied**
501(c)(3) status or is a government entity, and	Threshold	Threshold
To qualify for points in this category, the nonprofit Sponsor or government entity Sponsor must have an ownership interest in the project and be able to certify that, taking into account without limitation, all agreements, side letters, and ancillary arrangements with the for-profit entity, it: • Is not controlled or owned by any for-profit entity, and • Is not created by, or managed by, a for-profit entity, and • Has been engaged in the business of fostering affordable housing for a minimum of three years. A nonprofit Sponsor must demonstrate that it meets these threshold requirements to the satisfaction of the Bank, at its sole discretion.		
If the Sponsor meets the above criteria, the project may earn the following points if the Sponsor possesses: • >50% of ownership interest of the project or the general partner(s) the project earns 4 points, • >30% and <50%, the project earns 2 points • <30%, the project earns 0 points. Note: If there is more than one nonprofit entity involved in development of a project, the reviewer will consider the nonprofit entities as "Sponsors" for the purposes of scoring in the calculation of "Nonprofit Percentage of Ownership Interest" for rental projects.	Up to 4 points	n/a
Owner-occupied Projects Assumes integral responsibilities listed in the AHP application • Project planning and design • Project development	n/a	Up to 4 points

If the Sponsor demonstrates the following:	Rental	Owner-occupied
• Project financing • Construction • Management of self-help households • Pre-purchase counseling • Post-purchase counseling • Qualification of homebuyers Projects will be awarded 1 point for every element checked, up to the maximum of 4 points.		
Receives equal to or greater than 25% of total available developer fee (or if no developer fee is in the project) Note: To qualify for points in this category, the primary nonprofit project Sponsor must receive at least 25% of any and all developer fee distributions, including investor payouts and/or future cashflow. Developer fee percentage must ultimately be documented by the LPA, or by an agreement that is referenced within the LPA, to maintain points.	3 points	3 points
Total possible points	7	7

III. Home Purchase by Low-or Moderate-Income Household (i.e, First-Time Homebuyers)

6 points maximum, variable

In General
Points will be awarded to projects to the degree that they finance housing for First-Time Homebuyers. Only owner-occupied projects may receive points in this category.

No points are awarded for any project with less than 20% of the units **reserved** for First-Time Homebuyers.

Calculation of Score
The number of First-Time Homebuyer units is divided by the total project units and multiplied by 6.0 points to derive the score. For example, if 25 of 50 units are *reserved for* First-Time Homebuyers, the calculation is:

25 (First-Time Homebuyer units) divided by 50 (total project units) multiplied by 6.0 points, or 3 points.

IV. Targeting to Lower-Income Households

20 points maximum, variable

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

Calculation of Score

Rental projects
A minimum of 20% of the units must be occupied by households at or below 50% of the applicable area median income (AMI) to be eligible for AHP funding.

Maximum points will be awarded to projects with 60% or more of the units reserved for households with incomes at or below 50% of the applicable AMI. Projects with less than 60% of the units reserved for households with incomes at or below 50% AMI will be awarded points on a declining scale based on the percentage of units reserved for households with incomes at or below 50% AMI and on the percentage of the remaining units reserved for households with incomes at or below 80% AMI.

Where fewer than 60% of the total units in a project are targeted to households with incomes at or below 50% of the area median, the Bank calculates the targeting score as follows:

Calculate the percentage of total units (*including* any non-targeted or market-rate units) that are targeted to VLI[6] (50% AMI or below). In this example, the project has a total of 55 units targeted to 50% AMI or below, and 100 units total.

Example: 55 ÷ 100 = 55%

Subtract 20 from the percentage of VLI units in the project:
(The rationale for subtracting 20 is that at least 20% of the units must be targeted to VLI, and therefore those units are excluded from scoring credit.)

Example: 55 – 20 = 35

Divide the difference by 2:

Since 60% of the units targeted VLI results in 20 points, and if one is not counting the mandatory 20% of the units at VLI, then effectively, there are really only 40 percentage points optional (beyond the mandatory 20). Therefore, the "base score" gives credit for the percentage of targeted units minus 20 over 40 possible percentage points.

Example: $\frac{35}{40}$* = $\frac{x}{20}$ * (variable = percentage VLI units minus 20)

Therefore, to solve for x, 35 * 20 ÷ 40 (or 35 ÷ 2)
x = base score, which, in the example, is 17.50

Subtract the base score from the total possible points (20) to arrive at the remaining possible points.

Example: 20.00 - 17.50 = 2.50

Spread the possible points over a 30-point scale (the difference between 50%and 80% AMI) by dividing the remaining possible points by 30.

Example: 2.50 ÷ 30 = .08

Calculate the WAAMIT[7] for the remaining units targeted between 50 and 80% AMI, *excluding* any non-targeted or market-rate units.

Example: (25 units x 60%) + (10 units x 80%) = 23
23 ÷ (25+10) = .6571, or 65.71%

Subtract the WAAMIT from 80% (highest possible WAAMIT). Multiply the answer by the remaining possible points divided by 30.

[6] VLI stands for very- low income unit, which is a unit targeted to 50% AMI or below.

[7] WAAMIT stands for weighted average AMI target

Example: 80 - 65.71 = 14.29
.08 * 14.29 = 1.14

Add this answer to the base score to arrive at final score

Example: 1.14 +17.50 = 18.64 points

Owner-occupied projects
An owner-occupied project must have all units restricted at or below 80% of AMI to be eligible for AHP funding. Projects will be scored using the following scale:

- If 20% or more of the units are for households at or below 65% of AMI = 20 Points.
- If less than 20% of the units are for households at or below 65% of AMI = 18 Points.

Example #1: If 5 of 19 total project units are for households at or below 65% of AMI, then the calculation would be:

5 ÷ 19 = 26.3%, or 20 points.

Example #2: If 4 of 24 total project units are for households at or below 65% of AMI, then the calculation would be:

4 ÷ 24 = 16.7%, or 18 points.

V. Housing for Homeless Households

6 points maximum, variable

In General
Points will be awarded for the creation of transitional housing, excluding overnight shelters, for homeless households permitting a minimum of six months occupancy, or the creation of permanent owner-occupied or rental housing, excluding overnight shelters, reserving at least 20% of the units for homeless households. Projects will be awarded points based on the percentage of units in the project reserved for homeless households above and including the 20% minimum.

Homeless[8] household means:

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
    a. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation;
    b. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations); or
    c. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

2. An individual or family who will imminently lose their primary nighttime residence, provided that:
    a. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
    b. No subsequent residence has been identified; and
    c. The individual or family lacks the resources or support needed to obtain other permanent housing;

[8] "Homeless" means the same as defined under the federal Continuum of Care Program, at 24 CFR 578.3, as may be amended and renumbered from time to time. Projects awarded funds prior to 2017 must comply with the homeless definition used in their AHP competitive round. This definition is more limited than the definition above and generally includes only households described in 1a-1c above.

3. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under the Bank's definition, but who:
    a. Are defined as homeless under the statutes listed in category (3)(i) under the "Homeless" definition in CFR Title 24 Part 578.3;
    b. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
    c. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
    d. Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

4. Any individual or family who:
    a. Is fleeing, or is attempting to flee domestic violence or other dangerous or life-threatening conditions that has made the individual or family afraid to return to their primary nighttime residence;
    b. Has no other residence; and
    c. Lacks the resources or support needed to obtain other permanent housing.

5. An individual:
    a. With a serious mental illness or emotional disorder;
    b. Who would otherwise be considered at risk of homelessness as defined below; and
    c. Who will reside, alone or with their family, in a unit that is funded by a government agency program that specifically defines and serves households meeting the conditions outlined in a and b above.

Points ***will not*** be awarded if reserved units are for those who are considered at risk of homelessness, such as those living in overcrowded conditions, living in the home of another individual because of economic hardship, living in a hotel or motel not paid for by charitable funds, or otherwise living in housing that has characteristics associated with instability.

Calculation of Score
If a project reserves for homeless households ***less than 20%*** of its total units net of managers' units ("net units"), it receives no points in this category.

If a project reserves for homeless households ***exactly 20%*** of its net units, it receives exactly 3 points in this category.

If a project reserves ***between 20% and 100%*** of its net units for homeless households, the project will earn three points plus a pro-rata portion of an additional three points to be determined accordingly:
The units reserved for homeless (or fractions thereof) in excess of 20% of net units shall be divided by 80% of net units to derive a point value. The point value is then multiplied by three**.** For example:

If total units = 100, managers' units = 2; net units = 98; and
Units reserved for homeless = 50
Then 50 – (98 x 20%) = 50 – 19.6 = 30.4 = units in excess of 20% threshold
Then 30.4 ÷ (98 x 80%) = 30.4 ÷ 78.4 = .38775
.38775 * 3 = 1.163
Project's score = 3 + 1.163 = 4.163

If a project reserves **100%** of its net units for homeless, it will receive 6 points.

Documentation Requirements
At the time of initial monitoring, the Bank will require documentation confirming that the specified units have been reserved for homeless households meeting the Bank's definition. This documentation must include: 1) evidence that the households were referred to the project by an established organization or agency that has been providing services to the homeless for at least three years (a homeless services provider who may be the Sponsor), and 2) certification from the homeless services provider that the person or household referred meets the definition of "homeless households" included

in this plan, or, for projects awarded funds prior to 2017, the homeless definition used in their AHP competitive round. This earlier definition is more limited and generally includes only households described in 1a-1c above. For transitional housing where the Sponsor is also the homeless services provider, documentation may include an intake form, signed by both the head of household and the Sponsor, which verifies that the household met the Bank's definition of homeless household at move-in.

In order to receive points for projects with units reserved for homeless households that are shown in the application pro forma to generate rents set at the maximums for incomes greater than 30% of the area median, but which have no dedicated source of rental subsidy, the Bank will require that the applicant: 1) explain how the project will be able to absorb the potential cash flow deficit caused by the homeless units during the retention period, and 2) provide documentation from a homeless services provider that sufficient households exist in the target market area that are able to pay the scheduled rent for the units reserved for homeless households.

VI. Housing for Special Needs Populations

5 points maximum, variable

In General
Projects will be awarded points for the creation of housing in which at least 20% of the units are reserved for occupancy by households with special needs, which includes the elderly, mentally or physically disabled persons, persons recovering from physical or substance abuse, and people with AIDS.

Calculation of Score
The number of special needs units (including non income-restricted units) is divided by total project units (restricted and non-restricted units), less any manager units, and the result is multiplied by 5.0 points to derive the score. For example:

> If 25 of 50 units are *reserved for* special needs households, the calculation is 25 (special needs units) divided by 50 (total project units) multiplied by 5.0 points, or 2.5 points.

No points are awarded for any project with less than 20% of the units ***reserved*** for special needs households.

Units should not be double-counted if the unit qualifies under more than one special needs category.

The total for special needs units cannot exceed total project units.

VII. Housing for Households Requiring Large Units

3 points maximum, fixed

In General
Projects will be awarded points for the creation of housing in which at least 25% of the total project units (restricted and non-restricted units) have three or more bedrooms.

Calculation of Score

Rental projects
Three points are awarded if at least 25% of the total project units (restricted and non-restricted units) have three or more bedrooms.

For example, if 12 of 45 total project units have three or more bedrooms, the calculation would be:

12 (three or more bedroom units) divided by 45 (total project restricted and non-restricted units) equals 27%, or 3.0 points.

Owner-occupied projects
Three points are awarded if at least 25% of the total project units, restricted at or below 80% of AMI, have three or more bedrooms.

For example, if 7 of 20 units have three or more bedrooms, the calculation would be:

7 (three or more bedroom units) divided by 20 (total project income-restricted units) equals 35%, or 3.0 points.

VIII. Housing in Rural Areas

5 points maximum, variable

In General
Points will be awarded to projects to the degree that they finance housing located in rural areas, as designated by federal or state government and identified in the AHP application.

Calculation of Score
The number of rural units is divided by total project units (restricted and non-restricted units) and the result is multiplied by 5.0 to derive the score. For example, if 25 of 50 units are located within rural areas, the calculation would be:

25 (rural units) divided by 50 (total project units) multiplied by 5.0 points, or 2.5 points.

The project application must specify the source of the rural designation. Acceptable rural designations include those promulgated by USDA Rural Development, Farm Credit Bureau, state government program guidelines, or other similar sources.

No points are awarded for any project with less than 20% of the units located in rural areas. Projects may receive partial credit if the project includes multiple sites, with some sites located in defined rural areas, as in owner-occupied scattered-site acquisition programs.

IX. Promotion of Empowerment

5 points maximum, fixed

In General
Points will be awarded to projects in which housing is provided in combination with a program or programs that assist all residents in attaining life skills or moving toward better economic opportunities, such as employment or workforce development readiness, financial literacy education, pre- and post-homeownership counseling, health care, on-site child daycare services, or after-school or out-of-school services.

Calculation of Score
Only a service or program that promotes economic empowerment of residents or homebuyers qualifies under this scoring criterion. Services or programs must be of a regular ongoing nature and provided to all residents free of charge, except for day care services. Services must be provided on-site except that projects may use off-site services if they have a written agreement with the service provider enabling the development's residents to use the services free of charge. Referral services will not be eligible for points. Services or programs must be available within six months of the project's placed-in-service date.

No more than 5 points will be awarded in this category. No partial credit will be given. To receive 5 points the project Sponsor must commit to provide at least one of the seven empowerment features from the following list:

Empowerment Features
1. Training and education Should include services such as those listed below. Frequency of service requirements is bi-monthly (once every two months) or equivalent. • Employment/workforce development readiness services or programs • Vocational training • Employment/career counseling and job placement • Adult-accredited education programs that include English as a second language, GED, and computer classes • A life skills education program (rental projects only), including independent living skills such as managing a household, money management, health and nutrition education, and interpersonal skills • Financial literacy education programs (rental projects only) including basic financial planning and money management, learning to save, understanding credit reports and individual credit repair, budgeting, and early warning signs of debt problems
2. Pre- and post-purchase homeownership counseling Owner-occupied projects only. Pre-purchasing counseling services should include core curriculum such as credit counseling, budgeting, money management, predatory lending prevention and awareness counseling. Post-purchasing counseling services should include core curriculum such as budgeting, maintaining good credit, calculating and understanding home equity, retirement savings, foreclosure prevention, and workshops on maintenance, repairs, and improvements.
3. Sweat equity contribution/self-help Owner-occupied projects only. Activities required of the homebuyers or their families directly related to the construction of the home. A minimum of 250 hours required.
4. Health care services or programs, including mental and behavioral health services Healthcare management programs that support residents' ability to find or sustain employment or be self-sufficient. Includes provision of medical, dental, mental health services and behavioral health services such as psychiatric, marriage, and family counseling and addictions treatment.
5. On-site child daycare services or programs Physical space must be provided; licensed childcare providing 20 hours or more per week Monday – Friday. Program provides daycare for children ranging in age from infant to 6 years old. Program is distinct from an after-school or out-of-school program provided and described below.
6. After-school or out-of-school services or programs Providing a minimum of 15 hours per week. Program may serve as a substitute for child care, enabling parents or guardians to find or sustain employment. Program increases a youth's potential for personal and financial success by providing strong, supportive role modeling, supporting constructive behaviors and contributing to a youth's development and interest in education. Program is for school age children or youth ranging in age from 5 to 17 years old. Program is distinct from an on-site child daycare program provided and described above.
7. Bona fide service coordinator/social worker available Documentation supporting the experience and the duties of a service coordinator (not the on-site manager, for example) must be included in the application.

Documentation Requirements

To receive credit for a "sponsor provided" service, the application must include a plan describing the service or program selected from the above list that will be provided to the residents or homebuyers. The plan must have been completed within six months prior to the application submission deadline date.

To receive credit for a service provided by an organization other than the Sponsor, an executed Memorandum of Understanding ("MOU"), or service contract, or letter of commitment must be completed by the provider of the service or program selected from the preceding list. The MOU, service contract, or letter of commitment must have been executed within six months prior to the application submission deadline date.

At the time of initial monitoring, the Bank will require documentation to show that the service or program committed to at application is in place and appropriately serving residents, including validation of frequency and hours requirements.

X. Community Stability, including Affordable Housing Preservation

14 points maximum, variable

In General
Points will be awarded to projects based on the extent to which they promote community stability, such as by revitalizing neighborhoods by optimizing project site use, preserving affordable housing, being an integral part of a community revitalization or economic development strategy approved by a unit of the state, local, or federal government, promoting transit-oriented development and providing access to community amenities, incorporating the use of sustainable building techniques or standards, increasing homeownership opportunities and economic integration, and not displacing low- or moderate-income households, or if such displacement will occur, assuring that such households will be assisted to minimize the impact of such displacement.

Calculation of Score
Scores are broken into the elements listed in the following table.

If a project's total score within this category sums to more than 14 points, the system will adjust the score downward to 14.

1. Revitalizing Neighborhoods by Optimizing Project Site Use, or Preserving Affordable Housing
3 points maximum

Project will be awarded three points for meeting one of the following:	**Points**
• Development on an Infill Site Development of housing on vacant and undeveloped parcels in dense areas, especially in urban and inner suburban neighborhoods. The development takes advantage of existing infrastructure and promotes compact development that allows undeveloped land to remain open and green. Documentation requirement: A dated aerial photo of the site showing the outline of the entire site, or documentation of the infill designation from a government entity. • Adaptive Reuse of Non-residential Buildings or Structures The conversion to residential use of Non-Residential Buildings or Structures such as, but not limited to, warehouses, schools, hotels, and hospitals. Documentation requirement: A photo of the existing property and other third party documentation validating the previous use. • Demolition or Substantial Rehabilitation of Vacant, Abandoned, or Substandard Buildings, which includes the preservation of affordable housing	**3**

Demolition must be undertaken by the Sponsor and demolition costs included in the development budget. Documentation requirement: For projects involving demolition, dated photos of the site clearly showing the vacant, abandoned or substandard condition of the structures to be demolished or documentation from a government entity validating the status of the property as vacant, abandoned, or substandard. For projects involving rehabilitation, a project capital needs assessment prepared by a third party verifying that rehabilitation will extend the life of the property by at least 15 years.	

2. Community Revitalization or Economic Development Strategy **2 points maximum**

Project will be awarded two points for being integral to a community revitalization or economic development strategy approved by a unit of the state, local, or federal government or instrumentality thereof, such as, without limitation, the following:	**Points**
• Priority Development Areas • Redevelopment Areas • Federal Place-Based Initiative Areas Documentation requirement: Documentation from a unit of the state, local or federal government or instrumentality thereof verifying that all of a project's units are located within the geographic area of the community revitalization or economic development strategy.	**2**

3. Proximity to Transit and Amenities **4 points maximum**

Project will be awarded points for being located near one or more of the following:	**Points**
• Transit Project must be located within a 1/3 mile radius of a transit station, rail station, commuter rail station, bus station, or public bus stop. One-half point will be awarded for each line or route available, up to a maximum of 2 points. To receive points the transit line must be in place at the time of application. Distances must be measured using a standardized radius from the development site to the target transit line. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the transit line. The radius line may be struck from the corner of development site nearest the target transit line, to the nearest corner of the target transit line. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion. Documentation requirement: A printout from the websites of Google, Mapquest, or Walkscore clearly showing the number of transit lines and the project's distance relative to those transit lines. The map must be legible and have a clear scale and legend. Transit authority maps must accompany the aforementioned maps. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant transit line. The Bank reserves sole discretion in determining the relevancy of the transit services and the suitability of the documentation in awarding points for this element.	**2**

Project will be awarded points for being located near one or more of the following:	
• Amenities Project must be located within 1/3 mile radius of amenities appropriate and accessible to the project's population. Points (0.50 each) will be awarded for each of the following eight items, up to a maximum of 2 points: o public park, recreational facility, or community center o public library o a grocery store of 5,000 gross interior square feet or more o health care facility or medical clinic o full banking services (check cashing and ATM only, does not apply) o public school (K-12), community college, or university o police or fire station, or post office o retail (clothing store, or department store, or hardware store, or pharmacy) To receive points, the amenity must be in place at the time of application. Distances must be measured using a standardized radius from the development site to the target amenity. Points will not be given if the radius line crosses a significant physical barrier or barriers. Such barriers include highways, railroad tracks, regional parks, golf courses, or any other feature that significantly disrupts the pedestrian walking pattern between the development site and the amenity. The radius line may be struck from the corner of development site nearest the target amenity, to the nearest corner of the target amenity site. However, a radius line shall not be struck from the end of an entry drive or on-site access road that extends from the central portion of the site itself by 250 feet or more. Rather, the line shall be struck from the nearest corner of the site's central portion. Where an amenity such as a grocery store resides within a larger shopping complex or commercial strip, the radius line must be measured to the amenity exterior wall, rather than the site boundary. The resulting distance shall be reduced in such instances by 250 feet to account for close-in parking. Documentation requirement: Printout from the website of Google, Mapquest, or Walkscore clearly showing project's distance relative to amenity. The map must be legible and have a clear scale and legend. Applications with non-contiguous scattered-site addresses will need to include multiple maps showing the distance from each property address to each relevant community amenity. The Bank reserves sole discretion in determining the relevancy of the amenities and the suitability of the documentation in awarding points for this element.	**2**

4. Sustainable Developments **3 points maximum**

Project will be awarded points for obtaining one of the three following certifications:	**Points**
• LEED Certified, GreenPoint Certified, Enterprise Green Communities, or National Green Building Standard Bronze. The rehabilitation of existing buildings may also be awarded points for a 20% improvement over the project's pre-rehabilitation rating under the Home Energy Rating System (HERS). A maximum of 1 point will be awarded for obtaining one of the above certification levels. Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.	**1**
• LEED Silver, GreenPoint Silver, or National Green Building Standard Silver. The rehabilitation of existing buildings may also be awarded points for a 25% improvement over the project's pre-rehabilitation HERS rating.	**2**

A maximum of 2 points will be awarded for obtaining one of the above certification levels. Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.	
• LEED Gold or Higher, GreenPoint Gold or higher, or National Green Building Standard Gold or higher. The rehabilitation of existing buildings may also be awarded points for a 30% improvement over the project's pre-rehabilitation HERS rating. A maximum of 3 points will be awarded for obtaining one of the above certification levels. Documentation requirement: Documentation from certifying agency, organization, certified HERS rater, or certified GreenPoint rater must be provided upon project completion.	**3**
• LEED-certified with net-zero certification. A maximum of 4 points will be awarded for LEED-certified projects receiving a net-zero certification for demonstrating any or one of the following: net-zero carbon emissions, net-zero energy use, net-zero water use or net-zero waste. Documentation requirement: Documentation from the US Green Building Council must be provided upon project completion.	**4**

5. Homeownership and Economic Integration **2 points maximum**

Project will be awarded one point for each of the following features:	**Points**
• Creation of Affordable Homeownership Opportunities Project must increase affordable homeownership opportunities in the targeted area. Only owner-occupied project or rental projects with homeownership conversion plans qualify for points in this category. Documentation Requirements: No documentation needed for owner-occupied projects. Rental projects must provide a homeownership conversion plan, such as a lease-to-own plan. Conversion plans must be legally enforceable for each resident.	**1**
• Location in High Resource Areas or Upper-Income Census Tracts All project units, including scattered site projects, must be located in a census tract(s), or census block group, designated as high or highest resource areas on the most current Opportunity Area map, or equivalent area designated by a state or state Qualified Allocation Plan (QAP). If the state or QAP has no officially designated Opportunity Areas or other maps with designated high or highest resource areas, the project must be located in an upper-income census tract(s). Documentation requirement: Printout(s) of the state or QAP Opportunity Area maps* or equivalent, or printout(s) of the project census tract(s) from the website of the Federal Financial Institution Examination Council (FFIEC). * An applicant may choose to utilize the census tract(s), or census block group, resource designation from the high or highest resource maps in effect when the initial site control was obtained up to seven calendar years prior to the application.	**1**

6. Preventing or Minimizing Household Displacement **1 point maximum**

Project will be awarded one point for:	Points
• No Household Displacement, or • Household Displacement but Mitigated through Relocation Assistance Development of the project must not cause the displacement of households or displacement must be mitigated. Documentation requirement: Project must provide an explanation of the project's situation and if displacement is occurring, provide a relocation plan along with appropriate expenses allocated for relocation assistance in the development budget.	**1**

XI. Bank District Priorities

Project Readiness

7 points maximum, variable

In General
Points will be awarded to projects based on the extent to which, at the time of application, they have documented to the Bank's satisfaction that they have met certain development benchmarks, such as site control, pre-approved borrowers, and others as may be applicable to the project.

Calculation of Score
Rental projects
Points are awarded based on the number of units within a project that satisfy the listed criteria:

Readiness features: Rental Projects	Points
1. Full site control (i.e., full title/ownership)	3.50
2. Partial site control (i.e., sole right to purchase property)	2.00
3. Building permit issuance or building permit ready letter	3.50

The unit or unit-equivalent total for each element is divided by the total project units (restricted and non-restricted) and multiplied by the maximum scoring category point value to derive the score for the element.

The pro-ration works as follows: if the project has full site control for one of two project parcels on which 60% of the units of a 100-unit project will be constructed, the calculation is:

60 (parcel with full site control) divided by 100 (total proposed project units) multiplied by 3.50 points, or 2.10 points.

Owner-occupied projects
For scoring purposes, owner-occupied projects are divided into two categories: 1) projects that involve new construction or rehabilitation of a for-sale unit; and 2) projects that involve only the purchase of an existing unit (i.e., no construction [typically scattered-site acquisition projects]). The following table lists the elements and the maximum point values associated with each element. If a project's total score within this category sums to more than 7 points, the system will adjust the score downward to 7.

Readiness features: Owner-Occupied Project (credit is pro-rated based on number of units meeting criteria)	Category 1: New Construction or Rehab	Category 2: No Construction or Rehab (scattered-site)
1. Full site control (i.e., full title/ownership)	3.50	n/a
2. Partial site control (i.e., sole right to purchase property)	2.00	n/a
3. Buyers identified, ready, qualified	3.00	3.00
4. Building permit issuance or building permit ready letter	3.50	n/a
5. Acquisition of existing homes- No construction or rehab projects with downpayment assistance	-	3.50

The unit total for each element is divided by the total project units (restricted at or below 80% of AMI) and multiplied by the maximum scoring category point value to derive the score for the element.

The pro-ration works as follows: if the project has 5 homebuyers identified, ready, and income-qualified for 12 proposed single-family home project units, the calculation is:

5 (homebuyers identified) divided by 12 (total proposed project units) multiplied by 3.00 points, or 1.25 points.

All of the elements are subject to pro-ration except with respect to a category 2 project that receives an automatic 3.50 points in recognition of the project's implied acceptable zoning. Other readiness indices of site control and building permits are not applicable. Category 2 projects can only receive 6.5 points for Readiness.

All Projects
Category elements are intended to be progressive (i.e., scoring credit for building permits requires full site control). Credit cannot be awarded for building permits if full site control is not documented.

In-District Projects

5 points maximum, fixed

In General
Points will be awarded to projects where all units are located in the Bank's district, which is comprised of Arizona, California, and Nevada. No partial credit will be awarded.

Subsidy Per Unit

12 points maximum, Variable

In General
Points will be awarded based on the extent to which a project uses the least amount of AHP subsidy per AHP-targeted unit. For purposes of this scoring criterion, applications for owner-occupied and rental projects will be scored separately.

Calculation of Score
The project's subsidy per unit is the total subsidy requested divided by the number of income-restricted units (which is taken from the targeting worksheet of the application).

Example (rental): $880,000 ÷ 50 units = $17,600 subsidy per unit

Example (owner-occupied): $600,000 ÷ 20 units = $30,000 subsidy per unit

For purposes of this scoring category, a project's requested subsidy per unit must fall within a range in order to receive credit. The range for rental projects is $15,000 to $40,000. The range for owner-occupied projects is $25,000 to $45,000.

Factors for owner-occupied and rental projects are calculated by dividing the difference between the high and low ends of the ranges into 12, the maximum points possible.

Owner-occupied factor:	12/(45,000 - 25,000) = .0006
Rental factor:	12/(40,000 - $15,000) = .00048

The low end of subsidy per unit range is subtracted from the project's subsidy per unit request, the difference is multiplied by the factor to arrive at a product. The product is subtracted from 12.

Example (rental): $17,600 - $15,000 = $2,600
$2,600 x .00048 = 1.248
12 - 1.248 = 10.75 points

Example (owner-occupied): $30,000 - $25,000 = $5,000
$5,000 x .0006 = 3.0
12 - 3.0 = 9.0 points

In cases where the subsidy per unit is less than the low end of the specified range, the project is automatically awarded 12 points. Conversely, if the project's subsidy per unit is greater than the high end of the range it is granted no points.

Attachment C

Compliance Monitoring Guidelines *(Competitive Program)*

I. Monitoring requirements for project Members, Sponsors or Owners.
The Bank provides monitoring guidelines, which are available on the Bank's website, that set forth respective monitoring obligations for project Members, Sponsors, or Owners.

II. Monitoring Prior to Project Completion – **Semiannual Survey**
The Bank surveys the Member and Sponsor on the status of each project semiannually until the project is completed. The Bank may take action to cancel the subsidy, pursuant to the guidelines set forth in Section F. Time Limits on Use of Subsidy above.

III. Monitoring After Project Completion – **Initial and Long-Term Monitoring**

A. Owner-occupied Projects

1. Within a reasonable period of time after project completion, the Bank conducts initial monitoring of the project. The Bank considers an owner-occupied project complete if it has met these three criteria:

    a. AHP subsidies are fully funded;
    b. construction or rehabilitation of the project is complete; and
    c. all loans are closed, or all units are occupied.

2. The Bank requests from the Member a certification which states that

    a. the AHP subsidies have been used according to the commitments made in the AHP application or approved modification(s) and the requirements of the Regulation;
    b. the services and activities committed to in the AHP application or approved modification(s) have been provided; and
    c. the AHP-assisted units are subject to AHP retention agreements that meet the requirements of Section 1291.15(a)(7) of the Final Rule. In the case of rehabilitation of a unit currently occupied by the owner where there is no loan closing, the retention period must begin the date upon which all subsidy has been disbursed to the homebuyer.

3. The Bank reviews the project's final development budget, unit purchase price, sources and uses of funds, borrower income as committed to in the AHP application or approved modification(s), and any such additional information as the Bank may require to validate the project's actual costs and to determine feasibility and need for subsidy in accordance with the Bank's feasibility guidelines. The Bank also reviews documentation supporting subsidy delivery, financing sources and terms, the existence of legally enforceable retention documents on the units, and third party income verification documents. The Bank will monitor all owner occupied projects, and will at least select a sample of the project's units to review back up documentation such as information on household income pursuant to the Bank's risk-based sampling plan.

4. There is no long-term monitoring required for owner-occupied projects.

B. Rental Projects

1. Initial Monitoring

    a. Within a reasonable period of time after project completion, the Bank conducts initial monitoring of the project. The Bank considers a rental project complete if it has met these two criteria:
        1) AHP subsidies are fully funded; and

2) construction or rehabilitation of the project is complete as evidenced by a habitability document such as a Certificate of Occupancy or Notice of Completion.

b. The Bank requests from the project owner a certification which states that:
   1) the AHP subsidies have been used according to the commitments made in the AHP application or approved modification(s) and the requirements of the Regulation;
   2) tenant rents and incomes are accurate and in compliance with targeting commitments;
   3) services and activities committed to in the AHP application or approved modification(s) have been provided; and
   4) the project is subject to AHP retention agreements that meet the requirements of Section 1291.15(a)(8) of the Final Rule.

c. The Bank performs feasibility and need for subsidy analysis of the final development budget, sources and uses of funds, pro forma income and expense projections and any such additional information as the Bank may require to validate the project's actual costs and to determine feasibility and need for subsidy in accordance with the Bank's feasibility guidelines. The Bank reviews the project's rent roll and assesses if rent and income levels meet targeting commitments in the AHP application. Although the Bank conducts initial monitoring of all projects in the competitive application program, in connection with its analysis of the rent roll, the Bank may review back-up documentation regarding household incomes and rents for selected units based on the Bank's risk-based plan for selecting units to sample. In addition, the Bank reviews documents supporting subsidy delivery, financing sources and terms, and the existence of legally enforceable retention documents on the project.

C. Long-term Monitoring

1. For rental projects that have been allocated federal Low-Income Housing Tax Credits (LIHTC), the Bank will rely on the monitoring by the state-designated housing credit agency administering the tax credits of the income targeting and rent requirements applicable under the tax credit program. The Bank will not obtain and review reports from such agency or otherwise monitor the projects' long-term AHP compliance, except that the Bank will review any LIHTC noncompliance notices received from project owners pursuant to Section 1291.15(a)(5)(ii) of the Final Rule during the AHP 15-year retention period.

2. Rental projects that have ***not*** been allocated tax credit financing,

   a. The Bank will require project owners to submit annual certifications that household incomes and rents are in compliance with the commitments made in the approved AHP application during the AHP 15-year retention period, along with information on the ongoing financial viability of the project, including whether the project is current on its property taxes and loan payments, its vacancy rate, and whether it is in compliance with its commitments to other funding sources.
   b. The Bank will use a risk-based sampling plan to determine which rental projects will be subject to long-term monitoring to commence in the second year after project completion during the AHP 15-year retention period. The sampling of projects will be based on one or more risk factors, such as amount of AHP subsidy in the project, type of project, size of project, location of project, Sponsor experience and performance, and any other monitoring of the project provided by a federal, state or local government entity.
   c. For the projects sampled, the Bank will review:
      1) the back-up project documentation regarding household incomes and rents maintained by the project owner, and
      2) other project documentation as the Bank deems necessary.

IV. Site Visits

The Bank may conduct a site visit at any stage of a project (pre- or post-completion) based on the current status of the project. In determining whether to conduct a site visit, the Bank may consider various factors, including (without limitation):

A. Whether the project is in compliance with the requirements of the AHP,

B. The amount of subsidy awarded to the project,

C. Material changes in the project since approval that could delay the project beyond the Bank's completion deadline, bring into question the project's need for subsidy, or threaten its financial feasibility,

D. The results of inquiries or site visits conducted by another monitoring entity that come to the Bank's attention.