
**Rules of
Department of Economic
Development
Division 170—Missouri Housing
Development Commission
Chapter 5—Affordable Housing
Assistance Program**

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**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 170—Missouri Housing Development Commission
Chapter 5—Affordable Housing Assistance Program**

4 CSR 170-5.010 Definitions

PURPOSE: This rule establishes guidelines to assist business firms and neighborhood organizations in the implementation of the Affordable Housing Assistance Program and allows the commission to comply with the provisions of House Bill 960 (state tax credit).

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) Affordable housing assistance programs are those programs designed to provide affordable housing to very low income persons who would not otherwise be adequately housed.

(2) The commission shall administer the Affordable Housing Assistance Program. The commission shall provide the application forms to business firms wishing to provide affordable housing and to take advantage of the tax credits issued under this program.

(3) The amount of the state tax credit shall not exceed fifty-five percent (55%) of the total amount invested in affordable housing assistance activities by a business firm. Any tax credit not issued in the period for which the credit is approved may be carried over the next ten (10) succeeding calendar or fiscal years until the full credit has been claimed. To determine the amount of tax credit allowable if the affordable housing units for which a tax credit is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of net rentable square feet devoted to the affordable housing units.

(4) The total amount of tax credits granted for proposals approved for the first fiscal year beginning July 1, 1990 shall not exceed two (2) million dollars, to be increased by no more than two (2) million dollars each succeeding fiscal year, until the total tax credits that may

be approved in any fiscal year reaches ten (10) million dollars.

(5) As used in the implementation of the Affordable Housing Assistance Program, the following terms shall mean:

(A) Affordable housing unit, a residential unit generally occupied by persons and families with incomes at or below the levels described in this rule and charging a gross rental rate no greater than thirty percent (30%) of the maximum eligible household income for the affordable housing unit. Gross rent includes the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum rent that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for Missouri, whichever is larger. Geographic area means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937 for purposes of determining fair market rental rates:

Size of Household	Percent of State or Geographic Area Family Media Income
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(B) Affordable housing assistance activities, money, real or personal property, or professional services expended or devoted or contributed through a neighborhood organization which is providing affordable housing units —

1. Through the use, construction or rehabilitation of those units; or

2. To eligible persons or families through an affordable housing rent subsidy program approved by the commission, all in accordance with the criteria established in subsection (5)(A);

(C) Business firm, person, firm or corporation doing business in Missouri and subject to the income tax imposed by the provisions of Chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed

by the provisions of Chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in the state, or other financial institution paying taxes to Missouri or any political subdivision of this state under the provisions of Chapter 148, RSMo, or an express company which pays an annual tax on its gross receipt in this state;

(D) Commission, the Missouri Housing Development Commission; and

(E) Neighborhood organization, any organization performing community services or economic development activities in Missouri—

1. Holding a ruling from the Internal Revenue Service of the United States Department of Treasury that the organization is exempt from income taxation under the provisions of the *Internal Revenue Code* 501(c)3, 501(c)4 or 501(c)6 and must have the producing, maintaining or operating of low income housing as part of their charter, as one (1) of their stated purposes;

2. Incorporated in Missouri as a not-for-profit corporation under the provisions of Chapter 355, RSMo; or

3. Designated as a community development corporation by the United States government under the provisions of Title VII of the Economic Opportunity Act of 1964.

*Auth: Chapter 215 and section 215.030(5), (12) and (19), RSMo (Cum. Supp. 1989). * Original rule filed Dec. 4, 1990, effective June 10, 1991. Emergency amendment filed May 20, 1992, effective May 30, 1992, expired Sept. 26, 1992. Emergency amendment filed Sept. 25, 1992, effective Oct. 5, 1992, expired Feb. 1, 1993. Amended: Filed May 27, 1992, effective Jan. 15, 1993.*

**Original authority 215.010, RSMo (1969), amended 1974, 1982, 1985; 215.020, RSMo (1969); 215.030, RSMo (1969), amended 1974, 1982, 1985, 1989; 215.035, RSMo (1989); 215.040—215.050, RSMo (1969); 215.060, RSMo (1969), amended 1974, 1982, 1985; 215.062, RSMo (1991); 215.070, RSMo (1969), amended 1972, 1974, 1975, 1985; 215.080, RSMo (1969); 215.090, RSMo (1969); 215.060, RSMo (1969), amended 1974, 1985, 1989; 215.100—215.150, RSMo (1969); 215.160, RSMo (1969), amended 1974, 1985; 215.170—215.250, RSMo (1969); and 215.300—215.318, RSMo (1989).*

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MISSOURI HOUSING DEVELOPMENT COMMISSION

AFFORDABLE HOUSING ASSISTANCE
PROGRAM

FY1992 APPLICATION PACKAGE
{Effective July 1, 1992 through June 30, 1993}

CONTENTS

1. Project Application
2. Exhibit A: Income Limits
3. Tax Credit Certification
(Business Contribution)
4. Program Checklist
5. Program "Rules and Regulations"
(Chapter 5 - Affordable Housing Assistance)

7/1/92

Part II. Project Section:

Name of Project: _____

Address of Project: _____
Street City County Zip

Neighborhood Area to be Served: _____

Congressional District Census Tract
State Senate District State House District

Notification of Local Official:

Provide the name and address of the chief elected official of the local political jurisdiction in which the project will be / is located:

Name: _____

Address: _____
Street City County Zip

CIRCLE ONE: Comment from local governing body IS / IS NOT included.

[If comment from local governing body is not included in the application, the commission will notify the chief elected officials of the municipality or county and give them thirty (30) days to comment.]

Statement of Need

A. Briefly describe the major needs your proposal addresses and who will benefit by this project, both directly and indirectly.

B. Briefly describe why Affordable Housing Assistance support is necessary for this project to be successful.



Site Information: Provide information concerning the proposed site(s).

Site control is in the form of: DEED OPTION PURCHASE CONTRACT
OTHER _____

Expiration date of contract or option: _____ month / day / year

ZONING: Please state the current zoning and briefly describe its applicability and/or permissiveness to the proposed project.

CURRENT ZONING IS: _____

STATEMENT of APPLICABILITY and/or PERMISSIVENESS:

Project Information:

NEW CONSTRUCTION REHABILITATION

TOTAL NUMBER of UNITS: _____ NUMBER of LOW-INCOME UNITS: _____

GROSS RENTS:

The gross rental rate can be no greater than thirty percent (30%) of the maximum eligible household income for the affordable housing unit. [Please refer to Exhibit A for the current income limits.] Gross rent includes the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum rent that may be paid by the occupant is to be reduced by a utility allowance.

UTILITY ALLOWANCES:

Utilities	Type of Utility (Gas, Electric, Oil, etc.)	Utilities Paid By	Enter Monthly Dollar Amount For Utilities Paid by Tenant				
			0BR	1BR	2BR	3BR	4BR
Heating		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Air Conditioning		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Lighting		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Cooking		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Hot Water		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Water		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Sewer		<input type="checkbox"/> owner <input type="checkbox"/> tenant					
Trash		<input type="checkbox"/> owner <input type="checkbox"/> tenant					



Project Rents: List the estimated monthly income for the proposed units.
(Rents shown here should not include Utility Allowances.)

Low-Income Units:

Bedroom Size	Number of Units	Rent Per Unit	Average Sq. Ft. P.U.
0BR			
1BR			
2BR			
3BR			
4BR			
5BR			

Market Rate Units:

Bedroom Size	Number of Units	Rent Per Unit	Average Sq. Ft. P.U.
0BR			
1BR			
2BR			
3BR			
4BR			
5BR			

Equipment:

Included with Low-Income Units:

- RANGE DISPOSAL AIR CONDITIONER W/D HOOK-UP
- REFRIGERATOR DISHWASHER KIT. EXHAUST FAN OTHER _____

Included with Market Rate Units:

- RANGE DISPOSAL AIR CONDITIONER W/D HOOK-UP
- REFRIGERATOR DISHWASHER KIT. EXHAUST FAN OTHER _____

Income Information: Persons or families are eligible occupants of affordable housing units if the household combined adjusted gross income as defined by the commission [see *Exhibit A*] is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for Missouri, whichever is larger.

Size of Household	Percent of State or Geographic Area Family Median Income
One Person	—————▶ 35%
Two Person	—————▶ 40%
Three Person	—————▶ 45%
Four Person	—————▶ 50%
Five Person	—————▶ 54%
Six Person	—————▶ 58%
Seven Person	—————▶ 62%
Eight Person	—————▶ 66%



Project Costs

COLUMN A

COLUMN B

<u>To Purchase Land and Buildings</u>	
Land	_____
Existing Structures	_____
Demolition	_____
Other	_____
<u>Site Work</u>	
Site Work	_____
Off-Site Improvement	_____
Other	_____
<u>Rehabilitation and New Construction</u>	
New Building	_____
Rehabilitation	_____
Accessory Building	_____
General Requirements	_____
Contractor Overhead	_____
Contractor Profit	_____
Building Permit Fee	_____
<u>Contingency</u>	
Construction Contingency	_____
Other	_____
<u>Architectural and Engineering Fees</u>	
Design Architect	_____
Supervisory Architect	_____
Real Estate Attorney	_____
Consultant or Agent	_____
Property/Survey Fee	_____
Engineering Fee	_____
Other Fees	_____
<u>Interim Costs</u>	
Construction Insurance	_____
Construction Interest	_____
Constr. Loan Origination Fee	_____
Constr. Loan Credit Enhancement	_____
Taxes	_____
Other	_____
SUBTOTAL	_____

<u>Financing Fees and Expenses</u>	
Bond Premium	_____
Credit Report	_____
Permanent Loan Origination Fee	_____
Perm. Loan Credit Enhancement	_____
Cost of Iss/Underwriters Discount	_____
Title and Recording	_____
Counsel's Fee	_____
Cost Certification Fee	_____
Other	_____
<u>Soft Costs</u>	
Property Appraisal	_____
Market Study	_____
Environmental Report	_____
Tax Credit Fees	_____
Rent-up	_____
Consultants	_____
Other	_____
<u>Syndication Costs</u>	
Organizational	_____
Bridge Loan Fees and Expenses	_____
Tax Opinion	_____
Other	_____
<u>Developer's Fees</u>	
Developer's Overhead	_____
Developer's Fee	_____
Other	_____
<u>Project Reserves</u>	
Rent-up Reserve	_____
Operating Reserve	_____
Other	_____
SUBTOTAL COLUMN B	_____
SUBTOTAL COLUMN A	_____
TOTAL	_____