

# 2023

## NEBRASKA AFFORDABLE HOUSING TRUST FUND

# QUALIFIED ALLOCATION PLAN

NEBRASKA DEPARTMENT OF  
ECONOMIC DEVELOPMENT  
EFFECTIVE JULY 1, 2023 - JUNE 30, 2024  
(2023 PROGRAM YEAR)

## NEBRASKA

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DEPT. OF ECONOMIC DEVELOPMENT

NAHTF 2023 QAP



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## Introduction

The Nebraska Affordable Housing Trust Fund (NAHTF) was established by the Nebraska Affordable Housing Act (Neb. Rev. Stat. §§58-701 through 58-711) in 1996. The Act, which was adopted to address the state's affordable housing needs, called for a portion of the documentary stamp tax from Nebraska real estate transactions to be transferred to the NAHTF. These funds are distributed to support the provision of decent, affordable housing statewide, to encourage economic development and promote the general prosperity of all Nebraskans.

As stipulated by the Act, the Nebraska Department of Economic Development (DED) is required to develop an annual Qualified Allocation Plan (QAP) concerning the distribution of NAHTF resources throughout the state. DED has developed the 2023 QAP with input gathered through *Blueprint Nebraska*, which included participation from businesses, communities, statewide housing partners, developers, nonprofit organizations, public agencies, community action agencies, development districts, and public housing authorities. Feedback was also gathered from the Strategic Housing Council led by the Nebraska Investment Finance Authority from April 2022 – November 2022, and DED conducted five (5) Focus Group meetings in October 2022 with customers of the DED.

## Nebraska Commission on Housing and Homelessness (NCHH)

Recognizing the strong link between housing, homelessness, and near homeless issues, the Nebraska Commission on Housing and Homelessness (NCHH) was established by Executive Order 98-4 in 1998. It consolidated the work of the Nebraska Affordable Housing Commission, the Nebraska Interagency Council on the Homeless, and the Affordable Housing Trust Advisory Committee.

The Commission makes recommendations to DED and the Nebraska Department of Health and Human Services (DHHS) regarding the operation of the NAHTF and the Homeless Shelter Assistance Trust Fund (HSATF), respectively; to serve as an advisory body on housing and homelessness; to assist with education, advocacy, coordination, and cooperation; and integrate recommendations from Nebraska's 2020-2024 Consolidated Plan and Annual Action Plan for the Community Development Block Grant (CDBG), HOME Investment Partnerships Fund (HOME), National Housing Trust Fund (HTF), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) with other statewide strategic planning initiatives that involve affordable housing, homelessness, and other housing issues.

DED provides an update of the NAHTF program and receives input at each quarterly NCHH meeting. Changes and recommendations for the 2023 program year were specifically discussed at the November 16, 2022, NCHH quarterly meeting.

## Public Comment Process

The QAP for 2023 will be submitted for a 30-day public comment period beginning on November 30, 2022. The public comment period will conclude on January 4, 2023. All written comments submitted to DED during the public comment period are taken into consideration while completing the final 2023 NAHTF QAP. All written comments must be submitted to the Department on or before January 4, 2023, to [DED.NebraskaAffordableHousingTrustFund@nebraska.gov](mailto:DED.NebraskaAffordableHousingTrustFund@nebraska.gov). All public comments received by the Department will be included as Attachment 3 to this document when the Final QAP is posted.

## Housing Priorities

The impetus for the Nebraska Affordable Housing Act was the realization that impediments existed to the construction and rehabilitation of affordable housing throughout the State. Increasing development and construction costs and affordable housing financing challenges were impacting the ability of communities

to address their housing needs. Existing dilapidated housing stock and industrial buildings were determined to be detrimental to new affordable housing development and the general health and safety of people living and working in or around such places.

Nebraska's significant need for housing, across the state and across the spectrum of incomes and housing types, continues to be a major concern among area businesses, community leaders, developers, nonprofit organizations, and members of the public. It is well known that safe, adequate, available, and affordable housing is crucial to the viability of communities and businesses, influencing their ability to recruit workers, grow the population, retain residents and pursue economic development opportunities.

During 2018 and 2019, *Blueprint Nebraska*, a diverse statewide partnership, gathered feedback, opinions and ideas through surveys, a steering committee and 16 Industry Councils. DED staff participated in the *Blueprint Nebraska* efforts and served on several of the Industry Councils including the Community Vitality Council and the Housing Council. Housing needs were identified in nearly all of the Councils. Lack of housing and housing options is limiting the ability of businesses and communities to grow. *Blueprint Nebraska* identified fifteen initiatives overall. The Housing Initiative, **Build 30,000 to 50,000 affordable, livable housing units by 2030** is an aggressive but necessary goal.

Eighty-four of Nebraska's ninety-three counties received disaster impacts as a result of flooding due to Winter Storm Ulmer in 2019. Disaster Recovery efforts have been a priority for the state in NAHTF application funding cycles as a response to that disaster. The NAHTF application has prioritized projects specifically designed to benefit those impacted by the 2019 flood. In addition, the State provides assistance to Nebraska communities recovering from the Winter Storm Ulmer (DR-4420) to mitigate damages from flooding and other weather-related incidents in 2019 through the CDBG-DR program.

Housing needs resulting from the Global Pandemic of 2019 are also being addressed with funding distributed under the State of Nebraska's new Economic Recovery Fund established under LB1014. These funding programs are the Pandemic Relief Housing Program, Qualified Census Tract (QCT) Affordable Housing Program (AHP), and the Rural Workforce Housing Land Development Program.

The Nebraska Affordable Housing Trust Fund is a resource with a major role in achieving the *Blueprint Nebraska* goal to build 30,000 to 50,000 affordable, livable housing units by 2030 by enabling communities and businesses to address their housing needs. Priorities for the 2023 NAHTF program include:

- New affordable housing units for homebuyers,
- New affordable rental housing units,
- Preservation and rehabilitation of housing units, and
- Increasing homeownership opportunities.

Nebraska's 2020-2024 Consolidated Plan for Housing and Urban Development (HUD) federal programs was finalized in June 2020. Housing continues to be a priority need for federal programs overseen by DED. NAHTF goals and priorities are integrated into the 2020-2024 Consolidated Plan to support the State's overall commitment to housing.

### **Allocation of Funds**

DED's spending authority for the 2023 NAHTF program year allocation is anticipated to be \$12,750,000 for NAHTF activities, also known as government aid, all of which will be made available for distribution throughout the State for NAHTF-eligible activities. State Administration costs are estimated to be \$1,250,000 and this amount is not reflected in the aid allocation.

Per the requirements of the Nebraska Affordable Housing Act, DED shall put forth its best effort to allocate no less than 30% of NAHTF monies each to Nebraska’s three (3) U.S. Congressional Districts (<https://www.census.gov/mycd/> or refer to Attachment 1).

The following table outlines the proposed distribution of NAHTF funds for the 2023 program year:

Estimated NAHTF Government Aid Allocation		NAHTF Activities
\$11,475,000	<b>Housing Funding Cycle(s) – 90% of Allocation Subject to Congressional District Distribution</b>	
	\$11,355,000	Housing Projects
	\$120,000	Nonprofit Technical Assistance
\$ 1,275,000	<b>Discretionary Funds - 10% of Allocation</b>	
\$12,750,000	<b>Projected NAHTF Total Aid Allocation</b>	

DED anticipates awarding 90%, or 11,475,000 of the expected allocation of \$12,750,000 through the Housing Funding Cycle(s). This will result in an anticipated \$3,825,000 available to each congressional district for the 2023 program year. Generally, DED will award applications that meet all threshold requirements, demonstrate the greatest level of project readiness and rank highest within their congressional district, pending the amount of funding available for that district per cycle.

The remaining 10%, or \$1,275,000 are discretionary funds, have no restriction with regard to congressional district distribution and can be used at the discretion of the Department. The Department intends to use up to \$1,000,000 in discretionary funds in conjunction with the 2023 joint application with the Nebraska Investment Finance Authority 9% Low-Income Housing Tax Credit program, with a maximum project award of \$750,000. These awards will only be invested in projects where federal procedural restrictions are a barrier to providing DED federal funding to an otherwise financially feasible, quality project, determined at the sole discretion of the Department.

### Funding Cycles and Limitations

NAHTF funding will be utilized in the annual competitive housing application cycle (i.e., funding cycle) that will include:

- Housing Projects
- Nonprofit Technical Assistance, one in each Congressional District

The 2023 maximum NAHTF award is \$750,000 in project costs (excludes General Administration, Housing Management, and Lead-Based Paint Testing) for any Housing Development Project application in the funding cycle(s). In addition, applicants will be eligible to request up to 8% in NAHTF-requested project costs for General Administration of the award not to exceed \$20,000.

Applicants will be eligible to request up to \$5,000 in Housing Management per NAHTF-assisted unit, not to exceed \$75,000 on projects with a primary activity of new construction, purchase/rehab/resale, owner-occupied rehabilitation, rental rehabilitation, and rental conversion. Applicants with a primary activity of Homebuyer Assistance only or Homebuyer Assistance with minor Rehabilitation will be eligible to request up to \$2,500 per unit in Housing Management, not to exceed \$75,000.

When a DED Recipient is also the Developer of a project, the NAHTF-funded developer fee allowance will be capped at 15% of the NAHTF-funded Primary Activity cost. The Developer Fee for NAHTF projects will be a Deferred Developer Fee and eligible for reimbursement only after completion of the Primary Activity.

The maximum Nonprofit Technical Assistance award is \$40,000 over a two-year period. General Administration, Housing Management and Lead Based Paint Testing are not an eligible expense for Nonprofit Technical Assistance applications.

DED reserves the right to fund or not fund applications, to exceed the maximums, to adjust award amounts and to adjust allocations among the categories, all to allow for flexibility to ensure congressional district distribution requirements, organizational capacity, meeting urgent housing needs, or other geographic considerations. Any NAHTF funds remaining from the annual funding cycle or any additional funding cycle may be used, at DED's discretion, to increase any of the above-mentioned activities, to create an additional funding cycle, such as a demonstration program, or be rolled forward to next cycle, whenever and whichever is determined necessary.

### **Application Process Summary**

The 2023 NAHTF application cycle will open at a date to be announced in the first quarter of 2023. Preliminary applications (pre-applications) are required prior to acceptance of a full application. This requirement provides DED the ability to offer technical assistance to applicants and to adequately plan for application processing and scoring. A pre-application workshop and open office hours will be offered. Any pre-recorded or in-person workshops, including the pre-application workshop, are recommended to all applicants, whether they are new or returning to the NAHTF Housing Funding Cycle. The pre-application workshop will include an overview of the program; a review of the application process; application-related frequently asked questions; scoring criteria review; and application writing guidance. Technical assistance is also available from DED housing program representatives upon request (see Attachment 2). The **2023 NAHTF pre-applications will be submitted electronically via AmpliFund**, an electronic management software system. Pre-applications must be submitted to DED electronically on or before the specified due date of **March 2, 2023, by 5:00 pm (Central Time)**. **No hard copy pre-applications will be accepted.**

Application Guidelines will be posted on the DED website on or before the opening of the funding cycle. The Application Guidelines include detailed program information, application instructions, and will serve to answer common application-related questions. Instructions for the use of the electronic database, AmpliFund, will also be available. Pre-recorded application workshops focusing on the full application, along with open office hours will be offered, and participation is strongly recommended. The full application workshop will not duplicate program overview and scoring criteria information shared in the pre-application workshop. It is strongly recommended both workshops be viewed by applicants whether new or returning. The full application workshop will focus on a review of the application process, and will discuss the full application and application guidelines, as well as application and program-related questions. Open Office Hours will be provided for applicants who have completed a pre-application. These Open Office Hours will provide a forum for applicants to ask questions related to the NAHTF application via WebEx and will provide an opportunity for prospective applicants, application preparers, developers, and housing organizations to collaborate with DED's housing team members. Prospective applicants are encouraged to work closely with their housing program representative (Attachment 2) while planning and preparing an application. The **2023 NAHTF applications will be submitted electronically via AmpliFund**, an electronic management software system. Applications must be submitted to DED electronically on or before the specified due date of **May 4, 2023, by 5:00 pm (Central Time)**. **No hard copy applications will be accepted.**

DED processes all applications, conducts a threshold review and a competitive scoring process. Clarifying information may be requested of applicants. When providing clarifying information applications may not be changed and/or altered. Upon completion of scoring, award decisions are made. All applicants will receive letters of selection or non-selection, or other communication.

2023 NAHTF ANTICIPATED TIMELINE	
<u>Anticipated Date</u>	<u>Action</u>
Wednesday, November 16, 2022	NCHH Quarterly Meeting Review Proposed 2023 NAHTF QAP
Wednesday, November 30, 2022	Proposed QAP Posted & Public Comment Period Begins
Wednesday, January 4, 2023	QAP Public Comment Period Ends
Thursday, February 2, 2023	Final QAP Posted
Thursday, February 2, 2023	2023 NAHTF Application Guidelines Posted & 2023 NAHTF Funding Cycle Opens
Friday, February 9, 2023	2023 NAHTF Pre-Application Workshop (pre-recorded workshop made available)
Thursday, February 16 2023	Open Office Hours for Pre-Application via WebEx
Thursday, March 2, 2023 (by 5:00pm Central Time)	2023 NAHTF Pre-Applications Due by 5:00pm (CT)
Friday, March 3, 2023	2023 NAHTF Application Workshop (pre-recorded workshop made available)
Thursdays @ 10:00am; March 15 – April 20 (Central Time)	Open Office Hours for Application via WebEx; <i>To be held every Thursday from 10:00am to 11:00am (CT)</i>
Thursday, March 16, 2023	Site Review Forms Due for New Construction, Rental Rehabilitation and Rental Conversion Projects (Where Sites Have Been Identified)
Thursday, March 30, 2023	Rental Application Budgets and Proformas Due
Thursday, May 4, 2023 (by 5:00pm Central Time)	2023 NAHTF Applications Due by 5:00pm (CT)

### Eligible Applicants

Eligible applicants for NAHTF include:

- Governmental subdivisions
- Public housing authorities
- Community action agencies
- Community-based, neighborhood-based, or reservation-based nonprofit 501(c)(3) or 501(c)(4) organizations

For-profit entities working in conjunction with one of the other eligible applicant organizations are eligible to receive NAHTF funds. The eligible applicant organization must be the applicant for the NAHTF funds and shall be the entity that enters into the DED contract.

### Eligible Activities

The activities listed below are eligible for NAHTF assistance, as provided in Section 58-706 of the Nebraska Affordable Housing Act:

- New construction, rehabilitation, or acquisition of housing to assist low-income and very low-income families;
- Matching funds for new construction, rehabilitation, or acquisition of housing units to assist low-income and very low-income families;
- Technical assistance, design and finance services, and consultation for eligible nonprofit community or neighborhood-based organizations involved in the creation of affordable housing;
- Matching funds for operating costs for housing assistance groups or organizations, when such grants or loans will substantially increase the recipient's ability to produce affordable housing;
- Mortgage insurance guarantees for eligible projects;

- Acquisition of housing units for the purpose of housing preservation to assist low-income or very low-income families;
- Projects making affordable housing more accessible to families with elderly members or members who have disabilities;
- Projects providing housing in areas determined by DED to be of critical importance to the continued economic development and well-being of the community, and where, as determined by DED, a shortage of affordable housing exists;
  - For the 2023 Program Year, Disaster Recovery Housing Projects (must be included in DR-4420) and projects resulting in new units are determined to be of critical importance and are included in the Housing Projects Funding Cycle.
- Infrastructure projects necessary for the development of affordable housing (support activity implemented in conjunction with the development of affordable housing units only)
- Down payment and closing cost assistance;
- Demolition of existing vacant, condemned, or obsolete housing or industrial buildings or infrastructure (support activity implemented in conjunction with the development of affordable housing units only);
- Housing education programs developed in conjunction with affordable housing projects. Education programs must be directed toward:
  - Preparing potential homebuyers to purchase affordable housing; post-purchase education;
  - Target audiences eligible to utilize the services of housing assistance groups/organizations;
  - Developers interested in the rehabilitation, acquisition, or construction of affordable housing.
- Support for efforts to improve programs benefiting homeless youth;
- Vocational training in the housing and construction trades industries by nonprofit groups; and,
- Weatherization and solar or other energy improvements to make utilities for housing more affordable.

### Matching Requirements

There is no match requirement for NAHTF Housing Development Projects or Nonprofit Technical Assistance applications. There will be no points given for match of Technical Assistance projects. However, points will be awarded for cash match committed to NAHTF Housing Development Projects. Applicants providing cash match recognize that only project related costs incurred by the applicant are eligible. All cash match must be expended by the DED recipient during the contract period and must be expended in proportion to the amount of NAHTF project costs drawn per line item in the contract budget with the Department. Cash match points will not be awarded for general administration, housing management, lead-based paint testing and/or project related soft costs and any cash match in these categories at time of application will not be included in a DED contract if awarded.

### Leverage

**NAHTF resources are not intended to fund entire projects.** Leveraged funds are other resources used for project financing that do not meet the cash match definition but are additional sources used to finance the project during the open contract period. Leveraged funds are not included in the contract budget but are considered an important part of the project and are considered during project scoring. The source, use and amount of Leveraged Funds to be expended during open contract period are described in the Leveraged Funds section of the application.

These resources leveraged for project financing during the open contract period may include owner equity, bank financing, private investment, or other public funds. Homeowner mortgages and rental payments are not considered project financing, therefore are not leveraged funds. NAHTF projects that leverage other funding resources are capable of providing more housing opportunities and economic growth in the community. Any project resources that have been expended prior to or will be committed after the open contract period has ended are understood to also have a valuable impact on the NAHTF project and may even



speak to the commitment and “readiness” of a proposed project. Applicants may include within the application narratives and/or upload sections any informative data or narratives explaining these resources and their impact on the proposed project.

### Selection Criteria and Process

The State’s main objective for distributing NAHTF resources is to invest funds in quality projects and programs that help eligible applicants leverage private financing to create permanent, energy efficient, and affordable housing that addresses local needs. State resources are limited and there is an increasing demand for NAHTF award distribution, therefore cash match, leveraging other funds, and demonstrating repayment and/or efficient and timely use of NAHTF resources are priority objectives.

NAHTF applications will be reviewed and competitively scored using the following scoring methodology:

### Housing Development Projects

SELECTION CRITERIA FOR HOUSING PROJECTS	
Criteria	Points Possible
<b>Project Design</b>	
Described project type, units, and significant details of the project.	40
Described Target Beneficiaries AMI & Affordability Period	20
Described project readiness factors of the project	20
Described visitability and/or accessibility features of the project for people with disabilities	20
<b>Need and Impact</b>	
Described how need is proven through housing study and/or other data	50
Described potential impact of Project on the service area	50
<b>Project Financing</b>	
Described sound financing plan that aligns with ProForma, if applicable	25
Description of Other Sources used to finance project	25
<b>Capacity and Collaboration</b>	50
<b>Project First Priorities</b>	
All Project units are in an Enterprise Zone (1 points)	10
All Project units are in an Opportunity Zone (1 points)	
All Project units are in an officially Blighted Area (5 points)	
Entire Project will serve Households at or Below 80% of AMI (3 points)	
<b>Disaster Recovery DR-4420</b> (design, beneficiaries, narratives)	5
Affordability Period 5 years = 0 points 6 years = 2 points 7 years = 4 points 8 years = 6 points 9 years = 8 points 10 years = 10 points	10
<b>New Units Created</b> (1 unit = 2 points, not to exceed 25 points) *Newly constructed, based on total # of units constructed during open contract.	25
<b>Preservation of Units</b> (1 unit = 1 point, not to exceed 50 points) – * Only Applicable to Owner-Occupied Rehabilitation, Rental Rehabilitation and Purchase/Rehabilitation/Resale Projects. Not Applicable to Homebuyer Assistance Only and Homebuyer Assistance with Rehabilitation Projects.	50
<b>Matching Funds</b> [Match ÷ Total NAHTF Project Costs] x 100 x .5 (Project Costs do NOT include Administrative Costs) *(Department will round up to nearest whole number for Matching Funds Points)	50
<b>Total Possible Points</b>	<b>450</b>
Note: Points threshold for fundability is 300 points. Fundability does not guarantee an award.	

## Technical Assistance Projects

SELECTION CRITERIA FOR NONPROFIT TECHNICAL ASSISTANCE	
Criteria	Points Possible
Project Design including Project Description & Performance Plan	200
Impact on Housing Production	100
Sustainability	50
Organizational and Financial Management	50
<b>Total Possible Points</b>	<b>400</b>
Note: Points threshold for fundability is 260 points. Fundability does not guarantee an award.	

In addition to the above scoring criteria, the competitive scoring process also takes into account the NAHTF program legislation’s First Priorities:

- Serves the lowest income occupant
- Serves qualified occupants for the longest period of time
- Projects located wholly or in part within a designated Enterprise Zone, pursuant to the Enterprise Zone Act, Nebraska Revised Statutes §13-2101 through §13-2112
- Projects located in a designated Opportunity Zone, pursuant to the Federal Tax Cuts and Jobs Act, Public Law 115-97
- Projects located wholly or in part within an area that has been declared an Extremely Blighted Area under Nebraska Revised Statutes §18-2101.02

Additionally, applicants with open DED NAHTF Housing awards must meet the milestones outlined in the table below by the due date of the pre-application (March 2, 2023). If these milestones are not met by March 2, 2023, the applicant must provide a detailed plan within their pre-application outlining how previous NAHTF housing awards will be in compliance with the milestones by the date of full application (May 4, 2023). DED will consult with applicants on a case-by-case basis if necessary.

Applicants not meeting the milestones outlined in the table below by May 4, 2023, will not be eligible for funding in the 2023 NAHTF application cycle.

### Milestones

NAHTF Program Year	Milestone
2018 and earlier	100% of funds drawn
2019	90% of funds drawn
2020	60% of funds drawn
2021	30% of funds drawn
2022	Must have achieved Release of Funds by May 4, 2023

## Amendments

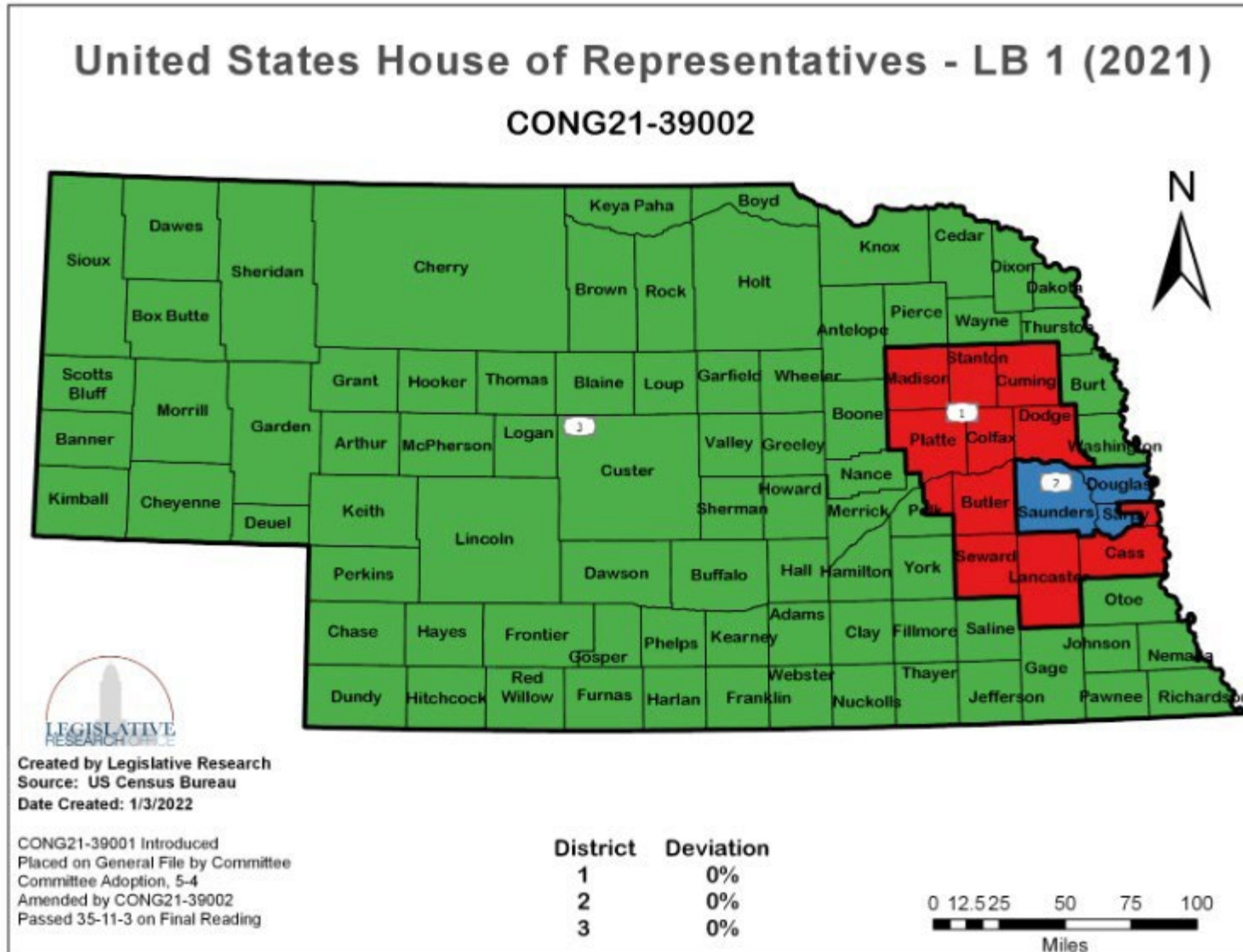
DED reserves the right to make changes to the Nebraska Affordable Housing Trust Fund QAP and any applicable amendments at its discretion. If DED determines it is necessary to amend the QAP, the proposed amendment will be submitted to the DED Director for review and approval. If approved, a press release will be issued, and the proposed amendment will be made available on the DED website ([opportunity.nebraska.gov](http://opportunity.nebraska.gov)) for a 14-day public comment period. At the end of 14 days, DED will consider any public input that has been provided, after which the Director will issue final approval of the amendment. The QAP, including any amendments, will subsequently be made available on the agency website.

## Housing Contact Information

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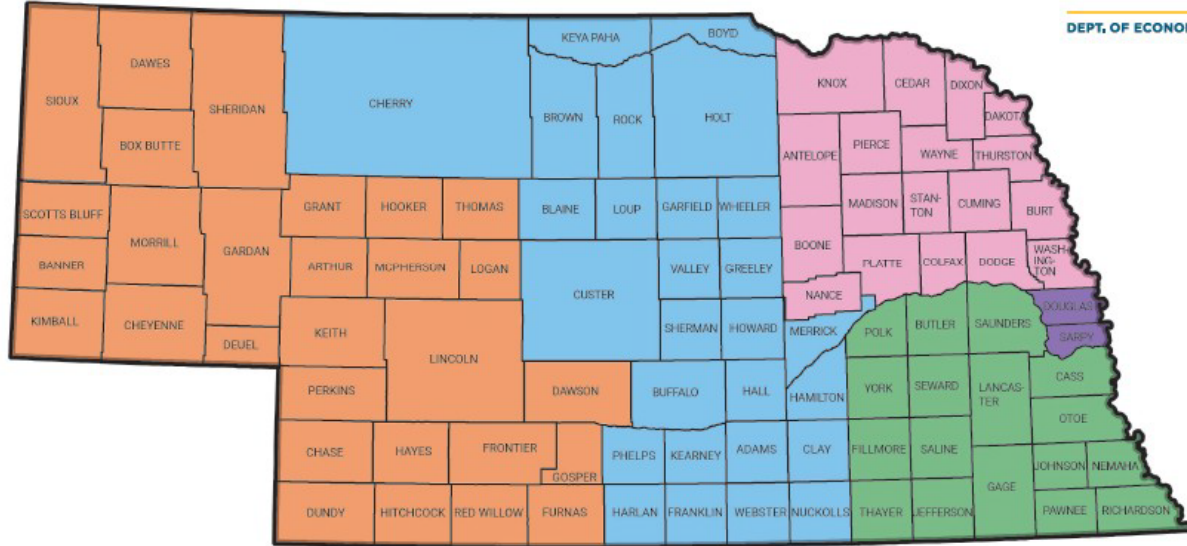
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Attachment 1 – Nebraska U.S. House of Representatives Congressional Districts



## Attachment 2 – NDED Housing Program Representative Map

### Nebraska Department of Economic Development: Housing Program Representative Regions (NAHTF, CDBG, HOME, & HTF)



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