



The Los Angeles Housing Department (LAHD) is posting the following Questions and Answers (Q&A – Part 1) regarding the ULA Accelerator Plus Bidder’s Conference of November 13, 2023. Additional information can be found online at <https://housing.lacity.org/partners/affordable-housing-managed-pipeline>.

2023 ULA Accelerator Plus – Notice of Funding Availability Bidder’s Conference Q&A Part 1 (11-20-2023)

#	Section	Question	Answer
GENERAL			
1	General	From the time award letters are distributed, how soon will the developer be able to draw down on these funds? 2 mos, 3 mos after awards come out?	The Accelerator Plus is meant as a construction to perm loan, not a pre-development loan. Presumably you would close on your award of ULA at the time you close your construction financing, not beforehand.
2	Proforma	<p>I asked this question at the ULA Accelerator training session today, and afterwards I went back to the proforma workbook to see if I had missed something in the worksheet. It looks like the worksheet called “Eligible Population and Funding” was taken directly from a County application workbook without modifying it to fit the ULA program. So there are some problems:</p> <ul style="list-style-type: none"> • The form only counts “HOME-ARP – Assisted units” and therefore includes in the Total Assisted units only the units that are homeless or special needs. • Under Maximum Potential Subsidy there is a pull down menu for Jurisdiction, and City of Los Angeles is not one of the choices. • The subsidy per unit limits are different from the ones in the ULA NOFA and today’s presentation <p>Please let us know how to deal with this, or let me know if I am reading it wrong.</p>	<p>We will have an Eligible Population and Funding addendum including non-special needs units, City of Los Angeles jurisdiction, and ULA's maximum subsidy limits. Please fill your Eligible Population and Funding data in the addendum instead of the now-replaced section of the Financial Proforma tab. Submit the completed UNOFA and upload the Financial Proforma tab, but also submit the Eligible Population and Funding addendum by uploading the completed addendum in the "Addendum" section. This solution will avoid undue burden on the applicants who have already completed the UNOFA proforma by asking them to transfer all the numbers to a revised template.</p>

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3	Measure ULA 21.9.14 and 21.9.15	Measure ULA enacted a real estate transfer tax. Are real property transactions for the purposes of affordable housing development also subject to this tax?	<p>Potentially, yes.</p> <p>Measure ULA levies additional real estate transfer taxes on transactions valued at over 5 million dollars. It is critical that sponsors of affordable housing projects plan around the new taxes. Sections 21.9.14 and 21.9.15 of the Measure provide exemption pathways for qualified nonprofit sponsors with affordable housing experience, among other pathways. In general, real estate transactions can be exempted from the additional levy if a qualified nonprofit will hold title outright, OR if the entity taking title is an LP or LLC in which only qualified nonprofits serve as Managing General Partners.</p> <p>Please be reminded that for-profit corporations and LLCs that are wholly owned by nonprofits may not act as Managing General Partners under the exemptions defined by the ballot measure. Please have your legal counsel review the full text of the Measure here: https://unitedtohousela.com/app/uploads/2022/05/LA_City_Affordable_Housing_Petition_H.pdf</p>
SECTION 1: GENERAL PROVISIONS and SECTION 2: THRESHOLD REQUIREMENTS			
4	1.3, 2.1 and 2.2	We have a project that's exactly 40 units, and one of those is the manager unit. Would a project of this size meet the minimum unit threshold for Accelerator Plus?	We have no flexibility when it comes to the project meeting the requirements of Measure ULA. The minimum 40 AH units needs to be deed-restricted affordable housing units.

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5	2.1, 2.2 and 2.13	We have a project on City-owned land with an Exclusive Negotiation Agreement and a fully executed Disposition and Development Agreement. This was accepted for our successful AHMP application. Is this sufficient for eligibility?	<p>Per Section 2.1, For projects not already under construction, submit Fully Executed Purchase and Sale Agreement (PSA), Development and Disposition Agreement (DDA), etc.; and, Preliminary Title Report (Exhibit A, Attachment 8).</p> <p>Per Section 2.2, site control consists of Fully Executed Purchase and Sale Agreement (PSA), Development and Disposition Agreement (DDA), etc.; and, Preliminary Title Report (Exhibit A, Attachment 8).</p>
6	2.1, 2.2 and 3.1	Please clarify what documentation is acceptable to provide as evidence of entitlement approval. Can we provide a zone clearance letter?	See above.
7	2.1 and 5.4	For Category A, if you are in construction but not under a PLA are you disqualified for applying?	All Accelerator Plus funded projects must comply with the Board of Public Works Master PLA. No project can receive funding through this NOFA without joining the PLA.
8	2.2	Section 2.2. "Category B Thresholds" states: "Category B projects holding any form of existing City loan commitment must report major changes in Sources and Uses." Can you please clarify what counts as "major changes in Sources and Uses" for this category? If this category, is for projects that only need one more commitment in order to apply for LIHTC, why is it necessary for the sources and uses to have significantly changed? What about projects that for example have received some public funding but have not been able to fully close a gap?	Developers of applicant projects must explain and demonstrate the need for additional funding based on the changes from their original application with LAHD.

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Section 4: Application Process and Requirements			
9	4.1	Is that background check lookback window based the calendar year or the past 365 days?	If you have received a clear background check for your project for Category A, you will not need another background check. Furthermore, the lookback window for an active background check will be 365 days.
Section 5: COMPLIANCE AND ADMINISTRATIVE PROVISIONS AND SUPPLEMENTAL ULA REQUIREMENTS			
10	5.2	Section 5.2 "Accessibility Certification Requirements" states: "Prior to issuance of a Temporary Certificate of Occupancy (TCO), the developer must obtain a clearance from the LAHD Accessible Housing Program (AcHP). The AcHP has been added to the ACOS (Automated Certificate of Occupancy System), within the Los Angeles Department of Building and Safety (LADBS), to ensure that the development complies with all applicable accessibility standards prior to LADBS' issuance of a TCO." Does this apply to projects on LA County owned land that obtained a Building Permit through the County's Building Department?	All projects that LAHD finance needs to be in compliance with LAHD's Accessible Housing program guidelines.
11	5.4	To confirm, if a project is in construction (90% complete) and wasn't subject to PLA requirements, would it now be subject to PLA requirements if applying for this program?	A project that's 90% complete without a PLA would be completely ineligible for this program. The project has to be subject to a PLA throughout the course of construction.