



## New York State Low-Income Housing Tax Credit Program

**NEW YORK STATE LOW-INCOME HOUSING TAX CREDIT PROGRAM (SLIHC):** SLIHC provides a dollar-for-dollar reduction in certain New York State tax liability to the owners of qualified low-income housing projects that meet the requirements of Article 2-A of Public Housing Law and has also received an allocation under the criteria and procedures established in the SLIHC Regulation at 9 NYCRR Section 2040.14. SLIHC is like the federal Low-Income Housing Tax Credit (LIHTC) program except that the program may finance multifamily rental units serving households with incomes of up to 90% AMI.

Actual award amounts will be based on the demonstrated need for such funding and are subject to approval by the Commissioner of HCR. Applicants are strongly encouraged to apply for only the funding necessary for the financial feasibility of the project and to leverage funding from non-HCR sources.

<b>Eligible Uses</b>	<p>New construction of, or the adaptive reuse of non-residential property to, affordable housing, or substantial rehabilitation or moderate rehabilitation of site-specific multifamily rental housing.</p> <p>Eligible costs are for site acquisition, hard costs, and related soft costs.</p>
<b>Area Median Income Restrictions</b>	<p>If coupled with LIHTC, at least 40% of units must be set-aside for households with incomes up to 90% AMI, or otherwise utilize one of the minimum set-asides cited in the 9% LIHTC term sheets. If utilizing SLIHC as the sole source of HCR financing, at least 20% of units must be set-aside for households with incomes up to 50% AMI. SLIHC may not be used to finance senior units (62+) serving households above 60% AMI.</p>
<b>Per Project Maximum Award</b>	<p>Up to \$750,000 for projects with at least 10% of units targeted to households with an income limit above 60% AMI; otherwise up to \$500,000, except as set forth below under the Mixed Income Set Aside.</p>
<b>Mixed Income Set Aside</b>	<p>On an annual basis, \$5,000,000 in SLIHC will be made available and prioritized for mixed-income projects outside of New York City that utilize SLIHC as its sole source of HCR financing and elect to provide at least 20% of units targeted to households with incomes up to 50% AMI.</p> <p>Per Project Maximum Awards for projects participating in the Mixed-Income Set Aside will be determined by HCR on a project-specific basis.</p>
<b>Eligible Applicants</b>	<p>Not-for-profit corporations or charitable organizations, or a wholly owned subsidiary of such corporations or organizations, or private for-profit developers.</p>

<b>Regulatory Agreement Requirements</b>	Minimum of 30 years or coterminous with LIHTC regulatory term, if applicable.
<b>Additional Eligibility Criteria</b>	For projects utilizing multiple sources of tax credit financing, tax credit equity investor/syndicator letters must identify the independent value of each tax credit resource including the bifurcated value of SLIHC from LIHTC, as applicable. This section is not applicable to projects financed pursuant to the Mixed-Income Set Aside.
<b>Application and Allocation Fee</b>	<p>Application fee of \$3,000, \$1,000 if binding agreement is requested and one-time allocation fee equal to 8% of annual SLIHC allocation amount, payable prior to carryover issuance.</p> <p>Not-for-profit applicants or their wholly owned subsidiaries that have not received capital funding since 2019 and that serve as the sole general partner or co-general partner with another non-profit, may request a deferral of the application fee payment until the credit allocation. Such deferral requests must document the applicant's inability to remit the application fee at the time of the application, financial hardship, and that it has not received an award from HCR within the last five years, at the time of application. Deferral requests must be submitted no later than one month in advance of any applicable application due date.</p> <p>Written application deferral approvals granted by HCR must be appended to application <b>Form H-1</b>. Send deferral requests to: Arnon Adler, Tax Credit Program Manager, NYS HCR, Hampton Plaza, 38-40 State St 6th Floor South, Albany, NY 12207. Email: <a href="mailto:arnon.adler@hcr.ny.gov">arnon.adler@hcr.ny.gov</a></p>
<b>Monitoring and Servicing Fees</b>	Monitoring fee of .5% multiplied by the maximum restricted rents of the SLIHC units.

*HCR retains the right to revise this term sheet from time to time and to waive any requirement contained therein, subject to the applicable statutes and program regulations. HCR also retains the right to not award any or all its funds under this program. All proposals must comply with all applicable federal, state, and local laws.*