

DCA HOME/LIHTC Compliance Manual Questions and Answers

Questions posted April 3, 2023

Q: For transfers, if there is a household that is over the High Home income limit, would that household qualify to transfer based on HOME requirements? Or would they need to be under the 80% income limit? Does the 80% applicable income limit need to be considered during a transfer like the 140% income limit is for LIHTC units?

A: DCA/GHFA applies the same basic principles to HOME project transfers as apply to the LIHTC. This information can be found on page 88 of the Compliance Manual regarding LIHTC Transfers. The owner/agent will have to independently review the effect on the HOME status of units if they are involved in the transfer. The HOME fixed or floating status will affect the options.

It is very important to read pages 88, 89, 90 and page 251 of the manual and review the completed 8609(s) for the building(s) in question – referencing specifically 8b - to ensure compliance.

Q: When a tenant transfers to a different building at an LIHTC only property, income is verified. Will the move in date change to the transfer date or stay the original move in date?

A: The move-in/move-out date varies according to whether the transfer to a different building is part of the same project or not part of the same project. Please refer to pages 88, 89, 90 and 251 for specifics relating to transfer either within the same project or not and study the 8b. election from the applicable 8609.

Q: For a transfer between buildings - that are not part of the same project - does the Move in date change or does it stay the same?

A: As noted above please refer to pages 88, 89, 90 and 251 from the manual.

Q: Does ARRA fall under LIHTC recertification rules for self-recertification?

A: For ARRA Monitoring and Reporting, DCA/GHFA monitors compliance with TCAP and the Section 1602 Exchange Program in the same manner as the LIHTC program as described in the manual. Section 1602 Exchange Program requires reporting violations to Treasury in a form and manner required by Treasury and not to the IRS on form 8823. If credits are also allocated, however, noncompliance is also reported on form 8823. Please refer to pages 218 and 219 of the manuals for more details.

Q: Does the self-certification provision apply to AIT properties?

A: Yes, provided the property is 100% Tax Credit