PLANNING & DEVELOPMENT SERVICES



MEMO

то:	City Council
FROM:	Planning & Development Services Department
DATE:	January 17, 2020
RE:	San Marcos Low-Income Housing Tax Credit Properties

Housing Tax Credit Program, A Refresher

The Housing Tax Credit program is administered by Texas Department of Housing and Community Affairs. The program awards tax credits to eligible participants in order to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing. The HTC program is designed to provide a source of equity financing for the development of affordable housing while maximizing the number of affordable units added to the state's housing supply. When tax credits are awarded by TDHCA to a developer he is able to sell the credits to an equity provider in exchange for capital needed to construct the project. This capital and the reduction in borrowed debt allows the development of high-quality construction that can be offered at a more affordable price point. Investors benefit from the reduced tax liability in exchange for their investment and communities benefit from quality developments that are required to operate as rent restricted housing for up to 30 years or more.

In contrast to Section 8 properties and other public housing authority properties, housing tax credit (HTC) rents are not based on a percentage of the tenant's actual income but are instead restricted to a maximum rent they are allowed to charge. Maximum rents are based on Department of Housing and Urban Development (HUD) median income limits that are published on an annual basis. While Section 8 properties may increase only as the occupying household's income increases, housing tax credit property rental rates may increase or decrease annually based on published limits. These limits account for household income level as well as the number of bedrooms in the unit.

The original LIHTC standard required that a minimum of 20% of units in the property must be affordable to households earning 50% or below of AMI or that a minimum of 40% of the units must be affordable to households earning 60% or below of AMI. The Consolidated Appropriations Act of 2018 amended this standard to allow a new set aside option termed **income averaging**. This option allows applicants to qualify for tax credits on units serving those earning as much as 80% of AMI, so long as the average income and rent limit in the property is 60% or less of AMI. Applicants electing the income averaging option must commit to having at least 40% of the units in the property affordable to eligible households. Under the averaging option, the higher rents that households with incomes in the above 60% of AMI range could theoretically offset the lower rents for extremely low and very low-income households thereby allowing the developments to maintain financial feasibility while providing a deeper level of affordability than may have been possible otherwise. This option also expands the eligible workforce that can access and utilize housing tax credit units. Finally, this option ensures that residents who experience slight increases in income during their tenancy aren't displaced.

FY 2019 Income Limit	Median Family Income	FY 2019 Income Limit	Persons in Family							
Area	Explanation	Category	1	2	3	4	5	6	7	8
	Very Low (50%) Income Limits (\$) Explanation	33,150	37,850	42,600	47,300	51,100	54,900	58,700	62,450	
Austin-Round Rock, TX MSA	\$95,900	Extremely Low Income Limits (\$)* Explanation	19,900	22,750	25,600	28,400	30,700	34,590	39,010	43,430
		Low (80%) Income Limits (\$) Explanation	52,850	60,400	67,950	75,500	81,550	87,600	93,650	99,700

HUD has published the below income limits that have been updated for the 2019 fiscal year.

HUD User, 2019 Income Limits Summary, Austin-Round Rock MSA

In addition, TDHCA has developed the below tool to estimate applicable income and rent limits the Department expects to use when monitoring.

Income Limits

AMFI	Number of Household Members											
%	1		2		3		4		5	6	7	8
20	\$ 13,260	\$	15,140	\$	17,040	\$	18,920	\$	20,440	\$ 21,960	\$ 23,480	\$ 24,980
30	\$ 19,890	\$	22,710	\$	25,560	\$	28,380	\$	30,660	\$ 32,940	\$ 35,220	\$ 37,470
40	\$ 26,520	\$	30,280	\$	34,080	\$	37,840	\$	40,880	\$ 43,920	\$ 46,960	\$ 49,960
50	\$ 33,150	\$	37,850	\$	42,600	\$	47,300	\$	51,100	\$ 54,900	\$ 58,700	\$ 62,450
60	\$ 39,780	\$	45,420	\$	51,120	\$	56,760	\$	61,320	\$ 65,880	\$ 70,440	\$ 74,940
70	\$ 46,410	\$	52,990	\$	59,640	\$	66,220	\$	71,540	\$ 76,860	\$ 82,180	\$ 87,430
80	\$ 53,040	\$	60,560	\$	68,160	\$	75,680	\$	81,760	\$ 87,840	\$ 93,920	\$ 99,920
120	\$ -	\$	-	\$	-	\$	-	\$	-	\$ -	\$ -	\$ -

Rent Limits

AMFI	Number of Bedrooms								
%	0	1	2	3	4	5			
20	\$331	\$355	\$426	\$492	\$511	\$605			
30	\$497	\$532	\$639	\$738	\$823	\$908			
40	\$663	\$710	\$852	\$984	\$1,098	\$1,211			
50	\$828	\$887	\$1,065	\$1,230	\$1,372	\$1,514			
60	\$994	\$1,065	\$1,278	\$1,476	\$1,647	\$1,817			
70	\$1,160	\$1,242	\$1,491	\$1,722	\$1,788	\$2,120			
80	\$1,326	\$1,420	\$1,704	\$1,968	\$2,196	\$2,423			

Texas Department of Housing and Community Affairs, Project Income and Rent Tool

The HTC application process is governed by Section 42 of the Internal Revenue Code, TDHCA rules, and TDHCA's annually updated and adopted Qualified Allocation Plan and Rules or "QAP". The QAP defines a series

of point-based selection criteria to ensure the proposed housing is consistent with the program's and state's goals. The top scoring criteria for the Competitive 9% low income housing tax credits are laid out in statute and local government resolutions are a significant scoring item. Similarly, applications received by TDHCA under the Non-competitive 4% program must receive resolutions showing "no objection" to the proposed development to demonstrate alignment with local community goals and support.

Housing Tax Credit Properties in San Marcos, Where Are We?

To date, there are eleven TDHCA Board approved multifamily apartment projects in San Marcos. Ten of those eleven multifamily properties are actively renting units and one project (Mission Trails at El Camino) is currently under construction. In addition, there are three proposed multifamily complexes that have received a Resolution of No Objection from the City and there are two projects that have requested a Resolution from the City and are still under review. A map of these projects and their status can be viewed online at: http://arcg.is/1iOLfH. A table of these project with total unit counts is shown below.

	Income Restricted Units	Market Rate Units	Total Units	Date of Resolution Approval	Entitlements and Permits
Completed or Under Constru	ction				
Asbury Place	64	0	64		Completed
Champions Crossing	156	0	156		Completed
Country Oaks	160	0	160		Completed
Encino Pointe	252	0	252		Completed
La Vista Retirement Community	150	50	200		Completed
Mariposa Apartments	182	0	182		Completed
Sienna Pointe	228	0	228	1/13/2013	Completed
Stone Brook Seniors	206	0	206		Completed
Sunrise Village (Phase 2 Only)	60	0	60		Completed
Villas at Willow Spring	135	85	220		Completed
Mission Trails at El Camino	283	69	352	8/7/2018	Under Construction
Total	1,876	204	2,080		
Resolution Approved-Under					
The Reserve at San Marcos (Cottonwood Creek)	320	56	376	9/3/2019	Zoned/No Permits Applied For
Riverstone	336	0	336	5/21/2019	Zoned/No Permits Applied For
Villas Del San Xavier	156	0	156	12/19/2018	Zoned/No Permits Applied For
Total	812	56	868		
Resolution Application Under	Review				
Redwood	296	0	296	N/A	Zoned/No Permits Applied For

San Marcos LIHTC-Project Status

The Lantana on Bastrop	216	0	216	N/A	No Entitlements (ETJ)
Total	512	0	512		
Grand Total	3,200	260	3,460		

Texas Department of Housing and Community Affairs and City of San Marcos, Total Income Restricted and Market Rate Units

To date, a total of 1,593 income restricted units have been constructed through the Housing Tax Credit program. Upon the completion of the Mission Trails at El Camino complex an additional 283 income restricted units will be added by the program. The three housing tax credit projects that received an approved Resolution of No Objection over the last year (The Reserve at San Marcos, Riverstone, and Villas Del San Xavier) propose to add an additional 812 income restricted units for a total of 2,688 units restricted to households making 60% of AMI or less.

The majority of the City's apartments utilizing housing tax credits entered the program in the mid 90's through early 2000's and have a 30-year affordability period. Sienna Pointe is the newest housing tax credit project in San Marcos and is not scheduled to reach the end of its affordability period until 2044. Country Oaks is the oldest housing tax credit project in San Marcos and is scheduled to complete its period of affordability in 2025. A full list containing each property's period of affordability is provided below.

Housing Tax Credit	Address	End of Affordability Period	Years from	Total Affordability
Property			Now	Period
Country Oaks	1951 AQUARENA	12/31/2025	6	30
	SPRINGS DR			
Sunrise Village (Phase 2)	500 PARKER DR	12/31/2028	9	30
Champions Crossing	345 CHAMPIONS BLVD	12/31/2031	12	30
Stone Brook Seniors	300 S STAGECOACH TRL	12/31/2031	12	30
Mariposa Apartments	2600 HUNTER RD	12/31/2036	17	30
La Vista Retirement	1615 REDWOOD RD	12/31/2039	20	40
Community				
Asbury Place	1350 WONDER WORLD	12/31/2040	21	40
	DR			
Encino Pointe	1800 POST RD	12/31/2040	21	30
Villas at Willow Spring	1506 S IH 35	12/31/2042	23	40
Sienna Pointe	2913 HUNTER RD	12/31/2044	25	30

San Marcos LIHTC-Project ADA Accessible Units

Texas Department of Housing and Community Affairs and City of San Marcos, Period of Affordability

In general, Housing Tax Credit projects are primarily located on the South side of town. Newly approved and currently under review complexes specifically, are located in the Southeast portion of town in the vicinity of Wonder World Drive and Highway 123 south to Old Bastrop Road and Highway 123. For the locations of these properties please see Exhibit A-San Marcos Housing Tax Credit Properties.

Meeting San Marcos Housing Needs

In an effort to better understand and address housing challenges in San Marcos the City commissioned Root Policy Research to conduct a thorough housing needs assessment in 2018-2019. The primary findings from the assessment indicate the need for 1) Additional affordable rentals for residents earning less than \$25,000, 2)

Displacement prevention, 3) Family homes priced near or below \$200,000 and increased ownership product diversity, and 4) Improved condition and accessibility of existing housing stock.

The LIHTC program is a key policy tool for preserving and expanding the supply of affordable rental housing. Between 1987 and 2015 the program has placed 45,905 properties and 2.97 million housing units into service (HUD 2017). The program is the longest running national affordable rental housing program producing new units and by many accounts, it has been quite successful as a housing production tool, particularly when compared with other federal rental housing production programs. Despite these successes, the program has limitations, particularly in addressing the City's lowest income residents, and shouldn't be viewed as a "silver bullet" in addressing the City's housing needs. Some shortcomings of the program in addressing the primary findings from the housing needs assessment are outlined below for consideration.

HUD Designated Income Limits are not Representative of San Marcos Incomes

The income and rent limits utilized by the housing tax credit program are informed by *area median income*, or *AMI*. AMI is defined annually based on HUD market studies and is used as a measure of how a family's income compares with the median income of all families in a geographic area. It is commonly used by HUD to determine eligibility for housing programs to ensure that programs are properly targeted to those who need them. San Marcos is part of the Austin Metropolitan Statistical Area and such shares AMI designation with the broader metro area. In comparing local household incomes to other cities within the Austin MSA it's apparent that the median income for San Marcos residents is significantly lower than incomes throughout the rest of the metro area. As AMI is calculated for the entire MSA, the income limits determined by the AMI are not necessarily reflective of the local San Marcos market.



Austin-Round Rock Metropolitan Statistical Area, Media Household Income by County and City

TDHCA Income Lin	nits for LIHTC P	rogram	San Marcos Median Household Income			
Household Size	50% AMI	60% AMI	Household Type	Median Income		
Household of 1	\$34,550	\$41,460	All households	\$34,478		
Household of 2	\$39,500	\$47,400	Family households	\$49,551		
Household of 3	\$44,450	\$53 <i>,</i> 340	Non-family households	\$25,367		
Household of 4	\$49,350	\$59,220				

Texas Department of Housing and Community Affairs, Project & Income Rent Tool Root Policy Research, San Marcos Housing Needs Assessment (based off 2017 ACS 5-year estimate)

Name	Units Restricted >30% AMI	Units Restricted 31-50% AMI	Units Restricted 51-60% AMI	Units Restricted 61%-80% AMI	Market Rate Units	Total Units
Asbury Place	0	20	44	0	0	64
Champions Crossing	0	0	156	0	0	156
Country Oaks	0	0	160	0	0	160
Encino Pointe	14	0	238	0	0	252
La Vista Retirement Community	0	45	105	0	50	200
Mariposa Apartment Homes	0	0	182	0	0	182
Name	Units Restricted >30% AMI	Units Restricted 31-50% AMI	Units Restricted 51-60% AMI	Units Restricted 61%-80% AMI	Market Rate Units	Total Units
Sienna Pointe	12	0	216	0	0	228
Stone Brook Seniors	0	0	206	0	0	206
Sunrise Village 2	0	24	36	0	0	60
Villas at Willow Spring	0	41	94	0	85	220
Mission Trails at El Camino	0	0	283	0	69	352
Riverstone	0	0	336	0	0	336
Villas Del San Xavier	0	0	156	0	0	156
Redwood	30	0	266	0	0	296
The Reserve (Cottonwood Creek)	0	0	320	0	56	376
The Lantana on Bastrop	22	82	0	112	0	216
Total	78	212	2,798	112	260	3,460

San Marcos LIHTC-Project Income Restrictions

Texas Department of Housing and Community Affairs and City of San Marcos, Number of Units by Income Restriction

LIHTC Units Are Typically Only Restricted to 60% AMI

Approximately 85% of existing and proposed HTC units in San Marcos are only required to be restricted to those making 60% or less of the area median income. Based on the current area median income of \$95,900 and TDHCA's estimated rent restrictions, this means that the vast majority of typical HTC units in San Marcos are only required to limit rents to between ~\$990-\$1,640 (depending on number of bedrooms, see TDHCA estimated rent restrictions table on page 2 of the memo).

Based off data included in the San Marcos Housing Needs Assessment, the 2017 median rent in San Marcos was \$898 for a 1-bedroom apartment and \$1,423 for a 4-bedroom apartment. As the majority of LIHTC units are only required to restrict rents to 60% AMI, the program has the potential to produce units priced higher than the City's median rent.

Name	Age Restriction	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total Units
Asbury Place	Unrestricted	0	0	24	40	0	64
Champions Crossing	Unrestricted	0	0	60	72	24	156
Country Oaks	Unrestricted	0	48	80	32	0	160
Encino Pointe	Unrestricted	0	12	132	96	12	252
La Vista Retirement Community	Restricted	0	100	100	0	0	200
Mariposa Apartment Homes	Restricted	0	113	69	0	0	182
Mission Trails at El Camino	Unrestricted	0	110	109	100	33	352
Redwood	Unrestricted	0	24	132	116	24	296
Riverstone	Unrestricted	0	36	144	132	24	336
Sienna Pointe	Unrestricted	0	24	108	83	13	228
Stone Brook Seniors	Restricted	0	60	146	0	0	206
Sunrise Village 2	Restricted	0	60	0	0	0	60
The Reserve (Cottonwood Creek)	Unrestricted	0	124	174	58	20	376
Villas at Willow Spring	Unrestricted	0	0	132	88	0	220
Villas Del San Xavier	Restricted	0	96	60	0	0	156
Lantana on Bastrop	Unrestricted	0	90	50	76	0	216
Total		0	897	1520	893	150	3460

San Marcos LIHTC-Project Unit Mix

Texas Department of Housing and Community Affairs, Unit Mix by Bedroom Count

60% AMI Estimated Restriction and San Marcos 2017 Median Rent

Rental Size	TDHCA Estimated Rent Limits at 60% AMI	San Marcos 2017 Median Rent
Efficiency	\$994	\$845
1 bedroom	\$1,065	\$898
2 bedrooms	\$1,278	\$973
3 bedrooms	\$1,476	\$1,297
4 bedrooms	\$1,647	\$1,423

Texas Department of Housing and Community Affairs, Project & Income Rent Tool Root Policy Research, San Marcos Housing Needs Assessment

LIHTC Units Are Generally for Small, Able-Bodied Households

According to the San Marcos Housing Needs Assessment, families with children and large households may have a particularly difficult time finding affordable units as only 7% of non-student apartments in the City have 3+

bedrooms and the median rent for these bedrooms ranges from ~\$1,300-\$1,450. Rent limit estimates available from TDHCA indicate that the rent for new, income restricted units of this size may be even higher (see income and rent limit estimates tool).

Approximately 4.5% of existing and proposed units constructed under the housing tax credit program have 4 bedrooms. Nearly half of the units constructed through this program are (or are proposed to be) two-bedroom units.

The San Marcos Housing Needs Assessment also points out that in addition to general affordability challenges, there are specific population groups that have unique housing and/or supportive needs. According to the 2011-2015 HUD CHAS (Comprehensive Housing Affordability Strategy) referenced in the report, there were 4,815 households containing at least one household member with a disability. The report also found that two in five San Marcos residents with disabilities and in-home accessibility needs live in housing that does not meet their needs. By statute, 2% of all housing tax credit units in a project are required to be set aside for the vision and hearing impaired and 5% are required to be set aside for the mobility impaired.

Name	Accessible Units	Percentage of Total Units
Asbury Place	11	17%
Champions Crossing	13	8%
Country Oaks	8	5%
Encino Pointe	19	13%
La Vista Retirement Community	32	16%
Mariposa Apartment Homes	14	8%
Sienna Pointe	17	7%
Stone Brook Seniors	12	6%
Sunrise Village 2	6	10%
Villas at Willow Spring	22	10%
Mission Trails at El Camino	25	7%
Riverstone	20	6%
Villas Del San Xavier	9	6%
Redwood	21	7%
The Reserve (Cottonwood Creek)	28	7%
The Lantana on Bastrop	11	5%
Total	268	

San Marcos LIHTC-Project ADA Accessible Units

Texas Department of Housing and Community Affairs, Accessible Units

LIHTC Units Don't Completely Address the Rental Gap

As part of the Housing Needs Assessment a Gaps Analysis was performed that compares the supply of housing at various price points to the number of households who can afford such housing. In instances where there are more housing units than households, the market is "oversupplying" housing at that price range. Conversely, if there are too few units, the market is "undersupplying" housing. The analysis showed a rental gap of 5,950 units for renters making less than \$25,000 and an oversupply of units for renters with incomes greater than \$25,000. The vast majority of units constructed via the housing tax credit program do not have income limits that address this gap.

Gaps in Rental Market, City of San Marcos, 2017

Renter	Maximum Rent + Utilities	Renter Households		Rental Units		
Incomes	per Month	Number	Percent	Number	Percent	Gap
Less than \$5,00	0 \$125	2,045	13%	49	0%	(1,996)
\$5,000-\$9,999	\$250	1,187	7%	68	0%	(1,119)
\$10,000-\$14,999	9 \$375	1,496	9%	212	1%	(1,285)
\$15,000-\$19,999	9 \$500	1,264	8%	297	2%	(968)
\$20,000-\$24,999	9 \$625	1,498	9%	916	6%	(583)
\$25,000-\$34,999	9 \$875	2,445	15%	4,163	26%	1,718
\$35,000-\$49,999	9 \$1,250	2,555	16%	6,354	40%	3,799
\$50,000-\$74,999	9 \$1,875	2,013	12%	2,660	17%	647
\$75,000-\$99,999	9 \$2,500	944	6%	1,123	7%	179
\$100,000+	\$2,500+	809	5%	44	0%	(765)
Total/Low Income Gap		16,256	100%	15,884	100%	(5,950)

Source: 2017 5-year ACS and Root Policy Research.