

# Oregon Housing and Community Services Oregon Centralized Application (ORCA)

February 27, 2025

## Affordable Rental Housing Division

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Version.2.0



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## Welcome to the Oregon Centralized Application (ORCA)

The Oregon Centralized Application (ORCA) offers loan, grant, and tax credit funds.

Historically, OHCS awarded these funds annually through a competitive process. The new ORCA ~~will~~ allocates funds on a first-come, first-reviewed basis with the goal of ensuring project readiness before a final commitment of funds is awarded.

The new process involves four steps. Applicants ~~will~~ begin with an Intake Form to formally enter the OHCS pipeline and allow for an evaluation to ensure projects are ready to apply for funding. Application-ready projects ~~will continue proceed~~ to the application process, which includes the following steps: Impact Assessment, Financial Eligibility, and Commitment. This process ~~will~~ ensures that a project is ready to financially close within six months of a final funding commitment, streamline project evaluation, make timelines more efficient, and reduce project costs. The ORCA Intake process will be open on a rolling basis and timelines for funding awards will be made as projects move forward through a standards based evaluation process with feedback provided from OHCS along the way. This is not a prescribed timeline and some projects will move forward quickly through the process, while others may take longer.

The ORCA evaluates and supports projects through the development process. Technical advisors are available to support projects as requested and needed. OHCS does not prescribe any pace for getting through the application steps. However, inactivity or failure to ~~make progress meet on meeting~~ evaluation standards for a period of between 6 and 12 months, depending on the step, ~~will may~~ potentially remove a project from the application process and require it to revert to previous steps or restart at Intake. Entities, whether they are a lead or co-developer, may not have more than up to two projects in any one application step at a time (Impact Assessment, Financial Eligibility, and Commitment). The only exception to this is Portfolio Stabilization applications.

### The ORCA has one entry point followed by three application steps:

- **Intake:** This ~~step~~ entry point gathers information from development teams on project concept, financial strategy, location, and team members. The Intake ~~step~~ also acts as a mechanism to unlock early funding programs such as predevelopment and land acquisition. All applicants must submit an Intake Form, which can be done several years before the project starts or just before financial closure, based on readiness.
- **Impact Assessment:** Once a project at Intake submission passes an internal review meets all intake evaluation standards, applicants can submit an Impact Assessment application focusing on non-financial requirements and policy objectives like equity, racial justice, community engagement, and partnerships. Depending on project readiness, this typically happens one to two years before financial closing. At this point, OHCS ~~will~~ provides a conditional hold of resources once the project meets all Impact Assessment evaluation standards.
- **Financial Eligibility:** Once a project meets all Impact Assessment evaluation standards, OHCS ~~will~~ evaluates the project's financial proforma and supporting documentation for project costs,

construction standards, and adherence to underwriting standards [outlined in the OHCS General Policy and Guideline Manual \(GPGM\)](#). [Depending on project readiness, this step](#) typically occurs [six](#) months about one year before the proposed financial close [date](#).

- **Commitment:** Once a project meets all Financial Eligibility evaluation standards, it can proceed to the Commitment step. [The Commitment step, assuming requires that all required Financial Eligibility](#) due diligence evaluation standards are completed, and the project is [within](#) 6 to 9 months from the start of construction. Upon funding approval, the project must financially close by the agreed-upon financial closing date ([typically within](#) six months [of reservation](#)).

## Funding sources available from OHCS

OHCS' Affordable Rental Housing Division offers [multiple funding opportunities-sources](#) to develop affordable rental housing throughout Oregon. In the [new](#) ORCA, OHCS [will](#) [match](#) [es](#) projects with [the](#) appropriate funding sources. If a project requires a specific funding resource, an applicant can request that resource but [may experience delays in accessing funding will be](#) contingent on [applicable resource](#) availability. See details on [eligible and ineligible costs](#).

### Low-interest loan programs

#### General Housing Account Program

The General Housing Account Program (GHAP) expands the state's housing options for low-income and very low-income Oregonians [up to 80% Area Median Income \(AMI\)](#). GHAP resources support two primary activities: developing or preserving affordable multifamily housing and strengthening the capacity of OHCS' partners to meet the state's affordable housing needs. For some projects, GHAP may also be awarded as a grant rather than a loan.

Twenty-five percent of GHAP funds are allocated to support veterans (referred to as [V](#)/GHAP).

#### Land Acquisition Revolving Loan Program

The purpose of the Land Acquisition Revolving Loan Program (LAP) is to assist eligible organizations in Oregon to purchase land suited for affordable housing development [which must be repaid within 8 years of investment](#).

#### Local Innovation and Fast Track – Rental

The Local Innovation and Fast Track (LIFT) Program aims to increase affordable housing in the state by utilizing Article XI-Q funds for development of affordable family-sized units in historically underserved communities, including communities of color and rural communities throughout Oregon. Adding net affordable units to the housing stock can be done through new construction, takeout financing, and acquisition of like-new market rate units. The LIFT [rental program can serve households up to 60% AMI](#) and also encourages innovation and replicability. [LIFT can be used in certain instances to acquire market-rate housing that is able to be converted to affordable housing](#). Units should be like-new along with other requirements posted on the OHCS website. Projects [will](#) [must](#) [still](#) [need to](#) go through the ORCA and [will](#) [must](#) [still](#) have review periods, although requirements [are](#) [will](#) [be](#) specific to acquisition projects.

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### Permanent Supportive Housing development capital

The Permanent Supportive Housing (PSH) Program utilizes Article XI-Q funds for the development of deeply affordable housing paired with on-site comprehensive services designed to best support households experiencing chronic homelessness throughout Oregon.

### Predevelopment Loan Programs

The Predevelopment Loan Program ([PDLP](#)) and the Feasibility Loan Program ([PFLP](#)) are designed to assist with the costs of low-income housing projects prior to financial closing and final commitment of capital funding resources through the ORCA process.

## Grant programs

### GHAP Capacity Building Program

The GHAP Capacity Building Grant Program was created to support the growth and development of community-based nonprofit housing developers, local housing authorities, and Tribal housing entities to meet their affordable rental housing development and operational priorities.

### Permanent Supportive Housing services and rental assistance

Permanent Supportive Housing (PSH) is a best practice and proven strategy to stabilize people experiencing chronic homelessness. In addition to PSH development capital, OHCS offers funding for comprehensive, on-site, tenancy support services and project-based rental assistance.

### Home Investment Partnerships Program

The Home Investment Partnerships Program (HOME) provides federal funds from the U.S. Department of Housing and Urban Development (HUD) to develop or preserve affordable housing [up to 80% AMI](#). The OHCS Affordable Rental Housing Division administers the HOME program for the State of Oregon, allocating HOME resources to "balance of state" communities whose populations do not meet population requirements to have their own direct allocation of HOME funding from HUD or has not agreed to administer the funds locally. For some projects, HOME may also be awarded as a loan rather than a grant.

### HOME-American Rescue Plan

Through the American Rescue Plan (ARP) Act of 2021, OHCS received an allocation of nearly \$33 million under the HOME Investment Partnerships Program (HOME) to increase housing stability for households experiencing homelessness or at risk of homelessness. This program includes a 15% administrative cap and must be completely disbursed by September 30, 2030. For some projects, HOME ARP may also be awarded as a loan rather than a grant.

### The Housing Development Grant Program

The Housing Development Grant Program (HDGP) was created to expand Oregon's housing supply for low- and very low-income families and individuals, [up to 80% AMI](#), by providing funds for new construction or to acquire and/or rehabilitate existing structures.

### National Housing Trust Fund

The National Housing Trust Fund (HTF) is a federal formula grant program administered by states that is intended to increase and preserve the supply of decent, safe, sanitary, and affordable housing, primarily

rental housing, for extremely low-income ([30% AMI](#)) and very low income households ([50% AMI](#)). HTF resources are generally paired with Permanent Supportive Housing (PSH) capital resources (see above) for the development of PSH units. For some projects, HTF may also be awarded as a loan rather than a grant.

## Tax credit programs

### Low-Income Housing Tax Credit — ~~Not available for 2024~~

The Low-Income Housing Tax Credit (LIHTC) Program provides federal tax credits for developers to construct, rehabilitate, or acquire and rehabilitate qualified low-income rental housing. ~~These development projects include multifamily and single-family rental housing units.~~ [This program is guided by the State's Qualified Allocation Plan \(QAP\) and more detail on the LIHTC program and how to apply for those resources specifically can be found in that document.](#)

### Oregon Affordable Housing Tax Credit

The Oregon Affordable Housing Tax Credit (OAHTC) Program provides a state income tax credit to lenders for affordable housing loans. It applies to loans for which a lender reduces the interest rate by up to four percent and passes on the savings in the form of reduced rents.

### Agricultural Workforce Housing Tax Credit

The Agricultural Workforce Housing Tax Credit (AWHTC) Program offers a state income tax credit to cover up to 50% of eligible costs to investors who incur costs to develop agricultural workforce housing.

## Bond programs

### Pass-through Revenue Bond Financing (Conduit) Program — ~~Not available for 2024~~

This program ~~uses state Private Activity Bond (PAB) authority to provide~~ provides funding to build affordable, multi-unit housing for low-income Oregonians ~~and also generates a 4% Low Income Housing Tax Credit when more than 50% of the eligible project costs are financed with PAB.~~ This program provides financing for the construction, renovation, and purchase of housing. This resource is only available to projects that have been awarded 4% Low-Income Housing Tax Credits. [As is documented in the QAP, in managing the states' PAB resource investments to support housing, OHCS will work annually with the Housing Authorities of Oregon to establish a Housing Authority Owned \(HAO\) PAB Set-Aside. This HAO PAB Set-Aside is eligible for projects that are owned by Housing Authorities and do not require any state loan or grant funding.](#)

### 501c3 Bonds

This is a ~~new-tax-exempt~~ bond offering for nonprofit sponsors. Qualified 501c3 bonds do not require volume cap and thus are not resource constrained. ~~These loans do not rely on Private Activity Bond authority and do not generate a qualify a development for 4% LIHTCs.~~ [The proposed project must serve families earning at or below 120% AMI.](#)

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## Set-asides

The programs listed above provide the development funding that makes up the total funding available through the ORCA process. Of this funding, OHCS has reserved or “set-aside” funding for specific organizations and geographic regions to relieve the housing burden of historically underserved populations and ensure investment in communities across Oregon.

Geographic set-aside funding aligns with the Oregon Housing Needs Analysis and housing cost burden of historically underserved communities across the state. Set-asides for the 9% LIHTC program are slightly different, as shown below and defined in more detail within the QAP.

OHCS will publish available resources within each set-aside on a monthly basis as resource holds are approved by Housing Stability Council.

### **Gap Funding Set-Asides**

For all non-LIHTC resources, the following is the methodology used to determine total available resources within each set-aside category.

25% of total funding available is set-aside for the following organizations:

- Culturally specific organizations (CSO).
- Nonprofit development in rural communities.

75% of total funding available will be set-aside within geographic regions. Geographic set-asides are:

- Eastern: 15% (Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler counties).
- Metro : 40% (Multnomah, Clackamas, Washington counties).
- Western: 45% (Benton, Clatsop, Columbia, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Yamhill counties).

The total gap resources (Article XI-Q bonds, ~~Document Recording Fee (DRF)~~, ~~Public Purpose Charge (PPC)~~GHAP, HDGP, and agricultural workforce capital funding) within each regional set-aside at the opening of the ORCA were based on total allocations from the Legislature as well as returned or rescinded resources, and exclusive of resources earmarked for homeownership development, last gap support, preservation activities, and pairing with Low-Income Housing Tax Credits in 2025.

Additionally, OHCS reserves the right to retain ~~retained~~ 10% flexibility for the resources within each region in order to allow for potential project adjustments, full funding of projects, or other required unanticipated needs.

### **9% LIHTC Funding Set-Asides**

The 9% LIHTC program is mandated by Section 42 of the Internal Revenue Code to include specific features, including the reservation of a minimum percentage of credits for nonprofit entities, and thus OHCS has developed set-asides specific to this program. These set-asides are listed below.

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- 65% of the resources are used for the ORCA general development set-asides for Culturally Specific Organizations as well as Geographic regions.
  - Minimum of \$1.5 M in each set-aside to ensure viable project funding.
  - Minimum of 10% for nonprofit organizations.
- 25% to support Preservation projects.
- 10% to support Native Nations.

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Any unused credits within any of these set-asides, after funding as many projects as possible within a set-aside, may be reallocated to fully fund another project at the discretion of OHCS. The ORCA allows up to \$3 million in gap funding per 9% LIHTC project.

### **Housing Authorities of Oregon (HAO) Set Asides**

In managing the states' PAB resource investments to support housing, OHCS will work annually with the Housing Authorities of Oregon to establish a Housing Authority Owned (HAO) PAB Set Aside. This HAO PAB Set Aside is eligible for projects that are owned by Housing Authorities and do not require any state loan or grant funding, as defined above.

These resources will be held for that following year; unused resources that are not requested within the timelines, along with PAB that was not set aside for HAO projects, are offered through the ORCA. Housing Authorities may choose to issue the bonds for HAO projects where sufficient capacity is demonstrated and within OHCS suballocation policies. Housing Authority sponsored projects that request gap funding and 4% LIHTC through the traditional ORCA application will not count against the HAO set aside.

For 2025, the HAO set aside will be \$100M of PAB.

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## **Cost controls**

### **Cost evaluation**

To ensure proposed costs are reasonable, OHCS ~~will~~ compare s costs to ~~the~~ significant data from our existing portfolio and identify project costs outside of expected ranges. If necessary to substantiate project costs, OHCS may request a third-party cost justification. OHCS' evaluation of costs ~~will~~ include, but are not ~~be~~ limited to, the following:

- Assessing cost reasonability with a predictive cost model informed by available data and comparable projects.
- Requiring detailed cost estimates and tracking of project costs with detailed line items in the financial proforma, using the Uniformat Schedule of Values (SOV).
- Requiring submission of a cost analysis that provides potential strategies for reducing project costs.



## Policy controls

OHCS ~~will~~ continue to ensure efficient use of public funds by setting expectations for applicants that include, but are not limited to, the following: ~~These policy controls will include, but are not limited to, the following:~~

- Identifying the project elements that are fundamental to meeting the project's intent and ~~will~~ ~~are~~ not ~~be~~ eligible for value engineering, such as playgrounds, meeting spaces, resident services, etc.
  - Establishing a developer fee at the Financial Eligibility step that may not be increased throughout the life of the development project without appeal.
  - Reviewing substantive changes to the project and ensuring such changes are appropriate and align with scope of project.
  - ~~Prohibiting "cost savings clauses" that allow the contractor or developer to benefit from excess project resources, in alignment with national best practices to deter fraud and misuse of public funds.~~
- ~~Developers or Co-Developers may not have more than two projects in any one application step at a time (Impact Assessment, Financial Eligibility, and Commitment). This criteria requires the project select a Developer for access to a WorkCenter.~~
- ~~— If Last Gap funding is being accessed by an applicant, they may not enter a new project into the ORCA process until they have met the requirements of that funding source.~~
  - ~~○ Portfolio StabilizationStabilization applications are exempt from this policy.~~

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## Subsidy limits

The subsidy limits established for the ORCA are intended to:

- Scale according to bedroom size and AMI served;
- Respond to lower rent rates in rural communities with significantly lower AMI, which reduces the ability for projects to cover fixed costs of development;
- Include an additional building-level subsidy for projects that incorporate unique building design functions to serve the target population; and
- Allow for reasonable increases (up to 10% above subsidy limits) when projects approach the final commitment of resources, at OHCS discretion based on demonstrated financial need and resource availability, upon approval by the OHCS Finance Committee.

Subsidy limits are outlined in the charts below.

Additionally, OHCS ~~may~~**will** provide **up to \$200,000 per project** where there is a unique, functional building need to ensure tenant life/safety/health, including spaces to meet agricultural workforce needs, accessibility factors for elderly or disabled populations, supporting children, or durability interventions that tie specifically to the unique needs of the tenant population that the project will serve. Standard amenities or community rooms do not qualify.

OHCS also offers up to \$60,000 per project for a contracting equity consultant. See more under “Equity in contracting strategy” in Impact Assessment and Financial Eligibility.

Projects utilizing project-based rental assistance (PBRA) are eligible for 30% AMI subsidy limits. OAHTCs or other programs used to reduce rent levels without restricting units are not eligible for this increased subsidy limit and must default to the actual AMI rent restriction tied to the units in their project.

Subsidy limits are outlined in the charts below.

### Gap Only Subsidy Limits

The following subsidy limit tables are applicable to projects that will not be accessing LIHTC resources.

Incomes Served <small>(based on unit restrictions; PBRA units use 360% AMI)</small>	Gap Only Rural New Construction			
	Studio	1 bedroom	2 bedroom	+ Per-Bedroom
30% AMI	\$275,000	\$335,000	\$395,000	\$60,000
40% AMI	\$265,000	\$325,000	\$385,000	\$60,000
50% AMI	\$250,000	\$300,000	\$350,000	\$50,000
60% AMI	\$240,000	\$290,000	\$340,000	\$50,000
70% AMI	\$230,000	\$280,000	\$330,000	\$50,000
80% AMI	\$220,000	\$270,000	\$320,000	\$50,000

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<b>Gap Only Rural Acquisition / Rehabilitation</b>				
<b>Incomes Served</b> <small>(based on unit restrictions; PBRA units use 360% AMI)</small>	<b>Studio</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>+ Per-Bedroom</b>
<b>30% AMI</b>	\$190,000	\$250,000	\$310,000	\$40,000
<b>40% AMI</b>	\$175,000	\$235,000	\$295,000	\$40,000
<b>50% AMI</b>	\$160,000	\$210,000	\$260,000	\$35,000
<b>60% AMI</b>	\$145,000	\$195,000	\$245,000	\$35,000
<b>70% AMI</b>	\$130,000	\$180,000	\$230,000	\$35,000
<b>80% AMI</b>	\$115,000	\$165,000	\$215,000	\$35,000

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<b>Gap Only Urban New Construction</b>				
<b>Incomes Served</b> <small>(based on unit restrictions; PBRA units use 360% AMI)</small>	<b>Studio</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>+ Per-Bedroom</b>
<b>30% AMI</b>	\$265,000	\$325,000	\$385,000	\$60,000
<b>40% AMI</b>	\$250,000	\$300,000	\$350,000	\$60,000
<b>50% AMI</b>	\$240,000	\$290,000	\$340,000	\$50,000
<b>60% AMI</b>	\$230,000	\$280,000	\$330,000	\$50,000
<b>70% AMI</b>	\$220,000	\$270,000	\$320,000	\$50,000
<b>80% AMI</b>	\$210,000	\$260,000	\$310,000	\$50,000

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<b>Gap Only Urban Acquisition / Rehabilitation</b>				
<b>Incomes Served</b> <small>(based on unit restrictions; PBRA units use 360% AMI)</small>	<b>Studio</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>+ Per-Bedroom</b>
<b>30% AMI</b>	\$175,000	\$235,000	\$295,000	\$40,000
<b>40% AMI</b>	\$160,000	\$210,000	\$260,000	\$40,000
<b>50% AMI</b>	\$145,000	\$195,000	\$245,000	\$35,000
<b>60% AMI</b>	\$130,000	\$180,000	\$230,000	\$35,000
<b>70% AMI</b>	\$115,000	\$165,000	\$215,000	\$35,000
<b>80% AMI</b>	\$100,000	\$150,000	\$200,000	\$35,000

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**Gap with LIHTC Subsidy Limits**

The following subsidy limit tables are applicable to projects that are accessing LIHTC resources. These limits are for gap resources, not the tax credits themselves. 9% LIHTC projects also include a per project maximum of \$3 million.



Gap for LIHTC Rural New Construction				
Incomes Served <small>(based on unit restrictions; PBRA units use 30% AMI)</small>	Studio	1 bedroom	2 bedroom	+ Per-Bedroom
30% AMI	\$210,000	\$240,000	\$270,000	\$30,000
40% AMI	\$200,000	\$230,000	\$260,000	\$30,000
50% AMI	\$190,000	\$210,000	\$230,000	\$20,000
60% AMI	\$180,000	\$200,000	\$220,000	\$20,000
70% AMI	\$170,000	\$180,000	\$190,000	\$10,000
80% AMI	\$160,000	\$170,000	\$180,000	\$10,000

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Gap for LIHTC Rural Acquisition / Rehabilitation				
Incomes Served <small>(based on unit restrictions; PBRA units use 30% AMI)</small>	Studio	1 bedroom	2 bedroom	+ Per-Bedroom
30% AMI	\$175,000	\$195,000	\$215,000	\$20,000
40% AMI	\$155,000	\$175,000	\$195,000	\$20,000
50% AMI	\$135,000	\$150,000	\$165,000	\$15,000
60% AMI	\$115,000	\$130,000	\$145,000	\$15,000
70% AMI	\$95,000	\$105,000	\$115,000	\$10,000
80% AMI	\$75,000	\$85,000	\$95,000	\$10,000

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Gap for LIHTC Urban New Construction				
Incomes Served <small>(based on unit restrictions; PBRA units use 30% AMI)</small>	Studio	1 bedroom	2 bedroom	+ Per-Bedroom
30% AMI	\$190,000	\$220,000	\$250,000	\$30,000
40% AMI	\$180,000	\$210,000	\$240,000	\$30,000
50% AMI	\$170,000	\$190,000	\$210,000	\$20,000
60% AMI	\$160,000	\$180,000	\$200,000	\$20,000
70% AMI	\$150,000	\$160,000	\$170,000	\$10,000
80% AMI	\$140,000	\$150,000	\$160,000	\$10,000

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Gap for LIHTC Urban Acquisition / Rehabilitation				
Incomes Served <small>(based on unit restrictions; PBRA units use 30% AMI)</small>	Studio	1 bedroom	2 bedroom	+ Per-Bedroom
30% AMI	\$155,000	\$175,000	\$195,000	\$20,000
40% AMI	\$135,000	\$155,000	\$175,000	\$20,000
50% AMI	\$115,000	\$130,000	\$145,000	\$15,000
60% AMI	\$95,000	\$110,000	\$125,000	\$15,000
70% AMI	\$75,000	\$85,000	\$95,000	\$10,000
80% AMI	\$55,000	\$65,000	\$75,000	\$10,000

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*\*Note – these subsidy limits may be overridden if in conflict with other programmatic requirements and regulations.*

## Compliance

A compliance monitoring fee sufficient to cover OHCS' due-diligence costs ~~will be~~ required annually. This fee may be adjusted over time by OHCS. Additional monitoring fees may apply depending upon the type of funding awarded to a project. Monitoring ~~will address~~ elements of project operation, including but not limited to:

- Initial household income verification
- Utility allowances
- Annual income verification, including self-certification
- Risk-based physical inspections every one to three years based on project condition
- Permanent Supportive Housing program monitoring for services and rental assistance, if applicable
- If other public capital or operating subsidy ~~will be~~ used from any source, relevant compliance requirements of those sources ~~will be~~ assumed to apply. For example, if 4% LIHTCs are used, all 4% LIHTC compliance requirements ~~will~~ apply, and if HTF resources are used, HTF compliance requirements ~~will~~ apply.

## Application process

The first step of the funding process is to submit an Intake Form. This web-based form can be accessed through OHCS' website. OHCS' application team, technical advisors, and program staff ~~will~~ evaluate completed forms and determine if a project can move on to the application steps of the funding process.

Upon approval to move forward, applicants ~~will~~ receive credentials to access their Procorem WorkCenter, where they ~~will~~ have access to the evaluation standards, tasks, and supplementary documents related to the Impact Assessment, Financial Eligibility, and Commitment steps. **The Procorem WorkCenter ~~will include~~ tasks related to each evaluation standard that both the applicant and OHCS staff need to check-mark when complete.**

While applicants ~~will are~~ only ~~be~~ evaluated for the application step in which they are working to meet all evaluation standards, they are not precluded from submitting ready documents or evaluation standards that are in future application steps. OHCS will not review these documents for approval until the applicant has reached the appropriate application step. OHCS reserves the right to make any updates to process, criteria, or standards listed below at its sole discretion.

Developers or Co-Developers may not have more than two projects in any one application step at a time (Impact Assessment, Financial Eligibility, and Commitment). This criteria requires the project select a Developer in order to access to a WorkCenter.

- If Last Gap funding is offered and it is being accessed by an applicant, they may not enter a new project into the ORCA process until they have met the requirements of that funding source.
- Portfolio Stabilization applications are exempt from this policy.

For LIFT Acquisition projects, the required standards and supplemental materials are different. Please see your WorkCenter for a checklist of required standards and supplementals for this activity.

For projects seeking 9% LIHTC, there is an additional requirement to submit a 9% LIHTC Request Form that will be competitively evaluated before moving projects into the Impact Assessment. Criteria and process for the 9% Request Form can be found in the QAP.

## Waitlist Policy

If OHCS subscribes all available or eligible resources for either a specific funding source needed by a project or for a set-aside region or category in which the project is located, applications are placed on a waitlist. OHCS will continue to accept application Intake Forms in order to continue to establish a funding pipeline. Staff will continue to move eligible Intake applications into Impact Assessment as applicants desire, and they will continue to review completed Impact Assessment applications.

Projects are placed on the waitlist in order of final completed and correct Impact Assessment application. If an application is sent back to the sponsor for updates, the cure process outlined in the section below applies to determine positioning on the waitlist. OHCS will retain and publish the active waitlist on a monthly basis. There is no maximum length of time that a project may stay on the waitlist, however material changes (as defined in the financial eligibility step) will require a new application and removal from the waitlist.

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When there is additional funding made available, OHCS will directly notify projects on the waitlist in order of their place on the waitlist about the funding. Projects have two weeks from that notification to indicate to OHCS that they are ready to accept the recommended resources and to update materials as necessary to move to a Housing Stability Council approval.

The maximum of two projects in Impact Assessment still applies, and projects on the waitlist are not exempt from that requirement. Developers may remove a project from the waitlist and bring a different one into Impact Assessment at any time, if desired. This policy is intended to ensure that the projects on the waitlist are the priority projects for each organization that are most ready to proceed based on available resources.

### **Cure Process**

If an application does not meet a standard, OHCS will allow a cure period of 10 business days for applicants to respond to and address any identified issues. The cure period begins at the end of the standard 30 day standards evaluation period. Applicants may choose to respond sooner than 10 business days if they resolve the issues sooner. After receiving the applicant's response, OHCS has up to 10 business days to review the updates and determine whether the issues have been resolved. During the cure period and review, an applicant's initial submission date remains intact.

If there is a successful resolution and the application meets all standards after the cure period and review, the application moves forward into the waiting list with their position determined by their initial submission date, or proceed to Housing Stability Council if there are available resources for the project. If there are unresolved issues after OHCS review and the application still fails to meet standards, the application returns to the Impact Assessment step, the original submission date is lost, and the application must be fully resubmitted as a new application. Upon a resubmission, a new 30 day OHCS standard evaluation period will commence.

### **Application Charges**

Applicants must submit an application charge of the lesser of \$2,500 or 0.5% of the total funds, requested upon submission of their Impact Assessment application. ~~Applicants are invoiced through their WorkCenter after submission of their completed Impact Assessment Application submission, with their completed Applicant Charge Transmittal Form. The WorkCenter provides instructions on how to submit electronic payments for application charges.~~ For the full schedule of required charges, see the [General Policy and Guideline Manual \(GPGM\)](#).

~~For LIFT Acquisition projects, the required standards and supplemental materials are different. Please see your WorkCenter for a checklist of required standards and supplementals for this activity. The WorkCenter will also provide instructions on how to submit electronic payments for application charges.~~

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## **Do you have questions?**

For questions about the ORCA, submit your questions to the

[Frequently Asked Questions \(FAQ\) Form](#) [ORCA Question and Feedback Portal](#)

For questions about the Impact Assessment, Financial Eligibility, or Commitment step applications, email [App.Team@hcs.oregon.gov](mailto:App.Team@hcs.oregon.gov) [App.Team@hcs.oregon.gov](mailto:App.Team@hcs.oregon.gov).

For questions about technical assistance, email [Technical.Advisor@hcs.oregon.gov](mailto:Technical.Advisor@hcs.oregon.gov) [Technical.Advisors@hcs.oregon.gov](mailto:Technical.Advisors@hcs.oregon.gov).

OHCS ~~will~~ publishes answers to frequently asked questions on our [website FAQ Page](#).



## Entry Point: Intake Form

### About the Intake form

The Intake Form is the entry point for the application process. **All projects are required to begin with the Intake Form.** This helps OHCS provide projects with early support, build our pipeline of affordable housing projects, and forecast funding requests.

The brief, web-based [Intake Form](#) includes an overview of the project vision and the partners involved, a preliminary site assessment, and early questions such as the proposed number and configuration of units, population served, an initial estimate of resource needs and timing, and predevelopment funding needs and eligibility.

The Intake Form collects information from development teams in the earliest stages of their projects, with the goal of providing early project details to the State to establish a pipeline and support resource requests. It serves as the gateway to predevelopment funding and can help OHCS assess project locations and communicate with public funders. Additionally, it identifies the best-fit resources and connects project teams with technical advisors for support.

Applicants should submit an Intake Form as early as the initial concept stage of a project, typically **2-5 years before applying for funding**. The form is intended for organizations that are seriously considering a project and may have already incurred ~~some~~ due diligence expenditures.

[Fill out the Intake Form now.](#)

### Technical Advisors

OHCS Technical Advisors (TAs) can help applicants navigate the complex project development and financing landscape. TAs can help developers:

- Navigate the new ORCA application process,
- Access resources, including OHCS predevelopment loans, capacity building grants, and consultant referrals,
- Build relationships with OHCS that can support current projects and the future pipeline.

Due to current staff capacity, technical advisors ~~will~~ prioritize support for set-aside eligible developers - culturally specific organizations, nonprofit sponsors of rural projects, and tribal housing organizations, as requested.

### Predevelopment funding

OHCS' [Predevelopment Loan Program](#) offers two loan products for projects in the development funding pipeline that have completed the requirements of the Intake Form.

The Intake Form ~~will~~ asks respondents to indicate interest in predevelopment funding. OHCS staff will then follow up with the applicant to determine whether the interest ~~is in~~ aligns with the Feasibility Loan product or Predevelopment Loan product and send application materials as necessary based on early assessment of eligibility and need.

Complete application procedures and requirements for funding are included in the Predevelopment Loan Program Manual.

### Feasibility Loan

The Feasibility Loan is available for projects sponsored by small organizations that are also culturally specific organizations ~~and/or~~ developing rural projects. It can be used for specific costs that determine early project feasibility, including but not limited to property survey, environmental report, geotechnical assessment, appraisals, market studies, ~~and/or~~ site control expenses.

The application and approval process for these resources will have a quick turnaround. Once a referral is provided and an application is submitted, OHCS staff will review applications to make a funding determination ~~make a decision~~ within two weeks.

### Predevelopment Loan

The Predevelopment Loan is available for projects sponsored by nonprofit organizations, Tribal entities, and Public Housing Authorities. Eligible uses for this funding include items directly associated with moving the project toward OHCS' readiness standards and accessing a final commitment of funding. Land costs are not eligible.

OHCS ~~may~~ will also conduct more detailed underwriting of the project for these resources compared to the Feasibility Loan resources. The application ~~is~~ will be underwritten according to standards related to a project's readiness to achieve construction financing.

OHCS ~~may~~ will expedite its review of the application if the project is already working with an external lender, has an underwritten predevelopment loan, and meets all other programmatic requirements defined in the predevelopment loan manual, including a minimum 1:1 match of OHCS resources and distinct uses for funds provided by both lenders.

## GHAP Capacity Building Grants

The General Housing Account Program's Capacity Building (GHAP CB) funds are made available by OHCS to support the growth and development of nonprofit housing developers, local housing authorities, Native nation (Tribal) housing entities, and local governments in meeting our shared goals in affordable multifamily rental housing development and operations.

### Capacity building towards new and existing housing (ORCA CB Grants)

The ORCA Capacity Building (CB) Grants are for activities and resources needed to bring an organization to the next level of operational, programmatic, financial, or comprehensive development so it may effectively advance development of an affordable multifamily rental housing project or ensure long-term viability of an existing project or portfolio of properties. The ORCA CB Grant application can be accessed through the ORCA Intake Form.

## State priorities and regional impact capacity building projects (Innovation and Regional Impact Grants)

The Innovation and Regional Impact CB Grants fund exploration of innovative solutions to capacity problems, projects that align with OHCS' priorities and goals in housing development and operations, and one-time capacity building projects with regional impact. The Innovation and Regional Impact CB Grants are accessed through specific GHAP Capacity Building program notices and/or OHCS procurement opportunities.

Learn more about [OHCS' GHAP Capacity Building program](#).

## Permanent Supportive Housing (PSH) rent assistance and services

Applications that have already received capital funding resources from OHCS and are seeking to add PSH rent assistance and services funding to their project ~~will need to~~ must submit an Intake Form indicating this interest. Applicants will work with the PSH Program Manager to apply for these resources. This funding is only available to ~~developers~~ sponsors who have completed the PSH Institute and have already received capital funding from OHCS. The following items ~~will need to~~ must be completed and submitted to the applicant's Procurement WorkCenter to be considered for ~~either~~ a PSH project-based rent assistance ~~and/or~~ services funding award:

- ~~The project's most recent full application form, including the full proforma for the project (this can be what was submitted for previous development capital requests, if that is the most recent version) and evidence of commitment for any external resources for services funding or rental assistance~~
- ~~Development Team Capacity Worksheet~~
- ~~PSH Standards Form~~
- ~~Resident services narrative questions~~
- ~~PSH services narrative questions~~
- ~~PSH services budget (on OHCS template)~~
- ~~An updated operating proforma for the site, showing OHCS rent assistance as income (if being requested) and showing positive cash flow for the next 15 years~~
- ~~A property income statement/balance sheet~~
- ~~Evidence of commitment for any external resources for services funding or rental assistance~~
- ~~Development Team Capacity Worksheet~~
- ~~PSH Standards Form~~
- ~~PSH services narrative questions~~
- ~~PSH services budget (on OHCS template)~~

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## Step 1: Impact Assessment

### About the Impact Assessment step

The Impact Assessment application provides OHCS with key information about the project to review alignment with policy priorities. This step focuses on due-diligence items and thoughtful strategies to achieve objectives, as well as the project's impact and non-financial requirements, evaluating its ability to meet funding requirements and adhere to policy standards. It offers a conditional commitment for resources based on project performance and allows for resubmission if the initial requirements are not met.

This step secures a [conditional Letter of Intent](#) from OHCS, which holds resources for projects, allows OHCS to ensure the project meets [determined Impact Assessment step](#) evaluation standards, and prepares the project for the Financial Eligibility and Commitment steps. This step also allows OHCS staff to determine the specific resources that a project ~~is~~ will be assigned.

The Impact Assessment step should be initiated **no more than 1-2 years before closing**. All applications must pass through the Impact Assessment step. While there is not definitive timeframe for a project to have to submit their materials for this step, if a project has been inactive in the Impact Assessment step for 12 months, they will be contacted and have their materials refreshed if necessary, or have their WorkCenter deleted if the project is no longer viable. [Any Partnership Agreements, and MO including MOUs for service providers, must be dated within the last year or have signed documentation \(an email confirmation is acceptable\) from both parties agreeing to extend the agreement that has been dated within the last 12 months.](#)

### Connecting to existing programs

OHCS staff ~~will~~ determine a project's eligibility for resources based on characteristics described at the Impact Assessment step. For most projects, a tentative determination of a resource pathway, dependent on resource availability, ~~will~~ occurs at this point. [Some project types \(e.g. transitional housing, new construction projects under 5 units, group homes, Assisted Living Facilities, etc.\) are not eligible for any current resources OHCS has available through the ORCA.](#)

In some cases, OHCS ~~may~~ need more information to definitively assign a specific resource, particularly when one specific resource is being requested ~~and~~ or the resource has unique or prescriptive program requirements. For example, to request resources from OHCS' Permanent Supportive Housing program, the project or the developer must have previously attended the Oregon Supportive Housing Institute, and the project must utilize a project-based rental subsidy for PSH units, provide comprehensive on-site supportive services, and utilize a regional Coordinated Entry system to fill PSH units.

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Other program-specific requirements can be found in term sheets on the OHCS website. We strongly recommend that applicants apply with a willingness to be flexible and accept a different resource than originally requested ~~and/or~~ a combination of OHCS resources, as this flexibility may allow for an expedited funding process.

~~Preservation resources are expected to be more constrained than those for new construction, so they will have more criteria applied to their evaluation.~~ Applications for preservation resources ~~will bear~~ prioritized based on the [Preservation Funding Framework](#).

## Impact Assessment evaluation standards

The following evaluation standards are required to be met at the Impact Assessment step.

Applicants are required to meet all evaluation standards to indicate to OHCS that they are ready to move to the next step. Applicants ~~will~~ set their own timeline for completing these evaluation standards and ~~will~~ move at different speeds.

OHCS does not prescribe any pace for getting through application steps, however; inactivity or failure to make progress on meeting evaluation standards for a period of 12 months will remove a project from the application process and require them to restart at Intake.

In addition, applicants must submit other supplemental documents not associated with these evaluation standards. See the list in your Procorem WorkCenter for details.

## Affirmative Fair Housing Marketing Plan

All applicants must submit a complete and thorough Affirmative Fair Housing Marketing Plan (AFHMP) for their project. The AFHMP is a form created by the U.S. Department of Housing and Urban Development. The form helps applicants identify the communities least likely to apply for housing based on the area's demographics, which could include various communities of color, people with disabilities, or other communities, and it helps applicants formulate a marketing strategy for those communities.

### Instructions for submittal:

- Submit the completed [Affirmative Fair Housing Marketing Plan Form](#) through your Procorem WorkCenter.

### Requirement to meet this standard:

- Applicant has submitted a complete and detailed Affirmative Fair Housing Marketing Plan.

## Architectural plans

### New construction

The application includes narrative questions, and a conceptual site plan from the project's architect is required. Total conceptual hard costs ~~will be~~ evaluated against the project description and conceptual site plan. See the [Core Development Manual \(CDM\)](#) for more information.

#### Instructions for submittal:

- Respond to the narrative question in the application.
- Review the CDM Supplemental in the [Core Development Blank Templates and Forms](#) folder of your WorkCenter.
- Submit a conceptual site plan according to the CDM Chapter 3.2, Section 3.2.02-N01.
- Submit unit size and visitability variance requests (if applicable) using the CDM-Form-A-VR-11-2019 found in your Procorem WorkCenter. Submit one form for each variance request.

#### Requirement to meet this standard:

- Total conceptual hard costs align with the project description and conceptual site plan from the project's architect provided.

### Rehabilitation/preservation

The application includes narrative questions, and a conceptual site plan from the project's architect is required. A timeline for planned capital needs assessment (CNA) and the major elements of the project scope are required. Total conceptual hard costs ~~will be~~ evaluated against the project description and conceptual site plan.

#### Instructions for submittal:

- Respond to the narrative questions in the application.
- Review the CDM Supplemental in the [Core Development Blank Templates and Forms](#) folder of your WorkCenter.
- Submit the CDM A-GC1 Sustainability Part 1 form according to the CDM Chapters 7.0 and 7.1.
- Submit a proposed rehabilitation scope of work and construction cost estimate according to the CDM Appendix P1 Section P1.02c.

#### Requirement to meet this standard:

- Total conceptual hard costs align with the project description and conceptual site plan from the project's architect provided.
- Timeline for planned CNA included and aligned with other timeline expectations.

### Construction costs

Applicants ~~must~~ describe how they derived construction costs, how they will address potential risks, and a plan for covering costs outside of contingency funds.

#### Instructions for submittal:

- Respond to the narrative questions in the application.

#### Requirement to meet this standard:

- Applicant has provided a development schedule (in the proforma) with committed dates for construction start, substantial completion, and final completion, as well as a prescribed lease-up threshold that aligns with OHCS' expectations for the development timeline.
- Applicant has provided estimates for construction costs and a rationale for how they were derived (e.g., bid received, early consultation with general contractor, comparable completed projects plus inflation). Include in narrative if any third parties were consulted.
- Applicant has included a list of known project- and market-related risks in application narrative.
- Applicant has included options for covering costs that may be incurred in excess of contingency funds.

#### Development team capacity

This standard asks about the capacity and experience of the project's developer, sponsor, architect, general contractor, and management company. Each section must be completed by an authorized officer of each respective [organization entity](#). [Organizations Applicants](#) must submit a [completed](#) questionnaire including certain types of projects completed within specified time frames. Additionally, [developer/sponsor organizations applicants](#) must disclose and, if relevant, explain a set of unacceptable practices.

OHCS reserves the right to require any additional information, including financial information, deemed necessary to complete its review.

#### Instructions for submittal:

- Submit the Development Team Capacity Worksheet to your Procorem WorkCenter. Each [organization entity](#) must respond to their respective questions.

#### Requirement to meet this standard:

- ~~Primary or co-sponsors Developers or Co-Developers may not have more than two projects in any one application step at a time (Impact Assessment, Financial Eligibility, and Commitment).~~
  - ~~If Last Gap funding is being accessed by an applicant, they may not enter a new project into the ORCA process until they have met the requirements of that funding source.~~
- OHCS ~~will~~ evaluate the development team to ensure sufficient staff capacity and experience. [Additionally, OHCS will seek assurance that members of the team are in good standing. As described under General Terms and Conditions of this manual, OHCS reserves discretionary authority to reject applications and or deny project funding requests if identified members and participants of the development team are found to not be in good standing to do business with OHCS.](#)

#### Diversity, Equity, and Inclusion (DEI) Agreement

OHCS has developed a web-based registry for sponsors to submit their DEI Agreement. ~~This DEI Agreement aims to enhance accountability and ensure sponsors' progress on selected DEI goals.~~ Applicants ~~must~~ register a living agreement that is updated annually.

Project owners, developers, and developer consultants ~~will~~ complete a short [online survey via Qualtrics](#). In this survey, partners ~~will~~ select 4 out of 15 options for DEI goals. After establishing a baseline for DEI, partners ~~will~~ self-report progress on their selected goals annually by submitting a renewal agreement.

~~To ensure accountability and movement along the continuum of DEI growth, OHCS' Equity, Diversity, and Inclusion (EDI) Office will evaluate survey responses and contact partners based on survey responses, identified needs, and partners' requests for support.~~

Learn more about the DEI Agreement, access [information and](#) resources, and submit the agreement to the registry on OHCS' [DEI webpage](#).

**Instructions for submittal:**

- Submit your initial DEI Agreement or submit your renewal agreement if your organization has not already done so within the calendar year.
- Upload supplemental documents to Procorem WorkCenter (if requested).

**Requirement to meet this standard:**

- Initial or annual DEI Agreements have been submitted to the registry.

### Engagement and community needs

Applicants ~~will~~ describe tenant engagement and how feedback informed project design, amenities, and services provided. ~~Applicants are Questions will~~ asked about engagement efforts with the tenant communities the project plans to serve, including communities of color, and how project teams incorporated what they learned into building design. Project teams are welcome to conduct their own engagement as well as to draw on existing sources of community needs published by agencies and community-based organizations.

**Instructions for submittal:**

- Respond to the narrative questions in the application.
- Upload supporting documentation to Procorem WorkCenter (where applicable).

**Requirement to meet this standard:**

- Applicant demonstrates shared learnings, either from their own engagement or document(s) by one or more local entities (citing specific documents).
- Applicant describes engagement plans suited to the project and tenant communities to be served.
- Applicant demonstrates they have integrated feedback from tenant communities to be served in a way that ensures the project design reflects the tenant population's identities and needs and is culturally responsive to communities of color.



## Environmental reports

Applicants ~~must~~ submit complete environmental reports (ESA Phase I or II) ~~conducted no more than 6 months prior to submission~~ or provide a plan for completing reports within appropriate timelines.

This standard is not applicable for LIFT Acquisition applications.

### Instructions for submittal:

- Respond to the questions in the application.
- Upload environmental reports to your Procorem WorkCenter (where applicable).

### Requirement to meet this standard:

One of the following is true:

- Applicant has submitted complete environmental reports, or
- Applicant has identified a need for environmental reports and described a clear plan for completion including partners, timeframe, and contingency plans, that aligns with other established timeframes for the development process.

## Equity and Racial Justice (ERJ) strategy

This standard creates a baseline that all projects must meet toward achieving racial equity in the projects OHCS funds, and it provides a flexible way for projects to work toward additional goals that apply to their projects and regional contexts. This section includes quantitative and qualitative questions to allow for flexibility and equitable application in different situations. This section is distinct from, but complementary to, the DEI Agreement and the Affirmative Fair Housing Marketing Plan.

### Instructions for submittal:

- Respond to the narrative questions in the application, including four required items and two additional items from a list of ~~six~~ four options.
- Upload supporting documentation to your Procorem WorkCenter (where applicable).

### Requirement to meet this standard:

Applicant has both:

- Responded to the **four** required items:
  - If Applicant does not have existing properties in the OHCS portfolio, or the properties in OHCS portfolio are not currently required to provide tenant demographic data to OHCS's Compliance team, provide tenant demographic data disaggregated by race and ethnicity for the five most recently placed in service properties in their portfolio. If this is not available, applicant must provide detailed explanation of how they plan to meet this requirement with this project. Any applicant with projects in OHCS's portfolio that are out of compliance with this requirement will not meet this criteria.
  - Applicant provides the list of languages identified in the AFHMP and a plan for translating lease-up documents, outreach materials, and other appropriate materials.

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- Applicant provides the list of languages identified in the AFHMP and describes how property management will work with tenants who speak those languages, including whether property managers speak those languages and how property managers will translate written materials and other messages into those languages throughout the course of their work.
- Applicant provides documentation related to the organization’s existing racial equity efforts that both relate to racial equity specifically and include actionable steps that move beyond value statements.
- Responded to **two of six-four** additional items in ways that demonstrate the following for selected items:
  - For projects selecting “culturally specific organization ownership,” a culturally specific organization is either the majority owner or sole sponsor, or culturally specific organization is a minority owner and has right to exercise option to purchase at year 15, or culturally specific organization is a minority owner and is first in the waterfall for deferred developer fee. All partnership agreements must be evidenced by legally binding agreements to qualify for this category.
  - ~~For projects selecting “Black, Indigenous, and other People of Color (BIPOC) ownership,” projects meet one of the following descriptions: if the project is sponsored by a for-profit sole entity, >50% of ownership identifies as BIPOC; if the project is sponsored by a nonprofit sole entity, >50% of the board identifies as BIPOC and/or the executive director or CEO identifies as BIPOC; or if the project is jointly owned, the BIPOC entity has >50% ownership or the BIPOC entity has <50% ownership but receives >40% of the developer fee and has a significant role in decision-making.~~
  - For projects selecting “actionable plans for BIPOC-owned business utilization,” applicant provides one or more examples of development projects completed with COBID-certified Minority-owned Business Enterprise (MBE) or other BIPOC-owned businesses (does not need to be affordable housing), ~~and/or applicant demonstrates an established relationship with a culturally specific workforce development organization (e.g., NAMC, LatinoBuilt) through a signed MOU, and describes plans to utilize BIPOC-owned businesses in this project.~~
  - For projects selecting “culturally specific services,” applicant is planning for resident services appropriate to the specific intended tenant communities, including communities of color.
  - ~~For projects selecting “racially equitable tenant populations,” applicant’s existing properties serve an equal or higher percentage of BIPOC residents than the percentage of BIPOC residents in the counties or census tracts in which they are located, and applicant has provided data disaggregated by race and ethnicity for each property and ACS 5-year Estimates data for the property’s county/census tract. Upload this data to your Procorem WorkCenter and provide any context or explanation.~~
  - ~~For projects selecting “tenant outcomes by race and ethnicity,” applicant provides data on their portfolio’s tenant outcomes disaggregated by race and ethnicity, including, at a minimum, eviction rates and tenancy lengths. Upload this data to your Procorem WorkCenter and provide any context or explanation.~~

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### **Equity in contracting strategy**

In its Equity in Contracting Manual (February 2025), which is incorporated into this ORCA Manual by this reference, OHCS has established targets for contracting with firms owned by minorities, women, and veterans as well as emerging small businesses. These targets vary by Equity in Contracting Region: 30% for Region 1 (Portland Metro area, including Multnomah, Clackamas, Washington, Hood River, and Columbia counties), and 20% for Regions 2-5 (rest of Oregon).

These firms include those certified by the Certification Office for Business Inclusion and Diversity (COBID) as Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Veteran Business Enterprise (VBE), and Emerging Small Business (ESB). In addition, the project team may include firms that are not yet certified by COBID if the firms meet the eligibility criteria for the relevant certification established by the COBID office and are encouraged to complete their certification with the COBID office by the end of construction.

Additional information is available on OHCS' Equity in Contracting webpage. Project teams can view their performance on past OHCS-funded projects on the Equity in Contracting Project Performance tracker.

Funded project teams will submit an initial equity in contracting report (due within 30 days of financial close), a second report at 50% construction completion, and a final report (due within 30 days of construction close).

OHCS provides up to \$60,000 in additional subsidy for contracting equity consultants. Contracting equity consultants provide services including, but not limited to, supporting outreach to subcontractors, reviewing proposed subcontractors to see if they are COBID-certified or eligible, coordinating or managing relationships with chosen subcontractors, administration and reporting for contracting equity requirements, and other strategies for equitable contracting. Project teams can work with any consultant they choose that provides these services.

At the Impact Assessment step, project teams will indicate if they are planning to work with a contracting equity consultant, how much funding they anticipate requesting (up to \$60,000), and which consultant they plan to work with, if identified.

#### **Instructions for submittal:**

- Respond to the questions in the application.
- Upload supporting documentation to your Procorem WorkCenter, if applicable.

#### **Requirement to meet this standard:**

All of the following are true:

- Applicant has confirmed their understanding of and commitment to meeting regional percentage targets.
- Applicant has thoroughly answered all questions in the application.
- Applicant has uploaded supporting documentation, if applicable.

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## Financial proforma for Impact Assessment step

The financial proforma for the Impact Assessment step conveys a foundational understanding of overall project information, including location, development team, cost estimates, unit mix, and target population.

The financial components at this step are intended to be early estimates that serve as a starting point to understand needs for this project. Estimates should be realistic. Any commitments made at this step of the application will be the basis of a conditional hold of funding. As such, substantive changes to what is provided at this step will result in loss of that hold and will require the applicant to resubmit their Impact Assessment application with updated project information.

You can find a Financial Proforma Impact Assessment Template on the [Impact Assessment webpage](#).

### Instructions for submittal:

- Upload the [ARH ORCA Financial Proforma – Impact Assessment webpage](#) ARH ORCA Financial Proforma – Impact Assessment- to your Procorem WorkCenter.
- Upload letters of interest or award letter for committed funds to your Procorem WorkCenter, if applicable.
- Submit PBV – HUD approval timeline acknowledgment. *Note that submitting this documentation triggers the HUD federal nexus and choice-limiting actions.*

### Requirement to meet this standard:

- Proforma submitted with the following items completed or met:
  - Project details
  - Development schedule
  - Rents and incomes
  - Balanced sources and uses
  - Realistic sources (no fundraising)
  - General unit breakdown with AMI percentages
  - LOI or award letter for committed funds
  - Closing date timing is realistic
- Financial information must meet all standards in the [General Policy and Guideline Manual \(GPGM\)](#).

## Housing and Urban Development (HUD) requirements review

Applicants interested in funding from the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) or Housing Trust Fund (HTF) must review the following requirements. Should OHCS determine that the project is a good candidate for HOME or HTF funding, the program manager will contact the applicant to work with them on requirements listed on the OHCS [HOME/HTF webpage](#).

This standard is not applicable for LIFT Acquisition applications.

### Instructions for submittal:

- If you are required to complete any of the federal cross-cutting requirements, please submit all required documents to your Procorem WorkCenter.
- Upload the HOME Program Supplemental Form or HTF Program Supplemental Form to your Procorem WorkCenter, if applicable.

**Requirement to meet this standard:**

- If selected for HOME/HTF funding, applicants have confirmed they have reviewed this information.
- If there are any requirements needed to be met to obtain federal funding, applicant must coordinate with the HOME/HTF Program manager to ensure compliance.

**Infrastructure readiness**

Applicants ~~will~~ note if specific infrastructure, such as stormwater, water, and sewer, is available at the site or able to be extended to the site. Applicants ~~will~~ also describe other infrastructure, including off-site elements, that may be needed. Applicants ~~will~~ identify a plan, including funding sources, to meet infrastructure needs if required.

This standard is not applicable for LIFT Acquisition applications.

**Instructions for submittal:**

- Respond to the questions in the application.

**Requirement to meet this standard:**

- Identify infrastructure needs.
- Have infrastructure in place or have a plan with city and/or other parties, including funding sources if needed, to meet infrastructure needs within a timeline that meets OHCS' readiness expectations.

**Location preferences**

The location of ~~an~~ affordable housing is an important consideration in property selection. Tenants must have access to critical resources and amenities that allow them to thrive in a healthy environment and stable community, in locations with conditions that can boost their economic and social mobility, while narrowing racial and ethnic inequities. Additionally, we must capture opportunities to preserve housing in locations where populations are vulnerable to displacement.

OHCS acknowledges that thriving looks different in every community, so this standard is structured as a list of options. All project locations must meet a minimum of two of the of the six Opportunity Area criteria ~~and/or~~ be in an area meeting a minimum of two of the criteria on the OHCS [Anti-Displacement Index](#).

All projects must meet the threshold minimum criteria to meet this standard, and we encourage partners to utilize all the options below when evaluating project sites.

### Opportunity Area criteria

Include identified locations below on submitted vicinity map:

1. Urban Areas: Parks and public spaces within a half (1/2) mile  
Non-Urban Areas: Parks and public spaces within 10 miles  
  
Alternative option: Integrated playground, communal outdoor space, or similar green space option approved by OHCS in the proposed property design.
2. Urban Areas: Grocery store within a half (1/2) mile  
Non-Urban Areas: Grocery store within 10 miles  
  
*Alternative option:* Regular farmer's market within a half (1/2) mile, or other accessible options for fresh food and produce as approved by OHCS.
3. Urban Areas: Walk Score over 70 (<https://www.walkscore.com/score/>)  
Non-Urban Areas: Walk Score over 50 (<https://www.walkscore.com/score/>)  
  
Alternative option: Other access options that are not driving, as approved by OHCS. Examples could include a comparably high bike score, scooter or e-bike access on site, or regular van shuttle access to critical locations.
4. Urban Areas: Transit Oriented Development; if the project's property is any of the following: zoned by a city to foster transit-supportive development, or can be accessed by frequent bus or street car service, or being within a half (1/2) mile of fixed transit stop  
Non-Urban Areas: There is access to transit options at the site (van service/dial a ride, carshare/carpool, bike or scooter availability, etc.)
5. Project ~~will~~ includes either a co-located (on the site of the property) Early Care and Education (ECE) facility, an ECE facility is within a half (1/2) mile of the property, or there is a plan for in-home options to be available to families (please elaborate).
6. Project is in the catchment area of a high performing public elementary school; GreatSchools rating of 7 or above (<https://www.greatschools.org/oregon/>) – to find enter address in search bar on top of screen and select Elementary from the dropdown menu to the left of the search bar. Use the Assigned School.

### Anti-Displacement Index

1. Meet criteria for at least 2 of the 5 categories in the OHCS Anti-Displacement Index:
  - a. Income Profile
  - b. Vulnerable People
  - c. Precarious Housing
  - d. Housing Market Activity
  - e. Neighborhood Demographic Change

**Instructions for submittal:**

- [Respond to the questions in the application.](#)
- Upload a vicinity map [as instructed in the Site Review Checklist](#) indicating selected criteria to your Procorem WorkCenter.
- Upload supporting documentation to your Procorem WorkCenter, if applicable.

**Requirement to meet this standard:**

- Project location meets the minimum requirement of two of the of the Opportunity Area criteria ~~and~~ or is located in a census tract with two or more risk factors identified from the OHCS Anti-Displacement Index.

**Minority, Women, and Emerging Small Businesses (MWESB) Equity in contracting strategy**

OHCS has established requirements, goals, targets for contracting with firms owned by minorities, women, and veterans as well as emerging small businesses. Minority, Women, and Emerging Small Businesses (MWESB) certified by the Certification Office for Business Inclusion and Diversity (COBID). These requirements, targets vary by the Equity in Contracting Region. MWESB Region: 30% for Region 1 (Portland Metro including Multnomah, Clackamas, Washington, Hood River, and Columbia counties), and 20% for Regions 2-5 (rest of Oregon).

These firms include those certified by the Certification Office for Business Inclusion and Diversity (COBID) as Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Veteran Business Enterprise (VBE), and Emerging Small Business (ESB). In addition, the project team may include firms that are not yet certified by COBID if the firms meet the eligibility criteria for the relevant certification established by the COBID office and are encouraged to complete their certification with the COBID office by the end of construction. The general contractor and applicant may include non-COBID certified firms owned by Black people, Indigenous people, other people of color, and others. These non-COBID firms can self-certify as a qualified MWESB firm if they meet the COBID firm requirements and are encouraged to complete their certification with the COBID office by the end of construction.

Project teams will submit an initial equity in contracting report (due within 30 days of financial close), a second report at 50% construction completion, and a final report (due within 30 days of construction close). This section asks about past performance meeting MWESB Region percentage requirements in OHCS-funded projects, prior collaboration with general contractors and their experience with MWESB requirements, and their plans to meet MWESB requirements.

[Learn more about OHCS' MWESB program.](#) [Learn more about OHCS' equity in contracting program.](#)

**Instructions for submittal:**

- [Respond to the questions in the application.](#)
- [Upload the MWESB Acknowledgement Form to your Procorem WorkCenter.](#)
- [Upload supporting documentation to your Procorem WorkCenter, if applicable.](#)

**Requirement to meet this standard:**

All One of the following are true:

- ~~• Applicant has met or exceeded MWESB Region percentage requirements in past OHCS-funded projects.~~
- ~~• If applicant has fallen short of their MWESB Region percentage requirements in past OHCS-funded projects by 5 percentage points or less, they have completely responded to the questions in the application, provided a strategy to meet the MWESB Region percentage requirements, and committed to hiring an MWESB consultant.~~
- ~~• If the applicant has never developed projects with OHCS funding, they have completely responded to the questions in the application and provided a strategy to meet the MWESB Region percentage requirements.~~
- ~~• Applicant has confirmed their understanding of and commitment to meeting regional percentage targets.~~
- ~~• Applicant has thoroughly answered all questions in the application.~~
- ~~• Applicant has uploaded supporting documentation, if applicable. Documentation could include MOUs or contracts from past projects or evidence from external sources like news articles or press releases.~~

**Permanent Supportive Housing (PSH) standards**

Permanent Supportive Housing (PSH) is a set of best practices and proven strategies to successfully house people experiencing chronic homelessness. Members of these households often have complex needs, including mental illness, substance use, and chronic physical difficulties, alongside their experience of long-term homelessness. PSH services must be designed to effectively support communities’ most vulnerable populations in reaching long-term housing success. PSH is a crucial resource for people who, without support in their tenancy, may not be successful in maintaining stable housing and who, without housing, may not be as successful in utilizing services to achieve and maintain recovery, health, and wellness.

Project-based PSH combines three elements: permanently affordable housing, comprehensive tenancy support services, and project-based rental assistance. PSH must be affordable to households with extremely low incomes and provide wraparound services.

Any project identified as Permanent Supportive Housing (PSH) must meet the OHCS standards for PSH projects, even if a project is not seeking/receiving PSH-specific funds. To be eligible for PSH-specific resources a project or developer must have completed an Oregon Supportive Housing Institute. To be eligible for PSH Program funding, the sponsor must have completed an Oregon Supportive Housing Institute within the last four years. Projects that went through the Institute will be prioritized for PSH Program funding. Eligibility for PSH Program funding can be extended past four years if all of the sponsor's current projects with PSH Program resources have a recent program monitoring score of 150 or above. Sponsors with more than one monitoring score within the last two year will be reviewed on their lowest score.

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For questions about the PSH Program or PSH standards, please email [HCS.PSH@hcs.oregon.gov](mailto:HCS.PSH@hcs.oregon.gov).





**Instructions for submittal:**

- Respond to the questions in the application.

**Requirement to meet this standard:**

- Responses to the questions meet the rubric in Attachment B of the Impact Assessment application.
- Applicant ensures that the project meets OHCS' PSH standards in collaboration with OHCS' PSH Program Manager.

**Permit strategy**

The permitting process differs from one jurisdiction to another and has important implications for a project's readiness to proceed. At this step, OHCS ~~is requiring~~ applicants to submit a narrative describing their anticipated timeline and strategy for receiving permits, including early communication with the permitting jurisdiction about the project. Projects do not need to have their permits at Impact Assessment, but should have an anticipated timeline, strategy, and communication with the permitting jurisdiction. Submission of permits would be benefit, but it is acceptable to not have them as long as there is a plan in place.

This standard is not applicable for LIFT Acquisition applications.

**Instructions for submittal:**

- Respond to the narrative questions in the application.
- Upload the Building Permit Timeline Disclosure to your Procorem WorkCenter.

**Requirement to meet this standard:**

- Applicant provides sufficient explanation of the project's permitting timeline, and the timeline aligns with OHCS' readiness standards.

**Prequalification**

OHCS ~~will prequalify~~ sponsors, developers, co-developers, and development consultants to expedite the funding process by ensuring performance, experience, and good standing of applicants and partners.

Organizations ~~will update submit~~ their prequalification form through the Prequalification Registry Prequalification Request Form on through OHCS' website each year. Prequalification will be updated on an annual basis or as development teams change. Applicants ~~will need to must be~~ prequalified by OHCS before moving ~~on~~ past the Impact Assessment step. While prequalification ensures organizations are eligible to apply, it does not guarantee project funding.

Prequalification reviews the following elements:

- **Portfolio performance:** ~~We intend to gather~~ information on project challenges and challenges issues will be gathered throughout the application process to understand how ~~we~~ OHCS can

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better support developers and their projects. Problems with existing properties in ~~the OHCS's~~ portfolio of properties need to be addressed before the developer Applicant can be prequalified.

- **Developer experience:** Development experience will be is assessed by evaluating the number of projects an organization entity has successfully developed in Oregon with public funding. This will also includes evaluating any fundamental organizational changes in key leadership or other critical development positions.
- **Legal good standing:** The OHCS Ownership Integrity Certification form will be is used to evaluate legal good standing. This document asks questions about moral turpitude, financial standing, and debarment.

Responses to the prequalification form may lead OHCS to require Applicants to include assistance support from either another prequalified developer or development consultant to be eligible to apply. Respondents will be are notified if their approval is tied to these conditions.

#### Instructions for submittal:

- ~~Ensure that~~ Submit your Prequalification Request Form ~~and any related documents are updated in the registry.~~
- Upload the Ownership Integrity Certification to your online Prequalification Request Form submission, Procurement WorkCenter.
- Upload the Certification Form for Culturally Specific Organizations (if applicable) to your online Prequalification Request Form submission.

#### Requirement to meet this standard:

- Developers are in the prequalified registry, meeting standards for portfolio performance, developer experience, and legal good standing.
- If developer is not prequalified due to not meeting standards for portfolio performance, they must address the issues in their existing properties before they can submit for another project.
- If developer is not prequalified due to not meeting standards for developer experience, they must work with a prequalified developer ~~and/or~~ development consultant.
- If developer or development consultant is not prequalified due to not meeting standards for legal good standing, they must have a waiver approved by the OHCS Assistant Director of Transactions ~~Transactions Manager.~~
- If developer is a Culturally Specific Organizations, they must submit a certification form that indicates they qualify as CSOs under OHCS' definition. A link to the form can be found on OHCS's website and in the Prequalification Request Form.

#### Resident services

Applicants ~~will~~ describe how they will address the needs of the proposed tenant populations, services offered, uses for funding, referral agencies, partnership structure, and other elements. Applicants seeking PSH-specific OHCS funding (development capital, rental assistance, and/or services funding) will answer additional questions about how they ~~will~~ serve PSH residents.

**Instructions for submittal:**

- Respond to the questions in the application.

**Requirement to meet this standard:**

- Responses to questions meet the rubric in Attachment A of the Impact Assessment application.

**Risk of loss (preservation only)**

~~Available resources for Preservation will are likely to be oversubscribed, so~~ OHCS will prioritize applications according to transparent and predictable criteria, using tiebreakers if needed. ~~Because preservation is highly anticipated to be oversubscribed, these projects will be ranked and not evaluated on a first-come, first-reviewed basis. Due to the high anticipation of oversubscription for preservation projects, these will be ranked rather than evaluated on a first-come, first-reviewed basis~~

~~**For properties at risk of loss due to physical and/or financial challenges:** The ORCA process will be is used to create a ranked queue of projects described as critical, high, or medium priority projects, with funding directed first to those on the critical list. The three priority levels are further defined in the [Preservation Funding Framework](#).~~

~~The priority lists are intended to show both immediate and near-term funding priorities. Properties identified as critical that do not receive funding in the current funding cycle will remain on the critical list until either they receive funding at a future date, or something materially changes in the property (e.g., sale to a new owner) that would necessitate re-evaluating its priority. High priority properties will be are eligible for funding once the critical list has been addressed or not enough eligible projects on the critical list to utilize available resources. Rankings and prioritization are expected to be updated on an annual basis, alongside any new applications received for this category of preservation.~~

~~**For properties with federal project-based rent assistance at imminent risk of loss:** OHCS will is building a managed queue similar to the one for the previous category, with three priority levels defined in the Preservation Funding Framework.~~

~~*Imminent risk of loss:* Only projects where project-based assistance is at risk through maturity of the Rural Development (RD) mortgage or an application for pre-payment within the next two years will be are deemed “critical” and considered for funding in 2024. Projects ranked as “high” or “medium” priorities will be are added to the managed queue.~~

This standard is not applicable for LIFT Acquisition applications.

**Instructions for submittal:**

- Respond to the questions in the application.
- Upload supporting documentation to Procorem WorkCenter, if applicable, including Evidence of Project-Based Rental Assistance (PBRA).

**Requirement to meet this standard:**

- Project must meet “risk of loss” definition and be eligible for priority funding based on the above.

**Site control**

The applicant must have control of the land necessary for the project when they submit the Impact Assessment application as evidenced by one of the following:

- A recorded deed or conveyance showing the applicant is the owner of the site,
- A valid purchase and sale agreement,
- A valid option to purchase,
- A valid option for a long-term lease, or
- Other evidence satisfactory to OHCS.

The name of the entity on the evidence of site control must be the same as the applicant’s name on the Impact Assessment application. The site control document should also identify the same address/location as the project site listed in the application. If the site description in the application and the site control document are not the same, the applicant must provide a narrative description and supporting documentation to clarify the method used to establish the area and cost for the project. The duration of the purchase option should align with the proposed financial closing date and also include some ability to extend the purchase option should any unforeseen delay occur. This would be evaluated on a case by case basis with potential OHCS follow up to ensure risks are mitigated. There is no prioritization of projects that are at risk of losing site control. Project are intended to have met all evaluation standards, including having site control, and be ready to financially close by their determined date.

OHCS ~~will~~ only accept~~s~~ one application for a specific site or for any part of the same site, regardless of whether applications are submitted by the same applicant or by multiple applicants. If more than one application is received for the same site or any part of the same site, OHCS may disqualify one or all of the applications.

**Instructions for submittal:**

- Respond to the question in the application.
- Upload the Site Control Evidence Form to your Procorem WorkCenter.

**Requirement to meet this standard:**

- Applicant has submitted a correctly completed Site Control Evidence Form and provided documentation to prove site control.

**Zoning in place**

The project must be properly zoned or have the ability to get the proper zoning for the intended use. The applicant must submit the Zoning Form, provided by OHCS, executed by the appropriate zoning authority.

This standard is not applicable for LIFT Acquisition applications.

**Instructions for submittal:**

- Upload the Zoning Form to your Procorem WorkCenter.

**Requirement to meet this standard:**

- Applicant has submitted a completed and executed Zoning Form that indicates the zoning is adequate for the intended use or can be adequate with additional land use approvals. This standard can be met by checking the first or second box of question 4 on the Zoning Form.

## Supplemental documents for Impact Assessment

Supplemental documents are required at each application step. A list of these documents can be found in your WorkCenter, ~~with an asterisk denoting if the document is associated with an evaluation standard.~~

## Step 2: Financial Eligibility

### About the Financial Eligibility step

The Financial Eligibility step focuses on the financial aspects of the project, requiring applicants to submit lender letters of intent from financial partners, well-developed construction cost estimates, and a full proforma.

OHCS ~~will~~ evaluates adherence to the project design and policy priorities proposed in the Impact Assessment step. This step results in an **update to the Letter of Intent given at Impact Assessment**, conditionally committing resources for projects.

The Financial Eligibility step ~~will~~ typically occurs about **one year before closing**. OHCS ~~will~~ evaluates the project's financial proforma for adherence to underwriting standards, project costs, and construction standards.

Adhering to proposed timelines and plans is critical. A significant deviation from the proposed timeline, project design, or policy priorities described in the Impact Assessment step will result in the loss of the Letter of Intent for resources, requiring the project to return to the Impact Assessment step.

### Financial Eligibility evaluation standards

The following evaluation standards are required to be met at the Financial Eligibility step.

Applicants are required to meet all evaluation standards to indicate to OHCS that they are ready to move to the next step. Applicants will set their own timeline for completing these evaluation standards and will move at different speeds.

OHCS does not prescribe any pace for getting through application steps, however; ~~inactivity or~~ failure to ~~make progress on meeting~~ meet evaluation standards for a period of 6 months (or 9 months for projects with HUD or USDA Rural Development funding, projects by culturally specific organizations, or projects by a nonprofit in rural areas) after Housing Stability Council approval of an LOI will remove a project from the application process and require them to restart at a previous application step.

OHCS does however require for all transactions, the Applicant must demonstrate progress on completing the Project's Financial Eligibility Step required due diligence within 30 days of receiving an OHCS LOI to continue in the review and processing of an application. Failure to meet is requirement could result in a project being considered inactive. OHCS reserves the right to potentially remove a project from the application process and require it to restart at Intake if no demonstration progress has been attempted by the Applicant within 45 days of receiving an OHCS LOI.

In addition, applicants must submit [all](#) other [required](#) supplemental documents not associated with [these the listed](#) evaluation standards [below, but necessary to complete this application step?](#) See the list in your Procorem WorkCenter for details.

## Architectural plans

### New construction

A concept-level plan including floor plans and elevations is required. The application includes a narrative question about any updates to the project description made since the Impact Assessment step.

#### Instructions for submittal:

- Respond to the questions in the application.
- Review CDM Supplemental in the Core Development folder.
- Submit schematic design drawings (architectural plans including site design, exterior elevation and floor plans) according to the CDM Chapter 4.1, Section 4.1.02-1, 1) a.

#### Requirement to meet this standard:

- Plans are aligned with proposed costs, subsidy limits, and other requirements.

### Rehabilitation/preservation

A completed capital needs assessment (CNA) meeting the specifications outlined in the Core Development Manual (CDM). Appendix B.1 is required. Concept-level drawings that show major elements of the project and the final written scope of work describing all of the major rehabilitation elements are also required. The application includes a narrative question about any updates to the project description made since the Impact Assessment step.

The OHCS architect-~~will~~ [review](#)s drawings and costs to evaluate alignment.

#### Instructions for submittal:

- Respond to the questions in the application.
- Review CDM Supplemental in the Core Development folder.
- Submit schematic design drawings according to the CDM Chapter 4.1, Section 4.1.02-1, 1), a.
- Upload a capital needs assessment according to the CDM Appendix B.1. to your Procorem WorkCenter.

#### Requirement to meet this standard:

- Plans are aligned with proposed costs, subsidy limits, and other requirements.

## Construction costs

Applicants ~~will~~ describe how construction costs have changed from the Impact Assessment step. OHCS ~~will~~ compare ~~s~~ costs to inflated historic and current data from our existing portfolio and identify project costs that fall outside of expected ranges through the use of a Predictive Cost Model. If a project's cost falls 25% or higher than the model is projecting, they ~~will~~ need to elaborate on and substantiate any project costs that are outside of that variance. If necessary to substantiate project costs, OHCS may request a third-party cost justification. OHCS' evaluation of costs ~~will~~ include, but ~~are~~ not ~~be~~ limited to, the following:

- Assessing cost reasonability with a predictive cost model informed by available data and comparable projects.
- Requiring detailed cost estimates and tracking of project costs with detailed line items in the financial proforma, using the Uniform Schedule of Values (SOV).
- Requiring submission of a cost analysis that provides potential strategies for reducing project costs.

### Instructions for submittal:

- Respond to the narrative questions in the application.
- Upload an updated copy of the estimator's other official construction cost estimate (if present) that is being used to communicate costs with the project owner or other project stakeholders.
- Upload the Cost Justification Form to your Procorem WorkCenter.

### Requirement to meet this standard:

- Applicant has completely responded to questions in the application.
- Project costs meet the predictive costs model assessment or receive a waiver after consultation with OHCS staff.
- Applicant has submitted a cost analysis, if required.

## Equity in contracting strategy

~~For applicants that have never developed with ARH funding before or applicants that have completed ARH funded projects since 2021 but have fallen short of their regional percentage targets (taken as an average across all projects), OHCS provides up to \$60,000 in additional subsidy for contracting equity consultants. Contracting equity consultants provide services including, but not limited to, supporting outreach to subcontractors, reviewing proposed subcontractors to see if they are COBID-certified or eligible, coordinating or managing relationships with chosen subcontractors, administration and reporting for contracting equity requirements, and other strategies for equitable contracting. Project teams can work with any consultant they choose that provides these services.~~

Project teams choosing to work with a contracting equity consultant will provide a signed contract during the Financial Eligibility step outlining these services.



**Instructions for submittal:**

If the applicant chooses to work with a contracting equity consultant and the project is eligible for additional subsidy, please do the following:

- Upload a signed contract outlining the services to be provided to your Procorem WorkCenter.
- Note the amount of funding requested for your contracting equity consultant in your Financial Eligibility Proforma.

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**Requirement to meet this standard:**

If the applicant chooses to work with a contracting equity consultant and the project is eligible for additional subsidy, the applicant has provided documentation as described above.

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**Financial proforma for Financial Eligibility step**

Applicants ~~will~~ receive a Financial Eligibility proforma in their Procorem WorkCenter that ~~will be is~~ prepopulated with information submitted in the Impact Assessment step.

The Financial Eligibility proforma requires applicants to have a completed budget with costs based on a bid from a general contractor, the schedule of values, the full budget sources, and budget uses worksheets ~~that~~ must be completed. These numbers ~~will be are~~ evaluated against OHCS' predictive cost model, subsidy limits, construction costs review, and Cost Justification Form.

Applicants must note updates to any other project information, including project details, rents and incomes, or other key project characteristics.

Preservation projects must provide current and post-rehab proformas showing rents and incomes. For projects seeking PSH Services funding, the PSH Services Budget in the proforma application must be completed.

The information in this version of the proforma ~~will be is~~ included in the conditional commitment from OHCS, and significant deviation from the information provided will lead to a project's removal from this step of the application. Applicants must then restart step with more accurate numbers that align with the new scope and scale of the project. See more under "Policy changes from Impact Assessment."

You can find a Financial Proforma Financial Eligibility Template on the [Financial Eligibility webpage](#).

**Instructions for submittal:**

- Upload the ARH ORCA Financial Proforma – Financial Eligibility to your Procorem WorkCenter.
- Upload an updated copy of the estimator's official cost estimate format (if present) used to communicate costs with the project owner or other stakeholders.

**Requirement to meet this standard:**



- Applicant submits proforma with full project details, development schedule, development team, budget sources, construction cost SOV, budget uses, rents and incomes, and any specific program worksheets associated with resources your project has been assigned.
- Proforma meets OHCS underwriting criteria on debt coverage ratio (DCR), contingencies, development cost percentage, profit, overhead, and general conditions, developer fee, replacement reserves, and cashflow, including but not limited to:
  - Proforma includes realistic and available resources on the sources of funding.
  - Sources and uses balance; there are no gaps in funding and all other funding is committed.
  - Sources listed as “fundraising” and “capital campaigns” will result in automatic failure. Resources already obtained through these efforts are allowable and should be presented as “cash.”
  - Budget sources and budget uses worksheets are complete and provided in the correct locations in the proforma.
  - In a mixed-use project, no commercial income is used to support the low-income residential units.

### Lender and investor letters of interest (LOI)

LOIs must be received from all funders, as well as evidence of submittal of the HUD project-based voucher (PBV) application if PBVs are being used in the project. LOIs must also be submitted from any services funder.

#### Instructions for submittal:

- Upload LOIs for each investor or financial partner to your Procorem WorkCenter, including, if applicable, an executed letter of interest from OHCS Bond Counsel, a letter of interest from a qualified lender (if applying for OAHTC), and letters of interest from other lenders and/or investors.

#### Requirement to meet this standard:

- Letters of interest or other formal commitment of funding documentation submitted from all funders that are listed in the proforma.

### Permit submission

At this step, OHCS ~~is~~ [requires](#) applicants to either confirm they have already submitted for their permits or submit a plan for doing so that includes a signed letter from the permitting jurisdiction confirming they are aware that the project will receive permitting with proper zoning in the near future.

This standard is not applicable for LIFT Acquisition applications.

#### Instructions for submittal:

- Upload evidence of permit submission or a signed letter from the permitting jurisdiction indicating their awareness of the project to your Procorem WorkCenter.

**Requirement to meet this standard:**

Applicant has provided one of the following:

- Proof that permits have been submitted, or
- A signed letter from the permitting jurisdiction confirming they are aware that the project ~~will~~ needs permitting with proper zoning in the near future.

**Policy changes from Impact Assessment**

Applicants are required to provide updates on any policy changes that have occurred since the Impact Assessment step. Projects are expected to maintain the policy priorities they proposed in the Impact Assessment step, including adherence to project design and costs.

**Deviation from submitted information that constitutes a material change may result in a project being removed from this application step.** A material change means a change in or relating to the business, operations, or use of capital provided by OHCS that, taken as a whole, would reasonably be expected to have a significant effect on the project budget, housing type and population served. According to the [General Policy and Guideline Manual](#) (GPGM), a material change includes, but is not limited to, a change in:

- The number of buildings or units
- The project contact person
- The Identity of Interest disclosure
- The development team
- The project’s total project costs
- A financing source (whether debt or equity)
- Operating revenue or expenses for the project of more than ten percent
- Anything that would result in a change in the standards OHCS uses to evaluate projects

Other examples of changes OHCS may determine to be material include:

- Expanding the scope of the project, such as adding or subtracting buildings, units, and design elements that impact the budget and livability of tenants
- Changing project type and switching to a different intended tenant population
- Replacing sponsor and project ownership in a way that has a financial impact on the project
- Showing a gap, after funding approval and prior to closing and construction start, of more than 10 percent of OHCS investment (exclusive of tax credits)

**Instructions for submittal:**

- Respond to the questions in the application.
- Upload supplemental documents to Procorem WorkCenter (where applicable).



#### Requirement to meet this standard:

- OHCS ~~will~~ evaluates deviations from initially proposed policy and financial evaluation standards on case-by-case basis. OHCS ~~will~~ determines if policy changes warrant a re-evaluation of the project, which ~~will~~ require a project to return to the Impact Assessment step.

#### Underwriting guidelines

OHCS ~~will~~ applies underwriting guidelines to ensure ongoing project viability and risk mitigation associated with all applicable programs. Guidelines ~~are~~ ~~will be~~ consistent with industry-standard minimum requirements of mortgage lenders, investors, and other potential public funding sources. More details can be found in the [General Policy and Guideline Manual](#) (GPGM).

#### Instructions for submittal:

- This standard ~~will be~~ evaluated through the financial proforma for Financial Eligibility.

#### Requirement to meet this standard:

The proforma must demonstrate the following:

- Minimum debt service coverage ratio of 1.15 to 1.30 (depending on funding) on all “must-pay” primary debt.
  - If a project does not have any permanent debt, the project meets a 30-year positive cash flow requirement.
- The project maintains a positive cash flow through the 30-year proforma period, unless paired with 4% LIHTC. If paired with 4% LIHTC, positive cash flow through a minimum of 20 years is required.
- 5-7% vacancy rate (explain if below 7%).
- 2% escalation of rents and 3% escalation of expenses.
- Capitalized operating reserve equal to six months of operating expenses and debt service.
- Minimum annual replacement reserve deposit of \$350 per unit or higher (depending on funding).
- Deferred developer fee demonstrates the ability for repayment by year 15, regardless of the intent of applying for LIHTC/PAB.
- Operating expenses are between \$5,500 and \$8,500 per unit per annum (PUPA), excluding property taxes and resident services expenses. Programs may require a higher limit (depending on project location or funding source). Operating costs must be supported by an appraisal. Operating expenses for PSH units must be no lower than \$8,000 per unit per annum (PUPA).
- Demonstration of meeting BOLI compliance, if applicable.
- If other public capital or operating subsidies are used in financing the project, relevant requirements of those subsidy sources will also apply.
- The maximum construction contingency is 10% for rehabilitation projects and 5% for new construction projects. The percentages apply to hard costs, site work, and contractor profit and overhead. The contingency maximum is evaluated using all construction contingencies combined, i.e., owner, contractor, other.

## Supplemental documents for Financial Eligibility

Supplemental documents are required at each application step. A list of these documents can be found in your WorkCenter, ~~with an asterisk denoting that the document is associated with an evaluation standard.~~

## Step 3: Commitment

### About the Commitment step

The Commitment step requires applicants to submit final architectural plans, a final proforma, final cost estimates, permit approval, and secured investor commitments. This step evaluates the financial aspects of the project, including adherence to underwriting standards and budget review. After a project receives its amended Letter of Intent from the Financial Eligibility step approval, they will be expected to submit the required materials for this step within 3 months.

This step locks in an [award Reservation Letter](#), which commits fund to a project and requires projects to be ready to proceed [towards a closing date](#) within 6 months [and to start construction soon after](#) ~~of project award~~. The Commitment step should be initiated **no more than 9 months before closing**.

Adherence to proposed timelines and plans is crucial. A significant deviation from the proposed timeline, project design, or policy priorities described in the Impact Assessment step or a significant deviation from costs proposed in the Financial Eligibility step will result in the loss of the Reservation Letter, requiring the project to return to the Financial Eligibility step.

Additionally, failure to close within 6 months will void the funding [award reservation](#) and cause the project to return to the Impact Assessment step.

### Commitment evaluation standards

The following evaluation standards are required to be met at the Commitment step.

Applicants are required to meet all evaluation standards to indicate to OHCS that they are ready to close out the application process.

[For all transactions, the Applicant must demonstrate progress on completing the Project's Financial Eligibility required due diligence within 30 days of receiving a Commitment Letter to continue in the review and processing of an application. Failure to meet this requirement could result in a project being considered inactive. OHCS reserves the right to potentially remove a project from the application process and require it to restart at Intake if no demonstration progress has been attempted by the Applicant within 45 days of receiving a Commitment Letter](#)

In addition, applicants must submit all other required supplemental documents not associated with these evaluation standards [but necessary to complete this application step](#). ~~Inactivity or f~~ Failure to ~~make~~ [progress on meeting](#) evaluation standards for a period of 3 months will remove a project from the application process and require them to restart at a previous application step.

See the [task](#) list in your Procorem WorkCenter for details.

## Architectural plans

At this step, applicants must submit drawings and specifications identical to the package being submitted to the local permitting authority. The OHCS architect ~~will~~ reviews drawings and costs to evaluate alignment.

### New construction

#### Instructions for submittal:

- Respond to the narrative questions in the application.
- Review the CDM Supplemental in the ~~Core Development~~ OHCS Document Library folder of your WorkCenter.
- Upload 95+% complete drawings and project manual (architectural plans with drawings and specifications submitted to the local code authority) according to the CDM Chapter 4.1, Section 4.1.02-4, 1) a) and b) to your Procorem WorkCenter.
- Upload the CDM DSO-Chapter 6.1 and CDM DSO-Chapter 6.2 to your Procorem WorkCenter.
- Submit the current draft of construction contract according to the CDM Chapter 4.1, Section 4.1.02-4, 1), d).
- Submit the CDM A-GC2 Sustainability Part 2 form according to the CDM Chapters 7.0 and 7.1.

#### Requirement to meet this standard:

- Proposed plans and costs align.

### Rehabilitation/preservation

#### Instructions for submittal:

- Respond to the narrative questions in the application.
- Review CDM Supplemental in Core Development folder.
- Upload 95+% complete drawings and project manual (architectural plans with drawings and specifications submitted to the local code authority) according to the CDM Chapter 4.1, Section 4.1.02-4, 1) a) and b) to your Procorem WorkCenter.
- Submit Completed Development Standards Overlay (DSO) Checklist - Chapters 6.0 and 6.1
- Submit Current Draft of Construction Contract - Chapter 4.1, Section 4.1.02-4, 1), d)
- Submit SDS Certification Part 2 according to the CDM Chapters 7.0 and 7.1.

#### Requirement to meet this standard:

- Proposed plans and costs align.

## HUD HOME/HTF subsidy layering

In adherence with HUD regulations, OHCS ~~will~~ evaluates HOME/HTF projects to ensure their financial viability and contribution of quality affordable housing. Our review process is designed to determine if the project offers a reasonable level of profit or return on the owner's or developer's investment and if

the HOME/HTF investment, whether alone or in conjunction with other governmental assistance, is the minimum necessary to maintain affordability for the required period.

Upon completion of the subsidy layering review, OHCS may recommend adjustments, such as reductions in HOME/HTF assistance, rent adjustments, or operating expense modifications, to ensure compliance with program requirements and the sustainable provision of affordable housing.

This standard is not applicable for LIFT Acquisition applications.

**Instructions for submittal:**

- Upload HUD HOME/HTF subsidy layering documents to your Procorem WorkCenter, if applicable.

**Requirement to meet this standard:**

- Submit subsidy layering documents.
- Submit HOME/HTF units' calculations.

### **Financial closing date commitment**

Applicants ~~will~~ upload a letter that commits to a financial closing date within six months of funding award ([Reservation Letter](#)).

**Instructions for submittal:**

- Upload the Financial Closing Date Commitment Letter to your Procorem WorkCenter.

**Requirement to meet this standard:**

- Closing date is within six months of funding award.

### **Financial proforma for commitment step**

This is your project's final budget and form. The proforma, including sources and uses in this budget, are considered final. The architectural plans must be final and identical to those submitted to the local code authority. A preliminary title report must be submitted as well.

A project at this point, if approved, is considered ready to proceed and will receive a Reservation Letter with the condition that the project will achieve closing in six months, or its resource commitment will be rescinded. There will be no further adjustments to the budget, design, or anything else that has been submitted to OHCS. If any changes are necessary at this step, the project must restart the ORCA process with information that is accurate.

**Instructions for submittal:**

- Upload the ARH ORCA Financial Proforma – Commitment to your Procorem WorkCenter.

**Requirement to meet this standard:**



- Project is ready to proceed to closing, with resource commitment conditional on their ability to achieve it within six months.
- Financial information must meet all standards within the [General Policy and Guideline Manual \(GPGM\)](#).

## Supplemental documents for Commitment

Supplemental documents are required at each [ORCA](#) application step. A list of these documents can be found in your WorkCenter, ~~with an asterisk denoting that the document is associated with an evaluation standard.~~

## Definitions

The terms defined in this ORCA (including those provided in this subsection), as well as terms defined in other existing Program documents, will have the following meanings unless the context clearly indicates otherwise:

**Affirmatively Furthering Fair Housing (AFFH):** A provision of the 1968 federal Fair Housing Act<sup>1</sup> that legally requires that all federal departments and agencies, as well as grantees of federal funding, must administer their programs and activities relating to housing and urban development in a manner that affirmatively furthers the purposes of the Fair Housing Act. Since 1 For further information, see Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3608, and Executive Order 12892 the Fair Housing Act has two primary purposes – to prevent discrimination in the sale, rental, and financing of housing based on race, color, national origin, religion, sex, familial status, and disability and to reverse housing segregation – affirmatively furthering fair housing is fulfilling the dual purpose of the law. Specifically, as enforced by the U.S. Department of Housing and Urban Development (HUD), affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity based on protected characteristics, by replacing segregated living patterns with truly integrated and balanced living patterns by transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and by fostering and maintaining compliance with civil rights and fair housing laws.

**Agreement Documents:** means the funding documents, the final form of which are satisfactory to OHCS, in consultation with the Oregon Department of Justice and executed in connection with the project.

**Communities of Color:** identity-based communities that hold a primary racial identity that describes shared racial characteristics among community members. The term aims to define a characteristic of the community that its members share (such as being African American) that supports self-definition by community members, and that typically denotes a shared history and current/historic experiences of racism. An older term for Communities of Color is that of "minority communities" which is increasingly inaccurate given that people of color are majority identities on a global level. That term has also been rejected for its potential to infer any inferior characteristics. The community may or may not also be a geographic community. Given that race is a socially defined construct, the definitions of these communities are dynamic and evolve across time. The Coalition of Communities of Color defines Communities of Color to include Native Americans, Latinos, Asian and Pacific Islanders (further disaggregated according to local preferences), African Americans, African Immigrants and Refugees, Middle Eastern, and Slavic communities.

**Culturally Responsive Organization (CRO):** an entity that comprehensively addresses power relationships throughout the organization, from the types of services it provides and how it maximizes language accessibility to its human resources practices-who it hires, how they are skilled, prepared and held accountable, to its cultural norms, its governance structures and policies, and its track record in addressing conflicts and dynamics of inclusion and exclusion, to its relationships with racial groups in the region, including its responsiveness to expectations. Furthermore, a Culturally Responsive Organization is one that is dynamic, on a committed path to improvement and one that is hardwired to be responsive to

the interests of [Communities of Color](#) [cultural communities](#). Culturally responsive organizations hire and train culturally and linguistically diverse staff to meet the needs of the diverse communities they serve.

**Culturally Responsive Services:** Services that have been adapted to maximize the respect of and relevance to the beliefs, practices, culture and linguistic needs of the diverse client populations and communities being served, including clients and communities of color. Cultural responsiveness describes the capacity to respond to the issues of diverse communities. Culturally responsive services assure competent language access and incorporate diverse cultural approaches, strengths, perspectives, experiences, frames of reference, values, norms and performance styles of clients and communities to make services and programs more welcoming, accessible, appropriate, and effective for all eligible and intended recipients. Culturally responsive services require knowledge and capacity at different levels of intervention: systemic, organizational, professional, and individual.

**Culturally Specific Organization (CSO):** an entity that provides services to a cultural community and the entity has the following characteristics:

- Majority of members and/or clients must be from a particular cultural community [that has faced housing discrimination](#);
- Organizational environment is culturally focused, and the cultural community being served recognizes it as a culturally-specific entity that provides culturally and linguistically responsive services;
- Majority of staff must be from the cultural community being served, and the majority of the leadership (defined to collectively include board members and management positions) must be from the cultural community being served;
- The entity has a track record of successful community engagement and involvement with the cultural community being served, rooted on a foundation of respect and trust; and
- The organization engages in advocacy for housing and/or economic justice for the cultural community with their guidance.

**Procorem WorkCenter:** a secure portal technology solution by ProLink Solutions™ and used by OHCS to help facilitate collaboration and communication models for all applicants and future housing partners. The Procorem WorkCenter includes a repository for electronic document submission, a task management and tracking tool, an events calendar, and communication features.

**Rural Communities:** The OHCS Rural - Urban definition first evaluates housing density by census tract. Those tracts with 640 or more housing units per square mile are tentatively considered urban, below 640 housing units is rural. Next, OHCS uses the National Center for Health Statistics County Schema to better understand what the economic and geographic environment the tract is part of. About 3.5% or 35 of 1,002 tracts were affected by the county code matrix. Rural tracts in an urban core county (e.g., Multnomah) shift to urban, urban tracts in rural or noncore counties flip to rural (e.g., downtown Klamath Falls). Lastly, within counties coded as a 3 or 4, a city/town cannot be considered urban if the city/town is located further away than 30 miles from the nearest respective MSA. [The OHCS Rural or Urban Status Map is a helpful tool in letting sponsors know what category to select when completing an application. Please note that you will need to search for specific addresses, as parts of the same city/town may include both rural and urban designations due to using density to determine rural or urban status.](#)

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(CT) Housing Density?	County Code?	Result
Rural	1	Changes to Urban
Rural	2 to 6	Remains Rural
Urban	1 to 4	Remains Urban
Urban	5 or 6	Changes to Rural

**Service to Communities of Color:** Service to Communities of Color can be achieved in a number of ways and should be relevant to the community in which the project is located, and the target population anticipated to be served. Any approach that is chosen must include intentional engagement with Communities of Color for services planning for the development. In general, OHCS would expect that addressing this intentional engagement should be accomplished in one or more of the following ways:

- Development, sponsorship or management by a Culturally Specific Organization or a Culturally Responsive Organization with a diverse and representative leadership
- An ongoing service partnership with a Culturally Specific Organization or a Culturally Responsive Organization
- Plan for the provision of Culturally Responsive Services for tenants
- Relevant marketing and outreach plan designed to publicize to Communities of Color the availability of the new housing opportunities created by the project consistent with the Affirmative Fair Housing Marketing Plan
- Project explicitly designed and located to address displacement of Communities of Color
- Other services that uplift Communities of Color as approved by OHCS staff.

**Tribe or Tribal:** A federally recognized Native American Tribe or Indian Tribe in Oregon, as defined in ORS 182.162, or related to the same.

**Tribal-led Project:** A project that is sponsored by a Tribe, a Tribally Designated Housing Entity, or an organization owned by a Tribe.

## General Terms and Conditions

**1.1** Any funding allocation under this ORCA is subject to receipt by OHCS of the proceeds of the anticipated Article XI-Q Bonds issuance and approval by bond counsel, the Oregon Department of Justice, and the Issuer (State Treasurer collectively with the Department of Administrative Services (DAS) and OHCS or OHCS only) to use the proceeds for purposes as contemplated under the ORCA.

**1.2** OHCS may require additional information to determine whether or not an Application satisfies relevant criteria. Any necessary clarifications or modifications normally will be made before OHCS makes any Reservation and may become part of the Agreement Documents.

**1.3** Submission of an Application by Applicant or acceptance by OHCS of a submitted Application neither constitutes an agreement of any kind between OHCS and Applicant nor does it secure or imply that Applicant will be selected for receipt of a Reservation of funds.

**1.4** In the extent that other funding sources have additional or other requirements, the most restrictive requirements will apply to the Project.

**1.5** All costs associated with Applicant's submission of an Application are the sole responsibility of the Applicant and shall not be borne to any degree by the State of Oregon.

**1.6** Successful Applicants will be required to maintain appropriate levels of insurance and to comply with the OHCS project requirements and other policies, including execution of the Agreement Documents.

**1.7** OHCS may amend any Reservation Letter and other related documents that result from a Reservation made pursuant to this ORCA. All such amendments will be in writing and must be signed by relevant authorized parties. Applicants may only apply for funding of one (1) phase of a multi-phase Project under this ORCA.

**1.8** OHCS assesses an Application charge. A check for the Application charge is required at Application submission and must be received by the Application standards completion date.

**1.9** ORS 60.701 requires foreign corporations be registered by the State of Oregon, Office of the Secretary of State, before conducting business in the state. A foreign corporation (ORS 60.001) means a for-profit corporation incorporated under a law other than the law of the State of Oregon. If a foreign corporation is selected for the Agreement because of this ORCA, it must register to do business in Oregon.

**1.10 OHCS reserves the right:**

- A. to amend this ORCA;
- B. to amend any deadlines associated with the ORCA process;
- C. to determine whether an Application does or does not substantially comply with the requirements of this ORCA;
- D. to waive any minor irregularity, informality, or nonconformance with the requirements of this ORCA;

- E. to obtain from and/or provide to other public agencies, upon request, references, regarding the Applicant's performance;
- F. at any time prior to execution of Agreement Documents (including after announcement of the apparent Reservation) to reject any Application that fails to comply with the requirements of this ORCA;
- G. to reject all Applications received and cancel this ORCA upon a finding by OHCS that such cancellation would be in the best interest of the State;
- H. to use adherence with components of the Applicant's Application and this ORCA as criteria in future multifamily funding solicitations;
- I. to withdraw any funding source from this ORCA; and/or
- J. to waive any term or condition of this ORCA for good cause as determined by OHCS.
- K. to reject any application from an organization that has previously failed to comply with affordability requirement
- L. to reject an application from an organization with members who have been involved in an organization that failed to comply with affordability requirements.

**1.11**

**OHCS Reservation of Discretionary Authority:**

OHCS reserves the right to reject applications and/or deny project requests seeking OHCS funding, in its sole discretion, in which the Applicant, Owner, Principal, Agent, or other participant (collectively "Applicant"), has, for any of the following:

- Failed to:
  - Complete a Project in accordance with requests or certified plans presented to OHCS or other public or private allocating agencies;
  - Complete a Project within the time schedule required or budget indicated in the request;
  - Properly or effectively utilize previously allocated Program funds and was notified of such failure to meet appropriate utilization in advance of the request of ORCA resources for a new application; ~~for NOFA closing date;~~
- Or, has been subject to any of the following:
  - Determined to have been noncompliant with any OHCS Program rule as evidenced through OHCS, or other public or private Allocating Agency, Project monitoring, and failed to cure such noncompliance within the applicable cure period, if any.
  - Subject to lien or default for failing to meet financial obligations, to delay or stop project completion and sanctioned or removed as owner, developer, or General Partner by other funders on a project with OHCS resources including allocated federal tax credits
  - Debarment or other sanction by OHCS or other state, federal or local governmental agency;
  - Conviction within the last (10) years of any type of criminal fraud, misrepresentation, misuse of funds, crime of dishonesty, crime of moral turpitude, or currently is under indictment for such an offense;
  - A bankruptcy proceeding within the last five (5) years;
  - Has been found in noncompliance with financial obligations or finishing a project as legally required, and sanctioned or removed by other participating lenders and investors.

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- Or otherwise displayed an unwillingness to comply with OHCS requirements;

Besides the above factors, OHCS further reserves the right to disapprove any Application if, in OHCS's judgment, the proposed project is not consistent with the goals of providing decent, safe, and sanitary housing for low-income persons. OHCS may impose additional conditions on Applicants for any Project as part of the Application, Reservation, or Allocation processes.

**1.112** This ORCA and one (1) copy of each original Application received, together with copies of all documents pertaining to a Commitment, including the Reservation Letter, will be kept by OHCS and made a part of a file or record, and be available for disclosure pursuant to the Oregon Public Records Law.

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**1.123** An Applicant or potential Applicant seeking to challenge any aspect of this ORCA is subject to and must comply with the provisions of OAR 813-005-0025 Solicitation Protests; Administrative and Judicial Review, which provide:

(1)

(a) With respect to any solicitation conducted by the department, an applicant or potential qualifying applicant may protest or otherwise challenge such solicitation process by first requesting administrative review as herein specified.

(b) With respect to any solicitation conducted by the department, an applicant may protest or otherwise challenge any department determination or order (collectively hereinafter, "determination") related to such solicitation by first requesting administrative review as herein specified.

(c) A timely, qualifying request for administrative review is necessary to satisfy the conditions of this section and a condition precedent to judicial review consistent with ORS 183.480.

(d) Failure to file a timely, qualifying request for administrative review with the department will constitute a failure to exhaust administrative remedies and terminate further rights to protest or otherwise challenge the solicitation process or any related department determination, including judicial review thereof.

(2)

(a) An applicant under this section is a person or entity that makes an Application (including delivery to the department under the terms of the solicitation) for a department funding award pursuant to a particular department solicitation.

(b) A potential qualifying applicant is a person or entity that qualifies to make an Application for a department funding award under the terms of a solicitation with respect to the process of which it requests administrative review consistent with the terms of this section.

(3)

(a) An applicant or potential qualifying applicant seeking to protest or otherwise challenge any aspect of a solicitation process (other than a department determination related thereto) must



request review by the department within fourteen (14) days of the Application due date of the solicitation.

(b) An applicant seeking to protest or otherwise challenge a determination by the department related to a solicitation must request review by the department of such determination within fourteen (14) days of the applicant receiving notice from the department of that determination.

(4) Any request for review under this section must be in writing, specifically identifying:

(a) The nature of the requestor's interest, including the facts showing how the requestor is adversely affected or aggrieved by the solicitation process or a department determination;

(b) The relief sought;

(c) Each of the grounds for review;

(d) An explanation for each of the grounds upon which relief should be granted; and

(e) Any supporting information the requestor desires to have considered by the department.

(5) The envelope containing the request for review MUST:

(a) Be marked PROTEST;

(b) Identify the solicitation number;

(c) Identify the closing time and date for acceptance of solicitation Applications;

(d) Identify the department's contact person for the solicitation; and

(e) Be received by the department at its main Salem Office, Oregon Housing and Community Services 725 Summer Street NE, Suite B Salem, OR 97301, not later than 4:00 PM on the fourteenth (14th) day after the solicitation closing date or the applicant's receipt of notice from the department of the department determination from which review is requested, whichever due date is applicable under this section.

(6) The applicant will be deemed to have received notice of a department determination upon the sooner of:

(a) Three (3) days after the department's determination is mailed to the applicant;

(b) Two (2) days after such determination is posted to the department's website;

(c) Two (2) days after the list of successful solicitation applicants is posted to the department's website; or

(d) One (1) day after such determination is emailed to the applicant.

(7) The department may request additional information from the requestor with respect to its request and consider such other information as it deems appropriate.

(8) The department will endeavor to provide a written response to a timely, qualifying request for review within thirty (30) days.

(9) Judicial review of the department response to a timely, qualifying request for review shall be limited to those grounds the requestor raised with the department in its request for review.

(10) The filing of a request for review, or subsequent judicial review (if any), will not preclude the department from moving forward with the solicitation or the award of funding assistance thereunder. However, the department reserves the right to delay, terminate, modify, or take other action it determines to be appropriate with respect to a solicitation or any related award of funding assistance in response to a request for review or subsequent judicial review.

**1.134** OHCS' contact information is as follows:

Oregon Housing and Community Services, 725 Summer Street NE, Suite B Salem, OR 97301

Link [to FAQ form to submit questions](#)

**1.145** Reservations, Allocations or Awards by OHCS (collectively, "Determinations") may be subject to Council review under ORS 456.561, and Determinations where additional OHCS funding supporting such Determinations are subject to Council review, are contingent upon Council approval of those Determinations or supporting funding. The Council may approve, reject, modify, or further condition funding awards submitted for its review, thereby directly or indirectly impacting OHCS' Determinations.

**1.156** All Reservations made pursuant to this ORCA are subject to the successful negotiation, execution, and recording (if required) of any and all Agreement Documents. Projects that have only a leasehold interest in relevant real property must include, among relevant Agreement Documents, binding commitments executed and recorded by the landlord satisfactory to OHCS including, but not limited to, restrictive covenants with respect to the ongoing use and operation of the real property and leasehold interest for affordable housing acceptable to OHCS.

**1.167** OHCS may charge, and the Applicant shall pay, legal and administrative costs reasonably anticipated or incurred by OHCS in negotiating and preparing Agreement Documents and other related documents. OHCS also may charge and Applicant shall pay any other fees allowed by OHCS administrative rules with respect to the Application, ensuing Reservation, Award or Allocation, and Project operation.

**1.178** Provisions stated in the form of a question in this ORCA shall be construed as required action by Applicants.

**1.189** OHCS reserves all other rights not specifically identified herein, including but not limited to rights, remedies, and requirements established in OHCS administrative rules or other law.