

# STATE OF CALIFORNIA

## SECTION 811 PROJECT RENTAL ASSISTANCE DEMONSTRATION PROGRAM-ROUND II

March 1, 2016



# Round II: Critical Dates

- ▶ HUD Grant Agreement: **November 2015**
- ▶ NOFA release: **February 16, 2016**
- ▶ Begin Accepting Applications: **March 16, 2016**  
**Applications accepted until all funds are awarded**
- ▶ Initial Occupancy Deadline: **November 2020**



# Changes from Round I

- ▶ Expand Section 811 target population to include:
  - ▶ persons institutionalized,
  - ▶ homeless persons, and
  - ▶ persons at risk of institutionalization whose primary diagnosis is mental illness or developmental disability



# Changes from Round I

- ▶ Use of CES for Homeless referrals
- ▶ Use of DHCS Housing Coordinator for Non-Homeless referrals
- ▶ Expands types of waiver services utilized



# Changes from Round I

- ▶ Eliminate State restrictions on maximum number of units requested (federal restrictions still apply)
- ▶ Local incentives for use of Section 811 assistance
- ▶ Clarify Phase I and Affirmative Marketing requirements



# Project-Based Rental Assistance

- ▶ HUD Contract Rent: TCAC 50% AMI Rent
- ▶ Section 811 assistance pays difference between 30% tenant income and the 50% AMI TCAC Rent applicable to that project
  - ✓ Can combine Section 811 assistance with local or State subsidy to bring contract rent up to FMR
- ▶ 5-year initial assistance term, subject to annual renewals
- ▶ 20-year RAC w/30 year use restriction
- ▶ Agreements with CalHFA



# All Eligible Tenants

- ▶ 30% AMI or below
- ▶ Disabled
- ▶ Eligible for supportive services funded through MediCal
  - ✓ Home and Community-Based Waiver services (1915 (i) or 1915 (c))
  - ✓ Specialty mental health services (Rehabilitation Option)
  - ✓ other State Plan services (for example, IHSS or Health Home services)
- ▶ 18-61 at time of initial assistance



# Non-Homeless PRA Tenants

## Institutionalized

- ▶ Have resided in an institution for more than 90 days with MediCal paying for at least one of those bed nights

*Examples:* Hospitals, nursing facilities, developmental centers, ICF-DD habilitation facilities, Institutes for Mental Disease (IMDs), other types of Intermediate Care Facilities



# Non-Homeless PRA Tenants

## At-Risk of Institutionalization

- ▶ Persons with Developmental Disabilities or Serious Mental Illness who are at risk of short-term or long-term placement in a county or other inpatient facility if they do not receive PRA assistance and supportive services.
- ▶ This could include people currently institutionalized on an emergency basis.



# Homeless PRA Tenants

- ▶ Must be homeless under Section (1) of HUD's definition ([See 24 CFR 576.2](#))
  - ▶ Lacks a fixed, regular, and adequate nighttime residence
    - ▶ public or private place not designed for or ordinarily used as a regular sleeping accommodation
    - ▶ shelter, transitional housing, hotels and motels paid for by programs for low-income
    - ▶ institutionalized for *less than 90 days* and homeless immediately before entering that institution



# Subpopulation Allocations

- ▶ Estimated 248 units (Section 811 PRA funds)
  - ▶ 25% Institutionalized persons
  - ▶ 25% persons with Developmental Disabilities or who are Institutionalized or At-Risk of Institutionalization
  - ▶ 25% persons with a Serious Mental Illness, who are Institutionalized, At-Risk of institutionalization, or Homeless
  - ▶ 25% for households where the PRA-eligible individual(s) is Homeless



# Subpopulation Allocations

- ▶ Designate in application which target populations you wish to serve with PRA funds
- ▶ If serving Developmentally Disabled or persons with Serious Mental Illness must designate more than one PRA target population
- ▶ Must serve a range of disabilities with PRA funds



# Additional Funds for PRA–Eligible Homeless Households

- ▶ 100 Housing Choice PBVs allocated to projects by HACLA
- ▶ 50 Housing Choice PBVs allocated to projects by HACOLA
- ▶ Separate Housing Authority or local CDC NOFAs will be issued for these funds



# Tenant-Referral Process

## Homeless (both PRA and PHA PBVs)

- ▶ Through LA Homeless Coordinated Entry System (CES)
- ▶ Prioritization based on VI SPDAT Score or other CES assessment tool
- ▶ Tenant referrals within 30 business days of notification of available unit
- ▶ Project must enter unit and tenant info into HMIS



# Tenant-Referral Process

## Non - Homeless

- ▶ DHCS Housing Coordinator working with its tenant referral organizations, Regional Centers, and LA County DMH
- ▶ Institutionalized gets priority over At-Risk of Institutionalization, otherwise first-come-first served
- ▶ Tenant referrals within 30 business days of notification of available unit



# Questions



# Eligible NOFA Applicants

## ▶ Multifamily Project Sponsor

- ✓ Project Developer
  - submits application for projects under development
- ✓ Parent company / controlling entity of a single-asset owner or
- ✓ the project owner if the project not owned by a single-asset entity
  - executes the Rental Assistance Contract



# Eligible Projects

- ▶ Multifamily Rental
  - ✓ 5+ units with State financing
- ▶ Completed projects (Existing) or
- ▶ Planned Rental New Construction (RNC) or Rehab
- ▶ If construction activity has begun with no other federal funds -- must wait until completion to apply
  - ✓ Federal environmental clearance
  - ✓ Possible Davis-Bacon compliance



# Eligible Projects: 25% Rule

- ▶ No more than 25% of units:
  - ✓ Can receive PRA funds
  - ✓ Be restricted to supportive housing for disabled
  - ✓ Have occupancy preference or restriction to disabled



# Eligible Projects

- ▶ Existing units to receive PRA -- no long-term Section 8 operating subsidy in last 6 mo.
- ▶ PRA- assisted units can't currently be receiving MHSA operating subsidy
  - ✓ Can receive MHSA capital or MHSA-funded services
  - ✓ Locally financed operating subsidy (e.g. FHSP) ok



# Marrying 811 Assistance With Other Local Sources

- ✓ Use PRA on units restricted below 50% AMI
  - ✓ Layer local subsidy (e.g. FHSP) on top of PRA assistance to bring total contract rent to FMR
  - ✓ Put 811 units and Housing Authority PBVs in same project (not on same unit)
  - ✓ Use PRA funds on units without MHSA Operating subsidy
- ▶ 25% Rule applies



# Unit Minimum and Maximum

- ▶ Minimum of 5 PRA units per application
- ▶ Maximum unit number is subject to the 25% rule



# Application Evaluation

- ▶ Applicant or Property Manager Experience
  - ✓ At least 1 project with services to special needs populations
  - ✓ Section 8 TRACS, EIV, and rent calculation experience
  - ✓ Section 8- assisted projects have no significant State monitoring findings or program compliance issues



# Application Evaluation

## ▶ Project Suitability

- ✓ Projects must have access to appropriate services, accessible transportation, and commercial facilities to ensure greater integration of persons with disabilities in the broader community
- ✓ Describe how each proposed project meets these criteria



# Federal Overlay Requirements

- ▶ Housing Standards
- ▶ Accessibility
- ▶ Affirmative Marketing and Tenant Selection
- ▶ Full Disclosure of Available Housing
- ▶ Limited English Proficiency
- ▶ Davis-Bacon Labor Standards
- ▶ Energy and Water Conservation
- ▶ Environmental Review
- ▶ Lead-Based Paint



# Housing Standards

- ▶ Section 811 assisted units must meet applicable housing codes, ordinances, zoning requirements and minimum Uniform Physical Condition Standards (UPCS)
- ▶ Signed certification from project architect or qualified 3rd-party inspector



# Accessibility

- ▶ Section 811 Projects must meet:
  - ✓ Uniform Federal Accessibility Standards (UFAS)
  - ✓ Section 504
  - ✓ Fair Housing Act Design and Construction Standards
  - ✓ CA Accessibility Requirements (Chapter 11A)
- ▶ Standards at time of project construction or rehabilitation
- ▶ Signed certification from project architect or qualified 3rd-party inspector



# Affirmative Marketing

- ▶ Marketing PRA assistance to those least likely to apply due to their underrepresentation by race, sex, ethnicity/national origin
- ▶ Affirmative Marketing analysis done annually
- ▶ Affirmative Marketing must be done prior to start of general program outreach and referral



# Affirmative Marketing

- ▶ Institutional and Regional Center Referrals: Affirmative Marketing form done by DHCS and DDS tenant-referral organizations throughout their identified service area, using PRA Affirmative Marketing form and applicable dataset
- ▶ Homeless and LA DMH Referrals: Affirmative Marketing form done by Developer/Owner county-wide, using standard HUD Affirmative Marketing form. Includes other demographic categories, such as familial status



# Affirmative Marketing

## Homeless Referrals:

- ▶ A project's affirmative marketing materials must include CES contact information, and
- ▶ Direct project applicants to Service Planning Area (SPA) leads within the CES system in order to be considered for PRA units



# Tenant Selection

- ▶ Project Sponsors must submit PRA Tenant Selection Plan to State for approval
- ▶ See Sample Round II PRA Tenant Selection Plan (February 2016) at:  
<http://www.calhfa.ca.gov/multifamily/section811/nofa/index.htm>
- ▶ Projects have permission to deviate from the tenant selection plan previously approved in connection with other State financing in order to meet PRA requirements



# Tenant Selection

- ▶ PRA Set-aside: (based on designated target populations)
  - ✓ Vacant units must be made available to PRA-eligible tenants for a minimum of 30 days before leasing to a non-PRA tenant.
  - ✓ Section 8 Tenant-Screening requirements,
  - ✓ Reasonable Accommodation rules, and
  - ✓ Fund source minimum occupancy requirements apply



# Waiting Lists

- ▶ Non-Homeless DHCS will manage the waiting list/Tenant Registry of PRA-eligible households
- ▶ Homeless Persons CES will have primary responsibility in making referrals of PRA eligible households
  - ✓ In the event that there are more tenant-referrals made from CES than Homeless PRA units available, a PRA waiting list for these units must be maintained by the project
- ▶ An Eligible Tenant with a legitimate reason for rejecting a particular unit can do so. The unit can then be offered to the next Eligible Tenant referred by DHCS or CES, as applicable, with the other Eligible Tenant retaining their same position on the waiting list



# Full Disclosure of Available Housing

- ▶ Section 811 units must be disbursed and integrated throughout the property
- ▶ Projects must provide full disclosure of:
  - ✓ basic information about location, number and size of accessible units, access to transportation and commercial facilities
  - ✓ estimate of wait time to be admitted to units of different sizes and types at each site



# Limited English Proficiency (LEP)

Application must describe types of LEP assistance provided to persons residing or seeking to reside in the proposed project(s)



# Davis-Bacon

- ▶ 12 or more PRA units
- ▶ Triggered if PRA application is submitted before new construction or rehabilitation activity is fully complete (e.g. Notice of Completion filed)
- ▶ RNC and rehab projects with no other federal funds requesting more than 11 PRA units must wait until project completion to apply



# Energy and Water Conservation

## New Construction and Gut Rehab Projects

- ▶ ENERGY STAR Requirements
- ▶ Installation of water conservation fixtures
  - ✓ e.g. low-flow showerheads and faucets, high efficiency toilets
- ▶ Application narrative explaining how the project will meet these requirements



# Questions



# Environmental Requirements

- ▶ Existing Projects currently HUD-assisted or HUD insured:
  - ✓ No planned construction activity, or the activity is complete at the time of PRA application

No additional environmental review needed for PRA



# Environmental Requirements

- ▶ All other Projects - must obtain federal environmental clearance before PRA funds can be awarded
  - ✓ Existing projects with no other federal funds,
  - ✓ RNC or rehab projects
- ▶ Projects underway that have not already received their required federal environmental clearance through other federal sources cannot apply for PRA funds until construction is complete



# Environmental Requirements

- ▶ Submit letter certifying that project is not:
  - ✓ On a Superfund, CERCLA, or on other equivalent State list
  - ✓ Located within 3,000 ft. of a toxic or solid waste landfill
  - ✓ No USTs other than for residential fuel
  - ✓ No known or suspected contamination by toxic or radioactive materials
  - ✓ State will verify this information

OR

- ▶ Submit Current Phase I (ASTM1527-13), or Phase I prepared within 180 days of the property construction, rehabilitation, or refinancing



# Environmental Requirements

- ▶ Phase II (ASTM 1903-11 or later) must be submitted if Phase I identifies RECs
- ▶ If not already available, the Phase I/II Report, prepared according to the ASTM Standards and timing requirements discussed above, can be provided upon notification that a PRA award is pending



# Environmental Requirements

- ▶ Part 50 Analysis ; but similar to Part 58 Statutory Worksheet
- ▶ Must provide documentation requested
  - ✓ Historic Preservation (SHPO and Tribal consultation)
  - ✓ Noise
  - ✓ Airport Clear Zone
  - ✓ Coastal Zone
  - ✓ Floodplain
  - ✓ Wetlands
  - ✓ Siting near Hazardous Operations
  - ✓ Endangered Species Act
  - ✓ Farmland Protection
  - ✓ Sole Source Aquifer
  - ✓ LBP (For projects constructed prior to 1978)



# Floodplain

No new construction activities or projects can be located in a floodplain.

## Existing Structures (RNC or rehab complete)

- ▶ Cannot be in Coastal high hazard areas (V Zones) or regulatory floodways
- ▶ Can be in 100 or 500 yr. floodplain if:
  - ✓ flood-proofed or elevated above floodplain
  - ✓ project has early warning system and evacuation plan to areas outside the floodplain
  - ✓ Projects in 100 yr. floodplain must obtain flood insurance



# Funds Requested Worksheet



# Funds Requested Worksheet

Project:

Address:

County:

Placed in Service Date:

A:Bedroom Type (1, 2, 3, etc.)	B:Number of Units	C:Actual Targeted AMI %	D:AMI Used to Compute Rental Assistance	E:Monthly Maximum* Gross Rent per Unit (from D)	F:Estimated Tenant Rent Payment (TTP)**	G:Total Monthly Estimated Tenant Rent	H: Estimated Rental Assistance per Unit	I:Total Monthly Estimated Rental Assistance
			50%		\$267	\$0	\$0	\$0
			50%		\$267	\$0	\$0	\$0
			50%		\$267	\$0	\$0	\$0
			50%		\$267	\$0	\$0	\$0
			50%		\$267	\$0	\$0	\$0

TOTAL UNITS REQUESTED PER PROJECT 0 Total units requested must not exceed the limits set forth under the NOFA. Adjustments to the amounts requested may be made to conform to NOFA requirements. \$0 \$0

**ANNUAL REVENUE**

Total Proposed Annual Revenue (Tenant + Rental Assistance)

Total Annual Revenue From Tenant Rent Payments

Annual Increase: 1.0%

Total Annual Rental Assistance

Annual Increase: 3.0%

TOTAL 811 RENTAL SUBSIDY PER PROJECT

\$0

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Total Proposed Annual Revenue (Tenant + Rental Assistance)	\$0	\$0	\$0	\$0	\$0
Total Annual Revenue From Tenant Rent Payments	\$0	\$0	\$0	\$0	\$0
Total Annual Rental Assistance	\$0	\$0	\$0	\$0	\$0
		\$0	\$0	\$0	\$0

\*TCAC maximum rent is generally determined by the project's placed in service date. For projects not yet constructed, rent limits in effect on the date of the TCAC reservation letter (Committee meeting date) should be used. For projects without a Placed in Service date, use the TCAC rent limits in effect on the date of the 811 Application.

\*\*TTP = Total Tenant Payment, includes rent and utilities. Since California's 811 PRA application to HUD utilized \$267 as the average tenant rent payment noticed in the HUD NOFA, \$267 is the estimated tenant rent payment.



# Completed Sample Worksheet

Project: Round II Gardens Apartments  
 Address: 811 Main Street; Los Angeles, CA 90037  
 County: Los Angeles  
 Placed in Service Date: 3/2/2014

A: Bedroom Type ( 1, 2, 3, etc.)	B: Number of Units	C: Actual Targeted AMI %	D: AMI Used to Compute Rental Assistance	E: Monthly Maximum* Gross Rent per Unit (from D)	F: Estimated Tenant Rent Payment (TTP)**	G: Total Monthly Estimated Tenant Rent	H: Estimated Rental Assistance per Unit	I: Total Monthly Estimated Rental Assistance
Studio	2	30%	50%	\$726	\$267	\$534	\$459	\$918
1	3	40%	50%	\$778	\$267	\$801	\$511	\$1,533
2	1	45%	50%	\$933	\$267	\$267	\$666	\$666
			50%		\$267	\$0	\$0	\$0

**TOTAL UNITS REQUESTED PER PROJECT** 6 **Total units requested must not exceed the limits set forth under the NOFA. Adjustments to the amounts requested may be made to conform to NOFA requirements.** \$1,602 \$3,117

**ANNUAL REVENUE**

Total Proposed Annual Revenue (Tenant + Rental Assistance)  
 Total Annual Revenue From Tenant Rent Payments  
 Annual Increase: 1.0%  
 Total Annual Rental Assistance  
 Annual Increase: 3.0%

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Total Proposed Annual Revenue (Tenant + Rental Assistance)	\$56,628	\$57,942	\$59,292	\$60,679	\$62,103
Total Annual Revenue From Tenant Rent Payments	\$19,224	\$19,416	\$19,610	\$19,807	\$20,005
Annual Increase: 1.0%		\$192	\$194	\$196	\$198
Total Annual Rental Assistance	\$37,404	\$38,526	\$39,682	\$40,872	\$42,099
Annual Increase: 3.0%		\$1,122	\$1,156	\$1,190	\$1,226

**TOTAL 811 RENTAL SUBSIDY PER PROJECT** **\$198,583**

**CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE**  
 For Projects Placed in Service between 12/18/13 and 3/5/15

**LOS ANGELES**

Income Limit	Efficiency	1BR	2BR	3BR	4BR	5BR
50%	\$726	\$778	\$933	\$1,079	\$1,203	\$1,328
45%	\$653	\$700	\$840	\$971	\$1,083	\$1,195
40%	\$581	\$622	\$747	\$863	\$963	\$1,063
30%	\$435	\$466	\$560	\$647	\$722	\$797



# Questions



# Medi-Cal Funded Services and Supports Round II



# Support Services

- ▶ All PRA tenants will be Medi-Cal Members who qualify for at least one of several long-term care services such as; home and community based services; waiver services; State plan services or Rehabilitation Option Specialty Mental Health services
- ▶ Tenants who are Non-Homeless and referred by DHCS or DDS will have all of their supportive services in place upon moving in



# Supportive Services funded by Medi-Cal for nursing home transitions

- ▶ Whole person care plans
- ▶ Case management
- ▶ Habilitation
- ▶ Skilled nursing
- ▶ Personal care
- ▶ Medical Equipment
- ▶ Medical assistive technology



# Additional services for nursing home transitions through the California Community Transition Program may include:

- ▶ Furnishings
- ▶ 1<sup>st</sup> Month's Rent
- ▶ Deposits
- ▶ Home accessibility modifications



# Services and supports for DDS/Regional Center Tenants

- ▶ Case Management
- ▶ Supported Living or Independent Living
- ▶ Health and Clinical Supports;
- ▶ Adaptive Equipment and Environmental Modifications
- ▶ Day Activities and Vocational Services and Supports



# Additional services for Regional Center Tenants may include:

- ▶ Transition set-up supports for individuals leaving an institution may be available to assist a consumer to transition from an institution into the community
- ▶ These services may include moving expenses, one-time set-up fees, i.e. utilities, or security deposits required to obtain a lease or an apartment



# Services for LA County Department of Mental Health tenants may include:

- ▶ Psychiatric assessment
- ▶ Case management
- ▶ Individual and group therapy
- ▶ Rehabilitative groups
- ▶ Crisis intervention
- ▶ Medication support and psychiatric services



# Tenant Referral for Non-Homeless Persons

- ▶ PRA-eligible individuals and available units will be coordinated by the State DHCS
- ▶ Project owners or their agent will notify DHCS of available PRA units for Non-Homeless households
- ▶ DHCS will verify eligibility, create and maintain Tenant Registry to notify Non-Homeless individuals or their referring agency to apartments with available units



# Tenant Referral for Homeless Persons

- ▶ PRA-eligible homeless person will come from the Los Angeles (LA) Coordinated Entry System (CES)
- ▶ Project owner or their agent will notify CES of available units for Homeless households
- ▶ Prioritization for housing will be based on Medi-Cal eligibility and VI-SPDAT
- ▶ Projects receiving Section 811 assistance or Housing Authority PBV's must enter all information into the County's Homeless Management Information System (HMIS)



# Questions



# Section 811 Award



# 811 Award Process

- ▶ Award Letter
- ▶ Agreement to Enter into a RAC  
(ARAC) (For projects under construction or rehabilitation)
- ▶ Rental Assistance Contract (RAC)  
Part I & Part II
- ▶ Use Agreement



# Agreement to Enter Into a RAC (ARAC)

- ▶ For projects under construction, undergoing rehabilitation or not ready to start-up after the 811 award, CalHFA and Owner will enter into an ARAC. This is the commitment between CalHFA and the Owner to enter into the Rental Assistance Contract(RAC)
- ▶ Upon the completion of the project, the RAC and Use Agreement will be executed



# Rental Assistance Contract(RAC)

## Part I & II

- ▶ CalHFA will enter into a RAC with the Owner for a minimum of 20 years with initial funding for a period of 5 years
- ▶ Funding beyond the first 5 years is subject to annual federal appropriations



# Rental Assistance Contract(RAC)

## Part I & II

- ▶ Provide rental assistance payments to the Owner for eligible tenants in eligible units. The RAC will identify the project, number of contract units by bedroom size and accessibility, and the terms and conditions for receiving the project rental assistance payments
- ▶ Provide for annual certification to CalHFA that 811 assisted units are occupied by eligible tenants and that regular physical inspection of these units meet UPCS standards for housing that is decent, safe, and sanitary and in good repair



# Use Agreement

- ▶ Owners must agree to record a Use Agreement for not less than 30 years. During the Use Agreement period, owners shall make the approved number of assisted units available for occupancy only by households that meet the eligibility requirements
- ▶ The Use Agreement will not be enforced or it may be terminated if funding is not appropriated by Congress



# Tenant Rental Assistance Certification System (TRACS)

## Round II



# REQUIRED EXPERTISE

**Knowledge of HUD PROGRAMS including but not limited to:**

- ▶ **HUD HANDBOOKS (E.G. HUD 4350.3; MAT USER GUIDE)**
- ▶ **TRACS: Tenant Rental Assistance Certification System**
- ▶ **IMAX: Integrated Multifamily Access eXchange**
- ▶ **TRACS' MAT: Monthly Activity Transmission**
- ▶ **EIV: Enterprise Income Verification**



# PROPERTY/MANAGEMENT ROLE

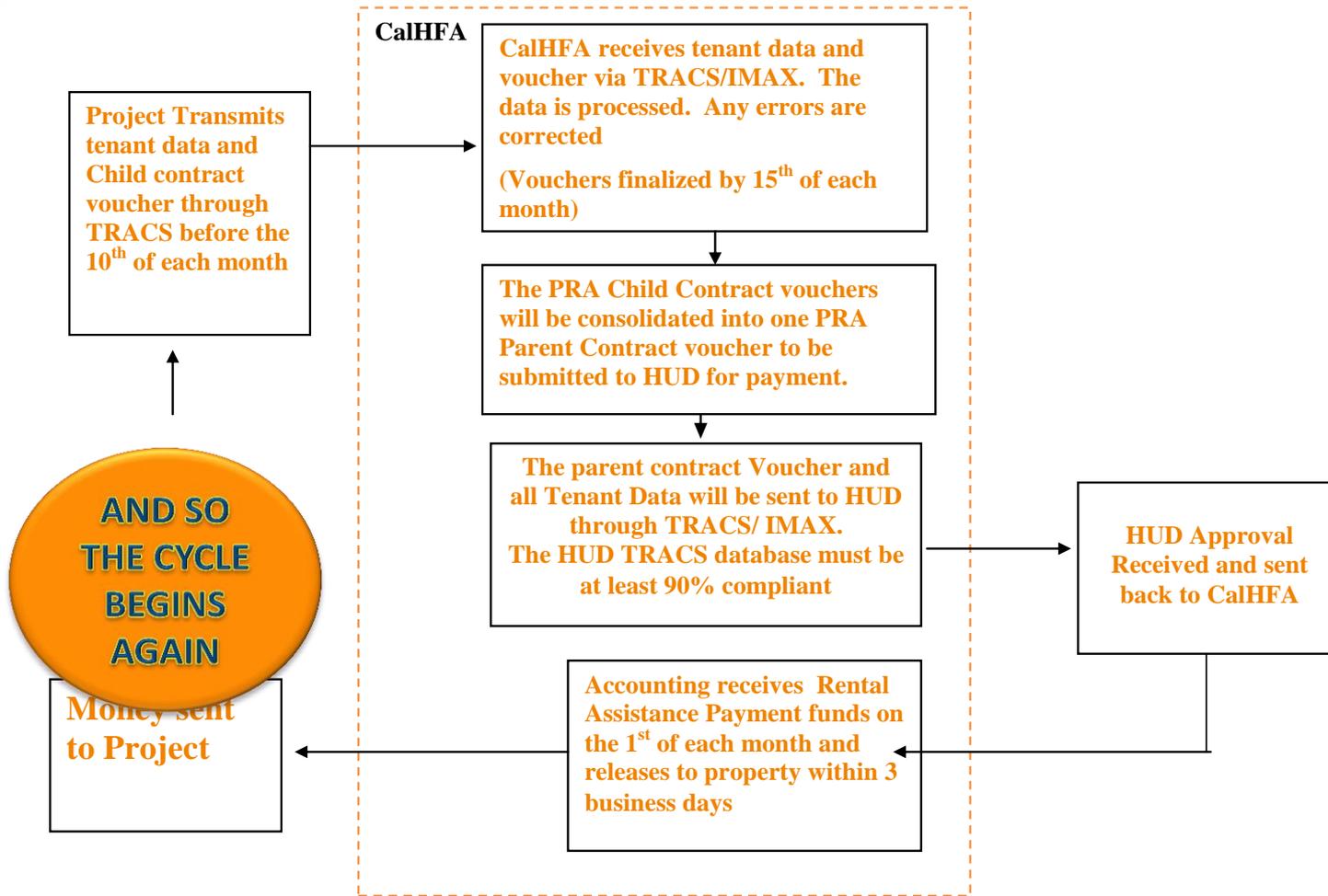
- ▶ All Residents in subsidized properties must disclose their income and assets each year. This is referred to as Annual Recertification
- ▶ All such certifications are transmitted to the HUD TRACS database
- ▶ The Annual Recertification is used to calculate the amount each tenant pays by way of rent (30% of their adjusted income). The balance of the gross rent is paid by HUD as Rental Assistance Payment



# PROPERTY/MANAGEMENT ROLE

- ▶ A monthly PRA Child RAC “Voucher” request is submitted and is the total monthly rental assistance payment request by the property based on the current certifications for each resident
- ▶ After all verifications have been conducted the “child” level vouchers are consolidated into one PRA Parent RAC “Voucher” which is sent to HUD for payment





# CONTACTS

## Housing

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## Tenant Referral and Supportive Services

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(916) 654-1571





## CONTACTS:

Questions regarding subsidy or use of TRACS/HUD systems

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Smyra Bailey: [sbailey@calhfa.ca.gov](mailto:sbailey@calhfa.ca.gov) (916) 326- 8635

Questions on Rental Assistance Contract

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# Questions



# Section 811 Rental Assistance Website

<http://www.calhfa.ca.gov/multifamily/section811/index.htm>

