

JUNE 2017 A GUIDFBOOK FOR INCREASING HOUSING AFF()R)ABILITY IN IHE (REATER WASHINGTON REGION

Local Resources and Strategies for Housing Production and Preservation

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# HOUSING LEADERS GROUP OF GREATER WASHINGTON PARTICIPATING ORGANIZATIONS

The Housing Leaders Group of Greater Washington is a collaboration of more than a dozen public and private sector leaders that has been meeting since 2014 to address the housing affordability crisis that is threatening the region's economic growth and quality of life. The Housing Leaders Group has examined: 1) the nature of the affordable housing shortage in the Greater Washington region; 2) the relationship of housing affordability to economic growth and quality of life; and 3) strategies to increase affordable housing for low- and moderate-income households in the region. The co-conveners of the Housing Leaders Group are the Washington Regional Association of Grantmakers, Enterprise Community Partners, Metropolitan Washington Council of Governments, the Community Foundation for the National Capital Region, and Citi Community Development.

#### **Participating Organizations:**

2030 Group

Bernstein Management Corporation

Citi Community Development

Coalition for Nonprofit Housing and Economic Development

Community Development Network of Maryland

The Community Foundation for the National Capital Region

**Enterprise Community Partners** 

George Mason University Center for Regional Analysis

Housing Association of Nonprofit Developers

Leadership Greater Washington

Metropolitan Washington Bankers Group

Metropolitan Washington Council of Governments

Northern Virginia Affordable Housing Alliance

United Way of the National Capital Area

**Urban Institute** 

**ULI** Washington

Washington Regional Association of Grantmakers

For more information, go to: housingleadersgroup.org.



## INTRODUCTION

This Guidebook is a compilation of planning and policy tools that local governments, nonprofit and for-profit developers and advocacy groups in the Greater Washington region are using—or could be using—to promote the production and preservation of housing that is affordable for all in the region, especially for low- and moderate-income families and individuals who experience the highest housing cost burdens. Challenges finding affordable housing in the region are not limited to people with very low incomes. With the exception of the very highest income households, individuals and families all along the income spectrum can face obstacles finding affordable and appropriate housing in the Greater Washington region.

While the challenges of housing affordability in the region are significant, housing affordability stakeholders are not always aware of the numerous options local jurisdictions have to address the shortage of affordable housing. There is no "silver bullet" for addressing rising housing costs and growing affordability challenges; however, comprehensive local housing strategies are key to promoting a full range of housing options. Regional cooperation and coordination are also critical for ensuring the Greater Washington region has the housing that is needed to ensure continued prosperity.

## Housing is critically important to the vitality of the region.

The availability of housing affordable to households all along the income spectrum is critical to supporting sustainable, long-term local and regional economic growth. Increased housing options allow people to live near where they work, reducing commute times and traffic congestion, while also creating a sufficiently larger ridership base for successful transit options. Having a sufficient supply of housing affordable to all workers is increasingly important to the ability of businesses to attract and retain workers. Quality of life issues—including housing costs—have become key drivers of business decisions about where to locate or expand.

Access to stable, decent and affordable housing promotes **positive outcomes for families and** 

children. Research consistently shows that having access to stable, quality and affordable housing in safe neighborhoods is associated with better educational outcomes for children and better health outcomes for people of all ages. The prospects for upward economic mobility and self-sufficiency depend critically on the availability and affordability of housing that is connected to jobs, transit, and other amenities and services.

Inclusive local and regional housing policies are the basis for building diverse and welcoming communities. When all residents—regardless of race, cultural background, income, age, or disability status—are able to have access to the region's opportunities and services, then everyone benefits. Affordable, quality housing in safe neighborhoods connected to opportunity is the hallmark of a thriving, successful region.

The private market does a good job of meeting demand for housing for higher-income households; however, housing for low-income households is difficult and expensive to provide. High construction costs and market prices for land, along with costs associated with the development review and approval process and state and local regulations, all contribute to the challenge with making projects with lower rents or prices "pencil out."

In high cost urban areas, additional federal subsidies provided through state and local governments in the form of grants or deferred loans in combination with Low-Income Housing Tax Credit (LIHTC) equity are also necessary to cover development costs in order to provide rents affordable to low-income individuals and families. However, in recent years, these federal subsidies, through the Community Development Block Grant and HOME programs, have declined precipitously and are now under threat of elimination altogether. Therefore, to increase housing affordability, it is imperative that local governments examine and adopt strategies to replace and expand beyond these lost federal resources.

Local governments already play a major role in shaping the local housing market and supporting housing production and preservation. To increase housing affordability, it is important that local



officials understand the full range of programs and policies that can be used to expand the supply of housing for a diverse and growing population. Others involved in housing in the region—including developers, advocates, and citizens—also need to be aware of how local planning and policies can support (or impede) the construction and preservation of housing in the community. This Guidebook is designed to help increase awareness and usage of the tools and strategies local jurisdictions have available to them to increase both the supply and affordability of housing.

Local cities and counties throughout the Greater Washington region—and throughout the country are undertaking a wide range of innovative approaches to local housing policy and planning. This report highlights many of these approaches in the region. In an attempt to be comprehensive, yet streamlined, the initiatives included in this report come from just a subset of the region's jurisdictions: District of Columbia; Arlington County, City of Alexandria, Fairfax County, Loudoun County, and Prince William County in Virginia; and Montgomery County, City of Rockville, and Prince George's County in Maryland. It is important to note that other local cities, counties and towns in the region have also adopted policies to expand housing production and preservation.

A successful local housing strategy must be wideranging, taking advantage of a broad set of tools available to local jurisdictions. This Guidebook is organized around the following areas: Land Use and Zoning Policies, Preservation Programs, Financial Tools, and Special Populations. However, many of the strategies included in this report could be included in more than one category, underscoring the interconnectedness of various approaches.

For each tool, there is a description of how that strategy has been used in a local jurisdiction in the Greater Washington region. The local program descriptions are meant to highlight just one example of how the tool is being used in the region and to emphasize the range of options for implementing different strategies. A summary of tools implemented by each of the local jurisdictions is included on pages 38 to 41.

## WHAT IS "AFFORDABLE HOUSING"?

Housing affordability is usually measured by comparing household incomes to housing costs. Generally, housing is considered "affordable" if it takes up no more than 30 percent of a household's gross income. When a household spends more than 30 percent of income on housing, it is often referred to as "cost burdened." A household spending 50 percent or more of its income on housing is referred to as "severely cost burdened."

The 30 percent threshold was established as one way to measure the level of housing costs that would leave enough left over for a typical household to afford other necessities, such as food, clothing, transportation, and health care.

Low-income individuals and families have the most difficult time finding housing they can afford but, in the Greater Washington region, middle-income households are increasingly feeling the strain of rising housing costs and limited housing options.



## FEDERAL HOUSING PROGRAMS

This Guidebook focuses on local housing policies and programs. However, federal programs are an important component of meeting housing needs, particularly for extremely low-income and vulnerable populations. The Low-Income Housing Tax Credit (LIHTC) program, administered by the U.S. Department of Treasury, is the primary source of federally incentivized funding for the production of affordable multifamily rental housing for low-income households. The U.S. Department of Housing and Urban Development, the main federal housing agency, supports a range of programs designed to end homelessness, help low-income individuals and families secure quality housing, make communities more resilient from natural disasters, and protect people from housing discrimination. HUD also provides rental assistance for millions of very and extremely low-income individuals and families. These federal programs often work in combination with local tools and funding to support the production and preservation of affordable housing.

Currently, federal housing assistance only supports one in four eligible renter households—and one in three eligible older adult renter households—in the country.<sup>2</sup> Recent history tells us that federal housing programs are almost always at risk of being reduced or eliminated, and funding has been and always will be far below what is needed to meet the needs. In the face of critical shortages of affordable housing, states and localities, along with the nonprofit and private sectors, are increasingly looking for innovative local strategies for meeting local housing goals.

Federal housing programs—along with most local housing programs—determine eligibility based at least in part, on a household's income related to the area median income (AMI). The AMI is the median household income for a metropolitan area. AMI varies not only by metropolitan area but also by household size. In FY2016, the AMI for the Greater Washington region was \$108,600 for a family of four and \$76,100 for a single person (Figure 1). Federal housing programs are not entitlement programs. In other words, households must meet income and other eligibility requirements, but they are not automatically guaranteed benefits.

The following outlines a set of key federal housing programs and their income eligibility requirements that are important to the ability of local jurisdictions in the Greater Washington region to be able to produce and preserve housing affordable to lowand moderate-income individuals and families.

FIGURE 1. FY2016 HUD Income Limits, Greater Washington Region

	Persons in Family			
Income Category (Limit)	1	2	3	4
Extremely Low Income (30 percent AMI)	\$22,850	\$26,100	\$29,350	\$32,600
Very Low Income (50 percent AMI)	\$38,050	\$43,450	\$48,900	\$54,300
Low Income (80 percent AMI)	\$49,150	\$56,150	\$63,150	\$70,150
Moderate Income (100 percent AMI)	\$76,100	\$86,900	\$97,800	\$108,600

Source: U.S. Department of Housing and Urban Development, https://www.huduser.gov/portal/datasets/il.html Note: Income limits are established for families with up to eight people.

#### FIGURE 2. Income Eligibility for Housing Programs

Most federal, state, and local housing programs determine eligibility based, at least in part, on a household's income related to the area median income (AMI). The AMI is the median household income for a metropolitan area. AMI varies not only by metropolitan area but also by household size. In FY2016, the AMI for the Greater Washington region was \$108,600 for a family of four and \$76,100 for a single person.

Income Group (FY 2016)	What housing programs may they be eligible for?	What type of household is this?	How much can they afford to spend on housing each month?
O-30 percent AMI Extremely Low Income (ELI) \$0-\$32,600 family of four \$0-\$22,850 single person	Public housing Housing Choice Voucher CDBG/HOME Local housing programs	People who are unable to work due to disability or age. Seniors on fixed incomes. Low-wage workers, including many retail, restaurant and day care workers.	\$0 - \$815 family of four \$0 - \$571 single person
<b>30-50 percent AMI</b> Very Low Income (VLI) \$32,600-\$54,300 family of four \$22,850-\$38,050 single person	Public housing Housing Choice Voucher CDBG/HOME LIHTC Local housing programs	One person working as an administrative assistant, electrician or teacher's aide. Two workers in the retail, restaurant or child care sectors.	\$815 - \$1,358 family of four \$571 - \$951 single person
50-80 percent AMI Low Income (LI) \$54,300-\$70,150 family of four \$38,050-\$49,150 single person	CDBG/HOME LIHTC Local housing programs	One or two workers in entry-level jobs, including research associates, program managers, nursing aides and nurses (LPNs).	\$1,358 - \$2,172 family of four \$951 - \$1,522 single person
80-100 percent AM  Moderate Income (MI)  \$70,150-\$108,600 family of four \$49,150-\$76,100 single person	Local housing programs	One or two workers in entry- or mid-level jobs, including police officers, fire fighters, schools teachers and IT support personnel.	\$2,162 - \$2,715 family of four \$1,522 - \$1,903 single person

## Low-Income Housing Tax Credit

The Low-Income Housing Tax Credit (LIHTC) program was created as part of the Tax Reform Act of 1986 and is the single-largest source of funding for affordable multifamily rental housing.<sup>3</sup> Almost all new affordable rental housing makes use of the LIHTC program, and it is also a critical source of funding for rehabilitation and redevelopment of affordable multifamily rental properties. The LIHTC program reduces the cost of development by providing tax credits to developers (who sell them to investors) and then requires that the developments remain affordable to low-income residents for 15 or 30 years. (Beginning in 1990, new LIHTC properties were required to remain affordable for 30 years.) Housing financed with tax credits must include 20 percent of all units affordable to households with incomes below 50 percent of AMI or 40 percent of all units affordable to households with incomes below 60 percent of AMI.

Two types of tax credits are available depending on the type of affordable rental construction. The nine-percent credit is generally available for construction of new housing, while the four-percent credit is generally claimed by developers who are rehabilitating existing affordable housing or are doing new construction that is primarily financed with tax-exempt bonds. The nine-percent credits are awarded to developers through a competitive process administered by a state allocating agency, usually the state housing finance agency.

Each year, there are far more applications for credits than there are credits available, so most projects do not receive funding. Each state specifies its criteria for how tax credits are allocated in its Qualified Action Plan (QAP), which can include preferences for projects that serve particular populations, such as older adults, veterans, or persons with disabilities. Every state has a public process for establishing criteria for allocating tax credits. In Virginia, there is a special set-aside for different regions of the state. About 18 percent of the nine-percent credits in Virginia are allocated to projects in Northern Virginia. In Maryland, there is no guarantee that projects in Montgomery or Prince George's counties will be awarded tax credits.

#### CDBG and HOME

The Community Development Block Grant (CDBG) program is a HUD program that provides large communities with millions of dollars in grants to use for a wide variety of housing and community development initiatives, including affordable housing, anti-poverty programs, and infrastructure development.<sup>4</sup> HUD awards grants to larger cities and urban counties that are entitlement communities. Non-entitlement communities (such as the City of Rockville) receive funding passed down by the county.

HUD also provides grants to states and localities through the HOME Investment Partnerships (HOME) program.<sup>5</sup> HOME funds are the largest source of federal block grant funding for affordable housing for lower-income households. Activities supported by HOME funding include new construction and rehabilitation, as well as home ownership assistance.

Most jurisdictions in the Greater Washington region receive CDBG and/or HOME funding, which they use for a broad set of community development activities, including supporting the production and preservation of affordable housing. And in high cost areas such as the Greater Washington region, LIHTC financed housing often must include CDBG or HOME subsidies to enable the properties to have rents low enough to meet federal requirements. Proposed cuts to HUD's budget for FY2018 include a zeroing out of funding for the CDBG and HOME programs.

### **Public Housing**

The public housing program was established by the Housing Act of 1937 to provide affordable rental housing to low-income families. 6 It serves individuals and households with very and extremely low incomes, generally below 30 percent of AMI. The rent for residents of public housing is capped at 30 percent of the household's income. While funding and most programmatic guidelines for public housing come from the federal government, local public housing authorities (PHAs) generally have responsibility for administering the public housing program, screening tenants, determining eligibility, and maintaining waiting lists. PHAs also have some authority to establish preferences for public housing units. For example, a PHA may give priority to older adults, veterans, homeless individuals and families, or victims of domestic violence.

No federal funding has been authorized to increase the stock of public housing since the early 1990s, and federal funding for maintenance and upkeep has been insufficient to enable public housing authorities to maintain all their housing in decent condition.

Not all jurisdictions in the Greater Washington region have a public housing authority or a PHA (Figure 3). Jurisdictions without a PHA do not have public housing but do administer other federal housing programs through other local housing agencies or departments.

## Housing Choice Vouchers (formerly Section 8)

The Housing Choice Voucher (HCV) program, formerly known as Section 8 vouchers, provides housing assistance directly to low-income households, who use those vouchers to rent homes in the private market. HUD sets the rules for the HCV programs, including fair market rent (FMR) levels, income eligibility, and housing quality standards. The FMR is a set of rental rates set by HUD that represents the estimated monthly rent for a modest apartment—measured by rents at the 40th percentile of rents—in a given market. Typically, a household with a voucher pays 30 percent of its income towards rent and then federal funds are used to pay the private landlord the difference between that amount and the FMR. About three-

quarters of voucher recipients nationally have incomes below 30 percent of AMI. Local PHAs and housing departments administer the HCV program and develop voucher distribution processes, waiting list preferences, local payment standards, portability processes, and mobility programs.

Most local jurisdictions in the Greater Washington region administer the federal HCV program, which is the primary way in which extremely- and very-low income renters receive direct housing assistance. In 2013, federal budget cuts associated with sequestration forced local jurisdictions to either reduce the number of families served by the HCV program and/or to cease issuing vouchers to new families. Most jurisdictions in the Greater Washington region have closed their HCV waiting lists so no new families are able to apply for assistance through the HCV program.

### Moving to Work

HUD has recently been allowing some local jurisdictions more flexibility in administering the programs to improve outcomes for individuals and families and potentially to expand housing options. Moving to Work (MTW) is a key demonstration program administered by HUD that allows local jurisdictions, through their PHAs, the opportunity to design and test new approaches to using federal housing resources to help residents find employment and become self-sufficient, while also increasing housing choices for low-income families.<sup>8</sup>

Figure 3. Housing Authorities in the Greater Washington Region

Housing Authority
District of Columbia Housing Authority
None
Alexandria Redevelopment and Housing Authority
Fairfax County Redevelopment and Housing Authority
None
None
Housing Opportunities Commission
Rockville Housing Enterprises
Prince George's County Housing Authority

<sup>\*</sup>In Prince George's County, the cities of College Park and Glenarden have independent housing authorities.

MTW gives PHAs exemptions from many existing public housing and Housing Choice Voucher rules and provides more flexibility with how they use their federal funds.

PHAs apply to become a MTW jurisdiction. In the Greater Washington region, the District of Columbia and Fairfax County are MTW participating sites. The District signed its MTW agreement in 2010 with a 2018 expiration date. The District of Columbia Housing Authority's (DCHA) MTW program is known as "Creative Living Solutions." Under its program, DCHA is implementing policies to develop enhanced housing opportunities, improve and sustain high-quality property management, achieve more effective customer support services, and create organized and more efficient business-like operating systems.

Fairfax County's MTW participation is scheduled to run from 2013 through 2028. Under its MTW status, Fairfax County, through its PHA, is piloting policies designed to encourage self-sufficiency and allow more families to move into market-rate housing. The county is leveraging local and federal resources with the goal of serving the same or larger number of families over time. Some of the key elements of its program include increasing housing choices for eligible low-income families, changing or eliminating existing local preferences to better align resources with community needs, and giving incentives for families with children where the head of household is working, seeking work or is preparing for work by participating in job training or educational programs.

## Rental Assistance Demonstration (RAD) Program

Another example of greater flexibility for local jurisdictions is the Rental Assistance Demonstration (RAD) program. RAD was created by HUD in 2012 in order to give local PHAs a new tool to preserve and rehabilitate public housing properties with the goal of addressing long-standing issues of deferred maintenance. As resources for public housing have been dwindling—and conditions of public housing buildings deteriorating—the RAD program was initiated in order to attract private capital to address the significant backlog of public housing's capital needs.

RAD allows public housing authorities to leverage public and private debt to reinvest in the public

housing stock. Private resources are incentivized by shifting public housing units to long-term Section 8 contracts, thereby guaranteeing income for the properties. Section 8 contracts are required to be renewed, which should ensure that the units remain affordable in perpetuity under the new structure.

Housing authorities must apply to participate in RAD and Congress initially capped the number of public housing units that could be converted to 185,000. RAD is not feasible for all housing communities; larger PHAs are more likely to be RAD participants than are smaller communities. In the Greater Washington region, Montgomery County (as of 2013) and Fairfax County (in 2015) have begun the conversion of public housing units under the RAD program.

### National Housing Trust Fund

The National Housing Trust Fund (NHTF) is a dedicated, national fund intended to provide revenue to build, preserve, and rehabilitate housing that is affordable to extremely and very low-income households.<sup>10</sup> The NHTF was established in July 2008 as part of the Housing and Economic Recovery Act of 2008 (HERA); however, the first funds were not made available until 2016.

The NHTF is funded through contributions from Fannie Mae and Freddie Mac based on a small percentage of their annual volume of business. HUD allocates funding from the NHTF to the states using a population-based formula, with each state expected to receive a minimum of \$3 million annually. The block grants to the states typically are administered by the state housing finance agency, and each state develops an allocation plan for the funding. At least 90 percent of the funding must be used for the production, preservation, rehabilitation and/or operation of rental housing; the other 10 percent may be used for home ownership activities. At least 75 percent of the funding must be used for housing that is affordable to extremely low-income households (i.e., below 30 percent of AMI), and the remaining funds must be used for housing for very low-income households (i.e., below 50 percent of AMI).

Because the NHTF is a new program there is very little experience to date in how (or whether) the funds can be used effectively on the Greater Washington region to support the production and preservation of affordable housing.



## LOCAL RESOURCES AND STRATEGIES

Across the Greater Washington region, local jurisdictions are taking a more active role in developing local policies and dedicating local resources for producing and preserving housing affordable to low- and moderate-income individuals and families. The decline in federal resources for affordable housing and growing housing affordability challenges have necessitated more involvement on the part of local communities. Local elected officials, advocates, government staff, developers, and others working at the local level understand local housing needs and the important role that housing plays in the community. Local elected officials, including the city or county council or board of supervisors, are important for defining local housing policy, but so, too, are local commissions, such as the local Planning Commission and/or Zoning Commission, along with staff in local planning and housing departments and housing authorities. Housing advocates that work every day on housing issues, and nonprofit and forprofit developers that build and manage housing, are also important resources for developing local housing policies. Many communities in the Greater Washington region develop a Housing Master Plan or Housing Strategic Plan to guide housing policy and planning decisions.

There is no "one size fits all" set of housing policies for every community in the region. The needs of the community—including the characteristics of its population and housing stock—along with its structure and state-enabling authority all determine the types of programs that are best suited in a particular community. Furthermore, there is no one, single tool that can address all housing needs. Most new housing in the region that is affordable to low-income individuals and families can be created only with a range of tools and funding sources. For example, a new multifamily rental building with homes affordable to low-income families may require funding from the LIHTC and HOME programs, and might also receive loans or grants from a local housing trust fund. Publicly-owned land is also sometimes made available to offset the cost of building below-market rate homes. In many cases, new multifamily residential projects require a change to local zoning, such as an increase in allowable

density, a reduction in parking requirements, and/or a more streamlined development review and approval process. Without a comprehensive set of resources and tools, housing that is affordable to lower-income individuals and families will not get built.

Some of the most innovative and forward-looking local housing policies in the country have been developed here in our region. The following section highlights some of the key local housing programs and policies that have been implemented—or considered—in the Greater Washington region. While an attempt was made to highlight a comprehensive set of resources and strategies, there are many local initiatives that help expand housing options that are not included in from this report.

The programs highlighted in the following sections are meant to provide examples of how particular strategies have been implemented in one or two jurisdictions in the region. The goal of this resource guide is not to describe how each tool is being used in every jurisdiction in the Greater Washington region. Many local jurisdictions in the region have been true pioneers in adopting a broad set of strategies for expanding housing options for lowand moderate-income households. A summary of programs and policies that have been adopted by each jurisdiction reviewed for the report is included on pages 38 to 41. For more information on individual jurisdiction's housing programs, local contacts are provided at the end of the report.



## LAND USE AND ZONING POLICIES

Land use and zoning tools include policies that work through the zoning code or otherwise use land use regulations to incentivize the production and/or preservation of housing. Land use and zoning tools are critical for supporting the development of housing not just for low-income households but for individuals and families at all income levels.

The ability for a local jurisdiction to adopt land use or zoning policies to expand housing options depends to some extent on the state's statutory provisions and the relationship between the state and local government authority. In Dillon's Rule states—like Virginia—the authority of local governments is limited by what the state has either expressly granted or "fairly implied" to the locality.11 Virginia localities, therefore, are limited in their ability to adopt some land use or zoning regulations that require the development of below market-rate housing or otherwise put restrictions on land use. In Virginia, typically, there must be some type of exchange that compensates property owners for the provision of affordable housing or other community benefits. In Maryland, counties and other local municipalities have more autonomy over local matters, including land use and zoning, and it can be easier to adopt housing-related land use and zoning policies. The District of Columbia also has authority over its own land use and zoning, although the National Capital Planning Commission has power to review certain land use and zoning decisions when there is potential conflict with the federal interest in the city.

### Inclusionary Zoning

Inclusionary zoning policies—sometimes referred to as inclusionary housing policies—use the zoning code to require or incentivize the production of housing affordable to low- and moderate-income households, often in exchange for increased density. Nationally, inclusionary housing policies are usually implemented as mandatory requirements, whereby developers must include affordable housing as part of a market-rate development. Even in these mandatory programs, however, local jurisdictions generally offer some type of regulatory relief to the residential developer to help offset the costs of providing belowmarket rate housing units.

Inclusionary housing policies are often targeted at low- to moderate-income households (i.e., 60 to 100 percent of AMI) that earn too much to qualify for typical federal housing programs. Only with the help of substantial public subsidies are inclusionary housing programs generally able to generate housing that is affordable to extremely low-income families (i.e., less than 30 percent of AMI).

Inclusionary housing policies have been adopted in nearly 500 jurisdictions and 28 states across the country. Inclusionary housing programs can be found in a wide range of places, from big cities to suburban communities to rural areas. However, inclusionary zoning policies work best in places with high demand or rising housing costs. In most cases, these policies are adopted as part of a larger local strategy to expand housing options that are affordable to lower-income households.

The ability for a local jurisdiction to enact a mandatory inclusionary zoning policy depends on the state's statutory provisions and the relationship between the state and local government authority. In Maryland, local jurisdictions generally have been able to adopt a policy with mandatory affordability requirements. The District of Columbia has also adopted a mandatory inclusionary zoning policy. In Virginia, however, local jurisdictions cannot require developers to include affordable housing in new projects. Instead, Virginia localities must exchange some type of benefit—typically a density increase—for the provision of affordable housing and the affordable housing provision is therefore technically not a mandatory requirement.

#### **Inclusionary Zoning in Practice**

Montgomery County's Moderately Priced Dwelling Unit (MPDU) program, begun in 1974, is the nation's oldest inclusionary zoning program and has set the standard for inclusionary zoning programs throughout the country.<sup>13</sup> The MPDU program requires developers of 20 or more housing units to make 12.5 percent of the units affordable to households earning no more than 65 to 70 percent of AMI. Developers can receive a density bonus of up to 22 percent by increasing the share of belowmarket-rate homes up to 15 percent. Some impact

fees may also be waived for MPDUs. Rental MPDUs must remain affordable for 99 years. The affordability duration for ownership units is 30 years.

Typically, MPDUs must be constructed in the same development as the market-rate homes; however, under some circumstances (e.g., environmental constraints or the expectation of high condominium fees), and with approval from the Department of Housing and Community Affairs (DHCA) director, developers can also meet their affordability obligations by dedicating land for the construction of MPDUs elsewhere in the same planning area or by making a payment to the county's Housing Initiative Fund. Developers of high-rise buildings have additional options, also subject to DHCA director approval, including building the MPDUs elsewhere in the same planning area or placing affordability restrictions on existing market-rate housing units. Even though these alternative options are technically available, in practice developers in Montgomery County almost always comply with the MPDU requirements by building affordable units on-site.

The county's housing authority (HOC) and designated nonprofits have the first opportunity to purchase or master-lease up to 40 percent of the MPDUs in a property. This has enabled the county to make homes affordable to very and extremely low income families.

Arlington County's Affordable Housing Ordinance works similar to an inclusionary zoning program, though it does not require affordable units to be included as part of new residential development. The Affordable Housing Ordinance (AHO) offers developers seeking additional density in the site plan process the choice of providing affordable units or contributing to the county's Affordable Housing Investment Fund. New projects almost always come through the site plan process to gain extra density, so the provision of affordable housing or an in-lieu contribution as part of new development is nearly universal. The requirement applies to both residential and commercial properties.

The developer of a residential building can contribute to the County's local housing trust fund (Affordable Housing Investment Fund) or build affordable units on-site or off-site based on a percent of the increased gross floor area (GFA) above 1.0 Floor Area Ratio (FAR). For on-site units, the requirement is five percent of the GFA; for off-site units nearby, 7.5 percent; and for off-site units elsewhere in the county, 10 percent. Affordable rental units produced through the AHO must be affordable to households with incomes of 60 percent of AMI or less, and must remain affordable for 30 years. For ownership units, the income threshold is 80 percent of AMI, with an affordability term of 30 years. The County refers to these units as Committed Affordable Units (CAFs).

Figure 3. Inclusionary Housing Policies in the Greater Washington Region

Jurisdiction	Program Name
District of Columbia	Inclusionary Zoning (IZ)
Arlington County	Affordable Housing Ordinance (AHO)
City of Alexandria	N/A
Fairfax County	Affordable Dwelling Unit (ADU) Ordinance
Loudoun County	Affordable Dwelling Unit (ADU) Ordinance
Prince William County	N/A
Montgomery County	Moderately Price Dwelling Unit (MPDU) Program
City of Rockville	Moderately Price Dwelling Unit (MPDU) Program
Prince George's County	N/A

### Density Bonus for Affordable Housing

Even with mandatory inclusionary zoning programs, many jurisdictions create policies that are designed to offset the foregone revenue associated with providing below market-rate units. Density bonuses are among the most common type of offset both here in the Greater Washington region and across the country.

Density bonuses permit the construction of additional units above the amount ordinarily allowed by the underlying zoning in exchange for the provision of affordable units (or some other community benefit). Allowing extra density in exchange for the provision of affordable housing can be one of the most important mechanisms for encouraging housing production. Higher densities near transit and in areas identified by local plans for mixed-use development also make sense for meeting broader planning goals, including supporting transit and diverse retail options. The higher allowable densities should be written into local comprehensive or small area plans; however, if the zoning code is changed to permit higher densities by-right, then jurisdictions lose their leverage to exchange density for affordable housing. In addition, higher densities provide an appropriate incentive to developers only if height and/or bulk restrictions do not limit the ability to achieve the higher densities.

#### **Density Bonus in Practice**

In 2015, Montgomery County made revisions to its Commercial/Residential zones (CR and CRT zones) to allow for additional density in exchange for the provision of public benefits, including affordable housing above the county's MPDU requirements. Development in these zones may proceed under standard or optional methods of development. Standard development is limited in density to a 0.5 floor area ratio (FAR) or 10,000 square feet (whichever is greater) in the CR zone, and 1.0 FAR or 10,000 square feet in the CRT zone. The higher density allowed is defined as "incentive density." Any developer that wishes to build above the standard density—up to the maximum allowed by the zone must apply for an optional method development approval through the county. During this application process, the applicant proposes to provide specific public benefits and amenities in exchange for the

additional density. The Planning Board determines whether the proposed public benefits support the additional density requested.

The provision of affordable housing above the 12.5 percent required under the county's MPDU program (see Inclusionary Zoning section above) is one of the categories of public benefits that count towards receiving the extra density in the CR and CRT zones. For a project providing less than 15 percent MPDUs, the gross floor area of any MPDUs provided above 12.5 percent is exempt from the calculation of FAR. For a project providing a minimum of 15 percent MPDUs, the gross floor area of all MPDUs provided is exempt from the calculation of FAR. Additional points under the density program are awarded for two-and three-bedroom affordable units to promote the production of family-sized units.

The City of Alexandria's Bonus Density and Height Program (Section 7-700 of the Zoning Ordinance) incentivizes the production of affordable housing by providing bonus density of up to 20 percent and bonus height of up to 25 feet (in zones with height restrictions exceeding 50 feet) in exchange for affordable rental or for-sale units or an equivalent monetary contribution to the City's Housing Trust Fund. Rental units created through this program are affordable at 60 percent of AMI, while for-sale units are affordable at between HUD's 80 percent AMI and 100 percent of AMI. The term of affordability of the units has been extended in recent years and is now typically 40 years.

#### **Jurisdictions with Density Bonus programs**

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

**Montgomery County** 

### Workforce Housing

Workforce housing often refers to housing priced so that it is affordable to households with incomes between 80 and 120 percent of AMI, which tend to be incomes higher than those targeted by inclusionary zoning and other public subsidy programs. There is no specific land use or other tool that is always associated with workforce housing. In fact, some jurisdictions refer to a broad set of their housing policies as "workforce housing" programs. Other jurisdictions specifically call programs that target local public or private-sector employees "workforce housing" programs.

#### **Workforce Housing in Practice**

Fairfax County's Workforce Dwelling Unit (WDU) program was adopted in 2007 and the Tysons Corner Urban Center WDU program was adopted in 2010. The County's WDU program is designed to encourage the development of housing affordable to households with incomes from 50 to 120 percent of AMI. Under the countywide WDU program, developers are expected to provide a minimum of 12 percent of all units as affordable to households in this income range. Under the Tysons Corner plan, developers provide a maximum of 20 percent of affordable units. Developers receive increased density in exchange for the provision of affordable units.

The affordable units provided under the WDU program in Fairfax County must be of the same tenure (i.e., rental/owner) as the market-rate units. The maximum rents and home prices under the countywide WDU program are set to three income tiers: 80 percent, 100 percent and 120 percent of AMI. In the Tysons Corner WDU program, there are five income tiers: 60 percent, 70 percent, 80 percent, 100 percent and 120 percent. Projects in Tysons Corner must include units affordable to all income tiers.

#### **Jurisdictions with Workforce Housing programs**

District of Columbia

City of Alexandria

Fairfax County

Loudoun County

## Public Land for Affordable Housing

Public land policies make government-owned land available at reduced or no cost for affordable or mixed-income housing. This could include land owned by the local government, school district, parks authority or transit agency, and can include both vacant and underutilized parcels. The use of public land can be a valuable way to help address local affordable housing needs, particularly in areas with high land costs like in the Greater Washington region. Because localities often own land in various locations throughout a jurisdiction, public land redevelopment can be a helpful strategy for siting affordable housing in areas connected to jobs, transit, and other amenities throughout the jurisdiction. In high-cost jurisdictions, using public land has become an essential tool for subsidizing—without spending public money directly—the production of new affordable housing.

A successful public land policy involves a transparent process that balances competing interests in the publicly-held properties. The provision of free or reduced price land can have a major impact on the costs of development—and therefore on the ability to produce below-market rate homes—in some types of neighborhoods, and less of an impact in others.

#### **Public Land in Practice**

The **District of Columbia's** Disposition of District Land for Affordable Housing Amendment Act of 2014 requires that all new multifamily residential developments on city-owned surplus land include at least 20 to 30 percent affordable housing. The exact level of affordability depends on the site's location, with the percentage rising to 30 percent on sites within a half-mile of a Metrorail station, within one-quarter mile of a streetcar line, or within one-quarter mile of a Metrobus Priority Corridor Network (PCN) route, which is a route that has been designed for faster travel times and reliability by the Washington Metropolitan Area Transit Authority (WMATA).

The law allows for property to be transferred from the city to the developer at less than the appraised value. The city may provide additional subsidies to ensure that affordability requirements can be met.

When public land is provided for residential development, half of for-sale affordable homes

must be affordable to households earning less than 50 percent of AMI and half to households earning up to 80 percent of AMI. One-quarter of the rental affordable homes must be affordable for households at 30 percent of AMI and three-quarters for households at 50 percent of AMI.

## Jurisdictions with Public Land for Affordable Housing programs

District of Columbia

**Arlington County** 

City of Alexandria

**Montgomery County** 

## Public-Private Partnerships

Partnerships between local governments and the private sector can help communities develop affordable and mixed-income housing by bringing additional resources and skills to the development process. In these partnerships, private developers and nonprofit organizations receive funds and/or other types of support from the local, state, or federal government (or all three, in some cases) in order to build, renovate and/or manage affordable housing.

There is a variety of ways local governments can partner with the private sector to help facilitate housing production and preservation, and all jurisdictions in the Greater Washington region engage in these relationships. Some of these public-private partnerships, including stakeholder housing advisory boards, are intended to support affordable housing issues generally in the community. Other public-private partnerships can involve the local housing authority or housing department working directly with a private developer on the development or rehabilitation of a particular project.

#### **Public-Private Partnerships in Practice**

Chatham Square in the **City of Alexandria** is an example of a public-private partnership that involved redevelopment of public housing into a mixed-income development. The project was completed in 2005 and included 100 market-rate, for-sale townhomes and 52 public housing units. The project replaced 100 units of existing public housing to include the 52 public housing units on-site and 48 units at scattered sites throughout the city.

The Alexandria Redevelopment and Housing Authority (ARHA) received a grant under the federal HOPE VI program to redevelop the property as mixed-income housing. EYA, a local private developer, was chosen to partner with the city on the project. The city and developer team worked together to develop plans for demolition and redevelopment, relocating residents, and expediting zoning and development special use permit approvals in order to apply for tax credits. The coordination of these processes both between the city and the developer, as well as among city departments, was critical to the success of the project.

Since the development of Chatham Square, ARHA has partnered with EYA on other redevelopment projects in the city, including the redevelopment of existing public housing at James Bland and James Bland Addition into a mixed income community now known as Old Town Commons and the redevelopment of Glebe Park into a mixed income community now known as Alexandria Crossing. Due to a joint commitment (Resolution 830) between the City and ARHA, all of the existing public housing is replaced on a 1:1 basis.

## Jurisdictions with Public-Private Partnership developments

District of Columbia

City of Alexandria

Fairfax County

Montgomery County

## Faith-Based Development

There has been growing interest on the part of the faith community to become more directly involved in the production of housing affordable to lower-income individuals and families. Faith-based organizations often partner with local jurisdictions to provide services to vulnerable populations in the community, including food assistance, job and life skills training, personal and family counseling, and other services. However, faith-based organizations are increasingly looking for ways to partner with local governments and the development community to develop underutilized real estate resources into affordable housing. The Faith-Based Development Initiative (FBDI), a partnership of Enterprise Community

Partners, Wesley Theological Seminary and other regional organizations, provides financial support and technical assistance to faith-based organizations to develop or rehabilitate affordable housing.<sup>16</sup>

A house of worship may have surplus land or underutilized density, which could be used for the construction of affordable housing. In addition to working with partners on the finance and development side, often the faith-based group will have to work with the local jurisdictions to get zoning changes and other development approvals.

#### Faith-Based Development in Practice

In 2011, the **City of Alexandria** collaborated with the Shiloh Baptist Church, Virginia Housing Development Authority and Virginia Community Capital to produce new affordable senior housing (Beasley Square) in the city. With a 99-year ground lease from the church, with city and state funds for predevelopment and construction, along with city technical assistance, the development partners built eight one-bedroom units for seniors age 62 or older who have a Housing Choice Voucher.

More recently, St. James Plaza, a 93-unit affordable project by nonprofit developer AHC, Inc., is currently under construction on property previously owned by the St. James United Methodist Church and the Bi-District Office of the Northern Virginia Methodist Church. The project, occupying approximately one-half of the church's property, will serve households earning between 40 percent and 60 percent of AMI along a future transit corridor and will host a daycare facility on the ground floor. The remainder of the property is being developed into a market-rate townhouse community. A \$5.7 million loan from the City successfully leveraged over \$27 million in private and public funding sources. The project is slated for completion in 2018.

## Jurisdictions with Faith-Based Development projects

District of Columbia

**Arlington County** 

City of Alexandria

**Montgomery County** 

Prince George's County

## Accessory Dwelling Unit Ordinance

Accessory dwelling units (ADUs)<sup>17</sup> can be an important source of low-cost housing for small households. ADUs can also provide income to owners of single-family homes or can house caregivers, which can enable home owners to remain in their homes as they age and/or as their income is diminished. An ADU can be a conversion of an existing house or garage, an addition to an existing house, or an entirely new unit built on the same property as the single-family home.

While ADUs are often allowed in communities by conditional use permit or by special permission, allowing ADUs by right within the zoning code potentially can facilitate their development on a larger scale. Reducing the minimum lot size for homes with ADUs, allowing ADUs both as part of the primary residence as well as above garages and other accessory uses, and relaxing parking requirements or allowing tandem parking can make it easier for a home owner to construct an accessory unit. Informing the public on how to develop an ADU on their property, bringing illegal ADUs into compliance, and incentivizing ADUs in newly developed single-family homes may also be useful strategies for encouraging the development of ADUs.

In many localities, ADU programs have had only modest success in generating new housing units. Part of the problem in some localities has been associated with incorporating ADUs into the zoning code in a way that protects the character of neighborhoods while also allowing flexibility for the establishment of an accessory unit. A transparent, public process is key for developing an effective ADU policy.

#### **ADUs in Practice**

In 2016, the **District of Columbia** changed its policy related to ADUs. In DC, an accessory apartment is defined as an additional residence located on the same lot as a single-family dwelling.<sup>18</sup> Under prior regulations, home owners had to petition the Board of Zoning Adjustment (BZA) for a special exception in order to have an accessory apartment. With the 2016 change, accessory apartments are allowed by-right, except in the neighborhood of Georgetown. All single-family homes at least 1,200 square feet can add an accessory apartment under the new rule.

Accessory apartments can be as large as one-third of the single-family home's total footprint. The home owner must live on-site, and the accessory apartment can only be rented, not sold.

## Jurisdictions with Accessory Dwelling Unit polices

District of Columbia

**Arlington County** 

Fairfax County

**Montgomery County** 

### Medium Density Zoning

Medium density housing, including townhouses, but also triplexes, fourplexes and other small multifamily properties, can be a source of affordable rental and ownership housing and provide housing options for a wide range of incomes and household types. Zoning for medium density housing will likely be most appropriate in transition areas, between single-family neighborhoods and higher-intensity or commercial areas, but there may be other areas in a local jurisdiction where medium density zoning would make sense. Creating opportunities for the development of a wider range of smaller housing types can potentially create more lower-cost housing, and potentially can also broaden the range of housing options for individuals and families in different phases of their lives (e.g., single people, small families, retirees).

This type of housing has sometimes been referred to as "missing middle" housing.<sup>19</sup> Generally, medium density housing is located in a walkable setting, though is often mixed in with single-family homes. Often this type of housing is not allowed under local jurisdictions' zoning codes, or is only allowed in very limited locations.

#### **Medium Density Zoning in Practice**

Large portions of the **District of Columbia** have had so-called "missing middle" zoning since its first zoning code was established in 1958. In the District, row houses, two- to four-unit buildings, and low rise apartments are defined as Moderate Density on the city's land use map. Moderate Density land use could allow for up to four to seven story apartment buildings in the city. A medium density or "missing"

middle" housing program has not been adopted explicitly as a way to expand affordable housing options.

The City of Rockville is exploring ways to plan for "missing middle" housing more intentionally. The City is exploring zoning changes that create more places that allow townhouse development and that allow new forms of development, including fourplexes and small apartment buildings. In transition areas—that is, areas between single-family neighborhoods and townhouse and/or multifamily neighborhoods— Rockville is looking at how to develop density categories to maintain neighborhood character while allowing for more housing units. In medium density zoning districts, Rockville is considering changing the basis for zoning from units per acre to floor area ratio (FAR), which could create more opportunities for affordable units that meet demand for this smaller, missing middle housing. The City has a variation of missing middle housing in two communities, King Farm and Fallsgrove.

## Jurisdictions with Medium Density Zoning for Missing Middle housing

District of Columbia

**Montgomery County** 

City of Rockville

#### Form-Based Code

A form-based code is a land development tool that is designed to regulate physical form, rather than specific use (e.g., commercial, residential). A form-based code is a regulation, not a mere guideline, adopted into local law. Communities often pursue form-based codes to attempt to create denser, more walkable, mixed-use neighborhoods. Often under a form-based code, developers are able to take advantage of higher allowable densities and more limited community review processes. However, local jurisdictions should invest considerable time upfront to get community input on the parameters that will shape the requirements under the code.

A form-based code can facilitate the production or preservation of affordable housing by writing affordability requirements into the code. Higher densities also sometimes make it more feasible to produce below-market rate housing units. Finally, a

more predictable, streamlined review process under form-based code can help reduce the overall cost of development, making it easier to produce affordable units.

#### Form-Based Code in Practice

In Arlington County, the Columbia Pike Neighborhoods Form-Based Code applies to multifamily residential areas along Columbia Pike that surround its commercial centers.<sup>20</sup> This zoning district provides incentives for revitalization and guides redevelopment along the corridor. The Neighborhoods Form Based Code will facilitate the preservation of 6,200 affordable housing units, encourage higher density development and connect housing to plazas, open space and transportation. The county established a Form Based Code Advisory Working Group comprised of community members, architects and representatives of the Planning Commission and Columbia Pike Revitalization Organization (CPRO) to meet regularly with county staff to review development proposals and proposed amendments to the form-based code.

**Jurisdictions with Form-Based Code** 

**Arlington County** 

## Affordable Housing Overlay Zone or District

An overlay zone is a zoning district which is applied over one or more established zoning districts, and includes additional and/or stricter standards for properties in those zones. Overlay zones are most often used to protect special features such as historic buildings, wetlands, steep slopes, and waterfronts. However, overlay zones increasingly are being used to promote mixed-use development, transit-accessible development and affordable housing. Where allowed by state and local statute, affordable housing overlay zones can be used to require the development of affordable housing, or the development of housing targeted at specific groups such as seniors or families, as part of new construction. Affordable housing districts can also be used for housing preservation or replacement during redevelopment.

#### Affordable Housing Overlay Zone or District in Practice

Arlington County's Special Affordable Housing Protection District (SAHPD) identifies existing affordable housing sites within the County's two Metro Corridors that are planned for site plan projects of 3.24 FAR or higher. The goal of the SAHPD is to retain affordable housing opportunities (through preservation or replacement) in the County's high-cost Metro corridors. SAHPDs have been established in the Rosslyn, Courthouse, Virginia Square, and Ballston area plans. In instances where redevelopment of these sites is proposed, the higher densities shown on the plan are intended to be achieved through one-for-one replacement, which has been interpreted as replacing the number of bedrooms or the GFA on a one-for-one basis. Replacement can occur either on-site or at a similar location off-site

#### Jurisdictions with Affordable Housing Overlay Districts

**Arlington County** 

**Montgomery County** 

### **On-Site Density Transfer**

Density transfer is a tool used to simultaneously promote protection of open space or some other community amenity and encourage development in areas that are underutilized or can accommodate higher densities. Density transfer programs work by designating "sending areas," where future development will be limited, and "receiving areas," on which more intense land use will be targeted. For a negotiated price, landowners in sending areas shift the right to develop their land to owners in receiving areas, who can then build at greater densities.

In some cases, a density transfer program operates at the jurisdiction level, with sending and receiving areas identified throughout the county or city. However, a density transfer policy can also be implemented on one particular site or group of sites to encourage preservation of affordable housing as part of a larger redevelopment effort. Naturally occurring affordable rental properties often face significant redevelopment pressures, which could result in rent increases or condominium conversions. These properties are sometimes located on parcels that allow for higher densities than the current

properties account for, so there is an incentive to demolish existing units and rebuild a new market-rate development at much higher densities.

A tool that promotes redevelopment along with preservation incentives could be effective at both preserving existing units and allowing for the development of new units. In areas designated by an overlay zone or some other policy mechanism, owners of naturally occurring affordable rental properties would be allowed to redevelop one section of their property at a level of density that averages out—including the preserved units—to the maximum allowable density. The tradeoff for the developer would be reducing construction costs for a portion of the affordable units in exchange for committing some share of units as affordable over the long-term.

#### **Density Transfer in Practice**

In Montgomery County, the square footage of county properties does not count when calculating density on a site, so projects that include housing on the same site as public facilities can potentially benefit from increased density. In Silver Spring, the density from the Silver Spring Library was transferred to the site of the residential development next to it. The Bonifant provides 149 units affordable to low-income seniors (age 62 and older) and benefits not only from proximity to transit and community amenities, like the library, but also extra density transferred from the library site.

#### Jurisdictions with Affordable Housing Overlay Districts

**Arlington County** 

Montgomery County

## Expedited Development Review and Permitting

New residential (and commercial) construction typically goes through a process that involves review and approval by multiple local government departments (e.g., planning, zoning, transportation). The review process can sometimes lead to the necessity of re-doing project plans or conducting additional studies to gain local support for the development.

Delays and unpredictability associated with project review, zoning, permitting, entitlement, and other

approvals processes add to the final costs of new housing. Some of the specific costs associated with the review and permitting process include application and review fees, requirements for special studies (e.g., transportation management, tree preservation), explicit impact fees or proffers, and other negotiated conditions. These costs typically are passed on to the final occupant of the new building and make it more difficult to build housing affordable to lower-income households.

Expedited permitting can be one way of reducing costs and helping promote the development of housing affordable to low- and moderate-income households. While fast-tracking review and permitting of affordable housing projects reduces developer costs at no cost to local jurisdictions, it also may mean fewer opportunities for community input on proposed projects.

## Expedited Development Review and Permitting in Practice

Montgomery County implemented its "Green Tape Program" to provide a streamlined and expedited permit process for new commercial construction in state-designated enterprise zones and for residential or mixed-use developments that designate at least 20 percent of the total number of housing units for residents with income levels in line with the County's MPDU program.<sup>21</sup> (The baseline MPDU requirement is 12.5 percent affordable units.)

Qualifying developments receive expedited application review and permit processing. The county has assigned staff to help facilitate the expedited process. The "Green Tape Team" is headed by a staff facilitator who assists applicants with the filing requirements, regulatory reviews, and inspections, including pre-design consultations and assessment inspections. The county facilitator also works with other county staff across departments to ensure, to the greatest extent possible, a seamless permitting and inspection process. The Washington Suburban Sanitary Commission and the Maryland National Capital Park and Planning Commission have signed onto the "Green Tape Program" to help with the faster review of eligible projects.

Jurisdictions with Expedited Development Review and Permitted processes

Montgomery County

### Capital Facility/Impact Fee Waivers

Impact fees are one-time charges assessed on new residential developments to help pay for new or expanded infrastructure to serve them. Revenue collected through impact fees helps fund the expansion of water and sewer lines to the new development, the building of new or improvement of existing roads or sidewalks in the area, and the creation of public amenities such as parks or new schools.

Like other development costs, impact fees add to the final cost of housing. A recent study found that in every jurisdiction in the Greater Washington region, impact fees can add tens of thousands of dollars to the cost of producing a unit of housing. To make it easier to develop affordable housing, local jurisdictions could offer to waive the impact fees associated with developments which include affordable units. Alternatively, a "proportional" impact fee program may be developed in which impact fees are adjusted according to the size of the housing unit or the location of the new housing. Larger homes and those located in outlying areas where infrastructure does not currently exist, usually command a higher fee than smaller, in-town units.

Because impact fees pay for public services, it can be challenging to reduce those fees as local budgets are increasingly constrained.

#### **Impact Fee Waivers in Practice**

In Prince George's County, the Systems Development Charge (SDC) imposed by the Washington Suburban Sanitary Commission (WSSC) may be waived for elderly housing, projects located in a designated revitalization area and public sponsored or affordable housing. Developers must submit a waiver request to the Office of the County Executive. In Montgomery County, the SDC and the development impact tax collected by the county's Department of Permitting Services may be waived for Moderately Priced Dwelling Units (MPDUs) upon request and approval. Developers must submit a waiver request to the County's MPDU Administrator. MPDUs also qualify for "green tape" processing status (see above).

In 1993, **Loudoun County** adopted a policy that excludes Affordable Dwelling Units (ADUs) from the calculation of a development's capital facility impacts, which reduces the overall cost of the project.

## Jurisdictions with with Capital Facility / Impact Fee Waivers

City of Alexandria

Loudoun County

**Montgomery County** 

Prince George's County

## Reduced Parking Requirements

Most zoning ordinances require that new residential developments include a certain number of parking spaces per unit or bedroom. These parking requirements add to the cost of building housing and can have a substantial impact on the financial feasibility of developing below-market rate housing. A typical parking spot can add \$20,000 to \$50,000 per unit for new residential development in high-cost areas like the Greater Washington region.

In transit-accessible locations, large amounts of parking often are not necessary. Parking standards can be evaluated and parking requirements can be "right-sized" in transit-accessible locations. Lower parking requirements could be offered in exchange for the provision of additional on-site, below market-rate housing.

Several local jurisdictions in the Greater Washington region have conducted parking studies to evaluate the amount of parking that would be needed to meet overall demand from residential and commercial uses. These studies have shown that both new and older multifamily residential buildings often include a surplus of parking under existing regulations.

#### **Reduced Parking Requirements in Practice**

After a study of parking utilization in multifamily residential buildings, the **District of Columbia** modified its parking requirements in 2016. In general, there are still parking requirements for most new residential construction, but the amount of parking required has been reduced and parking requirements in the downtown area have been largely eliminated. Some of the specific changes include a reduction in the number of required parking spaces for multifamily buildings to one space for every three units. In mixed-use developments within a half-mile of a Metro station or within a quartermile of a streetcar line or priority bus corridor, the

new regulations allow for a 50 percent reduction in the amount of required parking. Parking will not be required for most new construction in the downtown area; however, new buildings in areas adjacent to the West End neighborhood will require a certain amount of parking based on the building use.

In 2015, the City of Alexandria revised its residential parking standards to include providing optional parking reductions for affordable housing. The new parking standards are based on a per-unit (as opposed to per-bedroom) basis and differentiate between units affordable at 30 percent of AMI (0.5 spaces/unit), 50 percent of AMI (0.65 spaces/unit), and 60 percent of AMI (.75 spaces/unit). The parking ratios may be further reduced if the property is within a Metro or bus rapid transit (BRT) half-mile walkshed; is within a one-quarter mile of four or more active bus routes; has a walkability index rated at between 80 and 100; and/or has 20 percent or more studio apartments.

#### **Jurisdictions with Reduced Parking Requirements**

District of Columbia

City of Alexandria

### Adaptive Re-Use

Adaptive re-use projects create new housing in existing buildings once used for commercial, industrial or public purposes. Housing created through adaptive re-use projects can be made more affordable than new, market-rate developments since infrastructure is generally already present at the site. In addition, existing sites may provide for new opportunities to create housing options in areas connected to transit, employment, and other amenities. High-cost jurisdictions with growing housing needs are beginning to look at how these vacant or underutilized commercial properties could be re-purposed for housing.

#### Adaptive Re-Use in Practice

In Montgomery County, the Octave in Silver Spring is an example of an office building conversion into residential condominiums. The project involved conversion of a Class C office building near Metro that was built in 1964. While there were challenges associated with adapting larger office floorplates

to residential uses, there were opportunities for the architect and developers to create unique living spaces at prices that are affordable to moderate-income home buyers.

## Jurisdictions with Adaptive Re-Use policies or projects

Fairfax County

**Montgomery County** 

#### **Microunits**

Although "microunit" has no standard definition, generally a microunit has been considered a small studio apartment, typically between 150 and 400 square feet, with a fully functioning kitchen and bathroom. By this definition, microunits are different from single room occupancy (SRO) units (see below). Microunits tend to appeal to young, single people in dense urban areas. Microunits can be a source of affordable housing; however, depending on the location and amenities of the development and unit, it is not always true that microunits will be affordable to lower-income households.

In many cases, microunits are not permissible under local jurisdictions' existing zoning regulations because they are too small. As a result, special exceptions to zoning requirements—or a blanket microunit policy—is often necessary to allow or encourage the development of these smaller units.

#### **Microunits in Practice**

In the **District of Columbia**, the minimum size for an apartment under existing zoning is 220 square feet though in practice actual new "microunits" recently built in the city have been larger than that. The first microunits in the District were rental, but there is at least one building—the Moda 17—that has for-sale microunits with 400 square foot, one-bedroom units.

#### **Jurisdictions with Microunit policies**

District of Columbia



## PRESERVATION PROGRAMS

Across the Greater Washington region, economic growth and expanding populations have led to significant increases in housing costs. While this growth has led to positive outcomes, including revitalization and redevelopment in many neighborhoods, it has also led to a significant loss of housing affordable to lower-income households.

Both subsidized and non-subsidized (i.e., naturally occurring or market-rate) affordable rental housing may be at risk of becoming unaffordable due to expiring affordability contracts, as well as market pressures that can lead to redevelopment, rent increases, or condominium conversion. Preservation policies can target resources to specific units or buildings, or can more generally focus on preserving residents' access to a certain number or share of affordable units in a particular neighborhood or area. Preserving units can mean preserving rents at specified below-market levels or can go further to require that rents remain low and that units be occupied by renters with incomes below a particular threshold.

Most local jurisdictions recognize that maintaining and increasing affordable rental housing options must include strategies that focus on both production and preservation. An effective preservation strategy often includes creating a dedicated source of funding for preservation and developing criteria for which properties to preserve.

Preservation policies can also be critical for maintaining home ownership opportunities; however, the emphasis in recent years has been on the preservation of multifamily rental housing in the region's local jurisdictions.

## Multifamily Rehabilitation Program

Older, multifamily buildings are often an important source of affordable rental housing. Much of the lower-cost rental stock in the region is located in smaller, garden-style properties. However, these buildings are also at great risk of being lost due to aging structural problems and property neglect. Local governments can partner with local financial

institutions or act independently to offer technical assistance and/or financial resources to owners of smaller rental properties to renovate their properties to help ensure that their units have rents affordable to low-income households, and are kept safe and up-to-code. Financial assistance is generally provided to property owners as a low- or no-interest loan, either using federal CDBG and/or HOME funds or local funds. In return, property owners agree to preserve some or all of the rental units for lower-income individuals and families. Tax exemptions or abatements (see below) can also be offered as an incentive to multifamily property owners who rehabilitate their properties and maintain them as affordable.

#### Multifamily Rehabilitation in Practice

The **District of Columbia** Department of Housing and Community Development's (DHCD) small, multifamily loan program under the Great Spaces, Healthy Places Initiative provides funding for limited systems replacement and other key repairs to improve sub-standard housing conditions, including safety and environmental hazards in the District. Eligibility for funding is limited to owners of small (<50 unit) multifamily rental properties.<sup>23</sup> Units that are rehabbed must be affordable to households that earn 80 percent or less of AMI and must remain affordable for 40 years. Funding for the program comes from the city's Housing Production Trust Fund (HPTF).

## Jurisdictions with Multifamily Rehabilitation programs

District of Columbia

Montgomery County

## Single-Family Rehabilitation Program

Upkeep of older housing can be costly for home owners, especially seniors and others living on fixed incomes. Home owner rehabilitation programs are available to low- and moderate-income households to assist them to fix health and safety issues, increase energy conservation, and undertake preventive home maintenance. Assistance is usually provided

as low-interest loans, though some local jurisdictions have grant programs that provide direct assistance to home owners without a repayment requirement. Funding for single-family rehabilitation programs can come from federal sources, including the CDBG and HOME programs, but many local jurisdictions supplement with local resources and/or partner with local nonprofits to provide assistance.

#### Single-Family Rehabilitation in Practice

The **Prince George's County** Department of Housing and Community Development has partnered with the Prince George's County Redevelopment Authority and Housing Initiative Partnership (HIP), a local nonprofit developer and housing counseling agency, to administer its Single-Family Rehabilitation Loan Program.<sup>24</sup> The County has provided deferred loans to county home owners earning up to 80 percent of AMI to assist with the repair of health and safety hazards. Home owners are required to be current on their mortgage, property taxes and insurance, and must have equity in their homes. The county currently is not allocating new loans and is referring eligible home owners to the state's single-family rehabilitation program.<sup>25</sup>

Prince William County has a Neighborhood Housing Rehabilitation Program for residents of the county and the cities of Manassas and Manassas Park. This program is funded with CDBG and is available to owner occupied properties with the first \$25,000 as a grant and the balance as a deferred loan. The household income must be below 80 percent of AMI.

## Jurisdictions with Single-Family Rehabilitation programs

District of Columbia

City of Alexandria

Fairfax County

Loudoun County

Prince William County

**Montgomery County** 

City of Rockville

Prince George's County

## Inventory of Naturally Occurring Affordable Housing

The effectiveness of even the most well-designed preservation programs depends on the timely identification of at-risk properties. A strong data collection effort can help local communities identify which affordable rental properties appear to be at risk of loss and for what reason (e.g., demolition, rent increases, condominium conversion), and target their outreach and preservation efforts accordingly.

The National Housing Preservation Database<sup>26</sup> provides states and localities with a good head start on creating their own databases of at-risk properties. This database incorporates all available data on federally subsidized housing properties developed with nine separate funding streams. In addition, data on LIHTC properties are available through an interactive website<sup>27</sup>, and Virginia, Maryland and the District of Columbia all track housing units produced or preserved with federal subsidies.

However, equally important to tracking subsidized units is the ability to identify and track market-rate affordable units in the jurisdiction. It can be a challenging undertaking to identify and track these unregulated units; however, these properties are the largest source of affordable rental housing in many communities.

## Inventory of Naturally Occurring Affordable Housing in Practice

The City of Alexandria and Arlington County have systems for tracking market-rate affordable or naturally occurring affordable rental housing. The City of Alexandria estimates that the number of unregulated rental units affordable to households up to 60 percent of AMI dropped from 18,218 to 3,853 between 2000 and 2016. In Arlington County, the number of market-rate affordable rental units affordable to households up to 60 percent of AMI dropped from nearly 20,000 in 2000 to just over 5,000 in 2013.

Jurisdictions with Inventories of Naturally Occurring Affordable Housing

**Arlington County** 

City of Alexandria

### Property Tax Abatement/Exemptions

Local jurisdictions can adopt various types of tax incentives to encourage owners to preserve the affordability of subsidized and unsubsidized affordable rental homes. Some incentives are intended to make it financially feasible for owners of lower-cost housing to make improvements without raising rents to levels unaffordable to low-income residents. Other incentives can encourage property owners receiving federal, project-based Section 8 assistance to continue to participate in the program.

Tax incentive programs often work by freezing or lowering the real estate tax assessments or tax rate for properties that preserve affordability over a designated period of time. Preservation tax incentives tend to be most effective in neighborhoods in which rents have not yet risen significantly, and in which the benefits of non-participation (such as increasing rents or widening the applicant pool beyond holders of housing choice vouchers, for example) are outweighed by the benefits of the tax incentives.

Some private property owners have been proponents of partial property tax exemptions or abatements, or decreased assessments, for older properties that are affordable to lower-income households, arguing that jurisdictions should not tax these properties the same as new or recently updated properties, which are operating closer to their highest and best use. The argument is that lower property taxes reduce overall operating costs and can allow landlords to keep rents more affordable. However, without an agreement between the property owner and local jurisdiction, there is no requirement or guarantee that the owner will not raise rents.

A recently passed Virginia law allows local jurisdictions to reduce assessments on properties committed as affordable based on the restricted income being generated. The Virginia Code also exempts properties owned by PHAs. DC and Maryland jurisdictions can also apply different tax rates to different types of properties at their own discretion.

#### Jurisdictions with Multifamily Property Tax Abatement/Exemptions

District of Columbia

City of Alexandria

**Montgomery County** 

Loudoun County

### Right of First Refusal

Under right of first refusal policies, local governments, public housing agencies, and/or tenant groups have the right to match contracts on affordable multifamily rental housing being sold. Right of first refusal laws vary in the length of time that they provide to designated buyers to make an offer to purchase, but typically range from 30 to 90 days. In some cases, existing residents can preserve the property as affordable by agreeing to waive their rights to purchase the property in exchange for a promise by the purchaser to keep some or all of the units affordable for a certain number of years. In other cases, the tenants either purchase the property themselves or transfer their rights to a nonprofit or mission-driven for-profit organization that agrees to maintain the property as affordable rental housing.

For a right of first refusal to be successfully exercised, two factors need to be put into place very quickly. First, there must be a capable buyer, which typically involves residents partnering with an entity that has experience purchasing and operating rental housing, usually a nonprofit housing organization. Second, the buyer needs quick access to capital to close the transaction. Government funding programs that can respond quickly and flexibly to requests from nonprofits and tenant groups seeking to purchase and rehabilitate at-risk housing can therefore enhance the effectiveness of right of first refusal laws.

#### Right of First Refusal in Practice

Montgomery County and its combined public housing and housing finance agency, the Housing Opportunities Commission (HOC), have the right to match contracts on multifamily rental properties built before 1981 or on rental buildings being sold for conversion to condominiums. Certified tenant associations also have the right to match the

contract on rentals built prior to 1981. The right can be waived if the purchaser commits to preserving the building as a rental property for five years with rent levels acceptable to the county, or makes a cash contribution to the County's Housing Initiative Fund.

#### **Jurisdictions with Right of First Refusal policies**

District of Columbia

City of Alexandria

Montgomery County

Prince George's County

### Community Land Trust

A community land trust (CLT) is a nonprofit organization designed primarily to ensure community stewardship of land. CLTs can be used for many types of development (including commercial and retail) but are primarily used to provide permanently affordable housing options to lower-income households. The CLT purchases land and maintains ownership of it permanently. To promote home ownership, a prospective home owner enters into a lease agreement with the CLT for the land and can therefore purchase a home at a lower cost since he or she does not have to purchase the land. As part of the agreement, when the home owner sells the home, he or she receives a portion of the increased value, with the other portion remaining with the CLT to help ensure affordability of the home for future home owners. The length of the lease is generally 99 years and the percentage earned by the home owner varies across CLTs but, by separating the ownership of land and housing, the CLT is designed to mitigate market factors from causing prices to rise significantly, and can guarantee that housing can remain affordable for multiple home owners over the long-term.

While CLTs are often thought of as a mechanism primarily for home ownership, CLTs have been used to help make rental housing affordable to lower-income households. In fact, according to the National CLT Network<sup>28</sup>, about two-thirds of residential properties stewarded by CLTs are rental properties. Because the land is owned by the trust, constructing and maintaining the overall property is lower, therefore allowing rents to be lower. Many

rental CLTs also work to actively engage residents and provide services such as financial counseling and other supports.

#### **Community Land Trusts in Practice**

In the **District of Columbia**, the New Columbia Community Land Trust, Inc. (NCCLT) is a community-based, land acquisition, housing development and community education organization. NCCLT serves as housing development coordinator/consultant to tenant groups seeking to exercise their "first-right-to-purchase" singlefamily or multifamily buildings when their landlords put them up for sale. In addition to a ground lease, NCCLT provides tenant organization support, project feasibility, financial packaging and loan applications, architect and contractor selection, construction monitoring, and permanent financing and close-out.<sup>29</sup>

A community land trust in Anacostia has been created by City First Enterprises and will begin acquiring properties in 2017. These properties will be rehabilitated or developed into primarily single-family housing for sale to low- and moderate-income residents living east of the Anacostia River.<sup>30</sup>

#### **Jurisdictions with Community Land Trusts**

District of Columbia



## FINANCIAL TOOLS

Financial tools include sources of funding for the development and/or preservation of housing, or direct financial support to families to make housing more affordable. All local jurisdictions in the Greater Washington region receive some federal housing resources, either directly through HUD or as a pass-through from the state or county, including CDBG, HOME, LIHTC and HCVs. Importantly, home owners across all jurisdictions benefit from access to the federal Mortgage Interest Deduction (MID), which reduces the cost of home ownership for some homeowners, generally those that are higher-income.

As federal resources for housing have declined—and as housing needs across the region have grown—local jurisdictions are increasingly looking for local sources of funding for housing programs. While options have been fairly limited, there is a growing sense of the need to be more inventive in identifying funding sources at the local level.

Local funding for housing programs often are used to support the production or preservation of housing for lower-income households. Local resources are also sometimes provided as direct assistance to individuals and families to help with housing costs or to access affordable housing. In many cases, local and federal resources are used together to help make it possible to build or preserve housing affordable to low-income individuals and families.

There is a myriad of ways in which local jurisdictions in the Greater Washington region provide financial assistance to help expand the production of affordable housing. The following highlights some of the key sources of funding and uses for local resources in local communities.

## **Local Housing Trust Funds**

Housing trust funds are distinct funds established by a city, county, or state government that generally receive ongoing dedicated sources of public funding to support the preservation and production of housing affordable to lower-income households. Revenue for local housing trust funds is generated from a variety of sources, including real estate transfer taxes or recordation fees, litigation settlements, inclusionary in-lieu fees and, in some cases, an appropriation from a jurisdiction's general revenue. There is wide variation in the amounts local jurisdictions commit to housing trust funds, and the amounts can vary from year to year. Trust fund dollars can also be combined with other local funding for affordable housing programs and services.

In the most effective local housing trust funds, public dollars are used to leverage a range of additional funding sources, which expands the impact the fund can have. Trust fund dollars can be used to fund a wide variety of housing production and preservation activities, depending on the goals of the community. Funds can be allocated as grants or as loans for predevelopment activities, construction, rehabilitation, or resident services. Loan repayments accounting for a share of the trust funds revenue.

The National Housing Trust Fund (NHTF) is a dedicated federal fund intended to provide revenue to local jurisdiction through allocations to the states. The NHTF is designed to provide communities with funds to build, preserve, and rehabilitate rental homes that are affordable for extremely and very low income households. Each state receives an allocation based on population, with a minimum of \$3 million. A state agency—usually the state housing finance agency—prepares an allocation plan to determine how funds are allocated to the local level.

Maryland and Virginia also have state housing trust funds. The Maryland Affordable Housing Trust Fund funds housing programs that support households earning up to 50 percent of AMI, with preference given to households with incomes below 30 percent of AMI. The Virginia Housing Trust Fund provides grants and loans for home ownership, rental, and homelessness programs. The Greater Washington region does not have a regional housing trust fund.

#### **Local Housing Trust Funds in Practice**

The **District of Columbia's** Housing Production Trust Fund (HPTF) was established in 1988; however, the fund did not receive funding until FY2001.<sup>31</sup> Revenue for the HPTF was from a portion of the city's deed recordation and transfer taxes. Additional funding has come from one-time transfers to the fund from

the city's general revenues. In FY2016 and FY2017, the HPTF has been funded at a level of \$100 million annually, and Mayor Muriel Bowser has committed to continue to fund the HPTF at this level in each future budget year.

The HPTF is a permanent, revolving fund designed to facilitate the production and preservation of affordable housing and related services for District of Columbia residents, through the provision of financial assistance to eligible nonprofit and forprofit developers. At least 80 percent of funds must be used for programs that serve households with incomes below 50 percent of AMI and the remaining 20 percent must serve households with incomes below 80 percent of AMI. By law, at least half of the HPTF funding must assist the production or preservation of rental housing.

## Social Impact Bonds/ Impact Investing

Social impact bonds (SIBs) are innovative financing tools that can allow local jurisdictions to use funds from private investors to develop or rehabilitate housing affordable to lower-income individuals and families. SIBs have most commonly been used to finance the development of supportive housing targeting homeless individuals who are frequent

users of public services, including emergency rooms and police services. Savings associated with reduced costs in the health care and criminal justice systems resulting from individuals having access to stable housing is captured by the local jurisdiction and used to repay investors. SIBs are sometimes called "pay-for-success" programs, and investors are repaid if and when programs meet specified targets. Repayments are lower if goals are not met.

Social impact bonds are not currently used by local jurisdictions in the Greater Washington region, though there has been interest in developing SIB programs that could work locally. Regionally, the Washington Regional Association of Grantmakers has teamed up with Enterprise Community Loan Fund to develop Our Region, Your Investment, an impact investing initiative to bring a new form of capital to support the region's housing needs. Through this initiative, individuals and organizations can invest in the Enterprise Community Impact Note.<sup>32</sup> Those investments are targeted to help finance the development of affordable housing in the Greater Washington region. Investors receive a fixed-rate of return and will also receive regular statements about the social impact of their investments. The goal of the new fund is to raise at least \$15 million to help build affordable housing throughout the region, and will reflect a truly innovative way of raising capital.

Figure 4. Local Housing Trust Funds in the Greater Washington Region

Jurisdiction	Housing Trust Fund Name
District of Columbia	Housing Production Trust Fund (HPTF)
Arlington County	Affordable Housing Investment Fund (AHIF)
City of Alexandria	Housing Trust Fund (HTF)
Fairfax County	Penny for Affordable Housing Fund
Loudoun County	Housing Fund
Prince William County	None
Montgomery County	Housing Initiative Fund (HIF)
City of Rockville	Housing Opportunities Fund (HOF)
Prince George's County	Housing Trust Fund (HTF)

### Commercial Linkage Fees

Commercial linkage fees are assessed on new commercial construction to help meet the demand for local workforce housing generated by new commercial uses. These fees may be assessed through a stand-alone fee policy, or through broader inclusionary housing policies that apply to both residential and commercial development. Fees are often based on studies that estimate the unmet need for new housing that new workers will generate locally. These fees are frequently tailored by land use to account for different employee generation rates for different types of commercial uses (e.g., hotel vs. retail, office, or industrial). Such fees are also typically set below the actual cost per-square-foot of producing new housing for new workers, as localities seek to balance the needs for job attraction with the provision of workforce housing.

The ability of a local jurisdiction to collect commercial linkage fees depends on the statutory authority granted by the state. In Virginia, most jurisdictions do not have the authority to impose a mandatory commercial linkage fee.

#### Commercial Linkage Fees in Practice

Arlington County is the only jurisdiction in the Greater Washington region with a mandatory commercial linkage fee that supports affordable housing. The ability for Arlington to impose such a fee was the result of a lawsuit and a subsequent negotiated settlement that was codified through the passage of enabling legislation by the state's General Assembly. The policy allows commercial developers to contribute cash or housing units to meet the requirement. Cash contributions go into the County's Affordable Housing Investment Fund (AHIF).

#### **Jurisdictions with Commercial Linkage Fees**

**Arlington County** 

City of Alexandria

Fairfax County

#### **Demolition Fees**

Demolition fees or taxes seek to prevent or mitigate the loss of lower-cost, affordable housing by requiring multifamily property owners to pay a fee and/or tax for every demolished residential unit. While demolition taxes are rarer than other forms of developer impact fees, these taxes are being implemented in some hot housing markets where the demolition of older apartment buildings is impacting the availability of affordable housing.

No jurisdiction in the Greater Washington region imposes demolition fees. Several communities in California, New Jersey, and the Chicago region have adopted demolitions fees, often using the funds to support the development or preservation of affordable housing.

### Tax Increment Financing

Tax increment financing (TIF) has become a popular source of revenue for economic development projects in many communities, but can also be leveraged for the development of housing. TIF is used within 48 states to finance redevelopment projects against the anticipation of future tax revenue resulting from new development. The base amount of property tax revenue (i.e., the level before redevelopment investments) continues to fund local public services, and the increase in tax revenue is used to pay bonds, reimburse investors and/or allocated toward other community projects, including affordable housing. While TIF policies may vary by state, the use of TIF revenue to finance affordable housing programs can help ensure that new economic development and growth does not have a negative impact on affordability in the community.

#### **TIFs in Practice**

Arlington County uses TIF to support the development of affordable housing along the Columbia Pike corridor. The County's Transit Oriented Affordable Housing (TOAH) fund was approved by the County Board in 2013 to help Low Income Housing Tax Credit developments within the Columbia Pike Special Revitalization District and the Columbia Pike Neighborhoods Special Revitalization District be more competitive in the tax credit selection process. TOAH funds may be used by the

applicant to pay for county fees and infrastructurerelated costs so that developments stay below the VHDA Total Development Cost limits. The TOAH is funded by the Columbia Pike Tax Increment Financing (TIF) district through the dedication of 25 percent of the incremental increase in property tax revenue on Columbia Pike to TOAH.

In the **City of Alexandria**, the 2012 Beauregard Small Area Plan called for the use of city real estate tax increment revenue to help fund the creation and preservation of 800 long-term committed affordable and workforce housing units in the plan area, including 400 units affordable at 40 percent of AMI.

#### **Jurisdictions with Tax Increment Financing districts**

**Arlington County** 

City of Alexandria

#### Airbnb Tax

One of the newest local sources of funding for affordable housing in high-cost markets is a tax on short-term rentals, sometimes known as the Airbnb tax. The rise of Airbnb—the online resource that connects people with short-term rentals—has led to discussions about whether this new approach to lodging could actually be making housing affordability worse in some high-cost cities. In response, communities have begun taxing owners of Airbnb properties and sometimes directing that revenue to affordable housing.

#### **Airbnb Tax in Practice**

The **District of Columbia** began collecting taxes on Airbnb properties in early 2015. The short-term rental tax could result in millions of dollars of revenue for the city over time. However, that revenue is currently not dedicated to the city's local affordable housing trust fund. There are no well-publicized efforts in either northern Virginia or suburban Maryland to explore a similar tax dedicated to affordable housing.

#### **Jurisdictions with Microunit policies**

District of Columbia

### Local Housing Voucher Programs

Housing vouchers are a key component of a comprehensive rental housing strategy in any local jurisdiction, and are particularly important for ensuring that very and extremely low income households can find housing they can afford. The federal Housing Choice Voucher (HCV) program provides rental subsidies to some income-eligible households; however, the number of HCVs are far below what is needed to meet local needs and most local jurisdictions have closed their HCV waitlist and see no evidence of future expansion of funding for the HCV program.

A local housing voucher or grant program provides a locally-funded rent subsidy to income-eligible households for them to use in the private market. Similar to the federal HCV program, a local housing voucher program is designed to make up the difference between market rents and the rents affordable to low-income individuals and families. However, with a local program, jurisdictions have more flexibility in how they target subsidies and in setting income and other eligibility standards.

#### **Local Housing Voucher Program in Practice**

Arlington County's Housing Grants program provides rental assistance to low-income Arlington County residents.<sup>33</sup> These grants cover a portion of monthly rent, depending on household income, household size and rent amount. Applicants must meet income requirements (generally up to 50 percent AMI) and personal assets may not exceed \$35,000. Priority is given to seniors (65 years or older), individuals who are totally and permanently disabled, working families with at least one child under age 18, and clients and patients of a County-operated or County-supported mental health program.

#### **Jurisdictions with Local Housing Voucher programs**

District of Columbia

Arlington County

City of Alexandria

Fairfax County

Montgomery County

### First-Time Homebuyer Programs

Local first-time homebuyer programs assist lowand moderate-income households with purchasing a home by providing financial assistance with down payment, principal reduction and/or closing costs associated with home purchase. Potential homebuyers generally apply for assistance and sometimes have to meet certain requirements, such as currently living or working in the community. In order to receive assistance, homebuyers must meet the definition of a first-time buyer, which typically means having not owned a home in the prior three years. Homebuyers often must qualify for a mortgage from an approved lender. Funding for firsttime homebuyer programs comes from CDBG and HOME funding, as well as from local funding sources.

#### First-Time Homebuyer Programs in Practice

Loudoun County's Down Payment and Closing Cost (DPCC) Assistance Program is supported by allocations generated by the County's Affordable Dwelling Unit (ADU) program. The DPCC program provides loans of up to 10 percent of the sales price or \$25,000, whichever is less, to assist first-time homebuyers (including ADU home purchasers) with down payment and closing costs. Program funding is limited and available on a first-come/first-served basis. Applicants must currently live and/or work in Loudoun County for a minimum of six months. Household incomes must fall within 30 to 70 percent of AMI.

Prince William County's First Time Homeownership Assistance Program provides 23 percent of the sales price for down payment and closing to potential home buyers with incomes between 61 and 80 percent of AMI, or 33 percent of the sales price to home buyers with incomes at 60 percent of AMI or below. The assistance is provided as a 30 percent deferred loan with shared market appreciation.

#### **Jurisdictions with First-Time Homebuyer programs**

District of Columbia

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

Prince William County

Montgomery County

City of Rockville

Prince George's County

## **Employer-Assisted Housing**

Employer assisted housing (EAH) is an employerprovided benefit, usually designed to assist employees in becoming home owners. EAH programs often include grants for down payment assistance, low-interest loans, matched dollar savings plans, credit counseling, and/or homebuyer education.

While there have been efforts to create EAH programs that extend to private-sector employers broadly, local EAH programs typically are focused on public employees (e.g., local government and school employees) and employees of large nonprofit or anchor institutions (e.g., universities, hospitals). There are examples of individual employers in the region offering housing assistance, generally in the form of down payment assistance; however, there is no regional, coordinated private-sector EAH program.

#### **EAH in Practice**

Fairfax County's Magnet Housing Rental Program provides affordable rental housing in five communities in the county to bus drivers, new school teachers employed by Fairfax County Public Schools, and recruits in training hired by the Fairfax County Fire and Rescue and Police Departments and Fairfax County Sheriff's Office. 34 Eligibility depends on income levels that vary based on family size but is generally below 60 percent of AMI. Eligibility also depends on continued employment with the county. School employees can rent for as long as their

income remains between the limits, while Fire and Rescue, Police and Sheriff's office employees can rent for a maximum of two years.

Also in Fairfax County, George Mason University developed housing on its campus to help faculty, staff and graduate students access affordable housing. Masonvale is a 157 unit rental community consisting of townhouses and flats with rents between about \$1,500 and \$2,500 per month. GMU gives priority to new faculty and staff for whom housing is an obstacle to accepting a position at the university, as well as to faculty and staff with highly-specialized skills or in high-turnover positions. Other priority groups include existing faculty and staff, full-time graduate and professional students, and employees of organizations affiliation with the university.

The GMU Masonvale development is really designed to provide relatively short term or transitional housing to new faculty, staff and students. Residents can remain in their Masonvale unit for a maximum of three years before they are required to find housing on their own.

#### **Jurisdictions with EAH programs**

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

Montgomery County



## SPECIAL POPULATIONS

Finding affordable housing can be a challenge for many individuals and families; however, it is especially daunting for very and extremely lowincome seniors, persons with physical or mental disabilities, homeless individuals, and other vulnerable populations.

For local jurisdictions, these populations can be the hardest to serve, generally requiring substantial resources. Federal funding is available to help meet the housing needs of some of the more vulnerable populations but is not sufficient to meet all of the needs. Successful partnerships between local governments and nonprofit organizations can often be critical to meeting the needs of these special populations.

## Real Estate Tax Relief for Seniors/Persons with Disabilities

A real estate tax relief program is an incentive that reduces the amount of property tax owed by an individual home owner. For low-income home owners and those on fixed incomes, a reduction in real estate taxes can sometimes enable them to afford to remain in their home. In many programs, the tax relief is a deferment and home owners who qualify for a full or partial property tax exemption are required to pay the tax balance when the property is sold. Eligible home owners are usually required to meet income and asset limits (often with the primary residence not counted towards total assets).

#### Real Estate Tax Relief in Practice

Loudoun County has real estate tax relief programs for disabled veterans, spouses of armed services members killed in action, and elderly and disabled home owners. Disabled veterans and their surviving spouse may be exempt from paying real property taxes on their dwelling, some additional structures, and a lot up to three acres. Manufactured homes (mobile homes) may qualify for the exemption, as well. Land in excess of three acres is ineligible for the exemption. The United States Department of Veterans Affairs must have determined that

the veteran has a 100 percent service-connected, total and permanent disability or a total disability rating based on individual unemployability due to a service-connected disability.

Elderly and disabled individuals may also be exempt from paying real property taxes on their home and lot, up to three acres, based on qualifying program criteria. Residents must be at least 65 years of age or totally and permanently disabled and must meet income and asset requirements.

#### **Jurisdictions with Real Estate Tax Relief programs**

District of Columbia

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

Prince William County

Montgomery County

City of Rockville

Prince George's County

## Transitional Housing and Rapid Re-Housing

Transitional housing programs provide emergency shelter and temporary housing, as well as supportive services, to help homeless individuals and families become self-sufficient. Transitional housing programs offer a wide range of services such as job training, child care, educational training, and housing search assistance. Transitional housing is generally for a limited time period, with stays often ranging from two weeks to twenty-four months.

In recent years, there has been a shift away from transitional housing toward a rapid re-housing model for assisting at-risk populations. Rapid re-housing programs place a priority on moving a family or individual experiencing homelessness into permanent housing as quickly as possible. Housing is provided without preconditions such as employment, absence of criminal record, or sobriety, and resources and services are tailored to meet individual needs.

## Transitional Housing/Rapid Re-Housing in Practice

The **Prince William County** Transitional Housing Program is administered by the County's Office of Housing and Community Development (OHCD). The two year, transitional housing program assists residents that are ready to move beyond emergency shelter and into a more independent living situation. The program has been able to provide unique services by developing local partnerships with organizations such as the Prince William County School Support Service Division. Through these partnerships and with OHCD services, the program is able to assist transitioning residents by providing ongoing support services, such as home management counseling, financial planning and budgeting services, educational development, and tutoring all aimed at individual and family needs that may complicate the housing transition.

## Jurisdictions with Transitional Housing and/or Rapid Re-Housing programs

District of Columbia

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

Prince William County

Montgomery County

City of Rockville

Prince George's County

## Single-Room Occupancy (SRO) Homes

An SRO provides a small (generally about 140 to 250 square feet) private room for one individual, usually for an individual transitioning from homelessness. Typically, each room is furnished with a bed, chair, and space for clothing storage. A desk, sink, small refrigerator and/or microwave may also be provided. Bathrooms, living rooms, kitchens, laundry facilities, and meeting rooms are often shared spaces.

SROs are fairly uncommon in most communities. As part of the federal McKinney Act, SROs were reintroduced as a viable option for preventing homelessness among at-risk individuals. SROs also serve as an important source of both transitional and longer-term housing for individuals at risk of homelessness or others who have urgent housing and social service needs.

#### **SROs in Practice**

In 2003, housing advocates, developers, and various government agencies in Fairfax County formed a task force to study SRO housing as a feasible method of providing affordable housing for low-income single adults in the county. In response, the county modified its zoning to allow for the classification of SROs as a single use in certain districts and made other zoning changes to make it easier to build SRO projects. The County Department of Housing and Community Development manages the Coan Pond Residences, which include 20 200 square feet SROs that include a sleeping area, closet, bathroom and kitchenette. Designed for occupancy by one adult, an apartment can be rented for successive two-week periods.

#### **Jurisdictions with SRO Homes**

Fairfax County

## Permanent Supportive Housing (PSH)

Permanent supportive housing (PSH) is a comprehensive housing intervention that combines non-time-limited affordable housing assistance with wrap-around supportive services for people experiencing homelessness, as well as people with physical and intellectual disabilities, and eligibility is generally limited to people with incomes below 30 percent of AMI. The federal Supportive Housing program provides grants to provide services to people living in supportive housing, but these federal funds are limited and are far below what is needed to meet needs.<sup>35</sup>

There is no single PSH model. Supportive housing may involve the renovation or construction of new housing that includes 100 percent PSH units; set-asides of PSH units within market-rate, mixed-income or affordable buildings; or leasing of individual PSH units dispersed throughout a community.

PSH often includes a Housing First or Rapid Re-Housing approach, which emphasizes placing individuals in apartments as rapidly as possible, with follow-up to address other issues, including physical and mental health and addiction issues.

#### **PSH** in Practice

The John and Jill Ker Conway Residence in the NoMa neighborhood of the **District of Columbia** is a state-of-the-art example of permanent supportive housing. The development includes 124 units, including 64 homes for homeless veterans and 60 homes for individuals earning no more than 60 percent of AMI. Services, including job counseling and health care referrals, are offered on-site. The project is the District's first PSH project specifically for homeless veterans, and is the first project in the country to have full-time Veterans Affairs case managers on site.

#### **Jurisdictions with Permanent Supportive Housing**

District of Columbia

**Arlington County** 

City of Alexandria

Fairfax County

Loudoun County

Prince William County

Montgomery County

City of Rockville

Prince George's County



# ENDNOTES

- 1 See, for example, Ault, Mindy, Janet Viveiros and Nabihah Maqbool. 2015. The Impacts of Affordable Housing on Health: A Research Summary. Washington, DC: National Housing Conference; Brennan, Maya, Patrick Reed, Lisa Sturtevant. 2014. The Impacts of Affordable Housing on Education. Washington, DC: National Housing Conference. Online www.nhc.org.
- 2 Policy Basics: Federal Rental Assistance. 2015. Washington, DC: Center on Budget and Policy Priorities. Online http://www.cbpp.org/ research/housing/policy-basics-federal-rental-assistance
- 3 See https://www.huduser.gov/portal/datasets/lihtc.html for more information on the Low-Income Housing Tax Credit program.
- 4 See https://portal.hud.gov/hudportal/HUD?src=/program\_offices/ comm\_planning/communitydevelopment/programs for more information about the CDBG program.
- 5 See https://portal.hud.gov/hudportal/HUD?src=/program\_offices/ comm\_planning/affordablehousing/programs/home/ For more information about the HOME program.
- 6 See https://portal.hud.gov/hudportal/HUD?src=/topics/rental\_ assistance/phprog for more information about the federal public housing program.
- 7 See https://portal.hud.gov/hudportal/HUD?src=/program\_offices/ public\_indian\_housing/programs/hcv/about/fact\_sheet for more information about the Housing Choice Voucher program.
- 8 See https://portal.hud.gov/hudportal/HUD?src=/program\_offices/ public\_indian\_housing/programs/ph/mtw for more information about the Moving to Work program.
- 9 See https://portal.hud.gov/hudportal/HUD?src=/RAD for more information about the Rental Assistance Demonstration program.
- 10 See https://www.hudexchange.info/programs/htf/ for more information about the National Housing Trust Fund.
- 11 Dillon's Rule is derived from the two court decisions issued by Judge John F. Dillon of Iowa in 1868. Under Dillon's Rule, a state legislature has the authority to control local government structure, methods of financing its activities, and local the authority to undertake certain functions. For more information, see http://www.nlc.org/local-government-authority.
- 12 Robert Hickey, Lisa Sturtevant and Emily Thaden. 2014. Achieving Lasting Affordability through Inclusionary Housing (Working Paper). Cambridge, MA: Lincoln Institute of Land Policy. Online https://www. lincolninst.edu/publications/working-papers/achieving-lastingaffordability-through-inclusionary-housing
- 13 See http://www.montgomerycountymd.gov/DHCA/housing/ singlefamily/mpdu/index.html for more information about Montgomery County's MPDU program.
- 14 See https://housing.arlingtonva.us/development/land-use-zoning-tools/ for more information about Arlington County's AHO.
- 15 See http://www.fairfaxcounty.gov/rha/wdu/2016-06-17-wdu.pdf for more information about Fairfax County's WDU program.
- 16 See http://www.enterprisecommunity.org/sites/default/files/medialibrary/where-we-work/mid-atlantic/fbdi-who\_we\_are-oct-2016.pdf for more information about FBDI.

- 17 Note that Fairfax and Loudoun counties refer to their inclusionary housing programs as Affordable Dwelling Unit or ADU programs which are different from policies that allow accessory units on singlefamily properties.
- 18 See http://handbook.dcoz.dc.gov/use-categories/other-uses/ accessory-dwelling-units/ for more information about the District of Columbia's ADU policy.
- 19 See http://missingmiddlehousing.com/ for more information about missing middle housing.
- 20 See https://projects.arlingtonva.us/neighborhoods/neighborhoodsform-based-code/ for more information about Arlington County's Columbia Pike Form-Based Code.
- 21 See https://permittingservices.montgomerycountymd.gov/DPS/ customerservice/GreenTape.aspx for more information about Montgomery County's Green Tape program.
- 22 Artemel, Agnes. 2012. Impact of Local Regulatory Processes and Fees on Ability to Deliver New Housing Units. Arlington, VA: George Mason University Center for Regional Analysis. Online www.cra.gmu.edu.
- 23 See https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/Pilot%20Loan%20Program%20for%20Small%20Multi-Family%20Properties.pdf for more information about the District of Columbia's multifamily rehabilitation program.
- 24 See http://www.princegeorgescountymd.gov/986/Housing-Rehabilitation-Assistance-Progra for more information about Prince George's County's single-family rehabilitation program.
- 25 See http://pilot.dhcd.maryland.gov/Residents/Pages/mhrp-sf/ default.aspx for information about the state of Maryland's singlefamily rehabilitation program.
- 26 See http://www.preservationdatabase.org/ for information about the National Housing Preservation Database.
- 27 See https://lihtc.huduser.gov/ for the national LIHTC Database.
- 28 National Community Land Trust Network, http://cltnetwork.org/
- 29 See http://www.liscdc.org/tag/new-columbia-community-land-trust/ for more information about NCCLT.
- 30 See https://www.cfenterprises.org/community-land-trust-anacostiadc-announced-city-first-enterprises-citi-community-development/ for more information about the Anacostia land trust.
- 31 See https://www.cnhed.org/hptf/ for more information about the District of Columbia's Housing Production Trust Fund.
- 32 See http://www.enterprisecommunity.org/invest/impact-note for more information about the Enterprise Community Impact Note.
- 33 See https://housing.arlingtonva.us/get-help/rental-services/local-housing-grants/ for more information about Arlington County's local housing grant program.
- 34 See http://www.fairfaxcounty.gov/rha/rentalhousingprograms/magnet.pdf for more information about Fairfax County's magnet housing rental program.
- 35 See https://www.hudexchange.info/programs/shp/ for more information about the federal Supportive Housing Program.



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# SUMMARY OF LOCAL HOUSING PROGRAMS AND POLICIES

Resource or Strategy	District of Columbia	Arlington County, VA	City of Alexandria, VA
Federal Programs			
Low-Income Housing Tax Credit (LIHTC)	Х	Х	Х
Public Housing	Х		Х
Housing Choice Vouchers (HCV)	Х	X	Х
Moving to Work	Х		
Rental Assistance Demonstration (RAD)			
CDBG/HOME	Х	X	Х
National Housing Trust Fund (NHTF)			
Land Use/Zoning Tools			
Inclusionary Zoning	X	X	
Density Bonus for Affordable Housing		Х	Х
Workforce Housing	Х		Х
Public Land for Affordable Housing	Х	X	Х
Public-Private Partnerships	Х		Х
Faith-Based Development	Х	X	Х
Accessory Dwelling Unit Ordinance	Х	Х	
Medium Density/Missing Middle Housing	Х		
Form Based Code		X	
Affordable Housing Overlay Zone or District		X	
On-Site Density Transfer		X	
Expedited Development Review			
Capital Facility/Impact Fee Waivers			Х
Reduced Parking Requirements	Х		Х
Adaptive Re-Use			
Microunits	Х		

Fairfax County, VA	Loudoun County, VA	Prince William County, MD	Montgomery County, MD	City of Rockville, MD	Prince George's County, MD
Χ	X	X	X	X	X
X			X	Χ	X
Χ	X	X	X	X	X
Χ					
X					
X	X	Х	Х	X	X
X	Х		Х	Х	
X	X		Х		
X	Х				
			Х		
X			Х		
			Х		X
Х			Х		
			Х	Х	
			X		
			Х		
			Х		
	Х		Х		X
X			Х		

Resource or Strategy	District of Columbia	Arlington County, VA	City of Alexandria, VA
Preservation Programs			
Multifamily Rehabilitation Program	Х		
Single-Family Rehabilitation Program	X		X
Inventory of Naturally Occurring Affordable Housing		X	X
Property Tax Abatements/Exemptions	Χ		X
Right of First Refusal/Tenant Opportunity to Purchase	X		Х
Community Land Trust	X		
Financial Tools			
Local Housing Trust Fund	X	X	X
Social Impact Bonds			
Commercial Linkage Fee		X	X
Demolition Fee			
Tax Increment Financing		X	X
AirBnB Tax	X		
Local Housing Voucher Program	Χ	X	X
First-Time Homebuyer Program	Χ	X	X
Employer-Assisted Housing		X	X
Special Population			
Real Estate Tax Relief for Seniors/Persons with Disabilities	Χ	X	X
Transitional Housing	Х	X	X
Single-Resident Occupancy (SRO) Homes			
Permanent Supportive Housing (PSH)	Х	X	Х

Note: While every attempt was made to ensure all jurisdictions' programs are accurately reflected, it is possible that there may be omissions. Please see the Local Resources section of this report to contact individual jurisdictions for more information about their housing programs.

Fairfax County, VA	Loudoun County, VA	Prince William County, VA	Montgomery County, MD	City of Rockville, MD	Prince George's County, MD
			X		Χ
X	Χ	X	Х	Х	
	Х		Х		X
			Х		
					Х
X	X		Х	Х	
X					
X			X		X
X	X	X	X	Х	
X	X		X		
					X
X	X	X	X	Х	X
X	X	X	X	Х	
X					X
X	X	X	X	X	



# GLOSSARY OF HOUSING TERMS

#### **ACCESSIBLE HOUSING**

Housing that is completely modified to accommodate persons with disabilities.

#### **ACCESSORY DWELLING UNIT**

A second, small dwelling on the same grounds (or attached to) a single-family house, such as an apartment over a garage, a tiny house, or a basement apartment.

## AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

A legal requirement that federal agencies and federal grantees (i.e., local jurisdictions such as counties and cities) further the purposes of the Fair Housing Act. Adopted in 2015, the AFFH rule requires local jurisdictions to assess housing needs, analyze challenges to fair housing, engage with community stakeholders and establish local goals and priorities to address fair housing issues.

#### AFFORDABLE HOUSING

Typically rental or ownership housing costing no more than 30 percent of a household's gross monthly income before taxes.

#### **AREA MEDIAN INCOME (AMI)**

The middle income in a specific metropolitan area; half of households of a particular size have incomes higher and half have incomes lower. AMI is used to determine eligibility for housing programs.

#### **COMMUNITY LAND TRUST**

A nonprofit entity that acquires and retains ownership of land to support a community-serving purpose. Community land trusts typically execute long-term leases with home owners, other nonprofits, or business organizations for residential or commercial development. They typically place limits on the ability of owners or operators to fully realize appreciation in real estate value as a means of ensuring the land can support community-serving uses, such as "affordable housing" (see above) for the long-term.

#### COST BURDENED

A household paying more than 30 percent of its income for housing.

#### **DENSITY BONUS**

The permission to build a larger building (in terms of height or floor/area ratio) than would otherwise be allowed under prevailing zoning as an intended incentive or offset for providing below-market housing units or other community benefits.

#### FAIR MARKET RENT (FMR)

Rental rates set by HUD that represent the estimated monthly rent for a modest apartment in a given market. FMRs determine the eligibility of rental housing units and serve as the payment standard used to calculate subsidies under the Housing Choice Voucher program.

#### **FAMILY-SIZED UNITS**

Typically, units with two or more bedrooms.

#### FLOOR AREA RATIO (FAR)

A measure of the relationship between the total amount of usable floor area that a building has, or has been permitted for the building, and the total area of the lot on which the building is located.

#### HOUSING CHOICE VOUCHER

(formerly Section 8 Rent Assistance): Federally funded rent assistance program for low-income households. Households must meet income eligibility criteria and households pay a minimum of 30 percent of income for rent.

#### **HOUSING TRUST FUND**

Housing trust funds are distinct funds established by city, county or state governments that generally receive ongoing dedicated sources of public funding to support the preservation and production of housing affordable to lower-income households

#### **INCLUSIONARY ZONING**

Local requirement and/or incentive for developers to create below-market rental apartments or for-sale homes in connection with the local zoning approval of a proposed market-rate development project. Often accompanied by "density bonus" to offset the cost of providing the below market-rate units. Below market-rate units are sometimes required to be produced at the same location as the market-rate units, but some localities have alternative compliance options including off-site options, land dedication, and "fee in lieu."

#### LOW-INCOME HOUSING TAX CREDIT (LIHTC)

The primary federal program that supports development and rehabilitation of affordable multifamily rental housing, in this case serving households with incomes at or below 60 percent of AMI. Credits are allocated by state agencies to development projects, which sell the credits to raise equity to fund development.

## MARKET RATE AFFORDABLE HOUSING (or NATURALLY OCCURRING AFFORDABLE HOUSING)

Generally, housing with lower rent units in the private market for which owners have made no commitment to retain as affordable to renters at lower incomes.

#### NONPROFIT DEVELOPER

An organization classified as 501(c)(3) that rehabilitates or builds new housing affordable to low-income households.

#### SUPPORTIVE HOUSING

Rental assistance coupled with case management services for individuals who are homeless or at risk of homelessness and/or have a physical or intellectual disability.

#### **WORKFORCE HOUSING**

Generally, housing that is affordable to households earning between 80 and 120 percent of AMI.





