

## **Substantial Amendment: AP-90 Program Specific Requirements/all current & prior year Annual Action Plans**

**All current & prior year Annual Action Plans (and 5-year Consolidated Plan, where applicable) state the following:**

AP-90 Program Specific Requirements  
HOME Investment Partnership Program (HOME)

7. If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

City Response: *Not Applicable*

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**The City plans to amend plans by replacing “Not Applicable” with the following:**

“The City agrees to allow 55+ preferences for Low Income Housing Tax Credit developments.”

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**Reason for amendment:**

- The Department of Housing and Urban Development (HUD) and the Low-Income Housing Tax Credits (LIHTC) administered through the Illinois Housing Development Authority (IHDA) defines elderly differently. They are as follows:

HUD: In accordance with 24 CFR 5.403, an elderly family is a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

IHDA Qualified Allocation Plan (QAP): In accordance with IHDA’s QAP for LIHTCs “Elderly” means housing (i) intended for, and solely occupied by, persons age 62 or older; or (ii) intended and operated for occupancy by at least one person age 55 years or older per unit, and at least 80% of units within the Project are so occupied or (iii) provided for under any state or federal program that HUD has determined is specifically designed and operated to assist elderly persons (as defined in the state or federal program).

- In accordance with 24 CFR 92.253(d)(3), the City may limit eligibility or give a preference to a particular segment of the population if permitted in its written agreement with the City (and only if the limitation or preference is described in the City’s consolidated plan).