



Multifamily Request for Proposals Standards

2025 Multifamily Consolidated Request for Proposals
2026 Housing Tax Credits Funding Rounds

Last Updated: April 2025



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April 2025

Contents

- A. Purpose 1
- B. Legal Addendum 1
- C. Overview of the Multifamily RFPs 2
 - The Multifamily Consolidated RFP Overview..... 2
 - HTC Round 1 Overview..... 2
 - HTC Round 2 Overview..... 2
- D. The Multifamily RFP Process 4
 - The Solicitation Period 4
 - The Evaluation Period 6
 - Communication During the Evaluation Period 7
- E. Steps to Get Started 8
 - Step 1: Review Available Resources and Request Technical Assistance 8
 - Step 2: Review Application Eligibility, Determine Project Type(s) and Review Application Requirements 10
 - Step 3: Review Application Selection and Funding Considerations..... 13
 - Step 4: Determine the Financial Structure and Application Proposal Type(s) to Submit..... 18
 - Step 5: Create a Multifamily Customer Portal (Portal) Account..... 21
 - Step 6: Gather Materials and Apply by the Deadlines 22
- F. What to Expect After Selection 24
- G. Contact 25
- Appendix A – Legal Addendum..... 26
 - 1.01 Conflict and Control 26
 - 1.02 Fraud 26
 - 1.03 Misuse of Funds 26

1.04 Conflict of Interest 26

1.05 Assistance to Employees and Affiliated Parties..... 29

1.06 Suspension 30

1.07 Disclosure and Reporting..... 30

1.08 Electronic Signatures 30

1.09 Fair Housing Policy..... 31

1.10 Minnesota Government Data Practices..... 32

1.11 Prevailing Wage 32

A. Purpose

This Multifamily Request for Proposals (RFP) Standards provides an overview of the Minnesota Housing Finance Agency's (Minnesota Housing's) 2025 Multifamily Consolidated Request for Proposals (RFP) and 2026 Federal Low-Income Housing Tax Credit (Housing Tax Credit) Rounds 1 and 2 (funding rounds) processes, general instructions, requirements and important application information regarding Minnesota Housing's application and selection process.

Minnesota thrives because of its diversity of race, ethnicity, sexual orientation, gender identity, (dis)abilities, ages, families, and geographies. Discrimination, lack of access to resources, and other barriers have led to disparities that inhibit Minnesotans from achieving their fullest potential. Minnesota Housing and the Multifamily Consolidated RFP/Housing Tax Credit (HTC) funding rounds processes are designed to prioritize projects that center on Communities Most Impacted (CMI) by housing instability and disparities in its work to advance equity. This is a core value in all of Minnesota Housing's actions, including resources administered through the annual Multifamily Consolidated RFP/HTC funding rounds processes, which includes the awarding and allocating of housing tax credits and other deferred funding resources to affordable¹ multifamily rental housing developments.

Each funding source is subject to specific program requirements and limitations that are not set out in detail, or modified by, this document. The allocation and award of HTCs is governed by Minnesota Housing's [Qualified Allocation Plan \(QAP\)](#) including the [Self-Scoring Worksheet](#), which is informed by the [Scoring Guide](#). Applicants who are applying for 9% HTCs, deferred loans with a 4% HTC financial structure or deferred loans only should refer to those guiding documents.

Interested applicants should sign up for Minnesota Housing's [Multifamily Consolidated RFP eNews](#) list to receive important information and training opportunities throughout the Multifamily Consolidated RFP/HTC funding round application period.

B. Legal Addendum

Any recipient of an award agrees to comply with the additional requirements and obligations as described in Appendix A, which is attached and incorporated into this Multifamily RFP Standards.

¹ Housing with rent or income restrictions.

C. Overview of the Multifamily RFPs

This document applies to the following Multifamily RFP processes:

- The Multifamily Consolidated RFP
- HTC Round 1
- HTC Round 2

The Multifamily Consolidated RFP and HTC funding rounds are highly competitive. Funding requests in a typical round can be as much as four to five times greater than the available resources. For more information on the HTC funding rounds and eligibilities, refer to the [2026-2027 QAP, Chapter 2](#).

The Multifamily Consolidated RFP Overview

The Multifamily Consolidated RFP is offered once per year as it consolidates and coordinates multiple federal and state multifamily housing capital funding resources into one application process. This includes, but is not limited to, deferred loan programs, amortizing mortgages and project based rental assistance. Applicants request funding for a specific housing development. Applicants generally do not apply for specific deferred loan funding sources. During the application evaluation process, Minnesota Housing identifies the funding sources that are the best fit for a given application.

HTC Round 1 Overview

HTC Round 1 is offered through the Multifamily Consolidated RFP and uses a forward selection process for 9% HTCs, with selections taking place late in the year preceding the allocation year of the HTCs.

During Round 1, for-profit applicants whose project is located in a suballocator jurisdiction, which includes the city of St. Paul, city of Minneapolis, Washington County and Dakota County, must apply directly to the suballocator for an HTC allocation. Minnesota Housing cannot accept applications for developments located in a suballocator jurisdiction in Round 1 unless the suballocator has entered into a joint powers agreement to return all of their HTCs to Minnesota Housing, or the applicant is a nonprofit applying for the State's nonprofit set aside. Minnesota Housing administers HTCs for all areas outside of suballocator jurisdictions. Nonprofit applicants may apply concurrently to both Minnesota Housing for the nonprofit set aside and to the suballocator. Any HTCs unused by a suballocator are returned to Minnesota Housing to be used in Round 2.

HTC Round 2 Overview

HTC Round 2 makes available for allocation any remaining, returned or additional 9% HTCs received by Minnesota Housing after HTC Round 1 and establishes a waiting list for HTCs that may become available. Applicants may also apply for HUD Section 811 PRA funding and may also be considered for

deferred funding if such funds become available. During Round 2, all projects located in suballocator jurisdictions may apply directly to Minnesota Housing.

D. The Multifamily RFP Process

The Multifamily RFP process includes the solicitation and evaluation period. The solicitation period is effectively the time period from when application materials are released to when the application materials are due. The evaluation period is effectively the time period from the application due date to when the Minnesota Housing board of directors approves funding selections.

The Solicitation Period

The solicitation period formally starts once the application is available to the public. This includes all application materials, the [Multifamily Customer Portal](#) (Portal)², application trainings and technical assistance to help applicants submit a competitive application(s). Refer to the [Steps to Get Started](#) section for additional details. Within the solicitation period, potential applicants submit a complete Intent to Apply, Pre-Application(s) (if applicable) and full application to be considered for a funding selection.

Intent To Apply

All potential applicants for the Multifamily Consolidated RFP and HTC Round 1 must complete the Intent to Apply (ITA). The purpose of ITA is to help Minnesota Housing plan for the potential scope and scale of applications and needed resources. The ITA is submitted via the Portal but does not require a fee or submission of application materials or checklist³ items. The ITA is not applicable for HTC Round 2. Refer to [Step 5: Create a Portal Account](#) for more information.

The ITA must include the project(s)' intended details and characteristics⁴ including, but not limited to, the following:

- Intended project name, street(s), city, MN and contact(s)
 - A site must have been identified at the time of ITA and be in the process of obtaining, or have obtained, the address at the time of application. Should the parcel address be pending, at minimum, include the cross streets, e.g. XXXX Main Street and Central Avenue. See [site control](#) for additional information.
- Intended [financial structure and application proposal type\(s\)](#)
- Estimated [project type\(s\)](#)

² Portal facilitates the application and post-selection process for developers seeking funding from Minnesota Housing for affordable rental housing. Portal is a web-based application built on the Salesforce Platform.

³ Designated area in Portal to upload required and optional application materials.

⁴ Characteristics generally includes proposal type(s), housing type, construction type, and population(s) served.

- Estimated # of units and population(s) served
- Estimated Total Development Cost
- Estimated Score from the Self-Scoring Worksheet
- Intended characteristics

The number of ITAs and the estimated self-reported scores by project type(s) and geographic area will be shared with applicants. Completing the characteristics at ITA will generate the application materials and checklists needed for the specific project. Once the applicant inputs the project characteristics at ITA, the application checklist will automatically generate and will vary on the specific characteristics indicated in Portal by the applicant. Some checklist items may be opted out if they are not applicable to the application. Applicants can change project information in their final application even after the ITA is submitted.

Pre-Application(s)

A Pre-Application may be required for specific selection criteria. The applicant must provide the required pre-application prior to the application. Failure to submit required pre-application materials may result in rejection of the pre-application or ineligibility for the selection criteria

The Multifamily RFPs Pre-Applications are:

- **United States Housing and Urban Development (HUD) Section 811 Project- Based Rental Assistance (HUD Section 811 PRA):** Applicants must submit a HUD Section 811 PRA pre-application to determine eligibility for the program prior to submitting a full Multifamily Consolidated RFP/HTC funding rounds application. Applicants will be notified about eligibility for the program prior to the application due date. Applicants cannot only apply for HUD Section 811 PRA funding in the Multifamily Consolidated RFP/HTC Round 1 or HTC Round 2 funding round. Applicants must also apply for capital funding, and awards are contingent on Minnesota Housing funding.
- **Innovative Construction Techniques (ICT) Selection Criterion:** Applicants must submit an ICT pre-application to determine eligibility for this selection criterion prior to submitting a full Multifamily Consolidated RFP/HTC funding rounds application. Applicants will be notified about eligibility for the selection criterion prior to the application due date.

Pre-application(s) must be completed, submitted and accepted by Minnesota Housing on or before the [pre-application deadline](#) to be considered in the evaluation period. Pre-application includes, but is not limited to, the following:

- All pre-application required materials, includes forms created by the Minnesota Housing and non-Minnesota Housing forms to support the pre-application. Required pre-application materials not completed, submitted and accepted may be considered ineligible.
- Completed, pre-application checklist item(s) uploaded and submitted in Portal.

Full Application

A full application must be completed, submitted and accepted by Minnesota Housing on or before the [application deadline](#) to move forward to the evaluation period. A full application includes, but is not limited to, the following:

- All required application materials, including forms created by the Minnesota Housing and non-Minnesota Housing forms to support the application. Required application materials not completed, submitted and accepted may be considered ineligible.
- Completed application checklist item(s) uploaded and submitted in Portal.
- Submission of the Self-Scoring Worksheet in the Scoring Wizard in Portal.
- Qualification Forms and complete financial information. Additional information is on [Development Team Qualification Forms](#) webpage.
- The required application fee(s) as listed in the Multifamily Fee Remittance Form.

Additional information is in [Application Requirements](#).

The Evaluation Period

The evaluation period has multiple phases and begins after the application deadline. The evaluation period generally extends over a four-month period and ends when recommendations are made to Minnesota Housing's board of directors. The phases include:

- **Eligibility and Data Validation:** applications go through an initial review to ensure a full application was submitted and is [eligible](#). Application materials submitted are cross-referenced with Portal to ensure consistency. If inconsistency exists, characteristics or documentation will be reconciled to match the application materials submitted. Applicants may be notified by Minnesota Housing staff should characteristics be reconciled. Reconciliation may include, but is not limited to, aligning the Multifamily Workbook(s) with the proposal type, determination of the project type(s), geographic area, and/or unit-mix.
- **Scoring:** applications are ranked based on self-score or Minnesota Housing score in accordance with the Self-Scoring Worksheet and Scoring Guide. Projects are then ranked based on the score and categorized by [project type](#), [geographic area](#) and [deferred funding priorities](#).
- **Early selection determination:** applicants are notified if their application is not moving forward in the process. The early selection determination is not applicable to HTC Round 2.
- **Feasibility:** applications are further processed and reviewed in accordance with the [application selection and funding requirements](#).
- **Board:** final recommendations are subject to approval by the board of directors, which concludes the application evaluation period.

Minnesota Housing in its sole discretion, may request additional information or to deem an application error as nonmaterial. Minnesota Housing reserves the right to withdraw any Multifamily RFP, not make

selections, adjust dates and/or modify submission material requirements as it deems necessary. Minnesota Housing will post notice of any such changes on its website and is not able to reimburse any applicant for costs incurred in the preparation or submittal of proposals.

Communication During the Evaluation Period

Minnesota Housing does not communicate or permit clarifications specific to scoring documentation after the application deadline. Minnesota Housing may, at its sole discretion, communicate with an applicant related to non-scoring application items, such as a selection determination or the feasibility review. Minnesota Housing may, at its sole discretion, provide an applicant with additional time to produce a required signature if incomplete or missing, provided Minnesota Housing determines this practice can be applied consistently and within a prudent timeline.

Multifamily RFP information may be requested through Minnesota Housing's [data request](#) process. However, most information will not be publicly available until after the [evaluation period](#). Once applicant responses are due and opened the names of applicants will be public but other data contained in applications will not. Pursuant to Minnesota Statutes, additional Multifamily RFP information, including, but not limited to, selection determination for all applications, project type, geographic region and score will become public after the evaluation period. This information will be posted on the [Board of Directors](#) webpage when recommendations are made, and on the [Funding Selections](#) webpage following the board of directors approval of the selection.

E. Steps to Get Started

To submit an application, interested applicants should follow the below six steps. Each step includes requirements and considerations for submitting an application.

1. [Review available resources and request technical assistance](#)
2. [Review application eligibility, determine project type\(s\) and review application requirements](#)
3. [Review application selection and funding considerations](#)
4. [Determine the financial structure and application proposal type\(s\) to submit](#)
5. [Create a Multifamily Customer Portal \(Portal\) account](#)
6. [Gather materials and apply by the deadlines](#)

Step 1: Review Available Resources and Request Technical Assistance

Most funding sources depend on the availability of those resources. The amount of state resources available for deferred loans is generally not known until after Minnesota's legislative session concludes. State or federal actions may affect the resources, preferences, eligible uses and other requirements after the Multifamily Consolidated RFP process is published. The guidance in this Multifamily RFP Standards may be modified accordingly. If that occurs, notification will be sent via eNews and posted on Minnesota Housing's [Multifamily Consolidated Request for Proposals/Housing Tax Credits Funding Rounds](#) webpage.

Multifamily Consolidated RFP/HTC Round 1 Resources

The resources included in the Multifamily Consolidated RFP/HTC Round 1 are subject to change based on availability, but often include:

- 9% HTCs, including nonprofit set aside and rural development set aside
- Deferred loans programs, which may include but are not limited to:
 - Economic Development and Housing Challenge (EDHC), including the American Indian set aside
 - Flexible Financing for Capital Costs (FFCC)
 - Housing Infrastructure includes Housing Infrastructure Appropriations (HIA) and Housing Infrastructure Bonds (HIB)
 - Preservation Affordable Rental Investment Fund (PARIF)
 - HOME Investment Partnerships (HOME)
 - National Housing Trust Fund (NHTF)
- Low and Moderate Income Rental (LMIR) Program amortizing mortgages
- Bridge Loans
- HUD Section 811 PRA

Minnesota Housing also reviews competitive applications requesting deferred loans that are structured with 4% HTCs during the Multifamily Consolidated RFP/HTC Round 1 funding round. Projects selected for deferred loans with 4% HTCs in the Multifamily Consolidated RFP/HTC Round 1 must undergo the preliminary determination process before 4% HTCs can be awarded.

Section 42 of the Internal Revenue Code (IRC) establishes procedures for obtaining HTCs through the issuance of tax-exempt volume limited bonds (Section 42(m)(1)(D) and 42(m)(2)(D)). As part of the process to obtain approvals for using 4% HTCs in a proposal, applicants must submit a separate application to Minnesota Housing for review and issuance of the required 42(m)(1)(D) and, as appropriate, 42(m)(2)(D), preliminary determination(s) for 4% HTCs. The 42M application is submitted later in the project timeline when all of the sources and uses are finalized. This is generally when the applicant is preparing for the issuer to issue the tax-exempt volume limited bonds and for the project to close. See Chapter 7 of the QAP for additional details.

Minnesota Housing does not consider requests solely for tax-exempt volume limited bonding authority in the Multifamily Consolidated RFP/HTC Round 1 funding round.

Funding Partners Resources

Applicants may also be considered for funding by other public entities that choose to select projects that are within their jurisdictions and who have submitted applications to the Multifamily Consolidated RFP/HTC funding rounds. The public entities may include, but are not limited to, the Metropolitan Council and the Saint Paul Public Housing Agency. This list of public entities is subject to change.

Information submitted through the Multifamily Consolidated RFP/HTC funding rounds may be shared with Minnesota Housing RFP partners that provide resources and/or expertise to create or preserve affordable multifamily rental housing in Minnesota. Any private or nonpublic data that is shared with Minnesota Housing RFP partners remains private or nonpublic and may not be shared by those entities except as authorized by relevant data practices statutes.

HTC Round 2 Resources and Priorities

Deferred loan resources are generally not available in HTC Round 2.

- 9% HTCs, including the nonprofit set aside and rural development set aside. Set asides are available if the credits were not fully allocated in HTC Round 1.
- LMIR Program amortizing mortgages
- HUD Section 811 PRA

Projects that meet the following qualifications will have priority in HTC Round 2, in accordance with the 2026-2027 QAP, Chapter 2.E:

- Previously received HTCs from Minnesota Housing or a suballocator

- Have an annual HTC shortfall of at least 5% but not more than 33.33% of the total qualified annual HTC amount

Projects that previously were fully funded and received a full allocation cannot request supplemental HTCs unless there has been a justifiable increase in eligible basis.

Request Technical Assistance

Given the highly competitive nature of the Multifamily RFPs, technical assistance is *strongly* recommended for all applicants, particularly those who are new to Minnesota Housing’s Multifamily RFPs. Technical assistance is a consultation session with Minnesota Housing staff to review project concepts, project workbooks and financial structures, preliminary building design or scopes of work and Minnesota Housing’s scoring process.

Applicants can submit a [Technical Assistance Request Form](#), and there is no cost. Projects with certain characteristics including, but not limited to, community facilities, unique design features, intended tenant preferences or other unique project attributes are also encouraged to request technical assistance.

Technical assistance provided by Minnesota Housing staff is only advisory and does not guarantee that a development will receive points under a particular category or be selected for funding.

While every effort is made to ensure the accuracy of the technical assistance, such assistance is subject to, and does not modify or override, the requirements of Minnesota Housing’s QAP, the Self-Scoring Worksheet, this document, Multifamily Underwriting Standards or other documents related to applications for funding. Applicants are encouraged to review the materials available on Minnesota Housing’s website and consult with legal counsel and, if applicable, a knowledgeable tax professional to ensure compliance with all applicable application, submission and project requirements.

Step 2: Review Application Eligibility, Determine Project Type(s) and Review Application Requirements

Projects must meet the categories listed to be eligible for funding⁵. Certain activities listed may not be eligible under some funding sources.

Eligible Housing Types

- Permanent general occupancy rental housing
- Permanent Supportive Housing

⁵ HTC eligibility is governed by the HTC QAP, including the Self-Scoring Worksheet.

- Senior Housing

Eligible Buildings/Projects

- Minimum of four units⁶
- Single/multiple building(s) on a parcel of land
- Scattered site buildings on different tracts of land if the project is 100% rent and income restricted

Eligible Construction Types

- New construction
- Acquisition/rehabilitation of existing housing
- Adaptive reuse/conversion to housing from another use

Eligible Activities

- New construction
- Acquisition of land or existing structures
- Rehabilitation of housing
- Adaptive reuse/conversion to housing from another use
- Preservation
- Demolition
- Construction financing
- Permanent financing
- Rental assistance either through Minnesota Housing or other public partners
- Operating assistance, if eligible for NHTF capital funding

Ineligible Uses

Any residential rental unit that is part of a hospital, nursing home, sanitarium, life care facility, trailer park or intermediate care facility for the mentally and physically handicapped is not considered for use by the general public; therefore, it is not eligible for HTCs under Section 42 of the IRC.

Transitional housing and shelter housing are ineligible uses.

⁶ HTC projects with buildings having four or fewer residential units must comply with Section 42 (i)(3)(c) of the Internal Revenue Code.

Determining Project Type(s)

Applicants will initially identify their project type during the [solicitation period](#). Minnesota Housing reserves the right to determine the application's final project type(s). Applicants will be notified of the final project type during the selection determination. The project type(s) help determine funding sources that may be eligible for the project.

Project types are determined by project characteristics, which are comprised of the [proposal type](#), [housing type](#), [construction type](#), [activities](#) and population served. Applications will be assigned one or more of the following project types:

- **Workforce Housing:** have rent or income restricted units. Each resource may have further rent or income restrictions, generally between 30% MTSP and 60% MTSP. Workforce Housing project type generally target a number of different populations including, but not limited to, the following:
 - Single occupancy
 - Families
 - Individual(s) experiencing homelessness or who are high priority homeless and/or people with disability(ies), this includes projects that are partially and primarily supportive housing
- **Preservation:** existing projects in need of rehabilitation. These projects generally meet the requirements of the Preservation Selection criterion per the Self-Scoring Worksheet and meet a risk of loss, have existing project-based rental assistance, or have rent or income restricted units. The Preservation project type may also meet the definition to be a Workforce Housing, Supportive Housing or Senior Housing project type.
- **Supportive Housing:** 100% of the units support High Priority Homeless (HPH) and/or other homeless households.
- **Senior Housing:** 100% of the units are age restricted, intended and operated for occupancy to ages 55 years and older.

Application Requirements

Applications that do not complete and submit the following information by the [Application Deadline\(s\)](#), when applicable, may be considered ineligible for further processing:

- Evidence of [site control](#) and a site map
- Multifamily Workbook(s)⁷

⁷ A required application material which provides details about the project's financial structure and funding request, project descriptions and information, incomes and expenses, cash flow, and more.

- To be considered for a 9% HTC project or a deferred loan with 4% HTCs, the HTC Info and Determination of Credit tabs in the Multifamily Workbook must be completed.
- [General Certification Form for Project Owner/Sponsor](#)
- [HTC Section 42 Certification Form](#), if applicable
- [Wage Theft Disclosure Certification Form](#) and [Wage Theft Prevention Verification](#)
- Architectural submissions that meet Minnesota Housing's [Rental Housing Design and Construction Standards](#)
- [Pre-Application\(s\)](#) eligibility determination, if applicable, for:
 - HUD Section 811 PRA
 - ICT selection criterion
- All application materials and checklist items that are applicable to the project. The most current version of application forms can be found in [Portal](#). Current versions are indicated in the instructions of the document or with footer dates consistent with the current funding round.
- Submission of the Self-Scoring Worksheet on the Scoring Wizard in [Portal](#)
- [Development Team Qualification Forms](#) and complete financial information. This includes the Qualifications of Sponsor and Qualification of Service Provider for applications that are primarily supportive housing
- Required application fee(s) as listed in the [Multifamily Fee Remittance Form](#)

Signatures

All application materials with a signature block must be signed, including the General Certification Form. Minnesota Housing will accept the following signatures:

- Scanned wet signatures
- DocuSign, if the applicant has an active DocuSign account
- Adobe Sign signatures
- A photo of the signed document(s)
- Mailed original copies; if mailing original copies, they must be received in accordance with all deadlines and requirements outlined above.

Minnesota Housing may provide an applicant with additional time to produce a required signature if incomplete or missing, provided Minnesota Housing determines this practice can be applied consistently and within a prudent timeline.

Step 3: Review Application Selection and Funding Considerations

Minnesota Housing determines if the application meets the selection and funding requirements. The application review requirements for selection and funding include, but are not limited to, the following:

- [Geographic distribution](#)
- [Strategic priorities and selection criteria](#)
- [Deferred loan funding priorities](#)
- [Amount of funding requested](#)
- [Financial and organizational capacity](#)
- [Site control](#)
- [Project feasibility](#)
 - [Multifamily Underwriting Standards](#)
 - [Multifamily Rental Housing Design/Construction Standards](#)
 - [Payment Standards](#)
 - [Rent and income limits](#)
 - [Wage Theft](#)
- [Prohibited Tenant Preference Policy](#)
- [Tenant Displacement Prior to Selection](#)

Geographic Distribution

Minnesota Housing considers geographic distribution of resources and the resulting amount and type of anticipated housing production throughout the state when making Multifamily Consolidated RFP/HTC funding rounds selection decisions. [Minnesota Statute 462A.222](#) prescribes how 9% HTCs are allocated by region in HTC Round 1 and HTC Round 2.

Strategic Priorities and Selection Criteria

When scoring and determining funding awards, Minnesota Housing prioritizes proposals that best meet the greatest number of selection criteria, as outlined in the [QAP](#), which reflect Minnesota Housing’s policy goals for the current funding round. Proposals must meet at least one strategic priority to be eligible for funding from Minnesota Housing, as demonstrated in the Multifamily Rental Housing Narrative.

Among comparable applications, Minnesota Housing considers how the proposed project aligns with the goals and objectives outlined in [Minnesota Housing’s Strategic Plan](#) and attempts to balance project types (for example, permanent supportive housing, seniors housing, etc.).

An award and/or allocation is based on the information provided in the application. The project is required to comply with all selection criteria that are claimed and awarded. This includes any due diligence/reporting requirements after selection and for the term of the declaration. Failure to comply could result in the loss of the award and/or allocation as well as the assessment of penalty points in future rounds.

Deferred Loan Funding Priorities

Minnesota Housing offers different sources of deferred funding through the Multifamily Consolidated RFP/HTC Round 1, which are typically comprised of federally appropriated funds, state appropriated funds, bond proceeds and Minnesota Housing allocated funds. Because the Multifamily Consolidated RFP includes several deferred funding resources, Minnesota Housing evaluates each proposal to determine which deferred loan funding source is the best fit for the project. Refer to Minnesota Housing program guides and manuals for specific funding sources and requirements. Guides and Manuals can be found on Minnesota Housing's [Deferred Loan and Grant Programs](#) webpage.

Amount of Funding Requested

Minnesota Housing considers the amount of funding requested in comparison to available resources in order to fully fund or nearly fully fund as many projects as reasonably feasible, which may result in not selecting higher scoring projects, including in instances where insufficient resources are available to fully fund or nearly fully fund a project.

Financial and Organizational Capacity

Applicants must submit the required qualification forms. The qualification forms, along with additional information and instructions for submittal, can be accessed on Minnesota Housing's [Development Team Qualification Forms](#) webpage.

The applicant's financial and organizational capacity will be reviewed to assess:

- The applicant's related housing or other real estate development experience
- The number of proposed projects
- Whether the applicant has successfully completed similar projects or is partnering with other organizations that have successfully completed similar projects
- Whether the applicant has strong current and expected ongoing capacity to complete the proposed housing project(s) and other proposals being developed by the organization, including proposals being considered for selection in the current funding round and those previously selected by Minnesota Housing that have not yet been completed
- Whether the applicant has the capacity to operate and maintain the rental housing long-term
- Whether the applicant is active, in [good standing](#) and not [suspended](#)
- Whether the applicant has successfully managed projects in its portfolio and in compliance with Minnesota Housing's compliance policies, procedures or requirements

Site Control

Applicants must demonstrate acceptable evidence of title/site control, which includes a purchase agreement, purchase option or letter of intent from a governmental body for a sole developer. If there

is no transfer of ownership, then the warranty deed or contract for deed is acceptable. Additional federal requirements, such as an environmental review, may apply post-selection.

The evidence of site control must:

- Be current – not expired
- Be fully executed by both buyer and seller
- Include the legal description of the property
- Have the purchase price clearly indicated
- Extend at least through the calendar year of the funding round, including automatic extensions. If the purchase agreement does not contain a specific date of expiration, but rather a series of phases with timeframes, the applicant must document how long the agreement extends, given the allowable timeframes

Project Feasibility

Projects must demonstrate and satisfy the following feasibility requirements in their application:

- The housing is economically viable and sustainable when the Multifamily Underwriting Standards are applied
- The proposed site is appropriate for the proposed housing and the target population including, but not limited to, environmental conditions and neighboring property uses such as fuel tank storage, high noise producing activities, floodplains, etc.
- The costs of developing the housing are reasonable and/or justifiable
- The proposed housing is needed in the intended market based on population, job growth and low housing vacancy rates; this includes the need for supportive housing units
- For permanent supportive housing, the rents must be affordable for the population to be served and must have a feasible plan for securing resources for adequate staffing and services to address the needs of the population to be served
- For projects that are to be developed in tandem with another project (for example, shared underground parking), the application must demonstrate that each individual project can be financed and built independently; the Multifamily Workbook(s) must reflect all costs associated with the submitted project
- For projects that include a commercial component, the application must demonstrate that the housing and commercial elements will be financed separately, and that the sustainability of the housing component does not rely upon commercial income

Multifamily Underwriting Standards

The Underwriting Standards are used by Minnesota Housing for underwriting and sizing of all funding awards, including HTCs. Refer to the [Multifamily Underwriting Standards](#), which can be found on

Minnesota Housing's [Multifamily Consolidated Request for Proposals/Housing Tax Credits Funding Rounds](#) webpage.

Multifamily Rental Housing Design/Construction Standards

Minnesota Housing is committed to constructing or rehabilitating multifamily housing to a standard that, when properly maintained, remains decent, safe, sanitary and affordable for a long-term duration.

Minnesota Housing has established minimum design standards that are applicable to the construction or rehabilitation project being proposed. Minnesota Housing's Rental Housing Design/Construction Standards incorporate requirements from a variety of sources to further Minnesota Housing's charge to facilitate the provision of decent, safe, sanitary, and affordable housing in the state. Overall, Minnesota Housing's standards help ensure that financed affordable housing is sustainable, cost-effective, healthy and energy efficient. The type of housing and funding program often dictates which standards apply. Refer to the Minnesota Housing [Building Standards](#) webpage for the Rental Housing Design/Construction Standards and other design information.

Payment Standards

Public Housing Agencies (PHAs) adopt payment standard schedules that establish the Housing Choice Voucher (HCV) and HUD Veterans Affairs Supportive Housing (HUD VASH) voucher payment standards amounts for unit sizes in the PHA jurisdiction. Minnesota Housing encourages developers to be aware of the payment standards in the project area so that projects seeking Minnesota Housing financing are accessible to voucher holders.

All applicants must meet the minimum deeper rent targeting unit requirements outlined in the [Self-Scoring Worksheet](#) with rents restricted at or below the Housing Assistance Payment (HAP) payment standard, as determined by the responsible entity in the jurisdiction.

Rent and Income Limits

Minnesota Housing requires rent and income limits consistent with those specified in the owner's application, and as underwritten by Minnesota Housing for selected projects, provided they are not higher than applicable program statutory [rent and income limits](#).

All applicants must meet the minimum deeper rent targeting unit requirements outlined in the [Self-Scoring Worksheet](#) with rents restricted at or below the county 30% MTSP rent limit.

Wage Theft

The Wage Theft Disclosure Certification Form and Wage Theft Prevention Verification Form is required by [Minnesota Statute 462A.051](#) for all multiunit residential housing projects applying for funding from Minnesota Housing, including any loan and federal low-income HTCs.

- Wage Theft Disclosure Certification Form
- Wage Theft Prevention Verification Form

Minnesota Housing must deny any application where the applicant refuses to provide the information requested by the Wage Theft Disclosure Certification Form and Wage Theft Prevention Verification Form, and may refuse to fund any application based on the information provided in the forms.

Prohibited Tenant Preference Policy

[Minnesota Rule 4900.0340](#) prohibits a preference for occupancy in multi-unit developments financed by Minnesota Housing to persons or families by virtue of their prior residence in the community in which the development is located. In limited circumstances, exceptions may be considered for households displaced by public action or natural disaster or for previous residents of a rehabilitated multi-unit development financed by Minnesota Housing.

Tenant Displacement Prior to Selection

If a project will involve the demolition, rehabilitation and/or conversion of an existing residential or commercial building currently occupied by tenants who are not the building owner, the applicant or owner cannot attempt to involuntarily vacate or displace current tenants from the building as a direct result of acquisition, rehabilitation or demolition for the project from the time of application submission through selection. Notices to vacate given to tenants or refusals to renew an expiring lease in order to evade responsibilities to provide relocation assistance or sell the property as “vacant” after the date of application submission is not allowed. Building occupancy must also be tracked from application submission through selection.

If the project requires temporary relocation of tenants during demolition, rehabilitation and/or conversion, a plan must be submitted and accepted. Review Minnesota Housing’s [Temporary Relocation Principles](#) for more information.

Step 4: Determine the Financial Structure and Application Proposal Type(s) to Submit

During the application evaluation period, Minnesota Housing identifies which funding sources are eligible for a given application. To maximize the available funding resources, the funding proposal type, amount and financial structure will be determined by Minnesota Housing, at its sole discretion. Financial structuring is not limited to the funding structure requested in the workbook(s) submitted in the application.

Dual Application

A dual application is an application submitted with two different proposal types or financial structures, which result in a primary and secondary application. Applicants can submit two or more Multifamily Workbooks, which result in a primary, secondary or a tertiary Multifamily Workbook. The project can be financed and structured with any of the following:

- 9% HTCs only
- 9% HTCs with a deferred loan(s)
- Deferred loan(s) with 4% HTCs
- Deferred loan(s) only

Dual applications allow Minnesota Housing to maximize the available funding resources as well as the number of applications funded through the Multifamily Consolidated RFP/HTC Round 1. Minnesota Housing will review and score the dual application per the respective criteria and priorities as outlined in Minnesota Housing's QAP and the Self-Scoring Worksheet.

Guidance for Dual Applications

- To be considered as a dual application, the applicant must submit the required dual application checklist items in Portal.
- If applicants are applying for 9% HTC, the 9% application must be submitted as the primary application in Portal. All other financial structure requests will be submitted as the secondary application/workbook or tertiary workbook. Refer to the [Property and Project Numbers](#) section for additional details and guidance.
- Applicants must submit one Self-Scoring Worksheet in Portal's Scoring Wizard and a Multifamily Workbook for each financial structure. Each Multifamily Workbook submission must have the same unit mix, tenant population, design/scope of work, management and operating expenses, rent structure, etc. Only minor variations in the project budget are allowed to account for the financial structure.
- Minnesota Housing will generally not issue short-term tax-exempt volume limited bonds where the amount necessary to meet the required percentage of tax-exempt volume limited bonds to qualify the project for 4% HTCs is less than \$2 million.

Guidance for Tax-exempt Volume Limited Bonds

- Generally, Minnesota Housing will not issue tax-exempt volume limited bonds for projects located in Minneapolis, St. Paul or Dakota County unless the project receives an award of HIA or HIB.
- Minnesota Housing generally only issues its general obligation tax-exempt volume limited bonds to finance short-term and amortizing long-term first mortgage loans.

Guidance for Housing Infrastructure Eligible Projects at the Time of Application

In accordance with Minnesota Statute 462A.37, the eligible multifamily uses for Housing Infrastructure funds at the time of Multifamily Consolidated RFP/HTC Round 1 publication is independent housing for seniors 55 years of age or older, supportive housing, preservation of federally assisted rental housing, foreclosed or abandoned properties used for affordable rental housing, and rent restricted properties with units affordable to households at 50% AMI. Refer to the [Housing Infrastructure Guide](#) for specific eligibility as well as rent and income requirements.

Generally, projects with Housing Infrastructure funds may be structured in the following ways:

- 9% HTC structure with Housing Infrastructure Appropriations
- 4% HTC structure with Housing Infrastructure loan: the HIBs or Rental Housing Bonds are issued as tax-exempt volume limited bonds to help the project qualify for 4% HTCs.
- Deferred loan-only: Minnesota Housing awards HIA or issues the HIB's as 501(c)3 bonds or governmental bonds, which does not help a project qualify for 4% HTCs. The HIB option is generally only available to projects whose sponsors are nonprofits or governmental organizations.

Having the flexibility to structure Housing Infrastructure loans without 4% HTCs allows Minnesota Housing to maximize funding during the Multifamily Consolidated RFP/HTC Round 1. These structures are utilized at Minnesota Housing's sole discretion and will be informed by the availability of Housing Infrastructure funds and eligibility requirements.

Minnesota Housing strongly encourages sponsors to submit an additional Multifamily Workbook and Bond Tests Analysis Form as part of the application with a Deferred loan-only structure. These materials may be uploaded to the tertiary Multifamily Workbook and Deferred Loan-Only Bond Tests Analysis checklist items in the Application Checklist.

There can be complexities with an HIB loan-only structure if other non-HIB sources of funding are limited. In particular:

- If the land or building is acquired prior to selection by Minnesota Housing
- If the land or building buyer and seller are related parties
- If reserves are required
- If an identify of interest exists between the sponsor and the developer, architect and/or general contractor

Any sponsor with a project meeting any of the criteria above should seek technical assistance and consult with legal counsel.

Step 5: Create a Multifamily Customer Portal (Portal) Account

Applicants must apply for funding through Minnesota Housing’s online Portal. Portal allows applicants to log in, custom build an application checklist based on the type of proposal to be submitted and upload all application materials. Most items have descriptive help text that provides important information on submission. Review instructions on how to navigate Portal and submit an application, which can be found on Minnesota Housing’s [Multifamily Customer Portal Resources](#) webpage.

To apply through Portal, applicants will need to request a Portal user account. To request an account, complete the [online form](#). Refer to the Multifamily Customer Portal User Guides on Minnesota Housing’s [Multifamily Customer Portal Resources](#) webpage for more information.

Property and Project Numbers

On many Minnesota Housing application forms, applicants are asked to provide a property number (D#) and a project number (M#). A D# is a four-digit number assigned by Minnesota Housing to represent the property. Portal will automatically assign a primary M#, and a secondary M# will be assigned when applicants submit a dual application.

Applicants need to list the primary M# in their Multifamily Workbook (workbook). Enter the secondary M# in the secondary application workbook. If you are submitting a third financing structure, re-use the secondary M# in the tertiary workbook. The D#, M#, and secondary M# can be found in the project information details section of an applicant’s project. Refer to the tables below for examples.

See [Guidance for Dual Applications](#).

If applicants are applying for 9% HTC, the 9% application must be submitted as the primary application/Multifamily Workbook in the Portal. All other financial structure requests will be the secondary application/Multifamily Workbook or tertiary Multifamily Workbook.

Table 1: Scenario: Three financing structures, including 9% HTCs, deferred loan(s) with 4% HTCs and deferred loan(s) only

| Checklist Item Name | Action to Take | M# Assigned |
|--------------------------------------|--|--------------------|
| WKBK: Primary Application Workbook | Upload 9% HTC workbook to this checklist item | Primary M# |
| WKBK: Secondary Application Workbook | Upload deferred loan(s) with 4% HTCs workbook to this checklist item | Secondary M# |
| WKBK: Tertiary Workbook | Upload the deferred loan(s) only workbook to this checklist item | Reuse Secondary M# |

Table 2: Scenario: Two application structures, including 9% HTCs and deferred loan(s) with 4% HTCs

| Checklist Item Name | Action to Take | M# Assigned |
|--------------------------------------|--|--------------|
| WKBK: Primary Application Workbook | Upload 9% HTC workbook to this checklist item | Primary M# |
| WKBK: Secondary Application Workbook | Upload deferred loan(s) with 4% HTCs workbook to this checklist item | Secondary M# |
| WKBK: Tertiary Workbook | Opt out of this checklist item. It is only needed when submitting three financing structures | N/A |

Table 3: Scenario: Two application structures, including deferred loan(s) with 4% HTCs and deferred loan(s) only

| Checklist Item Name | Action to Take | M# Assigned |
|--------------------------------------|--|--------------|
| WKBK: Primary Application Workbook | Upload deferred loan(s) with 4% HTCs workbook to this checklist item | Primary M# |
| WKBK: Secondary Application Workbook | Upload the deferred loan(s) only workbook to this checklist item | Secondary M# |
| WKBK: Tertiary Workbook | Opt out of this checklist item. It is only needed when submitting three financing structures | N/A |

Step 6: Gather Materials and Apply by the Deadlines

Applicants are responsible to know all requirements that are needed to submit a complete application based on the specific [financial structure and proposal type](#) and/or [project type](#).

Multifamily Consolidated RFP/HTC Funding Round 1

Table 4: Multifamily Consolidated RFP/HTC Funding Round 1 Materials and Deadlines

| Required Submission Items | How to Submit | Application Deadlines |
|---|---|---|
| Intent to Apply (ITA) | Multifamily Customer Portal | Thursday, May 8, 2025, by noon Central Time |
| Pre-Application(s): HUD Section 811 PRA and Innovative Construction Techniques Selection Criterion | Multifamily Customer Portal | Thursday, May 29, 2025, by noon Central Time |
| Application Package This includes, but is not limited to: <ul style="list-style-type: none"> All application materials uploaded as an application checklists in Portal Self-Scoring Worksheet on the Scoring Wizard in Portal Qualification forms* | Multifamily Customer Portal *All qualification forms and sponsor financials must be submitted via the Multifamily Secure Upload Tool | Thursday, July 10, 2025, by noon Central Time |

| Required Submission Items | How to Submit | Application Deadlines |
|--|---|---|
| <p>Multifamily Fee Remittance Form</p> <ul style="list-style-type: none"> This includes the payment <p><i>NOTE: All fees are non-refundable</i></p> | <p>U.S. Mail:</p> <p>Minnesota Housing Attn: Multifamily Division 400 Wabasha St. N, Suite 400 St. Paul, MN 55102</p> | <p>Thursday, July 10, 2024</p> <p><i>NOTE: If hand delivering, the deadline is 4:00 p.m. Central Time. If mailing, postmark must be as of July 10, 2025.</i></p> |

HTC Round 2

Table 5: HTC Round 2 Materials and Deadlines

| Required Submission Items | How to Submit | Application Deadlines |
|--|--|--|
| <p>Intent to Apply (ITA):</p> <p><i>There is no ITA for HTC Round 2</i></p> | N/A | N/A |
| <p>Pre-Application: HUD Section 811 PRA and Innovative Construction Techniques Selection Criterion</p> | Multifamily Customer Portal | <i>Tentative early 2026, date will be posted on Minnesota Housing website.</i> |
| <p>HTC Round 2 Application Package</p> <p><i>There is no ITA for HTC Round 2</i></p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> Site control Qualification forms* Financial information | <p>Multifamily Customer Portal</p> <p>*All Qualification forms and sponsor financials must be submitted via the Multifamily Secure Upload Tool</p> | <i>Tentative early 2026, date will be posted on Minnesota Housing website.</i> |
| <p>Multifamily Fee Remittance Form</p> <ul style="list-style-type: none"> This includes the payment <p><i>NOTE: All fees are non-refundable</i></p> <p>Resubmittal or Full Application Fee Guidance</p> <p>Applicants who are resubmitting an application from HTC Round 1 of the same allocation year only need to pay the supplemental fee. New applications must pay the full application fee.</p> <p>Applicants must submit the Application Resubmittal Checklist or the full application in Portal. Refer to the Application Requirements section for more information.</p> | <p>U.S. Mail:</p> <p>Minnesota Housing Attn: Multifamily Division 400 Wabasha St. N, Suite 400 St. Paul, MN 55102</p> | <i>Tentative early 2026, date will be posted on Minnesota Housing website.</i> |

F. What to Expect After Selection

If an application is selected for further processing, Minnesota Housing will send a selection determination letter to the applicant detailing the terms and conditions of funding along with next steps. Being selected for further processing is not a commitment or guarantee of funding.

All selected proposals may be subject to scoring criteria and conditions of selection for the term of the deferred loan Declaration and/or the Declaration of Land Use Restrictive Covenants (LURA). All selected projects are required to follow Minnesota Housing's [Tenant Selection Plan \(TSP\) Guidelines](#). Minnesota Housing will review TSPs prior to loan closing to confirm that the plan complies with the TSP Guidelines.

G. Contact

- Multifamily Consolidated RFP: mhfa.consolidated.rfp@state.mn.us or visit the [Multifamily Consolidated Request for Proposals/Housing Tax Credits Funding Rounds](#) webpage
- Housing Tax Credits: htc.mhfa@state.mn.us or visit the [Housing Tax Credits](#) webpage
- Technical Assistance: Complete and submit the [Technical Assistance Request Form](#)
- Portal Questions: mhfa.app@state.mn.us

Appendix A – Legal Addendum

1.01 Conflict and Control

In the event of any conflict between the terms of this Addendum and the document to which it is attached, the terms of this Addendum will govern and control.

1.02 Fraud

Fraud is any intentionally deceptive action, statement or omission made for personal gain or to damage another.

Any person or entity (including its employees and affiliates) that enters into a contract with Minnesota Housing and witnesses, discovers evidence of, receives a report from another source or has other reasonable basis to suspect that fraud or embezzlement has occurred must immediately make a report through one of the communication channels described in section 1.07.

1.03 Misuse of Funds

A contracting party that receives funding from Minnesota Housing promises to use the funds to engage in certain activities or procure certain goods or services while Minnesota Housing agrees to provide funds to the recipient to pay for those activities, goods or services. Regardless of the Minnesota Housing program or funding source, the recipient must use Minnesota Housing funds as agreed, and the recipient must maintain appropriate documentation to prove that funds were used for the intended purpose(s).

A misuse of funds shall be deemed to have occurred when: (1) Minnesota Housing funds are not used as agreed by a recipient; or (2) a recipient cannot provide adequate documentation to establish that Minnesota Housing funds were used in accordance with the terms and conditions of the contract.

Any recipient (including its employees and affiliates) of Minnesota Housing funds that discovers evidence, receives a report from another source or has other reasonable basis to suspect that a misuse of funds has occurred must immediately make a report through one of the communication channels described in section 1.07.

1.04 Conflict of Interest

A conflict of interest – Actual, Potential or Appearance of a Conflict of Interest – occurs when a person has an actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A Potential Conflict of Interest or Appearance of a Conflict of Interest exists even if no unethical, improper or illegal act results from it.

- **Actual Conflict of Interest:** An Actual Conflict of Interest occurs when a person’s decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.
- **Potential Conflict of Interest:** A Potential Conflict of Interest may exist if a person has a relationship, affiliation or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations or interests.
- **Appearance of a Conflict of Interest:** The Appearance of a Conflict of Interest means any situation that would cause a reasonable person, with knowledge of the relevant facts, to question whether another person’s personal interest, affiliation or relationship inappropriately influenced that person’s action, even though there may be no Actual Conflict of Interest.

A conflict of interest includes any situation in which one’s judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a Partner, Family Member, Relative, Friend, Business or other Outside Interest with which they are involved. Such terms are defined below.

- **Business:** Any company, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages either in nonprofit or profit-making activities.
- **Family Member:** A person’s current and former spouse; children, parents, and siblings; current and former children-in-law, parents-in-law, and siblings-in-law; current and former stepchildren and stepparents; grandchildren and grandparents; and members of the person’s household.
- **Friend:** A person with whom the individual has an ongoing personal social relationship. “Friend” does not generally include a person with whom the relationship is primarily professional or primarily based on the person being a current or former colleague. “Friend” does not include mere acquaintances (that is, interactions are coincidental or relatively superficial). Social media friendships, connections, or links, by themselves, do not constitute friendship.
- **Outside Interest:** An Outside Interest may occur when an individual, their Family Member or their Partner has a connection to an organization via employment (current or prospective), has a financial interest or is an active participant.
- **Partner:** A person’s romantic and domestic partners and outside Business partners.
- **Relative:** Uncle or aunt; first or second cousin; godparent; godchild; other person related by blood, marriage or legal action with whom the individual has a close personal relationship.

Once made aware of a conflict of interest, Minnesota Housing will make a determination before disbursing any further funds or processing an award Determinations could include

- Revising the contracting party’s responsibilities to mitigate the conflict
- Allowing the contracting party to create firewalls that mitigate the conflict
- Asking the contracting party to submit an organizational conflict of interest mitigation plan

- Terminating the contracting party's participation

Any person or entity (including its employees and affiliates) that enters into a contract with Minnesota Housing must avoid and immediately disclose to Minnesota Housing any and all conflicts of interest through one of the communication channels described in section 1.07.

1.04.1 Federal Conflict of Interest Requirements

State and federal conflict of interest requirements differ, and Minnesota Housing business partners must comply with all requirements.

Minnesota Housing administers various programs using federal funds. Minnesota Housing requires that each of its external business partners (for example, administrators, borrowers, contractors, grantees or subrecipients) complies with all applicable federal conflict of interest standards. Specifically, no external business partner's employee, agent or consultant may participate in the selection, award or administration of a contract supported by a federal award if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the business partner's employee, agent, consultant or any member of their immediate family, their partners, or an organization which employs or is about to employ any of these parties, has a financial or other interest in, or obtains a tangible personal benefit from, a firm considered for a contract. External business partner's employees, agents and consultants may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts supported by a federal award. Minnesota Housing will not consider it a violation of this policy if the external business partner's employee, agent or consultant receives an unsolicited item of nominal value.

In addition, no external business's partner employees, agents or consultants "who exercise or have exercised any functions or responsibilities with respect to activities assisted with" funds from HOME Investment Partnerships (HOME), HOME American Rescue Plan (HOME ARP), Housing Opportunities for Persons with AIDS (HOPWA) or National Housing Trust Fund (NHTF) "or who are in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from" a HOME, HOME ARP, HOPWA or NHTF-assisted activity "or have a financial interest in any contract, subcontract, or agreement with respect to the" HOME, HOME ARP, HOPWA or NHTF-assisted activity "or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a

stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person.”⁸ Violation of federal conflict of interest requirements by business partners, agents or consultants will result in appropriate actions by Minnesota Housing, including the potential termination of the relationship and additional contractual or other remedies. Violation of federal conflict of interest requirements may need to be reported to the federal government in appropriate circumstances.

Any person or entity (including its employees and affiliates) that enters into an agreement with Minnesota Housing relating to federal funds must avoid and immediately disclose to Minnesota Housing any and all conflicts of interest through one of the communication channels described in section 1.07.

A contracting party should review its contract and request for proposals (RFP) material, if applicable, for further requirements.

1.05 Assistance to Employees and Affiliated Parties

Any party entering into a contract with Minnesota Housing for the purpose of receiving an award or benefit in the form of a loan, grant, combination of loan and grant or other funding is restricted in issuing a loan, grant, combination of loan and grant or other funding to a recipient (“Affiliated Assistance”) who is also: (1) a director, officer, agent, consultant, employee or Family Member of an employee of the contracting party; (2) an elected or appointed official of the State of Minnesota; or (3) an employee of Minnesota Housing, unless each of the following provisions are met:

- The recipient meets all eligibility criteria for the program;
- The assistance does not result in a violation of the contracting party’s internal conflict of interest policy, if applicable;
- The assistance does not result in a conflict of interest as outlined in section 1.04;
- The assistance is awarded utilizing the same costs, terms and conditions as compared to a similarly situated unaffiliated recipient and the recipient receives no special consideration or access as compared to a similarly situated unaffiliated recipient; and
- The assistance is processed, underwritten and/or approved by staff/managers who are independent of the recipient and independent of any Family Member of the recipient. Family Member is defined in section 1.04.

A contracting party need not disclose Affiliated Assistance to Minnesota Housing. However, the contracting party must document and certify, prior to the award, that the Affiliated Assistance meets

⁸ See generally, HOME: [24 CFR 92.356](#); including any revisions by the Appendix to the HOME-ARP Notice as amended; HOPWA: [24 CFR 574.625](#); NHTF: [24 CFR 93.353](#). In limited circumstances, a conflict of interest could be waived via an exception request, in writing. For further information, see federal regulations at: HOME: [24 CFR 92.356](#); HOPWA: [24 CFR 574.625](#); NHTF: [24 CFR 93.353](#).

each of the provisions outlined above. This documentation must be included in the Affiliated Assistance file and must be made available to Minnesota Housing upon request. Affiliated Assistance that does not meet each of the provisions outlined above will be considered a violation of Minnesota Housing conflict of interest standards and must be reported by the contracting party through one of the communication channels outlined in section 1.07.

1.06 Suspension

By entering into any contract with Minnesota Housing, a contracting party represents that the contracting party (including its employees or affiliates that will have direct control over the subject of the contract) has not been suspended from doing business with Minnesota Housing. Please refer to Minnesota Housing’s website for a list of [suspended individuals and organizations](#) (Go to mnhousing.gov, scroll to the bottom of the screen and select Report Wrongdoing, then select Suspensions from the menu).

1.07 Disclosure and Reporting

Minnesota Housing promotes a “speak-up, see something, say something” culture whereby internal staff must immediately report instances of fraud, misuse of funds, conflicts of interest or other concerns without fear of retaliation through one of the communication channels listed below. External business partners (for example, administrators, grantees or borrowers) and the general public are strongly encouraged to report instances of fraud, misuse of funds, conflicts of interest or other concerns without fear of retaliation using these same communication channels.

- Minnesota Housing’s Chief Risk Officer at 651.296.7608 or 800.657.3769 or by email at MHFA.ReportWrongdoing@state.mn.us;
- Any member Minnesota Housing’s [Servant Leadership Team](#), as denoted on Minnesota Housing’s current organizational chart (Go to mnhousing.gov, scroll to the bottom of the screen and select About Us, select Servant Leadership Team); or
- [Report Wrongdoing or Concerns \(mnhousing.gov\)](#) (Go to mnhousing.gov, scroll to the bottom of the screen and select Report Wrongdoing).

1.08 Electronic Signatures

Minnesota Housing will use and accept e-signatures on eligible program documents subject to all requirements set forth by state and federal law and consistent with Minnesota Housing policies and procedures. The use of e-signatures for eligible program documents is voluntary. Questions regarding which documents Minnesota Housing permits to be e-signed should be directed to Minnesota Housing staff.

1.09 Fair Housing Policy

It is the policy of Minnesota Housing to affirmatively further fair housing in all its programs so that individuals of similar income levels have equal access to Minnesota Housing programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

Minnesota Housing's fair housing policy incorporates the requirements of Title VI of the Civil Rights Act of 1968; the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988; and the Minnesota Human Rights Act. Housing providers and other entities involved in real estate related transactions are expected to comply with the applicable statutes, regulations and related policy guidance. Housing providers should ensure that admissions, occupancy, marketing and operating procedures comply with non-discrimination requirements. Housing providers and other entities involved in real-estate related transactions must comply with all non-discrimination requirements related to the provision of credit, as well as access to services.

In part, the Fair Housing Act and the Minnesota Human Rights Act make it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units;
- Discriminate in the making or purchasing of loans for purchasing, constructing or improving a dwelling, or in the terms and conditions of real-estate related transactions;
- Discriminate in the brokering or appraisal of residential property;
- Discriminate in terms, conditions or privileges of the rental of a dwelling unit or services or facilities;
- Discriminate in the extension of personal or commercial credit or in the requirements for obtaining credit;
- Engage in any conduct relating to the provision of housing that otherwise make unavailable or denies the rental of a dwelling unit;
- Make, print or publish (or cause to make, print or publish) notices, statements or advertisements that indicate preferences or limitations based on protected class status;
- Represent a dwelling is not available when it is in fact available;
- Refuse to grant a reasonable accommodation or a reasonable modification to a person with a disability;
- Deny access to, or membership or participation in, associations or other services organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Minnesota Housing has a commitment to affirmatively further fair housing for individuals with disabilities by promoting the accessibility requirements set out in the Fair Housing Act, which establish

design and construction mandates for covered multifamily dwellings and requires those in the business of buying and selling dwellings to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

Under certain circumstances, applicants will be required to submit an Affirmative Fair Housing Marketing Plan at the time of application, to update the plan regularly and to use affirmative fair housing marketing practices in soliciting renters, determining eligibility and concluding all transactions.

As a condition of funding through Minnesota Housing, housing providers are not permitted to refuse to lease a unit to, or discriminate against, a prospective resident solely because the prospective resident has a Housing Choice Voucher or other form of tenant-based rental assistance.

1.10 Minnesota Government Data Practices

Minnesota Housing, and any party entering into a contract with Minnesota Housing, must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by Minnesota Housing under the contract, and as it applies to all data created, collected, received, stored, used, maintained or disseminated by the contracting party under the contract. The civil remedies of Minnesota Statutes Section 13.08 apply to the release of the data referred to in this section by either the contracting party or Minnesota Housing. If the contracting party receives a request to release the data referred to in this section, the contracting party must notify Minnesota Housing. Minnesota Housing will give the contracting party instructions concerning the release of the data to the requesting party before the data is released. The contracting party's response to the request shall comply with applicable law.

1.11 Prevailing Wage

Under certain circumstances, awards of Minnesota Housing funds may trigger state prevailing wage requirements under [Minnesota Statutes Chapter 177](#) or [Minnesota Statutes Section 116J.871](#). In broad terms, Minnesota Statutes Chapter 177 applies to an award of \$25,000 or greater for housing that is publicly owned. Minnesota Statutes Section 116J.871 applies to awards for non-publicly owned housing that meet the following conditions: (1) new housing construction (not rehabilitation of existing housing); (2) a single entity receives from Minnesota Housing \$200,000 or more of grant proceeds or \$500,000 of loan proceeds; or (3) allocations or awards of low-income housing tax credits, for which tax credits are used for multifamily housing projects consisting of more than ten units.

Minnesota Statutes Section 116J.871 sets out several exceptions to the applicability of prevailing wage including (1) rehabilitation of existing housing; (2) new housing construction in which total financial assistance at a single project site is less than \$100,000; and (3) financial assistance for the new construction of fully detached single-family affordable homeownership units for which the financial assistance covers no more than ten fully detached single-family affordable homeownership units.

Entities receiving funding from Minnesota Housing as described in this section shall notify all employers on the project of the recordkeeping and reporting requirements in Minnesota Statutes Section 177.30, paragraph (a), clauses (6) and (7). Each employer shall submit the required information to Minnesota Housing.

Questions related to submission of required information to Minnesota Housing may be directed to: mhfa.prevailingwage@state.mn.us.

All questions regarding state prevailing wages and compliance requirements should be directed to the Minnesota Department of Labor and Industry as follows:

Division of Labor Standards and Apprenticeship
State Program Administrator
443 Lafayette Road N, St. Paul, MN 55155
651.284.5091 or dli.prevwage@state.mn.us

If a contractor or subcontractor fails to adhere to prevailing wage laws, then that contractor or subcontractor could face civil and/or criminal liability.