HOUSE OPERATING BUDGET HEARING

Wednesday, February 22, 2017

SENATE OPERATING BUDGET HEARING

Thursday, February 23, 2017

Presentation by the

Maryland Department of Housing and Community Development

Secretary: Kenneth C. Holt



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LAWRENCE J. HOGAN JR. Governor BOYD K. RUTHERFORD Lt. Governor KENNETH C. HOLT Secretary

Table of Contents

DHCD Highlights	.2
Recommended Budget Reduction	
1. Cut the administrative fee DHCD received for assisting Ellicott City flood victims	.3
2. Deny the \$1.0 million transfer from the Housing Counseling and Foreclosure Mediation Fund to DHCD.	.5

Issues	5	.6
1.	Public Service Commission Denies Funding for the Customer Investment Fund Energy Programs	.6
2.	Department Meets Single-family Energy Efficiency Goal	.7
3.	Legislation Would Shift Homelessness Programs to DHCD	.8
4.	Contract Administration	.8

Appendices

•	Economic	Impact	of DHCD's	Programs
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• Maps of DHCD Program Activity

DHCD Highlights

Activity

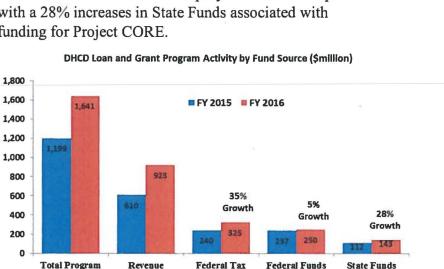
Bond/MBS

DHCD works with partners to finance and support affordable and energy-efficient homeownership, rental housing, small businesses, neighborhood revitalization and municipal infrastructure projects that change Maryland for the better.

DHCD remains unique in its ability to leverage limited State funds to raise significant amounts of private capital -- spurring economic growth, creating jobs, providing safe affordable rental housing and sustainable homeownership while also revitalizing communities.

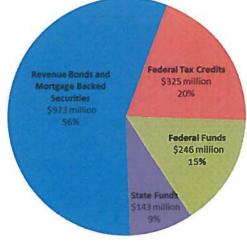
State funds on average have comprised less than 10% percent of DHCD's total loan and grant program activity for the past five years, enabling DHCD to generate a total of \$5.4 billion worth of housing, small business, local government infrastructure and revitalization financing using only \$522.5 million of State funds. FY 2016 program activity by fund source is shown on the chart.

DHCD's \$1.6 billion of FY 2016 program activity was 37% higher than FY 2015's \$1.2 billion. The FY 2016 increase was due a 51% increase in capital raised through revenue bond and mortgage-backed securities; 35% increase in Federal tax credit equity investment coupled with a 28% increases in State Funds associated with funding for Project CORE.



Credits

FY 2016 Loan and Grant Program Activity



DHCD's programs consistently generate significant total economic impact for Maryland using limited State funding. In FY 2016, every dollar of State funding generated \$22 of economic impact in Maryland - \$3.1 billion in total, supporting more than 19,000 jobs and generating over \$80.0 million in State and local tax revenues. The additional activity from non-State fund sources generated

more economic impact than in FY 2015, growing almost 30.0% from \$2.6. Leverage activity in FY 2016 was at its highest level growing 33.0% and 24.0% when compared FY2014 and FY2015.

FY 2016 DHCD program activity was the highest on record with significant increases, particularly in multifamily and single family housing. In FY 2016, DHCD financed 4,674 affordable rental housing units, 57.6% more than the 2,965 units financed in FY 2015. The Maryland Mortgage Program loan activity was also up 46.2% compared to FY 2015. The bulk of this higher FY 2016 activity was again funded through revenue bonds and mortgage-backed securities – DHCD's largest funding source.

DHCD's revenue bond and mortgage-backed security issuances and portfolios are self-supporting, without any debt service costs to the State or operating cost burden to taxpayers. The capital raised by DHCD through its revenue bond and mortgage-backed securities issuances amounts to half of the total capital raised by the State of Maryland through its General Obligation Bond issuances during the same period, with no debt services costs to the State or reliance on the good faith and credit of the State.

DHCD also manages a \$3 billion portfolio of Community Development Administration assets and liabilities, including single family and multifamily mortgage revenue bonds with underlying mortgage-backed securities, mortgage loans and investments. DHCD has a fiduciary responsibility to private market investors to carry out ongoing transactional servicing and portfolio management of these asset and debt securities, provide U.S. Securities and Exchange Commission-mandated disclosures and ensure federal tax law compliance for up to 30-40 years. DHCD also manages over 1.0 billion portfolio of State and federally-funded loans.

DHCD has achieved these FY 2016 results and carried out the ongoing portfolio management with just over 400 positions. In FY 2016 alone, almost \$4.1 million of new program activity was generated per DHCD authorized position.

In addition, DHCD's administrative expense ratio (administrative operating expenses as a percentage of loan and grant program activity) is consistently less than 5%, with no General Funds used to support personnel or other operating costs that cover new production and asset management of the existing portfolio.

Recommended Budget Reduction

1. Cut the administrative fee DHCD received for assisting Ellicott City flood victims (page 12 of DLS Operating Analysis)

<u>DLS Recommendation</u>: The Department of Legislative Services (DLS) recommends adding a provision to the BRFA of 2017 that would withdraw \$187,500 in special funds from DHCD's fiscal 2017 budget and return that amount to the Small, Minority, and Women-Owned Business Fund (SMWOBF).

DHCD Response:

DHCD respectfully <u>does not concur</u> with the recommendation to cut \$187,500 of Special Fund from DHCD's FY 2017 budget.

DHCD was one of the first State agencies on the scene offering assistance and hope to the victims devastated by the raging floodwaters, which inundated historical Ellicott City. DHCD received a total of \$2.5 million from the Catastrophic Event Fund (CEF), and \$2.5 million from Video Lottery Terminal (VLT) Fund to respond and assist business owners with short and long term recovery needs. The MOU that was executed for the Video Lottery Terminal funds allowed DHCD to collect an administrative fee of 7.5% or \$187,500. The administrative fee supports both direct and indirect costs associated with this effort and allows DHCD to align cost with funding. DHCD staff incurs costs related to administering this program, such as:

*staff time related to outreach, communication, and on-site support *staff time related to administering the loans: applications, underwriting, closing, servicing, and financial reporting *vehicles and mileage

DHCD has closed 25 loans totaling \$1.542 million and 6 loans are in the pre-closing pipeline. Overall closed and pre-closing are 31 loans for \$2.292 million. DHCD staff continues to work very closely with Howard County officials, Preservation Maryland and the Ellicott City Partnership, and are on-site on Main Street on a regular basis to work with businesses. Hearings were held with the House and Senate in mid-January to provide an update to the legislature.

The Catastrophic Event Fund dollars were used first (\$2.292m), because the cash was transferred to DHCD as soon as the budget amendment was approved. The CEF funds will be fully deployed shortly; DHCD will then begin using the VLT funds. The administrative fee was included in the MOU, and was agreed to by all parties. All funds from the VLT will be transferred to DHCD on a reimbursement basis, based on documented time and expenses for administering the funds.

If the fee is not allowed, DHCD will once again be required to cover the administrative cost with the General Bond Reserve Fund, which is the primary source of special fund in DHCD's budget. The General Bond Reserve Fund is not an unlimited source of revenues, and should not be expected to absorb the administrative cost of new and or expanding programs. Recently the General Bond Reserve Fund has absorbed the administrative cost of the expanded Strategic Demolition Fund, and the Baltimore Regional Neighborhood Initiative, not to mention the increase rent DHCD pays for its new headquarters location in Lanham, MD. It is DHCD's fiduciary responsibility to ensure that this fund is properly managed in order to maintain its bond rating.

DHCD respectfully request that you do not concur with the legislative analyst recommendation to cut the \$187,500.

2. Deny the \$1.0 million transfer from the Housing Counseling and Foreclosure Mediation Fund to DHCD (page 12 of DLS Operating Analysis)

<u>DLS Recommendation</u>: The Department of Legislative Services (DLS) recommends against approving the transfer of \$1.0 million from the Housing Counseling and Foreclosure Mediation Fund to DHCD for administrative expenses.

DHCD Response:

DHCD respectfully <u>does not concur</u> with the recommendation to deny the transfer of \$1.0 million from Housing Counseling Foreclosure Mediation Fund.

The relocation has been costly to the Department due to the rent increase and requirements as negotiated in the lease. Increased costs are currently being absorbed by the department.

DHCD makes every effort to find ways to pay for appropriate operating expenses within its own resources. However it is not sustainable for the department to continue to manage the increase in costs, and fund program activities, at the pace and scale that is currently happening. Since DHCD is already utilizing GBRF to cover the majority of operating costs, and costs related to new programs, it makes it difficult to absorb the large increase in rent.

Over the years, DLS has previously expressed concerns with the impact of using additional GBRF special funds to support DHCD's operating budget. In 2010, language was put in the budget bill that recommended an ending balance of \$30 million in the GBRF (Chapter 482 of the 2010 Laws of Maryland).

DLS made this recommendation recognizing the importance of the GBRF's financial health in maintaining a favorable bond rating for the Community Development Administration (CDA), the legal entity that issues housing revenue bonds for DHCD. GBRF funds must be available to meet CDA's obligations to the bondholders should the revenues and assets specifically pledged to the bonds not be sufficient for the payment of principal and interest on such bonds, particularly since CDA bonds are *not* backed by the full faith and credit of the State.

The \$1 million will be used to cover a portion of the increase rent DHCD pays for the Lanham office. DHCD's annual facility cost (rent, utilities, maintenance and security) associated with the move increased significantly. The cost in the prior location (Crownsville) was \$1.8m/year. DHCD is currently paying \$4.225m/year for rent. The increase cost of rent was recognized by the Governor and the General Assembly in 2015. As a result, the Budget Reconciliation and Financing Act of 2015 (HB072) authorized DHCD to use \$2,400,000 of the Housing Counseling Foreclosure Mediation Fund to mitigate the increased cost.

Due to limited general funds, DHCD respectfully asks that DLS reconsider this recommendation, and fund the \$1 million transfer from the MCHF for the increase in rent.

Issues

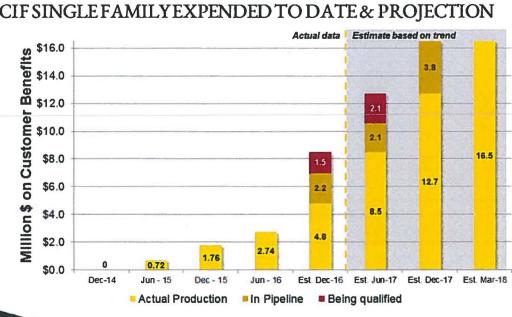
1. Public Service Commission Denies Funding for the Customer Investment Fund Energy Programs (pages 3 & 13-14 of DLS Operating Budget Analysis)

<u>DLS Recommendations</u>: DHCD should comment on the loss of Customer Investment Fund funding and the reasons for its significant problems in its energy programs in recent years.

DHCD Response:

The State operating budget hearing analysis articulates accurately the compound factors that affected the Customer Investment Fund (CIF) Targeted and Enhanced Weatherization Program's implementation including insufficient contracting support, procurement delays, and program design. DHCD has addressed these factors and changed the trajectory of the program.

In November 2016 the Public Service Commission (PSC) heard proposals for allocating any funds that were not yet dispersed from all CIF recipients, which included DHCD. At this hearing DHCD requested full disbursement and an extension of the CIF Targeted and Enhanced Weatherization Program (TEWP) program until the end of FY 2018. DHCD detailed its plan and projections to expend the entire original award by the end of FY 2018. DHCD is currently meeting the projection presented at this hearing and is on track to expend the entire award if the PSC decision were amended. *See chart below:*



Estimated End of FY 2017 – 150 additional clients CIF SINGLE FAMILY EXPENDED TO DATE & PROJECTION

In January 2017 alone, DHCD's CIF staff approved more than \$820,000 in invoices for projects – which is more than the total expended on direct project costs in the entire FY 2015. Further, by the end of February the program will have approved more direct project expenditures in FY 2017

to date than FY 2016 direct project expenditures in total. (Direct project costs do not include administrative costs to DHCD).

DHCD is grateful to the Commission for disbursing \$1.25 million in FY 2018 and allowing the program to continue into FY 2018; however, due to DHCD's reorganization efforts, the department can fully execute any and all funding awards in the future. DHCD currently administers 9 different energy efficiency loan or grant programs. Every program has increased spending while also improving oversight and compliance. Since the new administration has taken office and substantial management changes have taken place, problems that had plagued the energy programs prior to 2015 have been or are currently being resolved. For example, the two weatherization agencies found with unethical and improper accounting practices are no longer working with DHCD.

2. Department Meets Single-family Energy Efficiency Goal (pages 3, 8-9 of DLS Operating Budget Analysis)

<u>DLS Recommendations</u>: DHCD should comment on the potential for other funding sources for DHCD-run energy assistance programs.

DHCD Response:

DHCD Housing and Building Energy Programs expect to meet the goal of serving 3,000 low-income families in FY 2018 with its growing portfolio of energy efficiency programs. DHCD is anticipating the 2018-2020 EmPOWER Low Income Energy Efficiency Program (LIEEP) funding pending the Public Service Commission (PSC) approval. DHCD is currently working with stakeholders on program design for the 2018-2020 Plan. DHCD also projects to have continued growth in the residential BeSmart program which currently is a \$16M revolving loan fund for energy efficiency.

DHCD currently receives Maryland Energy Assistance Funding (MEAP) from the Department of Human Resources (DHR) through federal Low Income Home Energy Assistance Program (LIHEAP) funds; however these funds are focused on crisis-no heat heating repair and replacement. The Department also receives Strategic Energy Investment Fund (SEIF) funds from Maryland Energy Administration (MEA) that are available for use with the DOE weatherization program. The Department has not been able to access the SEIF funds to use in conjunction with the EmPOWER funding.

DHCD continues its search for additional funds to continue to meet or exceed the goals set. Increasing MEAP funding for DHCD and providing access to SEIF funds to use with EmPOWER funds greatly increases the capacity to perform energy efficiency improvements to low-income Maryland families throughout the state, regardless of utility service territory or heating fuel source.

3. Legislation Would Shift Homelessness Programs to DHCD (page 3 &14 of DLS Operating Budget Analysis)

DLS Recommendations: DHCD should comment on the impact of this move.

DHCD Response: DHCD concurs with DHR that consolidation of these programs related to homelessness will bring about anticipated efficiencies. This presumes that program staff and budget authority are transferred concurrently with responsibility for the administration of the programs.

Four programs and the Maryland Interagency Council on Homelessness are slated to be transferred from DHR to DHCD under HB134 resulting in operating funding that will total approximately \$4.6 million. The Department anticipates several efficiencies to be achieved with this transfer.

- DHCD currently administers programs that complement the programs administered by DHR. With the transfer of the DHR programs, one Department will be responsible for the majority of programs dedicated to reducing and preventing homelessness in Maryland. This will centralize similar funding sources and provide a single point of contact for service providers.
- Relatedly, having a single agency administer these multiple programs will ultimately result in a single application for the different programs that local entities can submit once a year to apply to access a range of resources. This will streamline the award of grants from multiple programs; it will also make the monitoring of program performance more efficient since, to the extent possible, performance metrics will be more standardized.
- DHCD will have the ability to better support the local "Continuum of Care" networks as they compete for federal HUD funding for homeless prevention and reduction. An annual average of approximately \$50 million has flowed directly to the local networks, but this funding has declined as some networks have not been as successful during the competitive process. The consolidation of state resources will allow DHCD to strategically support local strategies as they adapt to HUD funding priorities, making Maryland's local agencies more competitive for federal funding.

Finally, DHCD is the State's Housing Finance Administration, a critical source of capital funding for the creation of affordable housing units in Maryland. Having these programs in close proximity to DHCD in this capacity will allow for greater coordination between the "bricks and mortar" side and the "social services" side of the State's efforts to eliminate homelessness.

4. Contract Administration (pages11-12 of DLS Operating Budget Analysis)

<u>DLS Recommendations</u>: DHCD should comment on the impact of losing the contract if HUD awards it to another entity.

DHCD Response:

In May 1999, HUD issued an RFP to provide contract administration services for project-based Housing Assistance Payment Contracts. As a part of the RFP in 1999, as it is indicated by law, HUD may only enter into an Annual Contributions Contract (ACC) with a legal entity that qualifies as a "public housing agency" (PHA) as defined in the United States Housing Act of 1937. DHCD responded to the RFP and

was selected by HUD, and since 2000 has served as the Contract Administrator for Maryland's Project-Based Section 8 portfolio.

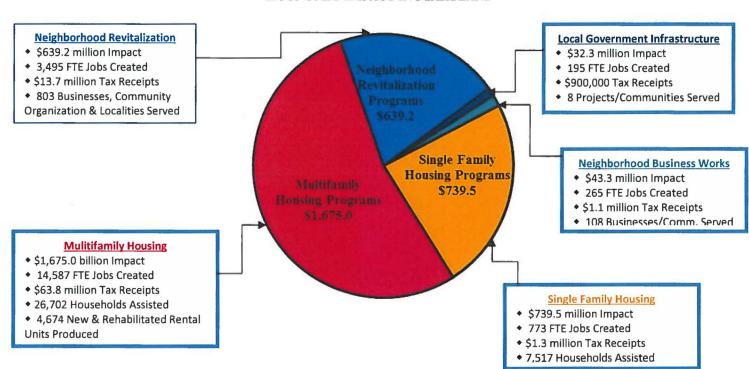
In 2011, HUD began to rebid the contract, but the process and outcome became stalled due to legal actions, and was ultimately abandoned by HUD. As a result, DHCD has continued to serve as the Contract Administrator on behalf of HUD. DHCD anticipates HUD will start the process over with a new RFP, requiring DHCD to bid on the contract. There is speculation that the procurement process may occur sometime in 2017; however, there is no confirmation or information at this time.

For years, the PBCA program has succeeded in large part because the Department possesses valuable knowledge of local markets, has a sizable portfolio of properties that it already monitors, and, perhaps most importantly, has as strong working relationships with tenants, communities, owners, agents, other housing policy-makers, and stakeholders in Maryland. With PBCA administration, local control of assets equates to better housing for families.

As noted above, HUD has not issued any formal guidance at this time regarding the potential for a rebid of the PBCA contract. While a rebid is not certain by any means, DHCD strongly believes it has the superior knowledge base and staffing expertise that would result in a successful rebid of the contract. Key personnel at DHCD are working internally to prepare for the potential of a rebid, including an in-depth review of personnel, process, and performance so the Department can respond accordingly under any scenario that may occur.

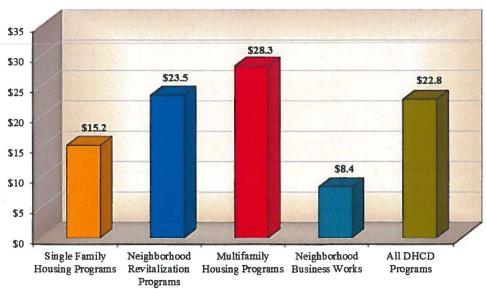
As more information becomes available, DHCD will notify DBM and DLS of any changes that would be required for the rebid, and/or the outcome of the process.

ANNUAL ECONOMIC IMPACT OF DHCD PROGRAMS 2016 FISCAL YEAR

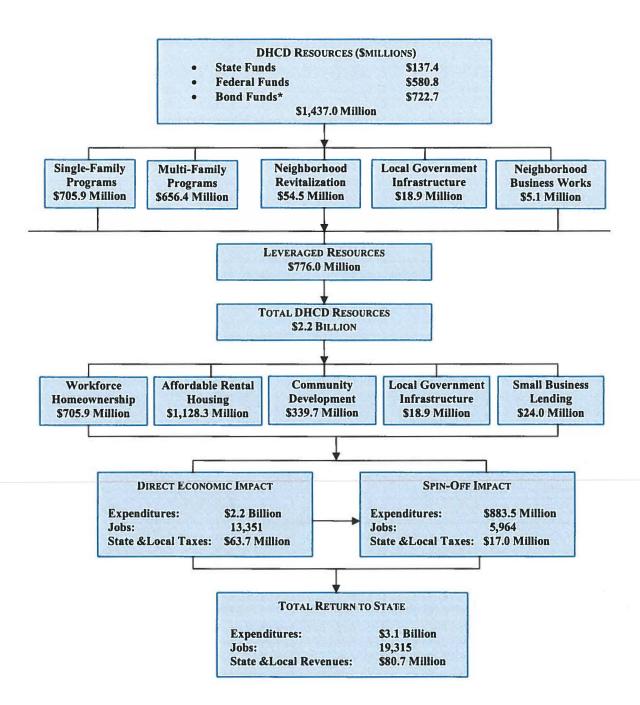


\$3,129.3 MILLION ECONOMIC IMPACT IN MARYLAND

EVERY DOLLAR OF STATE FUNDS INVESTED IN DHCD PROGRAMS GENERATED \$22.8 OF ECONOMIC IMPACT IN MARYLAND



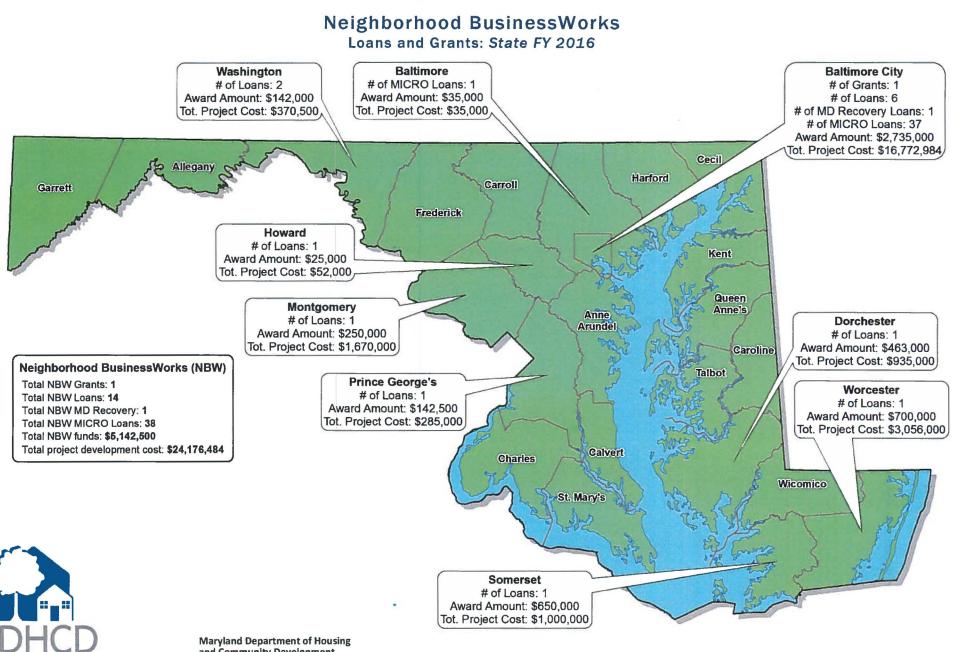
ECONOMIC FLOW OF DHCD PROGRAMS FISCAL YEAR 2016



Note: Totals may not add up due to rounding

Source: Maryland Department of Housing and Community Development

* Excludes \$200.3million of short-term bonds issued by Multi-family



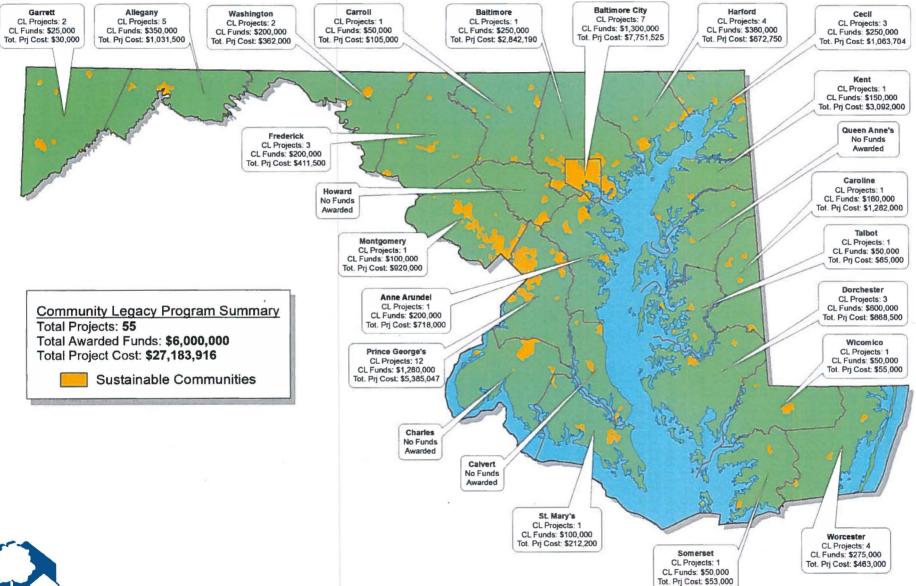
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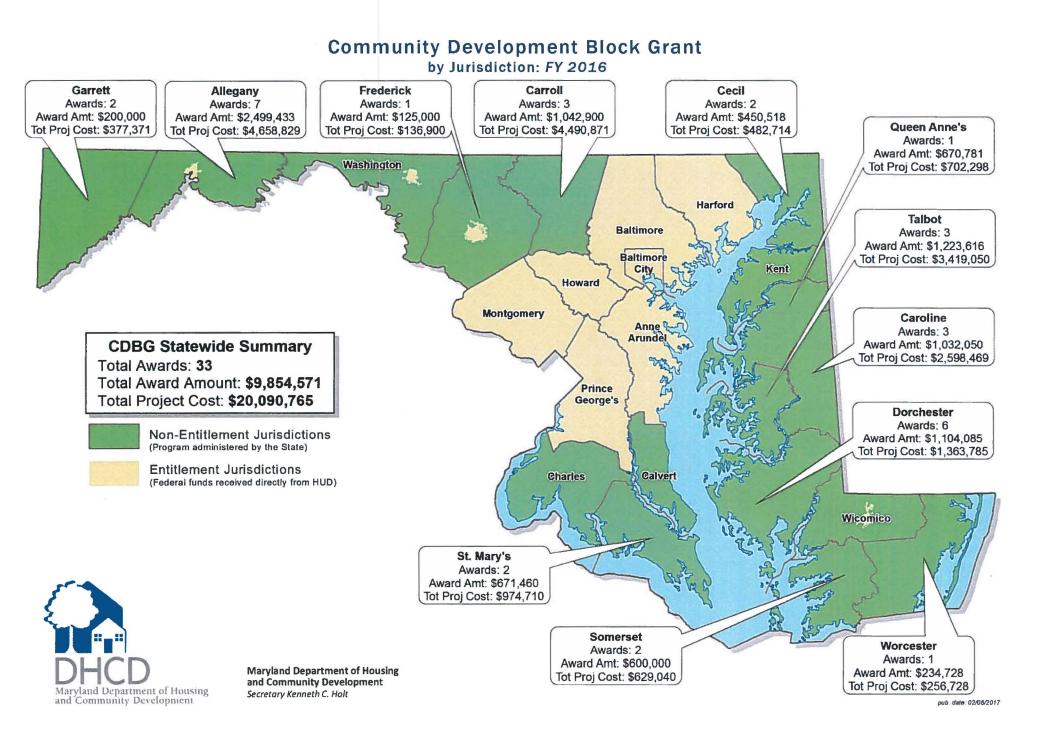
Community Legacy Program FY 2016: Awards by County



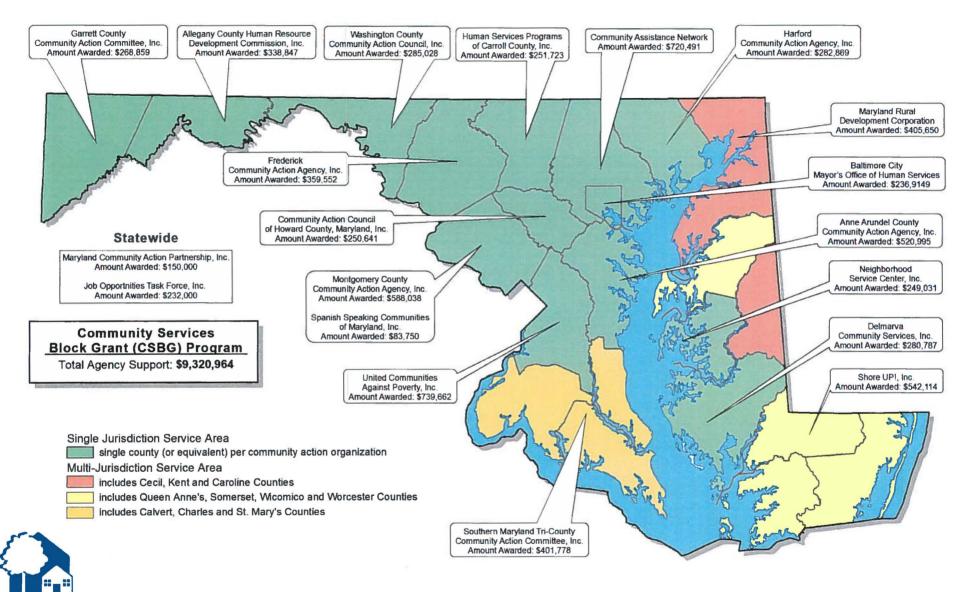
DHCD Maryland Department of Housing and Community Development

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Community Services Block Grant Program: Awards By Community Action Organization Federal FY 2016

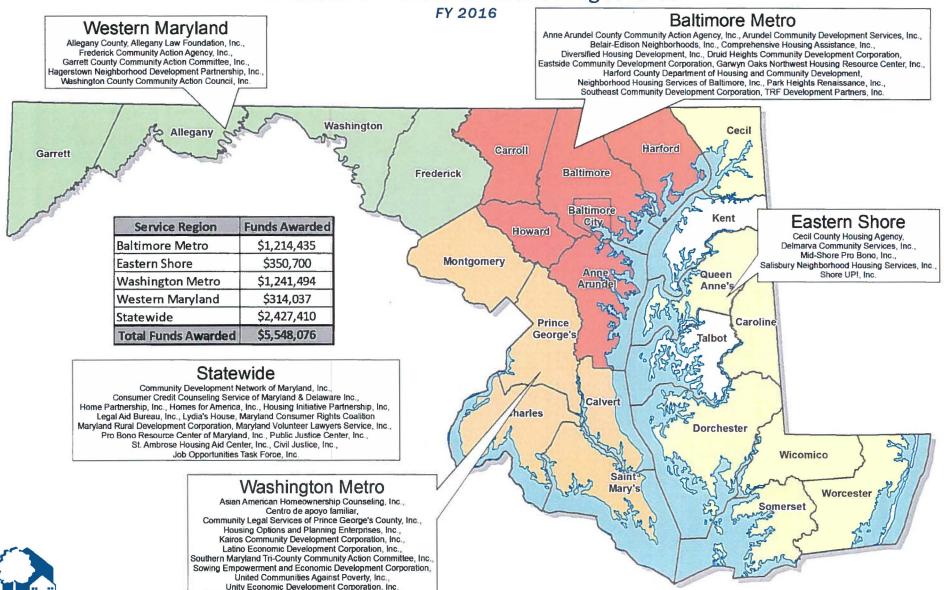


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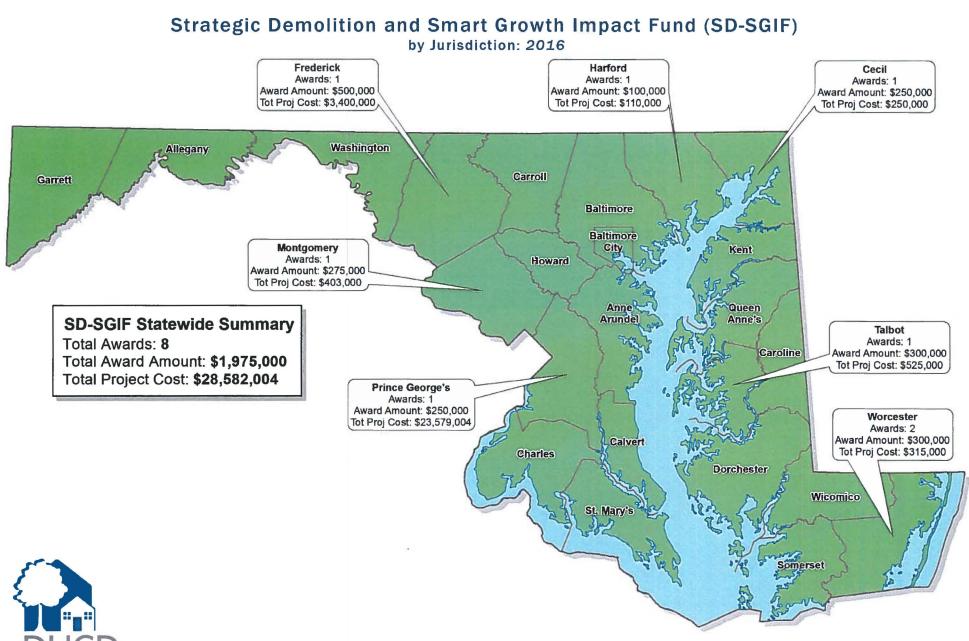
Foreclosure Prevention Counseling Awards



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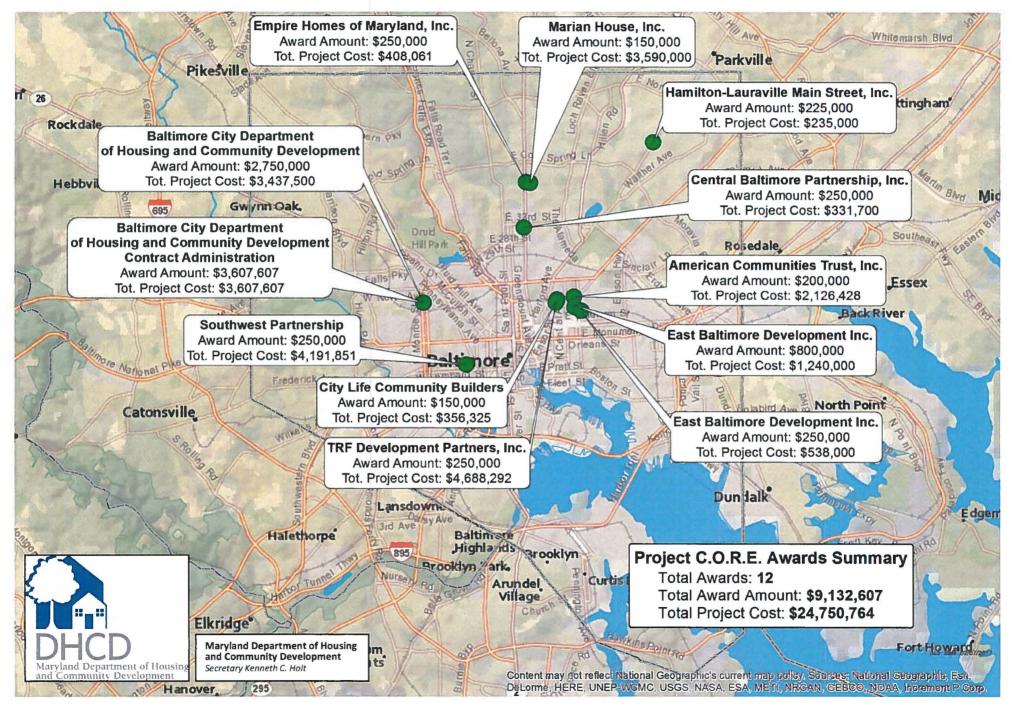
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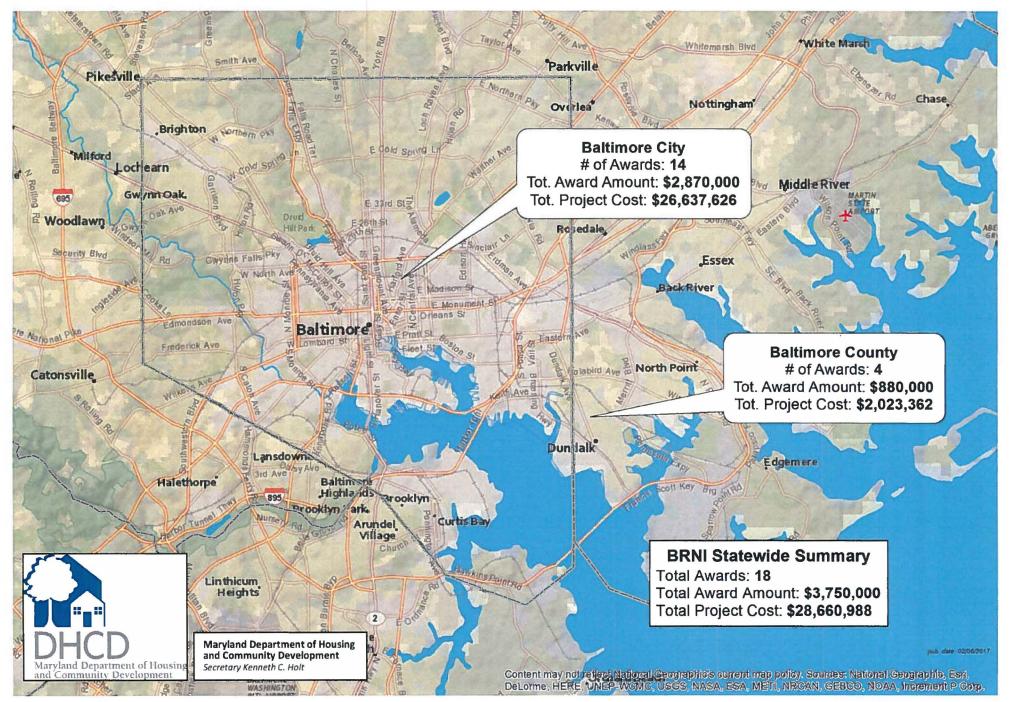
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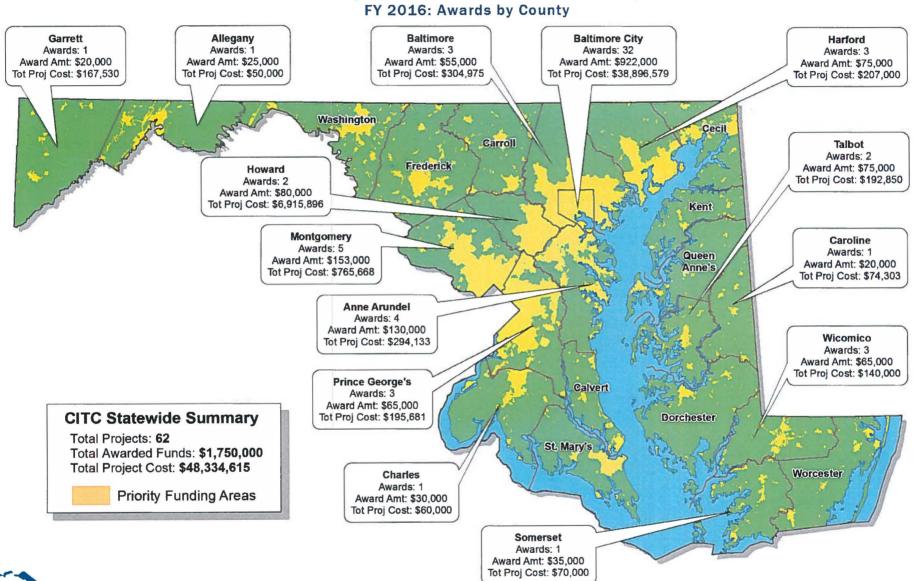
Project C.O.R.E Awards

FY 2016 Awards



Baltimore Regional Neighborhoods Initiative (BRNI) FY 2016 Awards



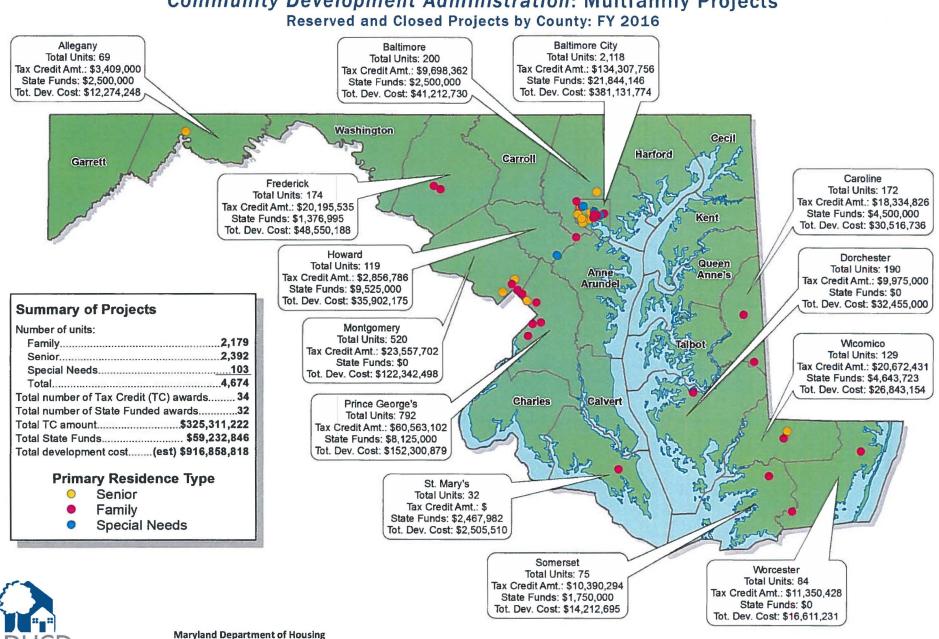


Community Investment Tax Credit Program



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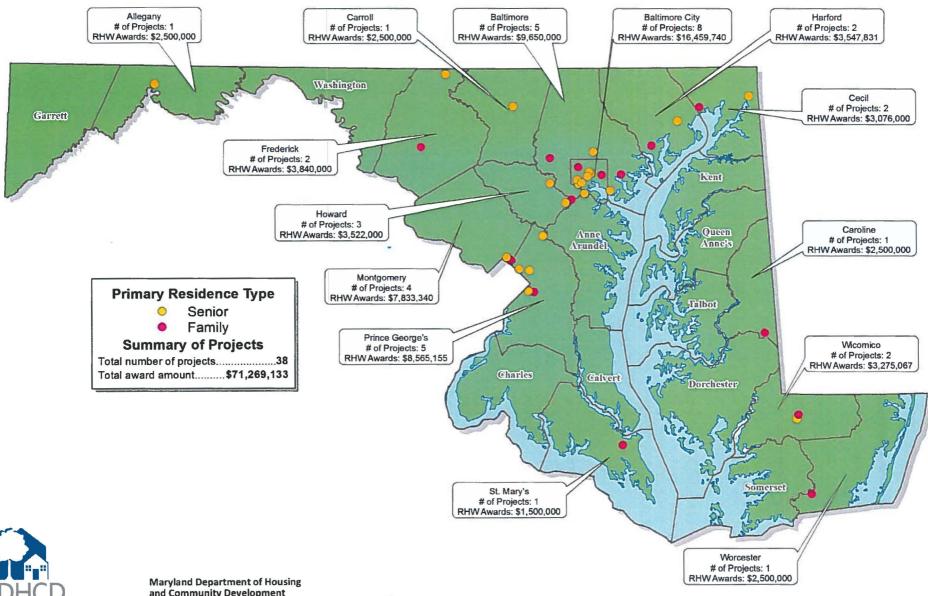
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Community Development Administration: Multfamily Projects

and Community Development Secretary Kenneth C. Holt

Maryland Department of Housing and Community Development



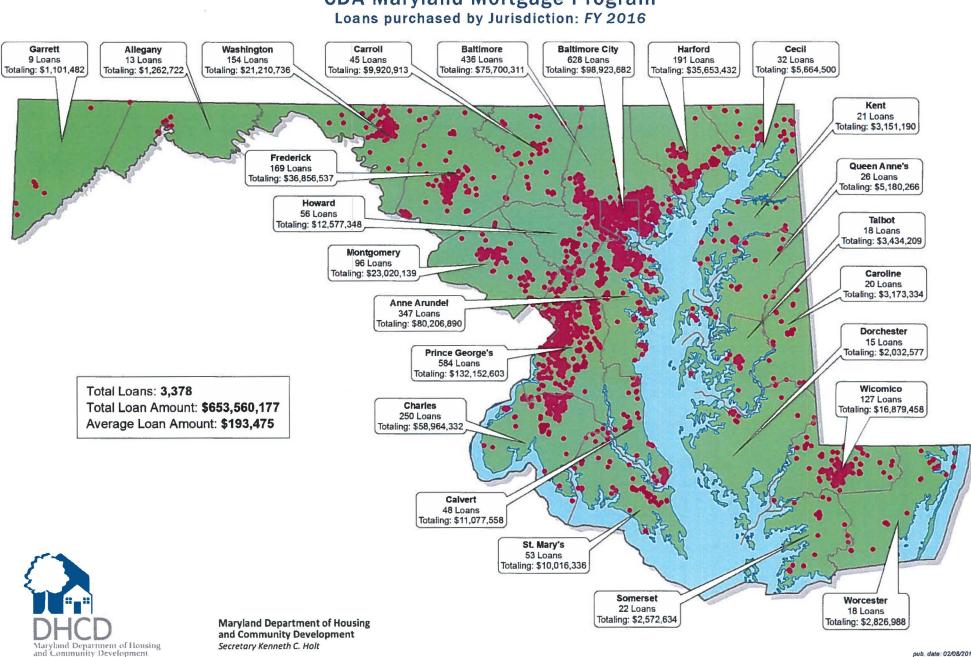
Community Development Administration: Rental Housing Works (RHW) by County: Inception to Present

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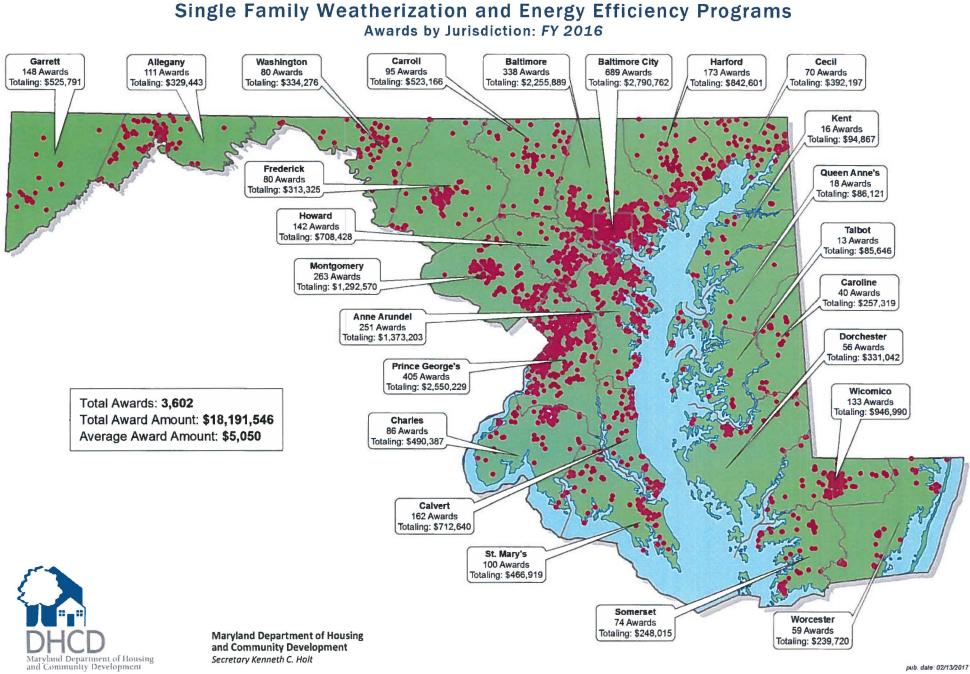
Maryland Department of Housing

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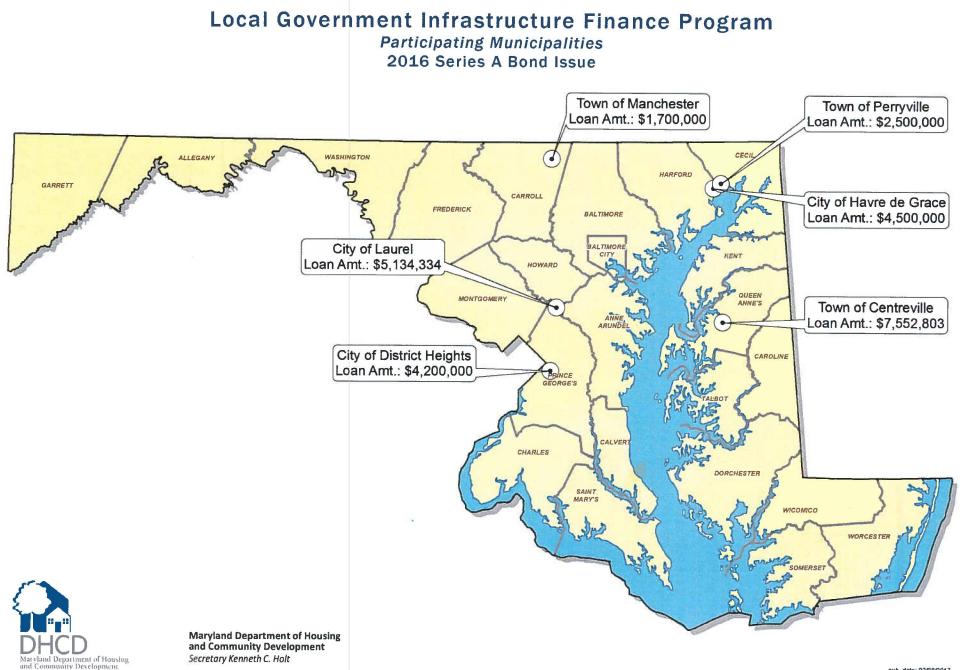


CDA Maryland Mortgage Program

pub. date: 02/08/2017



Housing & Building Energy Programs



pub. date: 02/08/2017