

2025 Kansas QAP Summary of Comments

KHRC has reviewed and considered all submitted comments, and the final changes made throughout the QAP are an attempt to continue to represent our core values and best serve the affordable housings needs across Kansas. The following is a summary of the comments received and KHRC's decision and rationale related to the comments. The headings correspond to QAP section headings.

Application/Award Process and Fees

Summary of Comments: KHRC should remove the limitation that a new developer to the state of Kansas is only eligible to receive an award of tax credits for one project.

KHRC Response: *KHRC acknowledges the concerns of new out-of-state developers; however, we continue to see a benefit in ensuring new developers to Kansas understand and adhere to the expectations in the state.*

Summary of Comments: By requiring the applicant to maintain ownership past stabilization it means that for-profit developers can't apply on behalf of nonprofit groups. For profit experience is not even considered unless the for-profit developer keeps an ownership stake that will likely be a detriment to the nonprofit.

KHRC Response: *KHRC continues to believe there is long-term value in supporting entities that act as both developer and owner of a project. We will continue to encourage those applicants. For profit developers can participate in the application process as a principal and/or developer.*

Summary of Comments: KHRC should shorten the application time period for 9% applications. It is often quite difficult to find a seller that will allow a property to be placed under contract for up to a year or more.

KHRC Response: *KHRC appreciates this comment and will consider it next round.*

9% LIHTC Limits and Set-Asides

Summary of Comments: KHRC should allow the total LIHTC funding to be more evenly spread across the different community sizes. This could be a third category for communities that are not large enough to be metro but are too large to be rural.

KHRC Response: *KHRC has a history of being able to award developments in small communities as currently evaluated. Also, KHRC receives a limited amount of Federal and State Low Income Housing Tax Credits and needs the ability to award the best applications, regardless of the rural & metro set-asides. The Unique Opportunity set-aside is included in the percentage of rural and metro awards.*

Threshold Eligibility

Summary of Comments: The LIHTC Management Experience puts Indigenous Nations at a distinct disadvantage even though they may have decades of low-income property management experience through other federally funded housing programs.

KHRC Response: *Not all low-income housing programs are managed with the same technicalities/requirements as the LIHTC program and therefore, to ensure proper compliance for the whole affordability period, an experienced management agency is necessary. An applicant can partner with a management consultant to meet the requirement.*

Summary of Comments: Projects that are partially within a floodplain should not be disqualified.

KHRC Response: *The QAP states an application may be ineligible if a portion is within a Federal Flood Risk Management Standard floodplain. KHRC understands that in some cases, it is possible and reasonable to remediate a site. Such situations will be reviewed on a case-by-case basis.*

Summary of Comments: KHRC should allow duplex units as an allowable homeownership project.

KHRC Response: *Due to the complex nature of conversion to homeownership developments, KHRC will need to evaluate this for future QAPs.*

Selection Criteria: Rehabilitation

Summary of Comments: KHRC should prioritize LIHTC resyndications prior to year 22 of affordability and beyond.

KHRC Response: *A resyndication that is younger than 22 years could be funded, especially if it meets one of the higher priorities such as critical needs. KHRC is simply stating that we prioritize older resyndications first.*

Selection Criteria: New Construction

Summary of Comments: The Previous Experience section should include the developer and their experience.

KHRC Response: *KHRC was intentional in excluding the developer from this point category because we value long term ownership and want to offer recognition to those types of ownership structures.*

Summary of Comments: Out-of-state experience points should be increased to five points, like the in-state category.

KHRC Response: *KHRC intends to offer a slight priority to developers with a history of working in Kansas.*

Summary of Comments: Tribal government funds, the Indian Housing Block Grant funds, and Indian Community Development Block Grant funds should be added to the qualifying Successful Below Market Loans. Agreements to lease should be an acceptable option for land donation under Below Market Loans and Support.

KHRC Response: KHRC clarified in 2024 that tribal housing resources are an eligible type of loan. Due to the structure of agreements to lease, KHRC does not view long-term leases to be a form of land donation and therefore is not able to consider this request.

Summary of Comments: Successful below market loans and support for out-of-state projects should qualify for points.

KHRC Response: KHRC has reduced this category from 15 to 10 points, however, we do also intend to offer a slight priority to developers who have a history of working in Kansas.

Summary of Comments: KHRC should allow exceptions for underserved areas.

KHRC Response: KHRC acknowledges receipt of this comment, but the intent of this category is to help spread our limited resources across the state. KHRC has updated this category in previous QAPs to be more targeted to zip codes during a shorter time frame.

Summary of Comments: KHRC should measure the proximity of amenities calculation based on driving time rather than distance.

KHRC Response: KHRC acknowledges receipt of this comment but will not be making a change.

Summary of Comments: Additional points should be given to projects that involve a CHDO.

KHRC Response: When reviewing the application scores of CHDO applicants versus non-CHDO applicants, CHDO applicants have been as competitive as non-CHDO applicants, and they continue to get projects awarded. Therefore, QAP scoring as it stands allows for a competitive CHDO application.

Summary of Comments: KHRC should allow lower financial commitment or a reduced requirement to score points in a rural region's fee waiver category.

KHRC Response: KHRC acknowledges receipt of these comments but will not make a change at this time.

Underwriting Standards

Summary of Comments: KHRC should state all Tribal land is eligible for the basis boost.

KHRC Response: Tribal lands can request a state-defined boost.

Summary of Comments: Regarding the maximum on developer fees, KHRC should increase the per unit maximums or use a percentage of eligible basis to set the maximum.

KHRC Response: KHRC acknowledges receipt of these comments and will further evaluate the developer fee rate in future QAPs.

Appendix C: Design Requirements

Summary of Comments: Requiring an accessibility consultant seems unnecessary.

KHRC Response: *KHRC believes that a specialized accessibility consultant will ensure tenants that require accessible units will have compliant units.*

Summary of Comments: KHRC should include the DOE Zero Energy Ready Home program (ZERH) in its 2025 QAP

KHRC Response: *KHRC acknowledges receipt of this comment but will not make a change.*