

2027 Kansas QAP Summary of Comments

KHRC has reviewed and considered all submitted comments. The final changes made throughout the QAP are an attempt to continue to represent our core values and best serve the affordable housing 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.

Introduction

Summary of Comments: KHRC should clarify that it prioritizes allocating all federal resources which may outweigh the competitive scoring of one or more projects.

KHRC Response: *KHRC appreciates this comment; however, we believe the current language provides the necessary guidance and clarity.*

Application/Award Process and Fees

Summary of Comments: KHRC should change the current application review process to include a new question asking applicants if they would be receptive to incorporating HUD Resources into their capital stack.

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

Summary of Comments: KHRC is charged with allocating all available funds, but applicants do not know how much funding may be available from different sources.

KHRC Response: *KHRC appreciates the comment. KHRC publishes a Notice of Funds Availability (NOFA) each year prior to the 9% LIHTC Full Application deadline. The NOFA provides applicants with information regarding the available funding resources.*

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 when they are applying for a 4% LIHTC/Bond project.

KHRC Response: *KHRC appreciates the comment but will not be making a change at this time. We continue to see a benefit in limiting the number of 4% projects new developers may receive as it helps ensure those new developers understand and adhere to the expectations in Kansas.*

Summary of Comments: KHRC should create another set-aside for developments that replace, preserve, or redevelop public housing or other deeply affordable federally assisted housing and provide additional points in the Preliminary Application scoring.

KHRC Response: *KHRC appreciates the comment but will not be making a change at this time. KHRC currently provides three set-asides that are available to applicants.*

Summary of Comments: KHRC should consider allowing not-for-profit organizations that partner with third-party developers to qualify for the reduced Reservation and Allocation Fees, rather than limiting the discount to organizations who are the sole managing member or general partner and developer.

KHRC Response: *KHRC appreciates this comment but will not be making a change at this time.*

9% LIHTC Limits and Set-Asides

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 appreciates the comment but will not be making any changes at this time. KHRC continues to believe there is long-term value in supporting entities that act as both developer and owner of a project.*

Summary of Comments: KHRC should increase the \$850,000 award limit to \$1M for supportive housing projects.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. Projects that require an award above the \$850,000 limit may be considered under the Unique Opportunities set-aside.*

Summary of Comments: KHRC should incorporate voucher requirements for supportive housing units or encourage the utilization of Section 811 subsidies as a key resource.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at the time.*

Summary of Comments: KHRC should create a separate category or provide additional opportunities within the QAP for developments serving people with disabilities.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. Projects serving people with disabilities may be considered under the Unique Opportunities set-aside.*

Summary of Comments: KHRC should provide objective points for integrated supportive-housing developments, at Preliminary application, based on the number of supportive housing units committed in a proposal.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at the time.*

Summary of Comments: KHRC should not require applications requesting consideration under the Unique Opportunities set-aside to meet the otherwise applicable Preliminary application point threshold.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC does not require applicants who receive an invitation to submit a full application under the Unique Opportunities set-aside to meet the preliminary application point threshold.*

Threshold Eligibility

Summary of Comments: KHRC should expand eligible LIHTC experience to include organizations that have served as a developer or consultant on LIHTC developments.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should allow up to 20% market-rate units in projects that choose the Income Average federal minimum set-aside.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should change the language to require written confirmation from the municipal zoning authority that the proposed use is supported and can be zone appropriately within 90 day of award.

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

Summary of Comments: KHRC should allow properties placed in service before 2017 to count towards experience points.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC believes the current timeframe provides an appropriate measure of a principal's recent and relevant development experience.*

Summary of Comments: KHRC should remove the requirement to disclose past or pending material litigation, claims, or assessments exceeding \$100,000, or limit the disclosure requirement to a shorter look back period such as five-years.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Selection Criteria: Rehabilitation

Summary of Comments: Please explain the 310 points criteria.

KHRC Response: *The 310 points are explained in Appendix A and incorporated in the Threshold Requirements.*

Summary of Comments: KHRC should provide additional details regarding the rehabilitation selection criteria, including how rehabilitation applications are evaluated, and the relative weighting of the criteria used in the review process.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC believes the current language provides sufficient guidance regarding rehabilitation selection criteria.*

Summary of Comments: KHRC should revise resyndication considerations to not disadvantage developments that have completed or are outside of the extended use period.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. With over 4,000 LIHTC units at risk of exiting the program in the next ten years, KHRC is currently prioritizing the preservation of developments over projects that have already left the program.*

Summary of Comments: KHRC should consider additional benefits associated with rental assistance including funding sources and long-term affordability.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should remove the Community Revitalization Plan criterion for rehabilitation applications.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Selection Criteria: New Construction

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

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should recognize successfully closed Kansas LIHTC projects for purposes of the Successful Below Market Loans and Support criteria, rather than basing eligibility on the placed-in-service date.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should consider changes to the Distribution of Resources section that include an exception for supportive housing, develop criteria that considers serving a materially different population or housing type based on need, and shortening the look back period to two years.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. The intent of this section of the QAP is to encourage distribution of KHRC's limited resources across the state; however, it does not exclude a project from being awarded in a served area.*

Summary of Comments: KHRC should increase the allowable radius between phases under the Subsequent Phase scoring criterion for projects located in smaller rural communities.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC envisions subsequent phases to be on contiguous land or across the street from a previous phase whether they are in metro or rural communities.*

Summary of Comments: KHRC should expand their consideration of criteria for awarding Residential Character points for projects adjacent to compatible, mixed housing and other land uses rather than preferring only similar housing types.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should allow shopping criteria to be satisfied by up to three establishments and by a grocery store open six days a week.

KHRC Response: *KHRC appreciates the comment and will consider possible alternatives for future QAPs.*

Summary of Comments: KHRC should adjust their method for evaluating amenities, including measuring proximity based on driving time rather than distance and allowing a single establishment to cover multiple secondary amenities.

KHRC Response: *KHRC appreciates the comment and will consider possible alternatives for future QAPs.*

Summary of Comments: The maximum interest rate of below-market loans should be raised.

KHRC Response: *KHRC appreciates the comment. KHRC has revised the QAP to increase the maximum interest rate for below-market loans to 2%.*

Summary of Comments: KHRC should expand the eligible sources of grants and below market financing to include national charitable foundations and other private organizations.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. The QAP does not currently restrict eligible resources provided from a national charitable foundation or other private organization so long as the organization is registered to do business in Kansas.*

Summary of Comments: KHRC should revise the Land Donation criteria so projects can receive points when land was donated by a local government for affordable housing development, even if the local government no longer owns the property at the time of application and allow non-municipal entities to donate the land.

KHRC Response: *KHRC appreciates the comments but will not be making any changes at this time.*

Summary of Comments: KHRC should expand the Land Donation category to recognize long-term ground leases provided by public entities or qualifying nonprofit organizations for nominal or substantially below-market consideration.

KHRC Response: *KHRC appreciates the comment but will not be making a change at this time.*

Summary of Comments: KHRC should revise the Fee Waiver criteria to only include LIHTC housing units in the unit count.

KHRC Response: *KHRC appreciates the comment and will consider it for future QAPs.*

Summary of Comments: KHRC should revise the QAP so that LIHTC applicants do not gain points solely because a municipality agrees to waive its local fees. KHRC should remove the current fee waiver scoring category and replace it with a category expanded to include a variety of options to provide evidence of substantive local government support.

KHRC Response: *KHRC appreciates the comment and will consider it for future QAPs.*

Summary of Comments: KHRC should adjust what qualifies as a Community Revitalization Plan (CRP) by allowing general neighborhood, community, housing, and similar plans to qualify regardless of how they are particularly titled, given they provide similar substantial planning and public engagement efforts.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC sees value in recognizing a local government's commitment to making specific investments in non-housing infrastructure, amenities and services to a defined geographic area as detailed in a Community Revitalization Plan.*

Summary of Comments: We recommend that Project-Based Rental Assistance be scored at both the Preliminary and Full Application stages.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should add a new scoring criterion that awards points to applicants who submit a letter from a municipality designating the project as its priority development and demonstrating local support.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should award additional points for applications utilizing a Community Housing Development Organization (CHDO).

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Underwriting Standards

Summary of Comments: KHRC should increase the new construction developer fee limit, particularly for projects with 1-50 units.

KHRC Response: *KHRC acknowledges receipt of this comment but will not be making any changes at this time. The developer fee for new construction was increased in the 2026 QAP.*

Summary of Comments: KHRC should revise the developer fee underwriting criteria for adaptive reuse and historic rehabilitation projects by treating them the same as rehabilitation projects rather than new construction projects.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. .*

Summary of Comments: KHRC should revise pro forma requirements by evaluating Debt Service Coverage (DSC) based on the average DSC over the 15-year compliance period, increasing the minimum acceptable operating expense from \$3,200 to \$4,200, and considering the impact of rising insurance premiums and deductibles, particularly for smaller properties.

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

Summary of Comments: KHRC should provide a defined 30% basis boost for developments located in DDAs or QCTs rather than stating that KHRC "may" provide a basis boost. Alternatively, if intending to retain discretion, KHRC should identify the circumstances and criteria that will determine whether a boost is granted and at what percentage.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Appendix C: Design Requirements

Summary of Comments: KHRC should not require a double bowl sink for units without a dishwasher.

KHRC Response: *KHRC appreciates the comment and will consider it in future QAPs.*

Summary of Comments: KHRC should raise the minimum unit size requirement.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC previously reviewed and reduced the unit sizes in the 2023 Kansas QAP based on feedback from the development community.*

Summary of Comments: KHRC should remove the accessibility consultant requirement and instead rely on the project architect for any accessibility requirements.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time. KHRC believes the use of an accessibility consultant provides additional expertise to help ensure that all the project's accessibility requirements are met.*

Summary of Comments: KHRC should remove the requirement that a storage closet be air-conditioned.

KHRC Response: *KHRC appreciates the comment but will not be making any changes at this time.*

Summary of Comments: KHRC should recognize reputable third-party green building certifications for points, particularly the ICC-700 National Green Building Standard (NGBS).

KHRC Response: *KHRC appreciates the comment but will not be making a change at this time.*

Appendix D: Opportunity Sites

Summary of Comments: KHRC should revise the opportunity site scoring methodology to better reflect housing opportunity and community needs across Kansas, including accounting for rural/metropolitan differences, geographic peer groups, and whether family and senior housing warrant different considerations. Additionally, KHRC should convene a stakeholder working group.

KHRC Response: *KHRC appreciates the comment and will consider it in future QAPs.*