KANSAS HOUSING RESOURCES CORPORATION

For Information Only

Kansas Housing Investor Tax Credit (KHITC)

Notice of Resource Availability (NORA)

Deadline: Applications accepted on a rolling basis through October 31, 2026

TABLE OF CONTENTS

A. Background 3

B. Administration 3

C. Program Overview 3

D. Application Process 5

E. Current Priorities 6

F. Application Required Elements 6

G. Application Award Process 9

H. Reporting Requirements 10

I. Credit Disbursement 11

J. Disclosure of Relationship 12

K. Compliance Monitoring 12

For Information Only

ATTACHMENTS

Attachment A: Fee Schedule 13
Attachment B: KHITC Application Evaluation Guidelines 14
Attachment C: Accessibility Requirements 16
Attachment D: Required Documents Checklist 17

A. Background

Kansas Housing Resources Corporation (KHRC) is a public corporation that administers federal and state housing programs on behalf of the State of Kansas. KHRC programs address single and multifamily housing development, down payment assistance for first-time homebuyers, rental assistance, and housing with supportive services. A summary of KHRC programs can be found at www.kshousingcorp.org.

One such KHRC program is the Kansas Housing Investor Tax Credit (KHITC) Program. The KHITC Program was established by the Kansas Housing Investor Tax Credit Act, K.S.A. 79-32,310, *et seq.,* as amended (the "KHITC Act"). As stated in the KHITC Act, the credit was created for the purpose of facilitating investment in suitable housing that will support the growth of communities that lack adequate housing by attracting new employees, residents, and families, and supporting the development and expansion of businesses that are job and wealth creating enterprises.

In response to the increased need for suitable housing as detailed in the KHITC Act, 13 million in tax credits has been made available annually to KHRC for the purpose of administering and supporting the KHITC program. KHRC intends to allocate the housing investor tax credits available for 2026 on a rolling basis under this KHITC NORA, and if needed, by conducting additional application rounds later in the year.

B. Administration

The primary contacts for the KHITC Program are:

Deanne Engstrom	**Jessica Hotaling**
Director of Housing Development	Housing Program Developer
dengstrom@kshousingcorp.org	jhotaling@kshousingcorp.org
785-217-2048	785-217-2073

General KHITC questions can be directed to MIH@kshousingcorp.org.

C. KHITC Overview

Recently, Kansas communities and employers have stressed a growing need for affordable housing. Housing that is affordable for all members of a community is vital for economic development, yet difficult to achieve given that most federal housing programs serve a lower income bracket, and market supply is limited due to high development costs, low appraisals, tight lending conditions, and lack of investor interest. KHRC is seeking quality applications for housing developments that will provide the best investments of state resources across the state of Kansas.

For Information Only

Under this KHITC NORA, KHRC expects to make approximately 13 million in KHITCs available. KHRC reserves the right not to award the entire KHITC allocation during this funding round. This NORA contains information on eligible applicants and activities, application procedures, allocation criteria, and reporting and compliance monitoring requirements.

Applicants should be aware and understand that this KHITC NORA and any KHITC awards are made by KHRC based on the authority provided under the KHITC Act. In the event the KHITC Act authorizing this NORA is amended or revised, or the total KHITC allocation provided under the KHITC Act is reduced, revised, or rescinded, KHRC may terminate or amend this NORA and/or any award made without penalty. In such event, KHRC will not be obligated to provide any applicant with any other resources or funds, including but not limited to, KHRC, SHTF, or State of Kansas monies.

Eligible Applicants

To be eligible to apply for KHITC, applicants must be either the builder or developer of a proposed qualified housing project. As provided in the KHITC Act, a qualified housing project is defined as a project located within a county with a population of 75,000 or less. Construction includes, but is not limited to, new construction or rehabilitation of existing vacant housing, single-family residential dwellings, manufactured housing or modular housing, or multi-family residential dwellings or buildings. A qualified housing project shall be limited to 40 KHITC units per year for both single-family and multi-family dwellings.

Applicant builders or developers may partner or contract with outside entities or individuals, including but not limited to city or county governments, public housing authorities, nonprofits, community housing development organizations, and local employers. Notwithstanding the preceding sentence, the applicant builders and developers shall retain full responsibility for compliance with all KHITC rules and requirements. To be considered eligible, Applicants must be in good standing with all KHRC programs.

For Information Only

Eligible Activities

Under the KHITC Act, KHRC will designate qualified housing projects and then issue tax credits to qualified investors, including builders or developers, for cash investments made in those qualified housing projects. Tax credits shall be made available for those qualified housing projects that are most likely to provide the greatest economic benefit and best meet the needs of the community lacking adequate housing where the project is located, with priority given to Kansas investors.

As defined in the KHITC Act, a qualified investor includes a natural person, business, bank, other financial institution and/or association, and the project builder or developer. As stated above and required by the KHITC Act, preference will be given to Kansas

investors, which means an individual who is a resident of Kansas, any business entity domiciled in Kansas, any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Kansas or conducts substantially all of its business activities in Kansas, or a bank or other financial institution/association chartered or incorporated under the laws of Kansas that does business primarily in Kansas or conducts substantially all of its business activities in Kansas.

As set out in the KHITC Act, a cash investment is money or money equivalent in consideration for qualified securities. Qualified securities shall mean a cash investment through any form or combination of forms of financial assistance, including equity or debt instruments, or bank, financial institution, or association loans.

Pursuant to the KHITC Act, KHRC shall consider the following when evaluating applications and determining whether to designate a project as a qualified housing project:

- Does the project have the support of the community and the governing body of the city or county where such project is located;
- Will the project enhance the ability of the community that lacks adequate housing to attract new businesses, expand existing business by providing suitable housing directly for employees, make such housing significantly more available, or meet other significant housing needs of the community making the community attractive to new or expanding businesses or their employees;
- Does the project have the financial support, management, planning and market to be successful; and
- Does the project have an analysis or survey of the housing needs of the community support the proposed project. The analysis or survey must be provided by the project builder, developer, or governing body of the city or county where the project will be located.

The HUD Fair Housing Design Requirements apply to all KHITC-qualified housing projects (see Attachment C).

For Information Only

D. Application Process

Applications will be accepted on a rolling basis. KHRC will accept applications starting June 17, 2026.

Please submit applications through the online platform Procorem. Any applicant intending to apply for KHITC must submit a Notice of Application to MIH@kshousingcorp.org. KHRC staff will set up a Procorem WorkCenter for the application submission.

Applicants may submit multiple applications. Developer capacity may be considered in the evaluation process.

E. Current Priorities

Housing needs in Kansas are great. In an effort to be transparent, KHRC will list the ongoing and temporary priorities for each application round. Below is a list of the application priorities for this current round:

- An equitable distribution of credits throughout the state, all in accordance with the distribution requirements under the KHITC Act;
- Proposed qualified housing projects in areas with demonstrated and ongoing housing needs;
- Proposed qualified housing projects in areas where employers are having difficulty filling employment positions due to a lack of available housing;
- Applicants that applied for KHITC in a previous round and have substantially improved their application, or were unable to be awarded in the prior round due to limited resources, so long as the current application is for the same qualified housing project that was previously submitted.
- Proposed qualified housing projects with a construction start date no later than 60 days from the execution of all award documents to ensure utilization of the tax credits within the timeframe provided under the KHITC Act.

F. Application Required Elements

Each application must include all required elements listed below which are also outlined in Attachment D: Required Elements Checklist. It is the responsibility of each applicant to ensure their submission is complete and accurate. Applicants are solely responsible for any costs incurred in preparing an application. **KHRC will not award KHITCs for new housing projects that have started vertical construction, or rehabilitation projects that have started interior and/or exterior work, prior to application approval.** All applications shall include the following:

Required Elements for All KHITC Applications:

1. **Excel Application** – completed and signed by Builder/Developer as the KHITC applicant.
2. **Project Information**
   - **2.1.** Narrative – the narrative should address the following:
     - **2.1.1.** Description of the project.

For Information Only

2.1.2. Administration of the project.
2.1.3. Capacity of the applicant, including relevant experience.
2.1.4. Description of collaboration, specific to the project, with local/city/county housing community, including lenders, employers, economic development organizations, qualified investors, and other housing partners.

3. Project Plan

3.1. Description of the housing to be constructed including site elevations, sketches and/or renderings, and floor plans.
3.2. Scope of work if proposing a rehabilitation project (Only vacant, uninhabitable projects are eligible for rehabilitation).
3.3. Ten-year operating proforma for rental projects; must be submitted using the KHRC template that is included in the Excel application workbook.
3.4. Description of the project's intended market and anticipated pricing for the housing.

4. Accessibility Certification (KHRC Form)

4.1. Agreement to comply with the HUD Fair Housing Design Requirements, as applicable.

5. Site Review Checklist (KHRC Form)

6. Development Team Information

6.1. Applicants that have already selected a developer and/or general contractor are required to submit resumes for each member of the development team.

7. Community Support

7.1. Signed resolution from Governing Body dated within 12 months of application submission.

8. Housing Needs Analysis or Survey of the Community

8.1. Summary highlighting the identified housing needs of the community and how the proposed qualified housing project will meet the needs identified.
8.2. Housing Needs Analysis or Survey. Examples include: Department of Commerce Housing Assessment Tool (HAT), third-party assessment, or RHID-required assessment.

9. Readiness to Proceed

9.1. Evidence of site control.
9.2. Cost estimates for overall project provided by a General Contractor or third-party entity, including construction and soft costs.
9.3. Legal description of site.
9.4. Project timeline identifying critical path items, anticipated start and completion dates, as well as possible reasons for delay as applicable. Critical path items include but are not limited to: securing financing, property acquisition, permitting, site work, and construction-related items.

10. Source of Funds

For Information Only

10.1. Investment and/or equity confirmation, as applicable.

10.2. Additional Resources

10.2.1. Award letters and/or grant agreements for RHID, NRP, CDBG, SHOVL, foundation grants, or other secured resources.

10.2.2. Confirmation of submission of Part 1 if utilizing State and/or Federal Historic Tax Credits

11. Job Creation and Economic Development

11.1. Narrative – the narrative should address how the proposed qualified housing project provides a solution to the housing needs of the community.

11.1.1. Unmet housing needs – demonstrated through low unemployment rate, difficulty filling employment positions, and commitment to growing housing stock.

11.1.2. Expanded housing needs – demonstrate the ability to attract new jobs and economic development through the proposed qualified housing project; demonstrate a direct correlation between the proposed wages of the new or expanding business and the affordability of the proposed housing.

12. Tax Credit Utilization and Qualified Investors

12.1. If the project builder or developer is seeking tax credits for a cash investment in the project provide:

12.1.1. Amount of cash investment and documentation to detail such investment.

12.1.2. Estimate of cash investment made into the project by December 31, 2026.

12.2. If a qualified investor other than the builder or developer is seeking tax credits for a cash investment in the project, provide:

12.2.1. A statement of the amount, timing, and projected use of the proceeds to be raised from qualified investors.

12.2.2. The names, addresses, and taxpayer identification numbers of all investors who may qualify for the tax credit. Such list of investors who may qualify for the tax credit shall be amended as any information on the list shall change.

12.2.3. If a Kansas Investor, narrative and documentation demonstrating that the investor is a resident or a business entity domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Kansas or conducts substantially all of its business activities in Kansas, or a bank or other financial institution or association chartered or incorporated under the laws of Kansas that does business primarily in Kansas or conducts substantially all of its business activities in Kansas.

13. Tax Credit Transfers

13.1. If the original qualified investor intends to sell/transfer the tax credits, provide:

13.1.1. The names, addresses, and taxpayer identification numbers of all transferees who will be receiving the tax credits. Such list of transferees shall be amended as any information on the list shall change.

For Information Only

13.1.2. Price per credit, and resulting total amount of equity generated, if tax credits are being sold.

14. Application Fee

KHRC reserves the right to request additional information as it deems necessary to evaluate the applications.

G. Application Award Process

Applications will be collected and evaluated by KHRC's Housing Development KHITC team. Applications will be considered property of KHRC, are matters of public record, may be subject to the Kansas Open Records Act, and may be subject to public disclosure by KHRC after the announcement of awards.

The Kansas Housing Investor Tax Credit Application Evaluation Guidelines (Attachment B) will be used in the evaluation of the applications in KHRC's sole discretion.

KHRC may disqualify applications based on an applicant making misrepresentations, providing materially false information in an application, and/or for submitting a substantially incomplete application.

The review team will make recommendations for awards to KHRC's Loans and Grants Committee and the Director of Housing for approval within 60 days of full application submission. KHRC reserves the right to accept, reject, or request modifications to any applications, and all decisions by the Loans and Grants Committee and Director of Housing are final.

As provided in the KHITC Act, KHRC may award less than the maximum allowable tax credits per unit. KHRC may do so based on factors including, but not limited to, a review of the proposed qualified housing project's funding sources and uses, or the aggregate number of tax credits available for each county size.

KHRC will notify applicants of the results of their applications through Procorem..

Successful applicants will receive a conditional award notification specifying any additional requirements deemed necessary by KHRC to designate the project as a qualified housing project. Additional requirements to ensure the project meets the definition of a qualified housing project may include but are not limited to:

- Proof of appropriate zoning
- Updated financial commitments including qualified investor documentation
- A site visit by KHRC staff

For Information Only

The project builder or developer that applied for the credits will be required to sign an agreement, along with other documents as requested by KHRC, prior to the distribution of any credits or beginning any work. KHITC awards are subject to revocation prior to the agreement being signed. The agreement shall set forth the amount of KHITCs to be issued for the project, as well as the requirements for a cash investment and the issuance of tax credits. If the project builder or developer has been approved for KHITCs for the project builder's or developer's cash investment in the project, the agreement shall set forth the amount of credits so approved and the amount of credits remaining for issuance to other qualified investors. KHRC will not issue credit certificates until the project has fulfilled all requirements to be designated a qualified housing project, and proof of cash investments made into the qualified housing project has been submitted, reviewed and approved, all in accordance with the agreement.

Additionally, the agreement shall require, as a condition of the issuance of KHITCs, binding commitments by the project builder or developer to KHRC for:

(1) The reporting of progress and financial data, including investor information. The project builder or developer shall have the obligation to notify KHRC in a timely manner of any changes in the qualifications of the project or in the eligibility of investors to claim a tax credit;

(2) The right of access to the project and to the financial records of the project builder or developer;

(3) The provision of information for purposes of the economic development incentive program information database pursuant to K.S.A. 74-50,226, and amendments thereto;

(4) The repayment requirements upon loss of designation of a qualified housing project pursuant to K.S.A. 79-32,314 of the KHITC Act; and

(5) Any other terms and conditions required by KHRC.

For Information Only

H. Reporting Requirements

1. Investor/Investment Documentation

Each project builder or developer of a designated qualified housing project shall promptly report to KHRC the following information at the time such information becomes known to the builder or developer:

- The name, address, and taxpayer identification number of each qualified investor who has made a cash investment in qualified securities in the project

and has received tax credits for this investment during the preceding year and all other preceding years;
- The amounts of the cash investments by each qualified investor and a description of the qualified securities issued in consideration of such cash investments;
- The name, address, and taxpayer identification number of each person to whom tax credits have been transferred; and
- Any additional information as the director may require when requested.

KHRC will require this information to be detailed on KHRC forms, along with any additional information required, and the agreement entered between KHRC and the project builder or developer may also include reporting requirements regarding financial information and records and the qualified housing project.

2. Project Progress Documentation

Beginning with the first business day of the quarter following an award being made to an applicant and each quarter thereafter, the project builder or developer shall submit to KHRC, in writing, quarterly status reports using the forms provided by KHRC until the development is completed and all tax credits have been utilized. The status report should detail the use of funds to date, along with a self-assessment comparing that use with the builder or developer's proposed use from its original application to KHRC. The status report shall include an evaluation of the housing activities to date as well as the status of construction and the nature and reasons for any changes in the activities. A quarterly status report should be filed even if there has been no progress or activity from the previous quarter.

I. Credit Disbursement

As provided in the reporting requirements stated above, KHRC may request additional documentation from the project builder or developer as KHRC deems necessary and may visit the development site to ensure work completion in accordance with the KHITC Act.

KHRC will issue KHITCs based on the amount of the cash investment made by the qualified investor in accordance with the subject agreement and KHITC Act. The KHITCs may be claimed by the investor or transferred as set forth in the KHITC Act.

KHITCs may be issued by KHRC for a qualified housing project as follows:

(A) For qualified housing projects located in a county with a population of no more than 8,000, in an amount not to exceed 35,000 per residential unit;

(B) For qualified housing projects located in a county with a population of more than 8,000 but no more than 25,000, in an amount not to exceed 32,000 per residential unit; and

For Information Only

(C) For all other qualified housing projects, in an amount not to exceed 30,000.

Of the aggregate amount of tax credits issued in one tax year, KHRC shall allocate:

(A) No less than 2,500,000 in tax credits for qualified housing projects located in counties with a population of not more than 8,000;

(B) No less than 2,500,000 in tax credits for qualified housing projects located in counties with a population of more than 8,000 but no more than 25,000; and

(C) Up to $8,000,000 in tax credits for qualified housing projects located in counties with a population of more than 25,000 but no more than 75,000.

A qualified housing project shall be limited to a total of 40 such residential units per year for both single-family and multi-family dwellings. KHITCs may be issued to a qualified investor in the amount of a cash investment of up to the total amount that may be issued by the director under this subsection for the qualified housing project.

KHRC will evaluate the proposed credit/unit and award based on the applications received and the evaluation factors detailed in Exhibit B.

J. Disclosure of Relationship

Applicants must disclose any current or former KHRC employees acting as a consultant or interested party. KHRC employees cannot receive a financial gain from the funding of a project received through KHRC while employed at KHRC and for a period of two years after their employment ends.

K. Compliance Monitoring

KHRC will monitor an awardee's compliance with the applicable requirements of this NORA, the KHITC Act, and any agreements executed by the parties in connection with the same. Additionally, the HUD Fair Housing Design Requirements will apply (see Attachment C).

If KHRC determines that a qualified housing project is not in substantial compliance with the requirements of the KHITC Act, this NORA, or any agreement executed pursuant to this NORA, then KHRC shall inform the project builder or developer of the project in writing that the project will lose its designation as a qualified housing project in 120 days from the date of mailing of the notice unless such builder or developer corrects the deficiencies and becomes compliant with the requirements for designation. At the end of

For Information Only

such 120-day period, if the project is still not in substantial compliance, KHRC shall send a notice of loss of designation to the project builder or developer, the Department of Revenue, and all known qualified investors in the project.

Loss of designation of a qualified housing project shall preclude the issuance of any additional KHITCs with respect to the project, and KHRC shall not approve any subsequent application for such project as a qualified housing project. In accordance with the KHITC Act, upon loss of the designation as a qualified housing project, the project builder or developer shall repay any tax credits such taxpayer has claimed; however, qualified investors other than the project builder or developer who have lawfully made a cash investment in a qualified housing project shall not have tax credits disallowed solely due to the project losing its designation as a qualified housing project.

For Information Only

ATTACHMENT A:
Fee Schedule

All fees are non-refundable.

1. **Application Fee**
    a. $100 to be included with each project application and mailed to:
        Kansas Housing Resources Corporation
        Attn: Housing Development
        200 SW 6th Ave.
        Topeka, KS 66603

    Note: Please reference the project name in the memo line to ensure payment is credited to the correct application.
2. **Reservation Fee**
    a. The fee shall be 5% of the total KHITC reserved for the qualified housing project, with 10% of that fee due at the time of the execution of the Reservation Agreement and the remainder of the fee due when the first Credit Certificate is requested.
3. **Processing Fee(s)**
    a. For Credit Certificates processed in connection with the Construction Closing, there will be no processing fee.
    b. KHRC will process Credit Certificates once per quarter. Each Credit Certificate processed will be assessed a $50 fee.
4. **Transfer Fee(s)**
    a. Transfer Credit Certificates will be assessed a $50 fee.
5. **Reservation Agreement Addendum Fee(s)**
    a. Each Addendum to the KHITC Reservation Agreement that is required will be assessed a $50 fee.

For Information Only

ATTACHMENT B:
Kansas Housing Investor Tax Credit
APPLICATION EVALUATION GUIDELINES

KHRC and the Director of Housing will consider the following when evaluating applications for the Kansas Housing Investor Tax Credit under the KHITC NORA:

1. **Overall Application**
    a. Thoroughness of application – application completed in its entirety, questions thoroughly answered, supporting PDF documents submitted
    b. Timeliness of responses to requests for follow-up information
    c. Ability to meet minimum NORA requirements
    d. Ability to connect the proposed project with the stated priorities in this Application Notice and the resources KHRC has available
2. **Project Information**
    a. Comprehensiveness of project description
    b. Housing development experience and qualifications
    c. Evidence of collaboration with community stakeholders
3. **Project Plan**
    a. Completeness of sketches/renderings and floor plans, and strength of rental operating proforma if applicable
    b. Comprehensiveness of scope of work
    c. Demonstrates the proposed project's long-term financial viability
    d. Clear description of target market and anticipated pricing for housing
4. **Accessibility Certification**
    a. Included, completed, and signed by Builder/Developer
5. **Site Review Checklist**
    a. Included, completed, and signed by Builder/Developer
6. **Development Team Information**
    a. Submission of full development team information
    b. For applicants and/or development team members who have an award history with KHRC, consideration will be given in part based on the applicant's history, experience, loan or grant administration activity and compliance with the relevant programs
    c. Previous responsiveness to requests for information
7. **Community Support**
    a. Ability to demonstrate community support through a signed resolution from the governing body

For Information Only

8. **Housing Needs Analysis or Survey of the Community**
    a. Submission of full Housing Needs Analysis or Survey of the Community
    b. Clear, quantifiable housing needs identified
    c. Demonstrates the proposed project addresses the identified housing needs
9. **Readiness to Proceed**
    a. Submission of proof of site control
    b. Reasonableness of cost estimates based on pricing in similar markets
    c. Complete legal description of the site
    d. Thoroughness and viability of timeline
10. **Source of Funds**
    a. The Specifically identified sources with supporting conditional commitment letters
    b. Detail of intended use of funds, including allocation of expenditures, and expected outcomes
    c. KHRC's analysis of efficiency and impact of funds on housing and economic development in community
11. **Job Creation and Economic Development**
    a. Ability to connect the need for the proposed project with the housing needs identified in the community's housing analysis or survey
    b. Connecting proposed housing to employment opportunities
    c. Urgency of housing need, specifically areas of significant economic development that show a difficulty filling employment positions due to a lack of housing stock

For Information Only

ATTACHMENT C:
ACCESSIBILITY REQUIREMENTS

Introduction

The statutory authority related to accessibility applies to housing developed using Kansas Housing Investor Tax Credits provided under this NORA.

Fair Housing Act Design Requirements – Fair Housing Amendments Act of 1988

The accessibility requirements of the Fair Housing Act apply to "covered multifamily dwellings" in buildings of four or more units that are/were first occupied after March 13, 1991, regardless of the funding source. Ground floor units and units served by an elevator must be designed and constructed in accordance with the Fair Housing Act Design Manual.

For Information Only

ATTACHMENT D:
Required Elements Checklist

2026 Rolling KHITC Application Required Elements Checklist

☐ 1. Excel Application

☐ 2. Project Information - Narrative

☐ 3. Project Plan

☐ 4. Accessibility Certification (KHRC Form)

☐ 5. Site Review Checklist (KHRC Form)

☐ 6. Development Team Information

☐ 7. Community Support
- Resolution from Governing Body

☐ 8. Housing Needs Analysis or Survey of the Community
- Clear, quantifiable housing needs identified

☐ 9. Readiness to Proceed

☐ 10. Source of Funds

☐ 11. Job Creation and Economic Development

☐ 12. Tax Credit Utilization and Qualified Investors
- Comprehensive plan for the timing and utilization of tax credits for cash investment in the project by builder/developer (if applicable) and/or investors.

☐ 13. Tax Credit Transfers
- Transferee information with a stated price per credit, if applicable.

☐ 14. Application Fee

For Information Only