



Reference Manual

Legislative Oversight Committee
2024 Interim Session

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2024 Legislative Oversight Committee

<p>Senator Nancy Rodriguez, Chair (D) 1838 Camino La Canada Santa Fe, NM 87501 nancy.rodriguez@nmlegis.gov</p>	<p>Representative Eliseo Lee Alcon, Vice Chair (D) Box 2134 Milan, NM 87021 eliseo.alcon@nmlegis.gov</p>
<p>Representative Meredith Dixon (D) P.O. Box 27066 Albuquerque, NM 87125 meredith.dixon@nmlegis.gov</p>	<p>Senator Michael Padilla (D) - Majority Whip PO Box 67545 Albuquerque, NM 87193 michael.padilla@nmlegis.gov</p>
<p>Senator Roberto "Bobby" J. Gonzales (D) 26 Lavender Lane Ranchos De Taos, NM 87557 roberto.gonzales@nmlegis.gov</p>	<p>Representative Angelica Rubio (D) P.O. Box 2155 Las Cruces, NM 88004 angelica.rubio@nmlegis.gov</p>
<p>Representative Rod Montoya (R) 4902 Camaron Ave. Farmington, NM 87402 roddmontoya@gmail.com</p>	

ADVISORY MEMBERS

<p>Representative Janelle Anyanonu - (D) P.O. Box 93202 Albuquerque, NM 87199 Janelle.Anyanonu@nmlegis.gov</p>	<p>Senator Gregory A. Baca (R) - Minority Floor Leader greg.baca@nmlegis.gov</p>
<p>Representative Cynthia Borrego - (D) P.O. Box 66285 Albuquerque, NM 87193 Cynthia.Borrego@nmlegis.gov</p>	<p>Representative Ambrose Castellano - (D) P.O. Box 114 Serafina, NM 87569 ambrose.castellano@nmlegis.gov</p>
<p>Representative Kathleen Cates - (D) Kathleen.Cates@nmlegis.gov</p>	<p>Representative Tara L. Lujan - (D) 1430 Galisteo Street Santa Fe, NM 87505 tara.lujan@nmlegis.gov</p>
<p>Representative Harry Garcia - (D) PO Box 226 Grants, NM 87020 Hgarcia69@gmail.com</p>	<p>Senator Gerald Ortiz y Pino - (D) jortizyp@msn.com</p>
<p>Senator Mark Moores - (R) P.O. Box 90970 Albuquerque NM 87199 mark.moores@nmlegis.gov</p>	<p>Representative Patricia Roybal Caballero - (D) P.O. Box 72574 Albuquerque, NM 87195 pat.roybalcaballero@nmlegis.gov</p>
<p>Representative Andrea Romero - (D) P.O. Box 32963 Santa Fe, NM 87594 andrea@andrearomero.com</p>	<p>Representative Luis M. Terrazas - (R) P.O. Box 197 Santa Clara, NM 88026 luis.terrazas@nmlegis.gov</p>

CHAPTER 58. FINANCIAL INSTITUTIONS AND REGULATIONS
ARTICLE 18. MORTGAGE FINANCE AUTHORITY

N.M. Stat. Ann. § 58-18-1 (2013)

§ 58-18-1. Short title

Chapter 58, Article 18 NMSA 1978 shall be known and may be cited as the "Mortgage Finance Authority Act".

HISTORY: 1953 Comp., § 13-9-1, enacted by Laws 1975, ch. 303, § 1; 1982, ch. 86, § 1.

§ 58-18-2. Legislative findings; declaration of purpose

A. The legislature finds and declares that there exists in the state of New Mexico a serious shortage of decent, safe and sanitary residential housing available at prices and rentals within the financial means of persons and families of low or moderate income. This shortage is severe in certain urban areas of the state, is especially critical in the rural areas and is inimical to the health, safety, welfare and prosperity of all residents of the state.

B. The legislature finds and determines that the shortage of residential housing causes overcrowding and congestion and exacerbates existing slum conditions, which, in turn, contribute substantially and increasingly to the spread of disease and crime, impair economic values, necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health, welfare and safety programs, fire and accident protection and other services, substantially impair or arrest the growth of municipalities, aggravate traffic problems and promote juvenile delinquency and other social ills.

C. The legislature finds and declares further that private enterprise unaided has not been able to produce the needed construction of decent, safe and sanitary residential housing at prices and rentals that persons and families of low or moderate income can afford or to achieve the urgently needed rehabilitation of much of their present housing. It is imperative that the supply of residential housing for persons and families of low or moderate income be increased substantially and that private enterprise and investment be encouraged to sponsor, build and rehabilitate residential housing for such persons and families.

D. It is found and declared that a major cause of this housing shortage is the lack of funds in private banking channels available for affordable residential mortgages. This lack of funds has contributed to drastic reductions in construction starts of new residential housing and has frustrated the sale and purchase of existing residential housing in the state.

E. It is further found and declared that the drastic reduction in residential construction starts and in residential rehabilitation projects associated with housing shortages has caused a condition of substantial unemployment and underemployment in the construction industry, which results in hardships to many individuals and families, wastes vital human resources, increases the public

assistance burdens of the state and its municipalities, impairs the security of family life, impedes the economic and physical development of municipalities and adversely affects the welfare and prosperity of all the people of the state. A stable supply of adequate funds for affordable residential mortgages is required to spur new housing starts and the rehabilitation of existing units in an orderly and sustained manner and thereby to reduce the hazards of unemployment and underemployment in the construction industry. The unaided operations of private enterprise have not met and cannot meet the need for a stable supply of adequate funds for affordable residential mortgage financing.

F. The legislature further finds and determines that for the purposes of remedying these conditions, helping to alleviate the shortage of adequate housing and encouraging and providing the financing for the acquisition, construction, rehabilitation and improvement of residential housing for persons and families of low or moderate income within the state, a public body politic and corporate, separate and apart from the state, constituting a governmental instrumentality to be known as the New Mexico mortgage finance authority should be created with power to raise funds from private and public investors, to make funds available for such purposes, to create and implement programs from time to time as may be necessary or appropriate to accomplish its purposes and to assist, administer, finance or service housing programs for or through private and nonprofit organizations and local, state, federal and tribal agencies or their instrumentalities. The legislature finds and declares further that in accomplishing these purposes, the New Mexico mortgage finance authority is acting in all respects for the benefit of the people of the state in the performance of essential public functions and is serving a valid public purpose in improving and otherwise promoting their health, welfare and prosperity, and that the enactment of the provisions set forth in the Mortgage Finance Authority Act [58-18-1 NMSA 1978] is for a valid public purpose and is declared to be such as a matter of express legislative determination.

HISTORY: 1953 Comp., § 13-19-2, enacted by Laws 1975, ch. 303, § 2; 1995, ch. 9, § 1.

§ 58-18-2.1. Multiple-family, transitional and congregate dwellings; supplemental legislative findings and purpose

The legislature finds and declares that there is a critical shortage of multiple-family, transitional and congregate dwellings that provide decent, safe and sanitary residential housing at rentals that persons and families of low or moderate income can afford. It is further found and declared that private individuals, organizations and entities willing to undertake the construction of multiple-family, transitional and congregate dwellings are unable to obtain loans at sufficiently low interest rates to finance multiple-family, transitional and congregate dwelling projects for persons and families of low or moderate income. Providing mortgage loans at below-market interest rates for multiple-family, transitional and congregate dwellings would increase substantially the availability of multiple-family, transitional and congregate dwellings for occupancy by persons and families of low or moderate income and is expressly declared to be a valid public purpose and a corporate purpose that may be exercised by the authority.

HISTORY: 1978 Comp., § 58-18-2.1, enacted by Laws 1982, ch. 86, § 2; 1995, ch. 9, § 2.

§ 58-18-3. Definitions

As used in the Mortgage Finance Authority Act [58-18-1 NMSA 1978]:

- A. "authority" means the New Mexico mortgage finance authority;
- B. "bonds" or "notes" means the bonds or bond anticipation notes, respectively, issued by the authority pursuant to the Mortgage Finance Authority Act [58-18-1 NMSA 1978];
- C. "federal government" means the United States of America and any agency or instrumentality of the United States of America;
- D. "FHA" means the federal housing administration;
- E. "FHLMC" means the federal home loan mortgage corporation;
- F. "FNMA" means the federal national mortgage association;
- G. "home improvement loan" means a mortgage loan to finance those alterations, repairs and improvements on or in connection with an existing residence that the authority determines will substantially protect or improve the basic livability or energy efficiency of the residence;
- H. "mobile home" means a movable or portable housing structure, constructed to be towed on its own chassis and designed to be installed with or without a permanent foundation for human occupancy as a residence; it may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or two or more units separately towable but designed to be joined into one integral unit, as well as a single unit, except that "mobile home" does not include recreational vehicles, or modular or premanufactured homes built to Uniform Building Code standards and designed to be permanently affixed to real property;
- I. "mortgage" means a mortgage, mortgage deed, deed of trust or other instrument creating a lien, subject only to title exceptions as may be acceptable to the authority, on a fee interest in real property located within the state or on a leasehold interest that has a remaining term at the time of computation that exceeds or is renewable at the option of the lessee until after the maturity day of the mortgage loan or an instrument creating a lien on a mobile home;
- J. "mortgage lender" means any bank, bank or trust company, trust company, mortgage company, mortgage banker, national banking association, savings bank, savings and loan association, credit union building and loan association and any other lending institution; provided that the mortgage lender maintains an office in New Mexico, is authorized to make mortgage loans in the state and is approved by the authority and either the FHA, VA, FNMA or FHLMC;
- K. "mortgage loan" means a financial obligation secured by a mortgage;
- L. "municipality" means a county, city, town or village of the state;
- M. "new mortgage loan" means a mortgage loan made by a mortgage lender to a person of low or moderate income to finance project costs and containing terms and conditions required by rule of the authority;

N. "persons of low or moderate income" means persons and families within the state who are determined by the authority to lack sufficient income to pay enough to cause private enterprise to build an adequate supply of decent, safe and sanitary residential housing in their locality or in an area reasonably accessible to their locality and whose incomes are below the income levels established by the authority to be in need of the assistance made available by the Mortgage Finance Authority Act [58-18-1 NMSA 1978], taking into consideration the following factors:

(1) the total income of those persons and families available for housing needs;

(2) the size of the family units;

(3) the cost and condition of housing facilities available;

(4) the ability of those persons and families to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing; and

(5) standards established by various programs of the federal government for determining eligibility based on income of those persons and families;

O. "project" means a work or undertaking, whether new construction, acquisition of existing residential housing, remodeling, improvement or rehabilitation approved by the authority for the primary purpose of providing sanitary, decent, safe and affordable residential housing within the state for one or more persons of low or moderate income;

P. "project costs" means the total of all costs incurred in the development of a project that is approved by the authority as reasonable and necessary; "project costs" may include:

(1) the cost of acquiring real property and improvements located on the property, including payments for options, deposits or contracts to purchase real property;

(2) cost of site preparation, demolition and development;

(3) fees in connection with the planning, execution and financing of a project;

(4) operating and carrying costs during construction;

(5) cost of construction, remodeling, rehabilitation, reconstruction, home improvements, fixtures, furnishings and equipment for the project;

(6) cost of land improvements both on and off site;

(7) expenses in connection with initial occupancy of a project;

(8) reasonable profit and risk fees to the general contractor in addition to the job overhead and, if applicable, to the developer;

(9) allowances established by the authority for working capital and contingency reserves and reserves for any anticipated operating deficits during the first two years of occupancy; and

(10) the cost of other items, including tenant relocation if tenant relocation costs are not otherwise being provided for, indemnity and surety bonds, premiums on insurance and fees and expenses of trustees, depositaries and paying agents of the bonds and notes that the authority determines to be reasonable and necessary for the development of a project;

Q. "real property" means land, space rights, air rights and tangible, intangible, legal and equitable interests in land;

R. "rehabilitation loan" means a qualified rehabilitation loan within the meaning of Section 143(k)(5) of the Internal Revenue Code of 1986 [26 USCS § 143(k)(5)], as that section may be amended or renumbered;

S. "residential housing" means the acquisition, construction or rehabilitation of real property, buildings and improvements undertaken primarily to provide one or more dwelling accommodations for persons of low or moderate income;

T. "state" means New Mexico;

U. "state, local, federal or tribal agency" means any board, authority, agency, department, commission, public corporation, body politic or instrumentality of the state or of a local, federal or tribal government; and

V. "VA" means the veterans affairs department.

HISTORY: 1953 Comp., § 13-19-3, enacted by Laws 1975, ch. 303, § 3; 1979, ch. 399, § 1; 1981, ch. 191, § 1; 1984, ch. 62, § 1; 1995, ch. 9, § 3; 1999, ch. 11, § 1.

§ 58-18-4. Authority created

A. There is created a public body politic and corporate, separate and apart from the state, constituting a governmental instrumentality, to be known as the "New Mexico mortgage finance authority", for the performance of essential public functions. The authority shall be composed of seven members. The lieutenant governor, state treasurer and attorney general shall be ex-officio members of the authority with voting privileges. The governor, with the advice and consent of the senate, shall appoint the other four members of the authority, who shall be residents of the state and shall not hold other public office. The four members of the authority appointed by the governor shall be appointed for terms of four years or less staggered so that the term of one member expires on January 1 of each year. Vacancies shall be filled by appointment by the governor for the remainder of the unexpired term. Any member of the authority shall be eligible for reappointment. Each member of the authority appointed by the governor may be removed by the governor for misfeasance, malfeasance or willful neglect of duty after reasonable notice and a public hearing, unless the notice and hearing are, in writing, expressly waived. Each member of the authority appointed by the governor, before entering upon duty, shall take an oath of office to administer the duties of the office faithfully and impartially, and a record of the oath shall be filed in the office of the secretary of state. The governor shall designate a member of the authority to

serve as chair for a term that shall be coterminous with the chair's then current term as a member of the authority. The authority shall annually elect one of its members as vice chair. The authority shall also elect or appoint and prescribe the duties of other officers, who need not be members, as the authority deems necessary or advisable, including an executive director and a secretary, who may be the same person. The authority shall fix the compensation of officers. Officers and employees of the authority are not subject to the Personnel Act [10-9-1 NMSA 1978]. The authority may delegate to one or more of its members, officers, employees or agents the powers and duties it may deem proper.

B. All members, officers, employees or agents exercising any voting power or discretionary authority shall be required to have a fiduciary bond in the amount of one million dollars (\$ 1,000,000) for the faithful performance of their duties, the cost of which shall be proper expense of the authority.

C. The executive director shall administer, manage and direct the affairs and business of the authority, subject to the policies, control and direction of the members of the authority. The secretary of the authority shall keep a record of the proceedings of the authority and shall be custodian of all books, documents and papers filed with the authority, the minute book or journal of the authority and its official seal. The secretary shall have authority to make copies of all minutes and other records and documents of the authority and to give certificates under the official seal of the authority to the effect that the copies are true copies and all persons dealing with the authority may rely upon the certificates.

D. Meetings of the authority shall be held at the call of the chair or whenever three members so request in writing. A majority of members in office shall constitute a quorum for the transaction of any business and for the exercise of any power or function of the authority. A vacancy in the membership of the authority shall not impair the rights of a quorum to exercise all the rights and to perform all the duties of the authority. An ex-officio member from time to time may designate in writing another person to attend meetings of the authority and, to the same extent and with the same effect, act in the member's stead.

E. The authority is not created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of the authority shall inure to the benefit of or be distributable to its members or officers or other private persons. The members of the authority shall not receive compensation for their services, but the members of the authority, its officers and employees shall be paid allowed expenses if approved by the authority in accordance with policies adopted by the authority and approved by the Mortgage Finance Authority Act oversight committee.

F. The authority shall be separate and apart from the state and shall not be subject to the supervision or control of a board, bureau, department or agency of the state except as specifically provided in the Mortgage Finance Authority Act [58-18-1 NMSA 1978]. To effectuate the separation of the state from the authority, the use of the terms "state agency" or "instrumentality" in any other law of the state shall not be deemed to refer to the authority unless the authority is specifically named.

HISTORY: 1953 Comp., § 13-19-4, enacted by Laws 1975, ch. 303, § 4; 1985, ch. 232, § 1; 1987, ch. 57, § 1; 1995, ch. 9, § 6; 2003, ch. 17, § 1.

§ 58-18-5. Powers of the authority

The authority shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978], including but without limiting the generality of the foregoing, the power:

- A. to sue and be sued;
- B. to have a seal and alter it at pleasure;
- C. to make and alter bylaws for its organization and internal management;
- D. to appoint other officers, agents and employees, prescribe their duties and qualifications and fix their compensation;
- E. to acquire, hold, improve, mortgage, lease and dispose of real and personal property for its public purposes;
- F. subject to the provisions of Section 58-18-6 NMSA 1978, to make loans, and contract to make loans, to mortgage lenders;
- G. subject to the provisions of Section 58-18-7 NMSA 1978, to purchase, and contract to purchase, mortgage loans from mortgage lenders;
- H. to procure or require the procurement of a policy of group or individual life insurance or disability insurance or both to insure repayment of mortgage loans in event of the death or disability of the borrower and to pay any premiums for the policy;
- I. to procure insurance against any loss in connection with its operations, including without limitation the repayment of any mortgage loan, in amounts and from insurers, including the federal government, that the authority deems necessary or desirable; to procure liability insurance covering its members, officers and employees for acts performed within the scope of their authority as members, officers or employees; and to pay any premiums for insurance procured;
- J. subject to any agreement with bondholders or noteholders:
 - (1) to renegotiate any mortgage loan or any loan to a mortgage lender in default;
 - (2) to waive any default or consent to the modification of the terms of any mortgage loan or any loan to a mortgage lender and otherwise exercise all powers with respect to its mortgage loans and loans to mortgage lenders that any private creditor may exercise under applicable law; and
 - (3) to commence, prosecute and enforce a judgment in any action or proceeding, including without limitation a foreclosure proceeding, to protect or enforce any right conferred upon it by law, mortgage loan agreement, contract or other agreement; and in connection with any such proceeding, to bid for and purchase the property or acquire or take possession of it and, in such event, complete, administer, pay the principal of and interest on any obligations incurred in connection with the property and operate or dispose of and otherwise deal with the property in such manner as the authority may deem advisable to protect its interests therein;

K. to make and execute contracts for the administration, servicing or collection of any mortgage loan and pay the reasonable value of services rendered to the authority pursuant to such contracts;

L. to fix, revise from time to time, charge and collect fees and other charges in connection with the making of mortgage loans, the purchasing of mortgage loans and any other services rendered by the authority;

M. subject to any agreement with bondholders or noteholders, to sell any mortgage loans at public or private sale at such prices and on such terms as the authority shall determine;

N. to borrow money and to issue bonds and notes that may be negotiable and to provide for the rights of the holders thereof;

O. to arrange for guarantees or other security, liquidity or credit enhancements in connection with its bonds, notes or other obligations by the federal government or by any private insurer or other provider and to pay any premiums therefor;

P. subject to any agreement with bondholders or noteholders, to invest money of the authority not required for immediate use, including proceeds from the sale of any bonds or notes:

(1) in obligations of any municipality or the state or the United States of America;

(2) in obligations the principal and interest of which are guaranteed by the state or the United States of America;

(3) in obligations of any corporation wholly owned by the United States of America;

(4) in obligations of any corporation sponsored by the United States of America that are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system;

(5) in certificates of deposit or time deposits in banks qualified to do business in New Mexico, secured in the manner, if any, as the authority shall determine;

(6) in contracts for the purchase and sale of obligations of the types specified in this subsection; or

(7) as otherwise provided in any trust indenture or a resolution authorizing the issuance of the bonds or notes;

Q. subject to any agreement with bondholders or noteholders, to purchase bonds or notes of the authority at the price as may be determined by the authority or to authorize third persons to purchase bonds or notes of the authority; bonds or notes so purchased shall be canceled or resold, as determined by the authority;

R. to make surveys and to monitor on a continuing basis the adequacy of the supply of:

(1) funds available in the private banking system in the state for affordable residential mortgages; and

(2) adequate, safe and sanitary housing available to persons of low or moderate income in the state and various sections of the state;

S. to make and execute agreements, contracts and other instruments necessary or convenient in the exercise of the powers and functions of the authority under the Mortgage Finance Authority Act [58-18-1 NMSA 1978];

T. to employ architects, engineers, attorneys (other than and in addition to the attorney general of the state), accountants, housing, construction and financial experts and such other advisors, consultants and agents as may be necessary in its judgment and to fix and pay their compensation;

U. to contract for and to accept any gifts or grants or loans of funds or property or financial or other aid in any form from the federal government or from any other source and to comply, subject to the provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978], with the terms and conditions thereof;

V. to maintain an office at such place in the state as it may determine;

W. subject to any agreement with bondholders and noteholders, to make, alter or repeal, subject to prior approval by the Mortgage Finance Authority Act oversight committee, hereby created, to be composed of four members appointed by the president pro tempore of the senate and four members appointed by the speaker of the house of representatives, such rules and regulations with respect to its operations, properties and facilities as are necessary to carry out its functions and duties in the administration of the Mortgage Finance Authority Act [58-18-1 NMSA 1978];

X. to make, purchase, guarantee, service and administer mortgage loans for residential housing for the purposes set forth in the Mortgage Finance Authority Act [58-18-1 NMSA 1978] where private banking channels and private enterprise, unaided, have not, cannot or are unwilling to make, purchase, guarantee, service or administer the loans;

Y. to act as trustee and administer the land title trust fund created pursuant to Section 58-28-3 NMSA 1978;

Z. to act as trustee and administrator pursuant to the Low-Income Housing Trust Act [58-18B-1 NMSA 1978];

AA. to act as trustee and statewide administrator of the New Mexico housing trust fund pursuant to and to receive funds under the New Mexico Housing Trust Fund Act [58-18C-1 NMSA 1978];

BB. to act as a governmental entity or a qualifying grantee or as an intermediary for a governmental entity or a qualifying grantee pursuant to the Affordable Housing Act [6-27-1 NMSA 1978]; and

CC. to do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted in the Mortgage Finance Authority Act [58-18-1 NMSA 1978].

HISTORY: 1953 Comp., § 13-19-5, enacted by Laws 1975, ch. 303, § 5; 1978, ch. 21, § 14; 1978, ch. 163, § 1; 1985, ch. 232, § 2; 1995, ch. 9, § 7; 2003, ch. 304, § 1; 2005, ch. 105, § 10.

§ 58-18-5.2. Authority duties

The authority shall make available to the Mortgage Finance Authority Act oversight committee all of its records and facilities upon written request.

HISTORY: 1978 Comp., § 58-18-5.2, enacted by Laws 1981, ch. 173, § 2; 1995, ch. 9, § 8.

§ 58-18-5.3. Authority; multiple-family dwellings, transitional and congregate housing facilities

In addition to the specific powers of the authority set forth in Section 58-18-5 NMSA 1978, the authority shall have the power to:

A. subject to the limitations of Subsection X of Section 58-18-5 NMSA 1978, make project mortgage loans or purchase or contract to purchase project mortgage loans from mortgage lenders or participate with mortgage lenders in project mortgage loans at prices and upon terms and conditions as the authority determines. Each project mortgage loan made or purchased by the authority shall:

(1) be evidenced by a properly executed note or other evidence of indebtedness and be secured by a properly recorded mortgage;

(2) provide for payments sufficient to pay the project mortgage loan in full not later than the expiration of the useful life of the multiple-family dwelling project or transitional or congregate housing facility as determined by the authority; and

(3) not exceed such percentage of such project costs as the authority may determine;

B. make and contract to make loans to mortgage lenders on such terms and conditions as the authority determines, including without limitation requirements relating to collateral for such loans; provided the authority shall require as a condition of any such loan that the mortgage lender make a project mortgage loan or loans to sponsors in an aggregate principal amount at least equal to the amount of the loan received from the authority; and

C. otherwise provide funding for project mortgage loans, including the issuance of bonds or notes in private placements or public offerings. Any bonds or notes issued in a public offering for any purpose authorized by this section shall, at the time of issuance, be rated in at least the third highest rating category by an independent nationally recognized bond rating service.

HISTORY: 1978 Comp., § 58-18-5.3, enacted by Laws 1982, ch. 86, § 4; 1987, ch. 58, § 1; 1995, ch. 9, § 9.

§ 58-18-5.4. Duties of authority; multiple-family dwellings, transitional and congregate housing facilities

A. The authority shall require, as a condition of making or purchasing a project mortgage loan, that the sponsor agree to comply with the requirements and to make the representations and warranties as the authority deems reasonably necessary to protect its interests in the project mortgage loan and the multiple-family dwelling project or transitional or congregate housing facility, including the following:

(1) the multiple-family dwelling project or transitional or congregate housing facility and surrounding area shall be maintained in good repair;

(2) a reserve fund for repairs and replacements on the multiple-family dwelling project or transitional or congregate housing facility shall be established and maintained for the life of the project mortgage loan;

(3) the sponsor shall make all records and documents relating to the multiple-family dwelling project or transitional or congregate housing facility available to the authority and its agents at all reasonable times;

(4) the sponsor shall maintain its books and accounts in a manner satisfactory to the authority;

(5) the sponsor shall provide access to the authority and its agents at all reasonable times for the purpose of inspecting the multiple-family dwelling project or transitional or congregate housing facility;

(6) the sponsor shall file with the authority a copy of each report and schedule required to be filed with any provider of mortgage insurance or other security or liquidity enhancement for the mortgage loan or the authority's bonds or notes, the proceeds of which were used in whole or in part to acquire the project mortgage loan; annual financial and operating reports; and any other reports the authority may determine to be necessary;

(7) the sponsor shall purchase and maintain an insurance policy insuring the project against loss or damage by fire, windstorm, hail, smoke, explosion, riot or civil commotion in an amount not less than eighty percent of the replacement costs of the project, and the authority or its designee shall be named in the insurance policy as an additional named insured;

(8) the sponsor shall provide the authority with a market feasibility study, market-value appraisal, architectural design and outline specifications, tenant selection plans and any other documents the authority requires in determining whether to purchase the project mortgage loan;

(9) unless otherwise exempt under any other law of the state or any political subdivision of the state, all ad valorem, gross receipts and any other taxes imposed on the land or improvements for which a multiple-family dwelling project mortgage loan is being provided shall apply;

(10) the sponsor shall maintain the project as a multiple-family dwelling project or transitional or congregate housing facility throughout the life of the project mortgage loan; and

(11) the sponsor shall comply with any other reasonable requirements the authority deems necessary to impose in the future.

B. The authority shall distribute available funds to qualified sponsors and mortgage lenders on an equitable basis using guidelines that take into consideration geographic allocation and economic feasibility of affordable housing throughout the state, including the need for new housing to attract a new industry or plant or to provide housing in an economically depressed or low-income area.

HISTORY: 1978 Comp., § 58-18-5.4, enacted by Laws 1982, ch. 86, § 5; 1990, ch. 118, § 1; 1994, ch. 47, § 1; 1995, ch. 9, § 10.

§ 58-18-5.5. Additional powers of authority; authority designated as single state housing authority; application for and receipt of federal funds; administration of housing programs

In addition to the powers granted the authority pursuant to Sections 58-18-5 and 58-18-5.3 NMSA 1978, the authority:

- A. is designated as the state housing authority for all purposes;
- B. shall make application for federal housing funds and programs;
- C. shall administer federal and state housing programs and federal tax credit provisions associated with those programs;
- D. shall receive and expend funds pursuant to applicable federal housing laws, federal housing regulations, the provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978] and regulations adopted pursuant to that act;
- E. shall administer the following housing programs that were previously transferred to it by executive order, the provisions of which are ratified:
 - (1) the federal HOME program;
 - (2) the federal low-income housing tax credit program;
 - (3) the federal emergency shelter grant programs;
 - (4) the state homeless program;
 - (5) the federal and state weatherization programs and that part of the low-income home energy assistance program authorized for weatherization; and
 - (6) the state safe water program;
- F. shall assist with technical consultation in connection with housing components of the community service block grant and community development block grant programs that are administered by the human services department and the department of finance and administration, respectively; and
- G. shall not receive direct appropriations of state funds from the legislature, and, if a program for which the authority is granted the power and has the duty to administer involves the appropriation or expenditure of state funds, the authority is granted specific power to enter into a joint powers agreement with the department of finance and administration pursuant to the Joint Powers Agreements Act [11-1-1 NMSA 1978].

HISTORY: 1978 Comp., § 58-18-5.5, enacted by Laws 1998, ch. 63, § 6.

§ 58-18-5.6. Duties; behavioral health

The authority shall:

A. appoint a representative to both the behavioral health planning council and the interagency behavioral health purchasing collaborative; and

B. ensure that any behavioral health services, including mental health and substance abuse services, and any housing provided for consumers of those services, that are provided, contracted for or approved by the authority are in compliance with requirements of Section 9-7-6.4 NMSA 1978.

HISTORY: Laws 2004, ch. 46, § 13.

§ 58-18-6. Loans to mortgage lenders

A. The authority may make and contract to make loans to mortgage lenders on terms and conditions as it determines, and all mortgage lenders are authorized to borrow from the authority in accordance with the provisions of this section and the rules and regulations of the authority.

B. The authority shall require that each mortgage lender receiving a loan pursuant to this section shall issue and deliver to the authority an evidence of its indebtedness to the authority that shall constitute either a general or limited obligation of the mortgage lender, as determined by the authority, and shall bear such date or dates, shall mature at such time or times, shall be subject to prepayment and shall contain such other provisions consistent with this section as the authority determines.

C. Notwithstanding any other provision of this section to the contrary, the interest rate or rates and other terms of loans to mortgage lenders made from the proceeds of any issue of bonds or notes of the authority shall be at least sufficient to assure the payment of the bonds or notes and the interest thereon as they become due.

D. The authority shall require that loans to mortgage lenders made pursuant to this section shall be secured as to payment of both principal and interest by a pledge of collateral security in such amounts as the authority determines to be necessary to assure the payment of the loans and the interest thereon as they become due.

E. The authority may require that collateral for loans be deposited with a bank, trust company or other financial institution acceptable to the authority and designated by the authority as custodian. In the absence of this requirement, each mortgage lender shall enter into an agreement with the authority containing such provisions as the authority deems necessary to:

(1) adequately identify and maintain the collateral;

(2) service the collateral; and

(3) require the mortgage lender to hold the collateral as an agent for the authority and be accountable to the authority as the trustee of an express trust for the application and disposition thereof and the income therefrom.

The authority may also establish such additional requirements as it deems necessary with respect to the pledging, assigning, setting aside or holding of collateral and the making of substitutions therefor or additions thereto and the disposition of income and receipts therefrom.

F. The authority shall require as a condition of each single-family loan to a mortgage lender that the mortgage lender, within a period that the authority may prescribe, shall have entered into written commitments to make and, within a period that the authority may prescribe, shall have disbursed the loan proceeds in new single-family mortgage loans to persons of low or moderate income in an aggregate principal amount equal to the amount of the loan. The new single-family mortgage loans shall have terms and conditions as the authority may prescribe.

G. The authority shall require the submission to it by each mortgage lender to which the authority has made a single-family mortgage loan evidence satisfactory to the authority of the making of new single-family mortgage loans to persons of low or moderate income as required by this section and in connection therewith may, through its members, employees or agents, inspect the books and records of any such mortgage lender.

H. The authority may require as a condition of any loans to mortgage lenders such representations and warranties as it determines to be necessary to secure the loans and carry out the purposes of this section.

I. Compliance by any mortgage lender with the terms of its agreement with or undertaking to the authority with respect to the making or servicing of any new mortgage loans may be enforced by decree of any court of competent jurisdiction. The authority may require as a condition of any loan to any national banking association the consent of the association to the jurisdiction of courts of the state over any such proceeding. The authority may also require, as a condition of any loan to a mortgage lender, agreement by the mortgage lender to the payment of penalties to the authority for violation by the mortgage lender of its undertakings to the authority.

J. To the extent that any provisions of this section may be inconsistent with any provision of law of the state governing the affairs of mortgage lenders, which other provision of law does not by its terms expressly amend the Mortgage Finance Authority Act [58-18-1 NMSA 1978], the provisions of this section shall control.

HISTORY: 1953 Comp., § 13-19-6, enacted by Laws 1975, ch. 303, § 6; 1978, ch. 163, § 2; 1979, ch. 399, § 2; 1995, ch. 9, § 11. N.M. Stat. Ann. § 58-18-7 (2013)

§ 58-18-7. Purchase of mortgage loans

A. The authority may purchase and contract to purchase mortgage loans at the prices and upon the terms and conditions as it determines. All mortgage lenders are authorized to sell mortgage loans to the authority in accordance with the provisions of this section and the rules and regulations of the authority.

B. The authority shall require as a condition of purchase of single-family mortgage loans from mortgage lenders either:

(1) that the single-family mortgage loans be existing mortgage loans owned by the mortgage lenders and that the mortgage lenders, within the period after receipt of the purchase price as the authority may prescribe shall enter into written commitments to loan and, within such period thereafter as the authority may prescribe, shall loan an amount equal to the entire purchase price of the mortgage loans on new mortgage loans to persons of low or moderate income, which new mortgage loans shall have such terms and conditions as the authority may prescribe; or

(2) that the single-family mortgage loans qualify as new mortgage loans to persons of low or moderate income and were originated by the mortgage lenders for the purpose of selling them to the authority.

C. The authority shall require the submission to it by each mortgage lender from which the authority has purchased a single-family mortgage loan evidence satisfactory to the authority of the making of new mortgage loans to persons of low or moderate income as required by this section and in connection therewith may, through its members, employees or agents, inspect the books and records of any such mortgage lender.

D. Compliance by any mortgage lender with the terms of its agreement with or undertaking to the authority with respect to the making or servicing of any mortgage loans may be enforced by decree of any court of competent jurisdiction. The authority may require as a condition of purchase of mortgage loans from any national banking association the consent of the association to the jurisdiction of courts of the state over any proceeding. The authority may also require, as a condition of the authority's purchase of mortgage loans from, or servicing of mortgages by a mortgage lender, agreement by any mortgage lender to the payment of penalties to the authority for violation by the mortgage lender of its undertakings to the authority.

E. The authority may require as a condition of purchase of any mortgage loan from a mortgage lender that the mortgage lender represent and warrant to the authority that:

(1) the unpaid principal balance of the mortgage loan and the interest rate thereon have been accurately stated to the authority;

(2) the amount of the unpaid principal balance is justly due and owing;

(3) the mortgage lender has no notice of the existence of any counterclaim, offset or defense asserted by the mortgagor or his successor in interest;

(4) the mortgage loan is evidenced by a bond or promissory note and a mortgage that has been properly recorded with the appropriate public official;

(5) the mortgage constitutes a valid lien on the real property or mobile home described to the authority subject only to taxes not yet due, installments of assessments not yet due and easements and restrictions of record that do not adversely affect, to a material degree, the use or value of the real property or improvements thereon;

(6) the mortgagor is not now in default in the payment of any installment of principal or interest, escrow funds, taxes or otherwise in the performance of his obligations under the mortgage documents and has not to the knowledge of the mortgage lender been in default in the performance of any such obligation for a period of longer than sixty days during the life of the mortgage;

(7) the improvements to mortgaged real property are covered by a valid and subsisting policy of insurance issued by a company authorized to issue such policies in the state and providing fire and extended coverage in such amounts as the authority may prescribe by regulation; and

(8) the mortgage loan meets the prevailing investment quality standards for mortgage loans of that type in the state.

F. Each mortgage lender is liable to the authority for any damages suffered by the authority by reason of the untruth of any representation or the breach of any warranty and, in the event that any representation proves to be untrue when made or in the event of any breach of warranty, the mortgage lender shall, at the option of the authority, repurchase the mortgage loan for the original purchase price adjusted for amounts subsequently paid thereon, as the authority may determine. The authority may also require, as a condition of the authority's purchase of mortgage loans from the mortgage lender, agreement by the mortgage lender to the payment of penalties to the authority for any misrepresentation or breach of warranty.

G. The authority shall require the recording of an assignment of any mortgage loan purchased by it from a mortgage lender. The authority is not required to inspect or take possession of the mortgage documents if the mortgage lender from which the mortgage loan is purchased by the authority enters, or the mortgage lender's approved designee enters, a contract to service the mortgage loan and account to the authority therefor.

H. In the event of the foreclosure of any mortgage purchased under the provisions of this section, the foreclosure shall not be made in the name of the state. The authority is empowered to make appropriate arrangements for the foreclosure of such mortgages in the name of the authority or another party.

I. To the extent that any provisions of this section may be inconsistent with any provision of law of the state governing the affairs of mortgage lenders, which other provision of law does not by its terms expressly amend the Mortgage Finance Authority Act [58-18-1 NMSA 1978], the provisions of this section shall control.

HISTORY: 1953 Comp., § 13-19-7, enacted by Laws 1975, ch. 303, § 7; 1978, ch. 163, § 3; 1979, ch. 399, § 3; 1995, ch. 9, § 12.

§ 58-18-7.1. Sale of project mortgage loans

All mortgage lenders are authorized to sell project mortgage loans to and to accept loans from the authority in accordance with the provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978] and the rules and regulations of the authority. To the extent that any provisions of this section may be inconsistent with any provision of law of the state governing the affairs of mortgage lenders, which other provision of law does not by its terms expressly amend the Mortgage Finance Authority Act, the

provisions of this section shall control.

HISTORY: 1978 Comp., § 58-18-7.1, enacted by Laws 1982, ch. 86, § 6; 1995, ch. 9, § 13.

§ 58-18-7.2. Secondary market facility; findings and purposes; establishment

A. The legislature finds and declares that it is necessary and in the public interest that the authority be authorized to create, operate, fund, administer and maintain a secondary market facility for mortgage loans and to otherwise act as a conduit for public and private funds to provide an increased degree of liquidity for mortgage investments, thereby improving the distribution and availability of investment capital for use in mortgage investments in this state and promoting the economic well-being of the state through increased opportunity for employment, all of which are expressly declared to be valid public purposes and corporate purposes that may be exercised by the authority.

B. In connection with the establishment and implementation of a secondary market facility, the authority may issue pass-through securities and may purchase and contract to purchase mortgage loans, pass-through securities, obligations secured by mortgage loans, or revenues therefrom or interests therein, at the prices and upon the terms and conditions as the authority shall determine. All mortgage lenders are authorized to sell mortgage loans, pass-through securities and such obligations to the secondary market facility in accordance with the provisions of this section and the rules and regulations of the authority.

C. To provide funding for the secondary market facility, the authority or the secondary market facility may enter into agreements to administer funds made available to the secondary market facility, at such prices and upon such terms and conditions as the authority shall determine, and may issue its bonds, notes, other obligations, pass-through securities and guarantees in the same manner and on the same terms and conditions as the authority may issue its bonds and notes pursuant to [Section 58-18-11 NMSA 1978](#) or on such other terms and conditions as the authority shall determine. In no event shall any bonds, notes, other obligations, pass-through securities or guarantees constitute an obligation, either general or special, of the state or any political subdivision thereof or constitute pecuniary liability of the state or any political subdivision thereof.

D. Notwithstanding any other provisions of the Mortgage Finance Authority Act [[58-18-1 NMSA 1978](#)], the state shall have the power, out of funds legally available therefor, to purchase and to contract to purchase from the authority pass-through securities or participations therein and mortgage loans or participations therein.

HISTORY: 1978 Comp., § 58-18-7.2, enacted by Laws 1983, ch. 285, § 2; 1995, ch. 9, § 14.

§ 58-18-7.3. Rehabilitation loans and home improvement loans

The authority may develop a tax-exempt bond, a taxable bond or an authority-funded program for the financing of home improvement or rehabilitation loans. Such a home improvement or rehabilitation loan program may be conducted in concert with any appropriation provided by the legislature for the purpose of developing and conducting a program of subsidizing the interest rates on home improvement or rehabilitation loans to persons of low or moderate income.

HISTORY: 1978 Comp., § 58-18-7.3, enacted by Laws 1984, ch. 62, § 2; 1987, ch. 168, § 1; 1995, ch. 9, § 15.

§ 58-18-8. Rules and regulations of the authority

A. The authority shall adopt and may from time to time modify or repeal, subject to prior approval by the Mortgage Finance Authority Act oversight committee, rules and regulations:

(1) for determining income levels for the classification of persons of low or moderate income, which may vary between different areas in the state and in accordance with the size of family unit; and

(2) for governing:

(a) the making of loans to mortgage lenders; and

(b) the purchase of mortgage loans, to implement the powers authorized and to achieve the purposes set forth in the Mortgage Finance Authority Act [58-18-1 NMSA 1978].

B. The rules and regulations of the authority relating to the making of loans to mortgage lenders pursuant to [Section 58-18-6 NMSA 1978](#) or the purchase of mortgage loans pursuant to [Section 58-18-7 NMSA 1978](#) shall provide at least for the following:

(1) procedures for the submission by mortgage lenders to the authority of:

(a) requests for loans; and

(b) offers to sell mortgage loans;

(2) standards for allocating bond proceeds among mortgage lenders requesting loans from or offering to sell mortgage loans to the authority;

(3) standards for determining the principal amount to be loaned to each mortgage lender and the interest rate thereon;

(4) standards for determining the aggregate principal amount of mortgage loans to be purchased from each mortgage lender and the purchase price thereof;

(5) qualifications or characteristics of:

(a) residential housing; and

(b) the purchasers of residential housing to be financed by new mortgage loans made in satisfaction of the requirements of Subsection F of [Section 58-18-6 NMSA 1978](#) or Subsection B of [Section 58-18-7 NMSA 1978](#), as the case may be;

(6) restrictions as to the interest rates to be allowed on new mortgage loans and the return to be realized therefrom by mortgage lenders;

(7) requirements as to commitments and disbursements by mortgage lenders with respect to new mortgage loans; and

(8) standards for mobile homes eligible for use as security.

C. The rules and regulations of the authority shall also provide for:

(1) schedules of any fees and charges to be imposed by the authority; and

(2) any other matters related to the duties and the exercise of the powers of the authority under the Mortgage Finance Authority Act [58-18-1 NMSA 1978].

HISTORY: 1953 Comp., § 13-19-8, enacted by Laws 1975, ch. 303, § 8; 1979, ch. 399, § 4; 1995, ch. 9, § 16.

§ 58-18-8.1. Rules and regulations of the authority; multiple-family dwellings, transitional and congregate housing facilities

Prior to financing a multiple-family dwelling project or transitional or congregate housing facility, the authority shall adopt, subject to prior approval by the Mortgage Finance Authority Act oversight committee, rules and regulations governing the purchase of project mortgage loans and the making of loans to finance project mortgage loans, which shall provide at least for the following:

A. procedures for the submission by mortgage lenders to the authority of:

(1) offers to sell project mortgage loans; or

(2) requests for loans;

B. standards for approving qualifications of sponsors and mortgage lenders;

C. standards for determining minimum equity requirements for sponsors and acceptable debt-to-equity ratios for sponsors;

D. methods for establishing uniform accounting systems for sponsors;

E. standards for approving costs of such projects; and

F. guidelines establishing reasonable geographic allocation procedures for project mortgage loans.

HISTORY: 1978 Comp., § 58-18-8.1, enacted by Laws 1982, ch. 86, § 7; 1995, ch. 9, § 17.

§ 58-18-8.2. Rules and regulations of the authority; secondary market facility

Prior to establishing a secondary market facility or issuing any pass-through security, the authority shall adopt, subject to prior approval by the Mortgage Finance Authority Act oversight committee, rules and regulations governing the operations of the secondary market facility and the issuance of pass-through securities, which shall provide for the following, to the extent that the secondary market facility proposes to engage in such activities:

A. procedures for submission by mortgage lenders to the authority of offers to sell:

(1) mortgage loans;

(2) pass-through securities; or

(3) obligations secured by mortgage loans or pledges of mortgage loan revenues;

B. standards for allocating available funds or guarantees among mortgage lenders through the secondary market facility;

C. qualifications or conditions relating to the reinvestment by mortgage lenders of the funds made available to mortgage lenders by the secondary market facility; and

D. characteristics of pass-through securities to be issued by the secondary market facility.

HISTORY: 1978 Comp., § 58-18-8.2, enacted by Laws 1983, ch. 285, § 3.

§ 58-18-8.3. Rules and regulations of the authority; home improvement loan program

Prior to implementing the home improvement loan program referred to in Subsection B of Section 58-18-7.3 NMSA 1978, the authority shall adopt, subject to prior approval by the Mortgage Finance Authority Act oversight committee, rules and regulations governing the purchase of home improvement loans or loans to mortgage lenders to fund home improvement loans under the program, which shall provide at least for the following:

A. procedures for submission by mortgage lenders to the authority of offers to sell home improvement loans;

B. standards for approving qualifications of mortgage lenders;

C. standards for allocating bond proceeds or other authority funds among mortgage lenders offering to sell home improvement loans to the authority and among mortgage lenders receiving loans from the authority to fund home improvement loans;

D. qualifications or characteristics of:

(1) residential housing upon which a home improvement loan may be made;

(2) the types of home improvements that may be made with the proceeds of home improvement loans, except that the authority shall not permit the proceeds to be used for landscaping, lawn sprinkling systems, swimming pools, tennis courts, saunas or other recreational facilities; and

(3) the persons of low or moderate income who may apply for home improvement loans;

E. restrictions as to the interest rates to be allowed on home improvement loans and the fees and other profit to be realized by mortgage lenders; and

F. procedures for determining eligibility for any subsidies to be provided to persons of low or moderate income.

HISTORY: 1978 Comp., § 58-18-8.3, enacted by Laws 1984, ch. 62, § 3; 1987, ch. 168, § 2; 1995, ch. 9, § 18.

§ 58-18-9. Required determinations of the authority

The authority shall not make loans to mortgage lenders pursuant to Section 58-18-6 NMSA 1978 or purchase mortgage loans pursuant to Section 58-18-7 NMSA 1978 until the authority has determined:

A. that the supply of funds available in the private banking system in the state for residential mortgages is inadequate to meet the demand of persons of low or moderate income for residential mortgage financing; and

B. that the purchase of mortgages or making of loans by the authority will alleviate the inadequate supply of residential mortgage money in the state's banking system.

HISTORY: 1953 Comp., § 13-19-9, enacted by Laws 1975, ch. 303, § 9; 1995, ch. 9, § 19.

§ 58-18-10. Planning, zoning and building laws

A. All multiple-family dwelling projects and transitional and congregate housing facilities shall be subject to any applicable master plan, official map, zoning regulation, building code, housing ordinance and other laws and regulations governing land use or planning or construction of the municipality in which the project is or is to be located.

B. The authority shall provide a description of any multiple-family dwelling project or transitional or congregate housing facility for which it proposes to finance a project mortgage loan to the local governing body of the municipality in which the multiple-family dwelling project or transitional or congregate housing facility is or is to be located. The description shall include the proposed number and type of dwelling units and the location of the project. Unless the local governing body, by majority vote, disapproves the multiple-family dwelling project or transitional or congregate housing facility within thirty days after receipt of the description, the authority may finance a project mortgage loan on the project.

HISTORY: 1953 Comp., § 13-19-10, enacted by Laws 1975, ch. 303, § 10; 1982, ch. 86, § 9; 1995, ch. 9, § 20.

§ 58-18-11. Bonds and notes of the authority

A. The authority may from time to time issue its bonds and notes in the principal amounts as, in the opinion of the authority, are necessary to provide sufficient funds for achieving its corporate purposes, the payment of principal and of premium, if any, and interest on bonds and notes of the authority, establishment of reserves to secure the bonds and notes and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers.

B. Except as may otherwise be expressly provided by the authority, all bonds and notes issued by the authority shall be general obligations of the authority, secured by the full faith and credit of the authority and payable out of any money, assets or revenues of the authority, subject only to any agreement with bondholders or noteholders pledging any particular money, assets or revenues. In no event shall any bonds or notes constitute an obligation, either general or special, of the state or any political subdivision of the state or constitute or give rise to a pecuniary liability of the state or any political subdivision of the state; nor shall the authority have the power to pledge the general credit or taxing power of the state or any political subdivision of the state or to make its debts payable out of any money except that of the authority.

C. Bonds and notes shall be authorized by resolutions of the authority adopted as provided by the Mortgage Finance Authority Act [58-18-1 NMSA 1978]; provided that any such resolution authorizing the issuance of bonds or notes may delegate to an officer of the authority the power to issue such bonds or notes from time to time and to fix or specify the manner of fixing the details of any such issues of bonds or notes by an appropriate certificate of the authorized officer.

D. The bonds shall:

(1) state on their face that they:

(a) are payable both as to principal and interest solely out of the assets of the authority; and

(b) do not constitute an obligation, either general or special, of the state or any political subdivision of the state; and

(2) be:

(a) either registered, registered as to principal only or in coupon form;

(b) issued in such denominations as the authority may prescribe;

(c) fully negotiable instruments under the laws of the state unless otherwise determined by the authority;

(d) signed on behalf of the authority with the manual or facsimile signature of the chairman or vice chairman attested by the manual or facsimile signature of the secretary, shall have impressed or imprinted on them the seal of the authority or a facsimile of the seal, and any coupons attached to them shall be signed with the facsimile signature of the chairman or vice chairman;

(e) payable as to interest at such rate or rates and at such time or times as the authority may determine or provide;

(f) payable as to principal at such times over a period not to exceed forty-five years from the date of issuance, at such place or places and with such reserved rights of prior redemption as the authority may prescribe;

(g) sold at such price or prices, at public or private sale, and in such manner as the authority may prescribe; and the authority may pay all expenses, premiums and commissions that it deems necessary or advantageous in connection with the issuance and sale of the bonds; and

(h) issued under and subject to such terms, conditions and covenants providing for the payment of the principal, redemption premiums, if any, and interest and such other terms, conditions, covenants and protective provisions safeguarding the payment, not inconsistent with the Mortgage Finance Authority Act [58-18-1 NMSA 1978], as may be found to be necessary by the authority for the most advantageous sale of the bonds, which may include but not be limited to covenants with the holders of the bonds as to: 1) pledging or creating a lien, to the extent provided by a resolution on all or any part of any money or property of the authority or of any money held in trust or otherwise by others to secure the payment of the bonds; 2) otherwise providing for the custody, collection, securing, investment and payment of any money of or due to the authority; 3) the setting aside of reserves or sinking funds and the regulation or disposition thereof; 4) limitations on the purpose to which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied; 5) limitations on the issuance of additional bonds and on the refunding of outstanding or other bonds; 6) the procedure, if any, by which the terms of any contract with the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given; 7) the creation of special funds into which any money of the authority may be deposited; 8) vesting in a trustee the properties, rights, powers and duties in trust as the authority may determine that may include any or all of the rights, powers and duties of the trustee appointed pursuant to Section 58-18-14 NMSA 1978 for the holders of any bonds issued by the authority in which event the provisions of that section authorizing appointment of a trustee by the holders of bonds shall not apply; or limiting or abrogating the right of the holders of bonds to appoint a trustee under Section 58-18-14 NMSA 1978 or limiting the rights, duties and powers of the trustee; 9) defining the acts or omissions to act that constitute a default in the obligations and duties of the authority and providing for the rights and remedies of the holders of bonds in the event of default, provided that the rights and remedies shall not be inconsistent with the general laws of the state and other provisions of the Mortgage Finance Authority Act; and 10) any other matters of like or different character that in any way affect the security and protection of the bonds and the rights of the holders of bonds.

E. The authority is authorized to issue its bonds or notes for the purpose of refunding any bonds or notes of the authority or of any issuer under the Municipal Mortgage Finance Act [58-18A-1 NMSA 1978] or under any other authorizing act then outstanding, including the payment of any redemption premiums thereon and any interest accrued to or to accrue to the date of redemption of the outstanding bonds or notes. Until the proceeds of any bonds or notes issued for the purpose of refunding outstanding bonds or notes are applied to the purchase or retirement of the outstanding bonds or notes or the redemption of the outstanding bonds or notes, the proceeds may be placed in escrow and be invested and reinvested in accordance with the provisions of Subsection P of Section 58-18-5 NMSA 1978. The interest, income and profits, if any, earned or realized on any such investment may, in the discretion of the authority, also be applied to the payment of the outstanding bonds or

notes to be refunded by purchase, retirement or redemption, as the case may be. After the terms of the escrow have been fully satisfied and carried out, any balance of the proceeds and interest, if any, earned or realized on the investments thereof may be returned to the authority for use by it in any lawful manner. All bonds or notes shall be issued and secured and shall be subject to the provisions of the Mortgage Finance Authority Act in the same manner and to the same extent as any other bonds or notes issued pursuant to the Mortgage Finance Authority Act.

F. The authority is authorized to issue bond anticipation notes and may renew them from time to time, but the maximum maturity of the notes, including renewals, shall not exceed ten years from the date of issue of the original notes. The notes may be payable from any money of the authority available therefor and not otherwise pledged or from the proceeds of sale of the bonds of the authority in anticipation of which the notes were issued. The notes may be issued for any corporate purpose of the authority. The notes shall be issued in the same manner as the bonds, and the notes and the resolution authorizing them may contain any provisions, conditions or limitations, not inconsistent with the provisions of this subsection, that the bonds or a bond resolution of the authority may contain. The notes may be sold at public or private sale. In case of default on its notes or violation of any obligations of the authority to the noteholders, the noteholders shall have all the remedies provided for bondholders in the Mortgage Finance Authority Act [58-18-1 NMSA 1978]. The notes shall be as fully negotiable as the bonds of the authority.

G. It is the intention of the legislature that any pledge of earnings, revenues or other assets made by the authority shall be valid and binding from the time when the pledge is made; that the earnings, revenues or other assets so pledged and thereafter received by the authority shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act and that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether the parties have notice of the claims. The resolution or any other instrument by which a pledge is created need not be filed or recorded.

H. Neither the members of the authority nor any person executing the bonds, notes or other obligations shall be liable personally on the bonds, notes or other obligations or be subject to any personal liability or accountability by reason of the issuance thereof while acting in the scope of their authority.

HISTORY: 1953 Comp., § 13-19-11, enacted by Laws 1975, ch. 303, § 11; 1995, ch. 9, § 21.

§ 58-18-12. Reserve funds

A. The authority may create and establish one or more reserve funds.

B. The authority may create and establish other reserve funds as it deems advisable and necessary.

HISTORY: 1953 Comp., § 13-19-12, enacted by Laws 1975, ch. 303, § 12; 1995, ch. 9, § 22.

§ 58-18-13. Notice or publication not required

No notice, consent or approval by any governmental body or public officer shall be required as a prerequisite to the issuance, sale or delivery of any bonds, notes or other obligations of the authority pursuant to the provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978], except as specifically provided in that act.

HISTORY: 1953 Comp., § 13-19-13, enacted by Laws 1975, ch. 303, § 13; 1995, ch. 9, § 23.

§ 58-18-14. Remedies of bondholders and noteholders

Except to the extent this section conflicts with a term or condition of any trust indenture or note, bondholders and noteholders shall have the following remedies:

A. in the event that the authority defaults in the payment of principal of or interest on any issue of bonds or notes after it becomes due, whether at maturity or upon call for redemption, and the default continues for a period of thirty days, or in the event that the authority fails or refuses to comply with the provisions of the Mortgage Finance Authority Act [58-18-1 NMSA 1978] or defaults in any agreement made with the holders of any issue of bonds or notes, the holders of twenty-five percent in aggregate principal amount of the bonds or notes of the issue then outstanding, by one or more instruments filed in the office of the clerk of the county in which the principal office of the authority is located and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds or notes for the purposes provided in this section;

B. a trustee may, and upon written request of the holders of twenty-five percent in aggregate principal amount of the issue of bonds or notes then outstanding shall, in his or its own name:

(1) enforce all rights of the bondholders or noteholders, including the right to require the authority to carry out its agreements with the holders of the bonds or notes and to perform its duties under the Mortgage Finance Authority Act [58-18-1 NMSA 1978];

(2) bring suit upon the bonds or notes;

(3) by action or suit, require the authority to account as if it were the trustee of an express trust for the holders of the bonds or notes;

(4) by action or suit, enjoin any acts or things that may be unlawful or in violation of the rights of the holders of the bonds or notes; and

(5) declare all such bonds or notes due and payable and, if all defaults are made good, then with the consent of the holders of twenty-five percent of the aggregate principal amount of the issue of bonds or notes then outstanding, annul the declaration and its consequences;

C. a trustee shall, in addition to the provisions of Subsection B of this section, have and possess all the powers necessary or appropriate for the exercise of any functions specifically set forth in this section or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights;

D. before declaring the principal of bonds or notes due and payable, the trustee shall first give thirty days' notice in writing to the governor, to the authority and to the attorney general of the state; and

E. the district court shall have jurisdiction of any suit, action or proceeding by the trustee on behalf of bondholders or noteholders. The venue of any such suit, action or proceeding shall be laid in the county in which the principal office of the authority is located.

HISTORY: 1953 Comp., § 13-19-14, enacted by Laws 1975, ch. 303, § 14; 1995, ch. 9, § 24.

§ 58-18-14.1. Project mortgage loans; enforcement of agreement

A. Compliance by any mortgage lender with the terms of its agreement with or undertaking to the authority with respect to the making of any project mortgage loans to sponsors may be enforced by decree of any court of competent jurisdiction. The authority shall require as a condition of purchasing project mortgage loans from or making a loan to any national banking or federal savings and loan association the consent of the association to the jurisdiction of courts of the state over any such proceeding. The authority shall also require as a condition of the authority's purchasing project mortgage loans from or making a loan to any mortgage lender agreement by the mortgage lender to the payment of penalties to the authority for violation by the mortgage lender of its undertakings to the authority.

B. Each mortgage lender shall be liable to the authority for any damages suffered by the authority by reason of the untruth of any representation or the breach of any warranty, and, in the event that any representation proves to be untrue when made or in the event of any breach of warranty, the mortgage lender shall, at the option of the authority:

(1) repurchase the project mortgage loan for the original purchase price adjusted for amounts subsequently paid thereon, as the authority may determine; or

(2) repay the then unpaid principal balance of the loan, together with interest accrued thereon and the penalties owed pursuant to Subsection A of this section.

HISTORY: 1978 Comp., § 58-18-14.1, enacted by Laws 1982, ch. 86, § 11; 1995, ch. 9, § 25.

§ 58-18-15. State and municipalities not liable on bonds and notes

The bonds, notes and other obligations of the authority shall not be a debt of the state or of any municipality, and neither the state nor any municipality shall be liable thereon.

HISTORY: 1953 Comp., § 13-19-15, enacted by Laws 1975, ch. 303, § 15.

§ 58-18-16. Agreement of the state

The state does hereby pledge to and agree with the holders of any bonds, notes, other obligations, pass-through securities or guarantees issued under the Mortgage Finance Authority Act [58-18-1 NMSA 1978] that the state will not limit or alter the rights vested in the authority or any secondary market facility to fulfill the terms of any agreements made with the holders of the bonds, notes, other obligations, pass-through securities or guarantees or in any way impair the rights and remedies of the holders of the bonds, notes, other obligations, pass-through securities or guarantees until the bonds, notes, other obligations, pass-through securities or guarantees together with the interest thereon, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceedings by or on behalf of the holders of the bonds, notes, other obligations, pass-through securities or guarantees, are fully met and discharged. The authority or any secondary market facility is

authorized to include this pledge and agreement of the state in any agreement with the holders of the bonds, notes, other obligations, pass-through securities or guarantees.

HISTORY: 1953 Comp., § 13-19-16, enacted by Laws 1975, ch. 303, § 16; 1995, ch. 9, § 26.

§ 58-18-17. Bonds, notes and other obligations; legal investments for public officers and fiduciaries

The bonds, notes, other obligations, pass-through securities and guarantees of the authority or any secondary market facility are securities in which all insurance companies and associations and other persons carrying on insurance business, all banks, bank and trust companies, trust companies, private banks, savings banks, savings and loan associations, building and loan associations, investment companies and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries and all other persons who are or may be authorized to invest in bonds or other obligations of the state may properly and legally invest funds including capital in their control or belonging to them.

HISTORY: 1953 Comp., § 13-19-17, enacted by Laws 1975, ch. 303, § 17; 1995, ch. 9, § 27.

58-18-18. Tax exemption

A. It is determined that the creation of the authority is in all respects for the benefit of the people of the state, for the improvement of their health and welfare and for the promotion of the economy and that those purposes are public purposes. The authority will be performing an essential governmental function in the exercise of the powers conferred upon it by the Mortgage Finance Authority Act [58-18-1 NMSA 1978], and the state covenants with the purchasers and all subsequent holders and transferees of bonds and notes issued by the authority, in consideration of the acceptance of and payment for the bonds and notes, that the bonds and notes of the authority issued pursuant to that act and the income therefrom shall at all times be free from taxation, except for estate or gift taxes and taxes on transfers.

B. The income and operations of the authority and any secondary market facility shall be exempt from taxation of every kind and nature, provided that the authority shall be obligated to pay all ad valorem taxes and special assessments. The authority and any secondary market facility shall pay any recording fee for instruments recorded by it or on its behalf but shall not be required to pay any transfer tax of any kind on account of instruments recorded by it or on its behalf.

HISTORY: 1953 Comp., § 13-19-18, enacted by Laws 1975, ch. 303, § 18; 1981, ch. 190, § 1; 1985, ch. 232, § 3; 1995, ch. 9, § 28.

§ 58-18-19. No contribution by state or municipality

Neither the state nor any municipality shall have the power to pay out of its general funds or otherwise contribute its money to the authority, nor may the state or any state agency purchase any bonds or notes of the authority, nor shall the state or any municipality have the power to make or participate in the making of loans to mortgage lenders or to purchase or participate in the purchase of mortgage loans pursuant to the Mortgage Finance Authority Act [58-18-1 NMSA 1978]. Notwithstanding the foregoing, neither the state nor any municipality shall be prohibited from appropriating its money to or in aid of the authority's programs or the beneficiaries of any program to the extent otherwise permitted by law.

HISTORY: 1953 Comp., § 13-19-19, enacted by Laws 1975, ch. 303, § 19; 1995, ch. 9, § 29.

§ 58-18-20. Money of the authority

A. All money of the authority from whatever source derived, except as otherwise authorized or provided in the Mortgage Finance Authority Act [58-18-1 NMSA 1978], shall be paid to the treasurer of the authority and shall be deposited forthwith in a bank designated by the authority. The money in such accounts shall be withdrawn on the order of persons whom the authority may authorize. All deposits of such money shall, if required by the authority, be secured in such manner as the authority may determine. The state auditor and his legally authorized representatives are authorized and empowered from time to time to examine the accounts and books of the authority, including its receipts, disbursements, contracts, leases, sinking funds, investments and any other records and papers relating to its financial standing. The authority shall pay a reasonable fee for such examination as determined by the state auditor.

B. The authority and any secondary market facility shall have power to contract with holders of any of its bonds, notes, other obligations, pass-through securities or guarantees as to the custody, collection, securing, investment and payment of any money of the authority or any secondary market facility of any money held in trust or otherwise for the payment of bonds, notes, other obligations, pass-through securities or guarantees and to carry out the contract. Money held in trust or otherwise for the payment of bonds, notes, other obligations, pass-through securities or guarantees or in any way to secure bonds, notes, other obligations, pass-through securities or guarantees and deposits of such money may be secured in the same manner as money of the authority, and all banks and trust companies are authorized to give security for deposits.

C. Subject to the provisions of any contract with bondholders, noteholders, or holders of other obligations, pass-through securities or guarantees, the authority and any secondary market facility shall prescribe a system of accounts.

D. The authority shall submit to the governor, the state auditor and the legislative finance committee, within thirty days of the receipt thereof by the authority, a copy of the report of every external examination of the books and accounts of the authority.

E. Money of the authority and any secondary market facility, including money held in trust or otherwise for the payment of bonds, notes, other obligations, pass-through securities or guarantees is not public money or state funds within the meaning of any law of the state relating to investment, deposit, security or expenditure of public money and, subject to any agreement with bondholders and any limitations imposed by the Mortgage Finance Authority Act [58-18-1 NMSA 1978], may be used by the authority in any manner necessary or appropriate in carrying out the powers given in the Mortgage Finance Authority Act.

HISTORY: 1953 Comp., § 13-19-20, enacted by Laws 1975, ch. 303, § 20; 1985, ch. 232, § 4; 1995, ch. 9, § 30.

§ 58-18-21. Limitation of liability

Neither the members of the authority nor any person acting in its behalf, while acting within the scope of their authority, shall be subject to any personal liability for any action taken or omitted within that scope of authority.

HISTORY: 1953 Comp., § 13-19-21, enacted by Laws 1975, ch. 303, § 21; 1995, ch. 9, § 31.

§ 58-18-22. Assistance by state officers and agencies

All state officers and all state agencies may render such services to the authority within their respective functions as may be requested by the authority.

HISTORY: 1953 Comp., § 13-19-22, enacted by Laws 1975, ch. 303, § 22.

§ 58-18-23. Court proceedings; preference; venue

Any action or proceeding to which the authority or the people of the state may be a party in which any question arises as to the validity of the Mortgage Finance Authority Act [58-18-1 NMSA 1978] shall be preferred over all other civil causes in all courts of the state and shall be heard and determined in preference to all other civil business pending in the courts irrespective of position on the calendar. The same preference shall be granted upon application of counsel to the authority in any action or proceeding questioning the validity of that act in which he may be allowed to intervene. The venue of any action or proceeding to which the authority or the people of the state are a party shall be laid in the county in which the principal office of the authority is located.

HISTORY: 1953 Comp., § 13-19-23, enacted by Laws 1975, ch. 303, § 23; 1995, ch. 9, § 32.

§ 58-18-24. Corporate existence

The authority and its corporate existence shall continue until terminated by law, provided that no such law shall take effect so long as the authority has bonds, notes, other obligations or pass-through securities or guarantees outstanding unless adequate provision has been made for the satisfaction or payment thereof. Upon termination of the existence of the authority, all its rights and properties in excess of its obligations shall pass to and be vested in the state.

HISTORY: 1953 Comp., § 13-19-24, enacted by Laws 1975, ch. 303, § 24; 1995, ch. 9, § 33.

§ 58-18-25. Conflicts of interest; penalty

A. If any member, officer or employee of the authority has an interest, either direct or indirect, in any contract to which the authority or any secondary market facility is or is to be a party or in any mortgage lender requesting a loan from or offering to sell mortgage loans to the authority or any secondary market facility or in any sponsor requesting a project mortgage loan, the interest shall be disclosed to the authority in writing and shall be set forth in the minutes of the authority. The member, officer or employee having the interest shall not participate in any action by the authority or any secondary market facility with respect to the contract, mortgage lender or sponsor.

B. Nothing in this section shall be deemed or construed to limit the right of any member, officer or employee of the authority to:

(1) acquire an interest in bonds, notes, other obligations, pass-through securities or guarantees of the authority or any secondary market facility; or

(2) have an interest in any banking institution in which the funds of the authority are or are to be deposited or that is or is to be acting as trustee or paying agent under any trust instrument to which the authority is a party.

C. Any person having a conflict of interest as defined in this section and participating in any transaction involving the conflict of interest or failing to notify the authority of the conflict is guilty of a misdemeanor.

HISTORY: 1953 Comp., § 13-19-25, enacted by Laws 1975, ch. 303, § 25; 1981, ch. 172, § 1; 1982, ch. 86, § 12; 1995, ch. 9, § 34.

§ 58-18-26. Cumulative authority

The Mortgage Finance Authority Act [58-18-1 NMSA 1978] shall be deemed to provide an additional and alternative method for the doing of the things authorized by that act, shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing; provided that the issuance of bonds, notes, other obligations, pass-through securities or guarantees under the provisions of the Mortgage Finance Authority Act need not comply with the requirements of any other law applicable to the issuance of bonds, notes, other obligations, pass-through securities or guarantees.

HISTORY: 1953 Comp., § 13-19-26, enacted by Laws 1975, ch. 303, § 26; 1995, ch. 9, § 35.

§ 58-18-27. Liberal interpretation

The Mortgage Finance Authority Act [58-18-1 NMSA 1978], being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect its purposes.

HISTORY: 1953 Comp., § 13-19-27, enacted by Laws 1975, ch. 303, § 27; 1995, ch. 9, § 36.

NEW MEXICO MORTGAGE FINANCE AUTHORITY RULES AND REGULATIONS

SECTION 1. AUTHORITY. These Rules and Regulations are issued under and pursuant to the Mortgage Finance Authority Act, enacted as Chapter 303 of the Laws of 1975 of the State of New Mexico, as amended; Chapter 86 of the Laws of 1982 of the State of New Mexico, as amended (being Section 58-18-1 through 58-18-27, N.M.S.A. (1978); and Section 2-12-5, N.M.S.A. (1978), as amended (collectively, the “Act”). These Rules and Regulations supersede and replace all prior rules and regulations of MFA and will become effective upon approval of MFA Oversight Committee.

SECTION 2. PURPOSE AND OBJECTIVES. These Rules and Regulations are established to effectuate, and shall be applied so as to accomplish, the general purposes of the Act and the following specific objectives: (i) expanding the supply of funds in New Mexico available for new residential mortgages for persons and families of low or moderate income; (ii) alleviating the shortage of adequate housing, including multiple-family, transitional and congregate dwellings, in New Mexico for persons and families of low or moderate income; (iii) encouraging and providing the financing for the acquisition, construction, rehabilitation and improvement of residential housing, including multiple-family, transitional and congregate dwellings, in New Mexico for persons and families of low or moderate income; (iv) down payment assistance for persons and families of low or moderate income; (v) assisting in providing mortgage loans at below market interest rates for private individuals, organizations and entities willing to undertake the acquisition, development and/or operation of multiple-family, transitional and congregate dwellings for persons and families of low or moderate income; and (vi) obtaining the effective participation by lending institutions and others in the mortgage purchase program authorized by the Act, while restricting the financial return and benefit to such lending institutions to that necessary and reasonable to induce such participation. In carrying out its objectives and purposes, the New Mexico Mortgage Finance Authority, pursuant to the Act has the power to raise funds from private and public investors to make funds available for such purposes; to create and implement programs from time to time as may be necessary or appropriate to accomplish its purposes; and to assist, administer, finance or service housing programs and to contract for such services for or through private and nonprofit organizations and local, state, federal and tribal agencies or their instrumentalities.

SECTION 3. GENERAL DEFINITIONS. The following words and terms shall have the following meanings. A statutory change in the New Mexico Mortgage Finance Authority Act of any of the following definitions shall result in a corresponding change in the meaning of the same word or term within Section 3. of these Rules and Regulations.

A. “Act” shall mean the Mortgage Finance Authority Act, enacted as Chapter 303 of the Laws of 1975 of the State of New Mexico, as amended (being Sections 58-18-1 through 58-18-27, inclusive, N.M.S.A. (1978), as amended).

B. “Affiliate” shall mean any entity controlling, controlled by or under the common control of another entity, person, or common parent company; provided that an entity which is a Mortgage Lender, must meet MFA’s requirements set forth in the Policies and Procedures of MFA. For the purposes of this definition, “control” when used with respect to any specified entity, means the power to direct the management and policies of such entity, directly or indirectly, whether through the ownership of voting securities, by contract, statute or otherwise. For purposes of this definition the terms “person” and “entity” include non-profit corporation, other public entities, governmental agencies and instrumentalities, Mortgage Lenders, Sponsors, Builders, and Applicants.

C. “Affordable” shall mean consistent with minimum rent and/or income limitations set forth in the Act, and in guidelines established for specific programs administered by MFA.

D. “Applicant” shall mean a lending institution, non-profit corporation, public or tribal entity, governmental agency or instrumentality, Mortgage Lender, Builder, Sponsor, or Affiliate of any of the foregoing, or any other person or entity meeting the appropriate criteria of MFA.

E. “Application” shall mean an application for MFA approval to participate in one or more programs of MFA submitted by an Applicant to MFA.

F. “Bonds” or “Notes” shall mean the bonds or bond anticipation notes, respectively issued by MFA pursuant to the Act.

G. “Builder” shall mean a person or entity licensed as a general contractor to construct Residential Housing in the state which has been approved by MFA to participate in an MFA program.

H. “Code” shall mean the Internal Revenue Code of 1986, as amended.

I. “Existing Mortgage Loan” shall mean a loan secured by a Mortgage or Deed of Trust made by a Mortgage Lender to: (i) a Person of Low or Moderate Income to finance the purchase of an owner-occupied single family residence in the state; or (ii) to a person or entity to finance multiple-family, transitional and congregate dwelling projects for persons and families of low or moderate income, which loan was made prior to the date of submission by the Mortgage Lender of its Application.

J. “Federal Government” shall mean the United States of America and any agency or instrumentality, corporate or otherwise, of the United States of America.

K. “FHA” shall mean the Federal Housing Administration or its successors.

L. “FHLMC” or “Freddie Mac” shall mean the Federal Home Loan Mortgage Corporation or its successors.

M. “FNMA or “Fannie Mae” shall mean the Federal National Mortgage Association or its successors.

N. “GNMA” or “Ginnie Mae” shall mean the Government National Mortgage Association or its successors.

O. “Home Improvement Loan” shall mean a mortgage loan to finance such alterations, repairs, and improvements on or in connection with an existing residence as MFA may determine will substantially protect or improve the basic livability or energy efficiency of the residence, including without limitation the acquisition and installation of energy conservation building materials and solar energy equipment.

P. “HUD” shall mean the United States Department of Housing and Urban Development.

Q. “MFA” shall mean the New Mexico Mortgage Finance Authority.

R. “Manufactured Home” shall mean a dwelling of at least 400 square feet and at least 12 feet wide, and constructed to “HUD Code” which for manufactured housing means that it is built on a permanent chassis, installed on a permanent foundation system and titled as real estate.

S. “Mobile Home” shall mean a movable or portable housing structure, constructed to be towed on its own chassis and designed so as to be installed with or without a permanent foundation for human occupancy as a residence that may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or two or more units separately towable but designed to be joined into one integral unit, except that the definition does not include recreational vehicles or modular or remanufactured homes, built to Uniform Building Code standards, designed to be permanently affixed to real property.

T. “Modular Home” shall mean a site-built home built on a non-removeable steel chassis and built in accordance with the Uniform Building Codes that are adopted and administered by the state in which the home is installed. The home must also conform to local building codes in the area in which it will be located but does not meet “HUD Code”.

U. “Mortgage” shall mean a mortgage, mortgage deed, deed of trust or other instrument creating a lien, subject only to title exceptions as may be acceptable to MFA with a fee interest in real property located within the state, or with a leasehold interest that has a remaining term at the time of computation that exceeds the maturity date or is renewable at the option of the lessee after the maturity date, of the Mortgage Loan or the instrument creating a lien on a mobile home.

V. “Mortgage Credit Certificate” shall mean certificates issued by MFA to Persons of Low or Moderate Income enabling them to claim a credit against federal income tax for a portion of interest paid by such persons on a Mortgage Loan.

W. “Mortgage Lender” shall mean any bank, trust company, mortgage company, mortgage banker, national banking association, credit union, building and loan association and any other lending institution; *provided that the mortgage lender maintains an office in New Mexico, is authorized to make mortgage loans in the state and is approved by MFA and either the FHA, VA, RHS, HUD’s Office of Native American Programs, FNMA (“Fannie Mae”), or FHLMC (“Freddie Mac”).*¹

X. “Mortgage Loan” shall mean a financial obligation secured by a Mortgage, including a Project Mortgage Loan.

Y. “Municipality” shall mean any county, city, town or village or the state.

Z. “New Mortgage Loan” shall mean a Mortgage Loan, including a Home Improvement Loan, made by a Mortgage Lender to a Person of Low or Moderate Income to finance project costs, and containing such terms and conditions as MFA may require.

AA. “Oversight Committee” shall mean MFA’s Oversight Committee created by, and appointed in accordance with, the Act.

BB. “Persons of Very Low, Low or Moderate Income” shall mean the categories of income levels attributed to persons and families for the determination of eligibility for MFA’s programs. Very Low, Low or Moderate Income persons and families within the state are those who are determined by MFA to lack sufficient income to pay enough to cause private enterprise to build an adequate supply of quality affordable residential housing in their locality or in an area reasonably accessible to their locality and whose incomes are below the income levels established by MFA to be in need of the assistance made available by the Act, taking into consideration, without limitation, such factors as defined under the Act. For purposes of this definition, the word “families” shall mean a group of persons consisting of, but not limited to, the head of a household; his or her spouse, if any; and children, if any, who are allowable as personal exemptions for Federal income tax purposes. Very Low Income persons or families are those with income at or below 50% of the Area Median Income (“AMI”). For Loans to persons and families on Indian Reservations, MFA will use the income basis determined under HUD’s Native American Housing and Self Determination Act (NAHASDA). Low Income persons or families are those with income above 50% and up to 80% of the AMI. Moderate Income persons or families are those with income above 80% and up to 150% of the AMI adjusted for family size. Moderate income limits may be adjusted for high-cost areas to accommodate qualification of purchase of a median priced home in a county of the subject property or rent at the fair market rate. state This definition of moderate income applies to all non-federal, unrestricted programs administered by MFA. All federal and restricted programs will continue to follow the income requirements outlined in statute, regulations, guidance or contractual documents. This definition in line with the needs throughout the State and in accordance with the requirements of the Act. AMI is defined as the point at which half the households in an area have lower incomes and half have higher incomes.

¹ Definition of “Mortgage Lender” was amended (as italicized) per 1999 legislative action and was subsequently approved by the MFA Board of Directors and MFA Legislative Oversight Committee.

CC. “Policies and Procedures” shall mean Policies and Procedures of MFA, including but not limited to, Mortgage Loan purchasing, selling, servicing and reservation procedures, which MFA may update and revise from time to time as MFA deems appropriate.

DD. “Recertification” shall mean the recertification of Applicants participating in MFA programs as determined necessary from time to time by MFA.

EE. “Rehabilitation” shall mean the substantial renovation or reconstruction of an existing single-family residence, not including an increase in living area, which complies with requirements established by MFA. Rehabilitation shall not include routine or ordinary repairs, improvements, or maintenance, such as interior decorating, remodeling, or exterior painting, except in conjunction with other substantial renovation or reconstruction.

FF. “Reservation and Compliance Procedures” shall mean MFA’s procedures for allocating funds to purchase Mortgage Loans, and allocating Mortgage Credit Certificates, if applicable. Such procedures may be updated and revised by MFA as MFA deems appropriate.

GG. “Residential Housing” shall mean a specific work or improvement undertaken primarily to provide one or more dwelling accommodations, including, without limitation, mobile homes, single-family, multiple-family, transitional and congregate dwellings for Persons of Low or Moderate Income, including the acquisition, construction or rehabilitation of real property, buildings, and improvements

HH. “Residential Use” shall mean that the structure is designed primarily for use as the principal residence of the occupant or occupants and shall exclude vacation or recreational homes.

II. “RHS/USDA” shall mean Rural Housing Service of the United States Department of Agriculture and Rural Housing Community Development Service (RHCD) and its successors.

JJ. “State” shall mean the State of New Mexico.

KK. “VA” shall mean the Department of Veterans Affairs.

SECTION 4. GENERAL REQUIREMENTS. The following requirements shall apply to all programs established by MFA.

4.1 Fees and Charges of MFA. MFA may establish and collect fees from Applicants who file Applications: (i) requesting allocations of funds for Mortgage Loans; or (ii) selling or offering to sell Mortgage Loans to MFA in such amounts as MFA may deem appropriate. Such fees may be used for, among other purposes: (i) reimbursing MFA for all or part of its reasonably expected costs of issuing its bonds or other obligations and of administering its programs; and (ii) providing inducements to make or deliver Mortgage Loans or other financing for public purposes which MFA determines require additional inducements to accomplish. MFA may establish such other charges, premiums, and penalties as it shall deem to be necessary in connection with the administration of its programs.

4.2 Servicing of Mortgage Loans. MFA shall cause each Mortgage Loan financed by MFA to be serviced pursuant to the Policies and Procedures of MFA.

4.3 Examination of Books and Records. MFA shall cause to be made such examinations of the books and records of each Applicant as MFA deems necessary or appropriate to determine compliance with the terms of the Act, these Rules and Regulations and any agreement between the Applicant and MFA. MFA may require each Applicant to pay the costs of any such examination.

4.4 Consent to Jurisdiction. Each Applicant shall consent to the jurisdiction of the courts of the State, or the appropriate tribal court, over any proceeding to enforce compliance with the terms of the Act, these Rules and Regulations and any agreement between the Applicant and MFA.

4.5 Purchase of MFA's Bonds. No Mortgage Lender (including any "related person," as defined in Section 103 of the Code, and the regulations related thereto) shall, pursuant to any arrangement, formal or informal, or direct or indirect, purchase Bonds or other obligations of MFA in an amount related to the aggregate principal amount of the Mortgage Loans to be sold to MFA by such Mortgage Lender (or related person).

4.6 Policies and Procedures. MFA shall adopt written Policies and Procedures for each of its programs and for the general conduct of its business. MFA's Policies and Procedures Manual shall become effective upon approval by the Board of Directors of MFA; and shall be established in accordance with the Act, the Code, these Rules and Regulations, and if applicable, the requirements of the guarantor, insurer, or purchaser with respect to the particular program. All Policies and Procedures and these Rules and Regulations shall be maintained at the offices of MFA and be available for review by all Applicants and the general public during normal business hours.

4.7 Recertification. MFA may establish procedures for recertifying Applicants from time to time. Applicants which fail to satisfy MFA's requirements for recertification shall cease to be eligible and shall be denied further participation in MFA programs until the requirements of MFA are satisfied.

SECTION 5. SINGLE FAMILY HOMEOWNERSHIP PROGRAMS. In addition to the programs defined in this Section 5, MFA shall have the power to create variations or extensions of such programs, or additional programs which comply with the Act and these Rules and Regulations.

5.1 Additional Definitions. The following words and terms shall have the following meanings only within this Section 5.

A. "Single Family Homeownership Programs" shall mean MFA's single family mortgage programs in which funds are available to finance Mortgage Loans through the sale of Bonds or other obligations, or from the proceeds of a secondary market facility, or from MFA's general fund, or through the issuance of mortgage credit certificates allocated to Applicants on an aggregate or loan-by-loan basis pursuant to the Act and these Rules and Regulations set forth

in this Section 5, and shall include: (i) MFA's program pursuant to which MFA shall issue Mortgage Credit Certificates to Persons of Low or Moderate Income; (ii) the financing of Home Improvement Loans; and (iii) the purchase and sale of Mortgage Loans.

B. FOR PURPOSES OF THE MAKING OF LOANS TO MORTGAGE LENDERS, THE PURCHASE OF MORTGAGE LOANS AND HOME IMPROVEMENT LOANS, "Residential Housing" shall mean an owner-occupied, single family residence located in the State, which the mortgagor(s) intend(s) to occupy as his or her (their) principal residence within sixty (60) days after: (1) the date of the closing of the purchase of the residence, or (2) in the case of a Rehabilitation loan where the Rehabilitation is to be accomplished by the mortgagor, the date of completion of the Rehabilitation. For purposes of this definition, with regard to those properties and projects funded by tax exempt bonds, a single family residence:

(a) shall not include:

(i) a residence intended for occupancy by more than one family as its owner-occupied residence;

(ii) a residence where more than 15% of the total area of which is reasonably expected to be used primarily in a trade or business, which is used as a vacation or recreational home, or with respect to which all or any portion of the land acquired with the proceeds of the related Mortgage Loan is used in a trade or business.

(b) shall meet such other requirements as MFA may from time to time determine to be necessary or appropriate to properly administer the Single Family Homeownership Program.

5.2 Allocation of Funds for Financing.

A. Notice of Funds Availability (NOFA). When tax exempt bond proceeds are available or expected to be available, MFA will issue a Notice of Funds Availability. The notice shall be an invitation to submit a request for reservation of funds to MFA.

B. Allocation of Funds by MFA. Funds may be allocated by MFA either on an aggregate or on a loan-by-loan basis in accordance with MFA's Reservation and Compliance Procedures. Allocations of funds for mortgages and/or Home Improvement Loans financed by MFA shall be conclusive. In making such allocations, MFA may consider, among other things, as appropriate:

1. In the case of programs, the funds of which are allocated on a loan-by-loan basis, the order of receipt of a request for reservation of funds, so as to generally allocate funds on a first-come, first-served basis;

2. The ability of the Applicant to deliver individual Mortgage Loans or Home Improvement Loans or otherwise utilize the funds for the purpose stated in the notice within the time limits of the program;

3. In the case of programs for the purchase of Existing Mortgage Loans, the terms and conditions of the Mortgage Loans offered for sale by the Applicant.

C. Allocation of Mortgage Credit Certificates. Mortgage Credit Certificates shall be allocated on a loan-by-loan basis in accordance with the Policies and Procedures established by MFA.

5.3 Applications.

A. Process for Applying. MFA shall maintain an application policy for Applicants wishing to apply for MFA approval to participate in the Single Family Homeownership Program. Applications will be provided with all documents required to be executed and submitted in connection therewith upon request. An Application to sell Mortgage Loans or Home Improvement Loans to MFA shall contain, among other things, the unconditional agreement of the Applicant, upon acceptance of the Application by MFA, to sell Mortgage Loans or Home Improvement Loans to MFA or its designee which comply with the terms of an agreement to be signed by the Applicant and MFA.

B. Review by MFA. On receipt of an Application, MFA shall review and analyze the Applicant's ability to sell Mortgage Loans or Home Improvement Loans to MFA or its designee and to service such Mortgage Loans or Home Improvement Loans, or cause them to be serviced.

C. Notification of Acceptance. MFA, by written notice shall notify each Applicant which has submitted an Application of the approval or disapproval of its Application. Upon approval of its Application, a Mortgage Lender or other Applicant shall be considered approved by MFA to participate in the Single Family Homeownership Program. MFA's approval or disapproval of any Application shall be conclusive.

5.4 Acceptance. MFA shall establish Policies and Procedures for the purchase of Mortgage Loans and Home Improvement Loans as set forth in paragraph 4.6 of these Rules and Regulations. Each allocation of funds shall be conditioned upon the receipt by MFA from the Applicant of a commitment fee, if any, and the documents required by MFA within the time specified in the acceptance. In all cases MFA may deny requests and may reallocate funds in accordance with MFA's Reservation and Compliance Procedures. The allocation and reallocation of funds by MFA for the financing of Mortgage Loans and Home Improvement Loans shall be conclusive.

5.5 Financing of Mortgage Loans and Home Improvement Loans. The financing of Mortgage Loans and Home Improvement Loans by MFA shall be in accordance with the Policies and Procedures established by MFA. Each Mortgage Loan and Home Improvement Loan financed must: (i) be the subject of an allocation of funds; (ii) be the subject of a written agreement executed by MFA and the Applicant; (iii) comply with the terms and conditions of such agreement; (iv) be serviced in compliance with the servicing requirements of such agreement; and (v) otherwise

comply with MFA's requirements for the financing and servicing of Mortgage Loans and Home Improvement Loans under the Single Family Homeownership Program.

5.6 Yield on Mortgage Loans and Home Improvement Loans. Mortgage Loans and Home Improvement Loans under the Single Family Homeownership Program shall bear interest at such a rate or rates as in the aggregate shall produce a yield to MFA on such Mortgage Loans and Home Improvement Loans sufficient to (i) pay interest on any related issue of MFA's bonds or other obligations; (ii) provide adequate reserves, if any, for the holder of any of MFA's bonds or other obligations; and (iii) cover the operating costs of MFA.

5.7 Conditions of Mortgage Loans and Home Improvement Loans.

A. Mortgage Loans and Home Improvement Loans financed by MFA under the Single Family Homeownership Program shall: (i) comply with the applicable terms and conditions prescribed by MFA in a written agreement between MFA and the Applicant for such Mortgage Loan or Home Improvement Loan; and (ii) comply with the Policies and Procedures of MFA.

B. Each loan commitment to make a Mortgage Loan or Home Improvement Loan must be made to a Person of Low or Moderate Income unless other Board approved program limits are in place. Mortgage Loans and Home Improvement Loans shall be financed by MFA within such time periods as are specified by MFA.

5.8 Restrictions on Return Realized by Mortgage Lenders. MFA shall establish and set forth the maximum rate or rates of return which may be realized by Mortgage Lenders from Mortgage Loans or Home Improvement Loans, including any commitment fees, premiums, bonuses, points, or other fees charged by the Mortgage Lender in connection with the making of such Mortgage Loans or Home Improvement Loans. Such maximum rates of return shall be set in such amounts as MFA finds to be reasonably necessary to induce participation in the Single Family Homeownership Program by Applicants in order to accomplish the purposes of the Act.

5.9 Mobile Homes. The eligibility of mobile homes for use as security for Mortgage Loans shall be determined in accordance with standards established by MFA.

SECTION 6 MULTIPLE FAMILY DWELLING, TRANSITIONAL, AND CONGREGATE PROJECT MORTGAGE LOANS. In addition to the Multifamily Housing Programs as defined in this Section 6, MFA shall have the power to create variations or extensions of the programs, or additional programs which comply with the Act and these Rules and Regulations.

6.1 Additional Definitions. The following words and terms shall have the following meanings only within this Section 6.

A. "Congregate Housing Facility" shall mean residential housing designed for occupancy by more than four Persons of Low or Moderate Income living independently of each other. The facility may contain group dining, recreational, health care or other communal facilities

and each unit in a congregate housing facility shall contain at least its own living, sleeping, and bathing facilities.

B. “Lender Loan” shall mean a loan made by MFA to a Mortgage Lender, pursuant to the Act and these Rules and Regulations, the proceeds of which are used directly or indirectly to make Project Mortgage Loans.

C. “Multiple family Dwelling Project” shall mean the residential housing that is designed for occupancy by more than four persons or families living independently of each other or living in a congregate housing facility, at least sixty percent of whom are Persons of Low or Moderate Income, including without limitation Persons of Low or Moderate Income who are elderly and handicapped as determined by MFA, provided that the percentage of low-income persons and families shall be at least the minimum, if any, required by federal tax law or other federal or state funding regulations.

D. “Multifamily Housing Program” shall mean a program involving a Congregate Housing Facility, a Multifamily Dwelling Project or a Transitional Housing Facility.

E. “Project” shall mean any work or undertaking, whether new construction, acquisition of existing residential housing, remodeling, improvement, rehabilitation, or conversion approved by MFA for the primary purpose of providing sanitary, decent, safe, and affordable residential housing within the State for one or more Persons of Low or Moderate Income.

F. “Project Mortgage Loan” shall mean a Mortgage Loan made to Sponsor to finance project costs of a Multifamily Housing Project

G. “Sponsor” shall mean an individual, association, corporation, public or tribal entity, joint venture, partnership, limited partnership, trust or any combination thereof which has been approved by MFA as qualified to own and maintain a multiple-family dwelling, transitional or congregate housing project, maintains its principal office or a branch office in New Mexico and has agreed to subject itself to the regulatory power of MFA and the jurisdiction of the courts of the State, including Tribal courts having jurisdiction of projects located on Native American Trust Lands located in New Mexico.

H. “Transitional Housing Facility” shall mean residential housing that is designed for temporary or transitional occupancy by Persons of Low or Moderate Income or special needs.

6.2 Application Procedures.

A. Offers to Sell Project Mortgage Loans. Application procedures for offers to sell Project Mortgage Loans shall be set forth in the Policies and Procedures established by MFA in accordance with paragraph 4.6 of these Rules and Regulations. The Application shall contain such information as required by the Act and MFA for determining whether MFA shall finance the Mortgage Loans.

B. Loans to Lenders Program. A Sponsor requesting a Lender Loan from MFA must first submit an Application to MFA, in the form prescribed by MFA. Formal Application procedures for loans to lenders shall be set forth, in writing, in the Policies and Procedures established by MFA in accordance with paragraph 4.6 of these Rules and Regulations.

C. Other Programs Established by MFA. MFA shall, from time to time, establish Application procedures for programs. The Application procedures shall be published in Policies and Procedures established by MFA in accordance with paragraph 4.6 of these Rules and Regulations for various programs. The Application procedures shall take into consideration:

1. timely completion and submission to MFA of a program Application;
2. timely submission of all other information and documentation related to the program required by MFA, as set forth in MFA's Policies and Procedures;
3. timely payment of any fees required to be paid to MFA at the time of submission of the Application; and
4. compliance with program eligibility requirements as set forth in MFA's Policies and Procedures.

6.3 Standards for Approving Qualification of Applicants.

A. Sponsors. MFA shall, from time to time, establish standards for approving qualifications of Sponsors, which standards shall be published in Policies and Procedures established for the particular program. These standards shall take into consideration the following factors:

1. MFA shall require each Sponsor, at the time of such Sponsor's request for MFA approval, to submit a verified certificate stating that, among other things:

(a) for every Multifamily Housing Program, including every assisted or insured project of HUD, RHS/USDA, FHA and any other state or local government housing finance agency in which such Sponsor has been or is a principal;

(b) except as shown on such certificate:

(i) no mortgage on a project listed on such certificate has ever been in default, assigned to the United States government or foreclosed, nor has any mortgage relief by the mortgagee been given;

(ii) there has not been a suspension or termination of payments under any HUD assistance contract in which the Sponsor has had a legal or beneficial interest;

(iii) such Sponsor has not been suspended, debarred, or otherwise restricted by any department or agency of the federal government or any state

government from doing business with such department or agency because of misconduct or alleged misconduct; and

(iv) the Sponsor has not defaulted on an obligation covered by a surety or performance bond.

If such Sponsor cannot certify to each of the above, such Sponsor shall submit a signed statement to explain the facts and circumstances which such Sponsor believes will explain the lack of certification. MFA may then, in its sole and absolute discretion, determine if such Sponsor is or is not qualified.

2. The experience of the Sponsor in developing, financing, and managing Multifamily Residential Housing.

3. Whether the Sponsor has been found by the United States Equal Employment Opportunity Commission or the New Mexico Human Rights Commission to be in noncompliance with any applicable civil rights laws.

B. Mortgage Lenders. In approving Mortgage Lenders, MFA shall consider, among other things:

1. The financial condition of the Mortgage Lender;

2. The terms and conditions of the Lender Loans to be made;

3. The aggregate principal balances of Lender Loans to be made to each Mortgage Lender compared with the aggregate principal balances of the Lender Loans to be made to all other Mortgage Lenders;

4. MFA's assessment of the ability of the Mortgage Lender or its designated servicer to act as originator and servicer of Mortgage Loans for the Multifamily Housing Programs to be financed; and

5. Previous participation by the Mortgage Lender in MFA's programs and HUD, FHA, or RHS/USDA programs.

C. Other Applicants. MFA shall, from time to time, establish standards for approving the qualifications of other Applicants seeking MFA assistance, which standards shall be published in Policies and Procedures established for the particular program.

6.4 Notice of Acceptance. MFA shall, in writing, notify each Applicant, which has submitted an Application as to the aggregate principal balance of the loan, if any, MFA shall agree to make, subject to the conditions set forth in the Application. The aggregate principal balance of loans, which MFA agrees to make to any Applicant, may be in an amount less than that requested.

6.5 Standards for Determining Minimum Equity Requirements, Acceptable Debt-to-Equity Ratios, and Acceptable Loan-to-Value Ratios.

A. Generally. MFA shall, from time to time, establish standards for (i) minimum equity requirements and acceptable debt-to-equity ratios; and (ii) acceptable loan-to-value ratios for each project under a particular program, which standards shall be in accordance with generally accepted standards in the lending industry and shall be published in Policies and Procedures established for the particular program.

B. Sponsors. With respect to establishing such standards for Sponsors, MFA shall require that the maximum mortgage amount not exceed the estimate of the replacement cost of the Multifamily Housing Project when the proposed improvements are completed and required reserves are funded. The replacement cost may include land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction and other miscellaneous charges incident to construction and approved by MFA, including an allowance for Builder's and Sponsor's profit and risk.

6.6 Uniform Accounting System. The accounting system used by Sponsors shall be based upon generally accepted accounting standards for the industry. Additional requirements may be dictated by the state or federal funding source, which in such cases will be included in the Sponsor's contract or loan documents.

6.7 Costs of the Project.

A. Submission of Cost Certificate. Upon completion of any Multifamily Housing Project, MFA shall require the Sponsor to submit a cost certificate detailing the specific items of the project if required by the regulations of the funding source. MFA will require the Sponsor to document all costs funded by MFA.

B. Cost Approvals. MFA shall, from time to time, develop standards for approving Project costs for Projects to be financed through an MFA program. These standards shall be set forth in Policies and Procedures established for the particular program and shall include such factors as:

1. the cost of the land upon which the project is to be built;
2. the architect's and other professionals' fees;
3. organizational and legal expenses;
4. the number of square feet to be built together with the cost per square foot to build;
5. the amount of Builder's and Sponsor's overhead to be allocated to the project;

6. the amount of Builder's and Sponsor's profit;
7. taxes and insurance, including title insurance and recording fees; and
8. the Sponsor's relationship, if any, with the Builder or general contractor for the project, including any collateral agreements.

MFA shall take into account the guarantor's, insurer's, or purchaser's approved cost limits in effect at the time in evaluating the reasonableness of and approving the project costs for each project. These standards shall also take into consideration the requirements of the Act, the Code, and the requirements of any applicable federal government program.

6.8 Geographic Allocation and Other Site Considerations. MFA shall make all reasonable efforts to provide loan assistance under various Multifamily Housing Programs on a statewide basis. In providing for reasonable geographic allocation for all MFA Multifamily Housing Programs, MFA may consider with respect to a project, among other things:

- A. the nature of the proposed neighborhood;
- B. whether there is a need in the area for decent, safe and sanitary housing for Persons of Low and Moderate Income;
- C. the number of similar multifamily housing projects, if any, located in the particular area and the type, location, number of units and size of such projects;
- D. the occupancy history of similar multifamily housing projects in the area;
- E. the need for new housing in the area to attract a new industry or plant;
- F. the availability of adequate utilities (water, sewer, gas and electricity) and streets to service the project;
- G. the availability of, and accessibility to, social, recreational, educational, commercial and health facilities and services, which should at least be equivalent to those found in neighborhoods consisting largely of unassisted, standard housing of similar market rents; and
- H. whether the project site is free from adverse environmental conditions, natural or man-made, such as instability, flooding, sewage hazards, harmful air pollution, smoke or dust, excessive vehicular traffic, and fire hazards.

In addition, MFA shall give great weight in making its determination with respect to geographic allocation to whether the project will promote a greater choice of housing opportunities in the area and will avoid an undue concentration of assisted persons in areas containing a high proportion of Persons of Low and Moderate Income. MFA may rely on such guarantor's, insurer's or purchaser's approval as evidence that the above criteria have been met.

6.9 Discrimination Prohibited. The development, construction, occupancy, and operation of a Multifamily Housing Program financed or assisted by MFA shall be undertaken in a manner consistent with principles of non-discrimination and equal opportunity, and MFA shall require compliance with all applicable federal and State laws and regulations relating to affirmative action, non-discrimination, and equal opportunity.

SECTION 7. HOUSING OPPORTUNITY FUND (“HOF”). In addition to the following programs defined in this Section 7, MFA shall have the power to create certain variations or extensions of the programs, or additional programs which comply with the Act and these Rules and Regulations.

7.1 Additional Definitions. The following words and terms shall have the following meanings only within this Section 7.

A. “Down Payment Assistance Programs” shall mean MFA’s programs that provide down payment and closing cost assistance in the form of a second mortgage lien to Persons of Low and Moderate Income who are, with few exceptions, using MFA’s Single Family Homeownership Program (as defined in Section 5, above) to acquire single family homes.

B. “Partners Program” shall mean MFA’s program designed to serve as a secondary market for below-market-rate single family mortgages which have been originated by nonprofit organizations to provide financing for families earning no more than 60% of county or median income as published by the US Department of Housing and Urban Development at the time of initial family qualification by participants and MFA.

C. “Primero Investment Fund” shall mean MFA’s program designed to provide flexible financing to nonprofit organizations, Tribal and public agencies, as well as for-profit entities undertaking the development of Affordable owner-occupied, rental, or special needs housing projects.

D. “ACCESS Loan Program” shall mean MFA’s program designed to provide guaranteed or insured construction and permanent financing for affordable rental developments.

E. “BUILD IT Loan Guaranty Program” shall mean MFA’s program designed to guaranty interim financing provide by other lenders for affordable housing developments.

F. “HERO” shall mean MFA’s program designed to provide a first fixed-rate mortgage loan, including down payment, and closing cost assistance in the amount of a 3.5% grant to be funded to the borrower at the time of loan closing, to households in which at least one member is a teacher, safety worker, health care worker or active member of the armed forces.

7.2 Funding.

A. Initial Funding. The HOF shall be initially funded with net residual assets of MFA’s issue of Home Improvement Loan Revenue Bonds, 1985 Series A and financing

adjustment factor (FAF) savings derived from MFA's Multifamily Housing Refunding Revenue Bonds 1990 Series A.

B. Additional Sources. Additional sources of funding may include, but are not limited to:

1. gifts, loans and grants received from the federal government, private foundations, corporate and private individuals and other sources;

2. money and other assets specifically allocated by MFA to the HOF from time to time; and

3. earnings of the HOF.

7.3 Use of Funds. Monies and other assets of the HOF shall be disbursed to Applicants in accordance with the purposes of the HOF and Policies and Procedures developed and established by MFA for the HOF as follows:

A. to provide down payment assistance for the financing of housing by Persons of Low and Moderate Income;

B. to provide closing cost assistance for the financing of housing by Persons of Low and Moderate Income;

C. to pay fees for services utilized in connection with HOF programs;

D. to pay costs of acquisition, rehabilitation and/or construction of Affordable housing projects, as well as costs associated with single family mortgages; and

E. in such other manner as MFA may determine from time to time.

7.4 Administration. MFA shall administer the affairs of the HOF in accordance with provisions of the Act, these Rules and Regulations, any applicable state and federal laws and regulations, each of which may be amended or supplemented from time to time. MFA, in establishing, funding and administering the affairs of the HOF and by making, executing, delivering and performing any award, contract, grant or any other activity or transaction contemplated by the HOF, shall not violate any provision of law, rule or regulation or any decree, writ, order, injunction, judgment, determination or award and will not contravene the provisions of or otherwise cause a default under any of its agreements, indentures, or other instruments to which it may be bound.

7.5 Program Guidelines. MFA shall, from time to time, develop and adopt Policies and Procedures for each program of the HOF, which shall set forth the specific Application and approval procedures.

SECTION 8. SECONDARY MARKET FACILITY. In addition to the following programs defined in this Section 8, MFA shall have the power to create certain variations or extensions of the programs, or additional programs which comply with the Act and these Rules and Regulations.

8.1 **Additional Definitions.** The following words and terms shall have the following meanings only within this Section 8.

- A. “Pass-Through Securities” shall mean securities representing undivided ownership interests in a pool of mortgage loans; and
- B. Secondary Market Facility” shall mean a corporation, trust, or other form of legal entity established by the authority for the purpose of the purchase, with private or public funds legally available therefor, of mortgage loans, mortgage-based obligations, pass-through securities or interests therein.

8.2 **Establishment of Secondary Market Facility.** MFA may establish and implement a secondary market facility for Mortgage Loans and to otherwise act as a conduit for public and private funds to provide an increased degree of liquidity for mortgage investments. In establishing a secondary market facility, MFA may issue pass-through securities and may purchase and contract to purchase Mortgage Loans, pass-through securities, obligations secured by Mortgage Loans or revenues therefrom or interests therein. MFA shall establish Policies and Procedures, in accordance with paragraph 4.6 of these Rules and Regulations, which Policies and Procedures shall provide for the governing of the operations of the secondary market facility, the issuance of pass-through securities and for the purchase or issuance by, or the sale of, such obligations to the secondary market facility. The Policies and Procedures shall include, among other things: (i) the submission by Mortgage Lenders of offers to sell Mortgage Loans; pass-through securities; and obligations secured by Mortgage Loans or pledges of Mortgage Loan revenues; (ii) standards for allocating available funds or guarantees among Mortgage Lenders through the secondary market facility; (iii) qualifications or conditions relating to the reinvestment by Mortgage Lenders of the funds made available to Mortgage Lenders by the secondary market facility; and (iv) characteristics of pass-through securities to be issued by the secondary market facility.

SECTION 9. MISCELLANEOUS. Capitalized terms not otherwise defined in these Rules and Regulations have the same meaning as defined in the Act.

SECTION 10. AMENDMENT TO RULES AND REGULATIONS. These Rules and Regulations may be amended or supplemented by MFA, with the approval of the Oversight Committee, at any time. Proposed amendments to these Rules and Regulations will be posted on MFA’s website for a minimum of thirty (30) days prior to approval by the Oversight Committee, to enable public comment on the proposed changes.

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AN ACT

RELATING TO HOUSING; AMENDING AND ENACTING SECTIONS OF THE AFFORDABLE HOUSING ACT; ADDING AND CLARIFYING DEFINITIONS; CHANGING LONG-TERM AFFORDABILITY REQUIREMENTS FOR CERTAIN PROJECTS; PROVIDING FOR RULES FOR HOUSING ASSISTANCE GRANTS BY THE NEW MEXICO MORTGAGE FINANCE AUTHORITY AND OTHER STATE AGENCIES AND INSTRUMENTALITIES; PROVIDING FOR RULES FOR THE TIMELY SALE OF CERTAIN PROJECTS; PROVIDING FOR ENFORCEMENT OF THE AFFORDABLE HOUSING ACT; PROVIDING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 6-27-1 NMSA 1978 (being Laws 2004, Chapter 104, Section 1) is amended to read:

"6-27-1. SHORT TITLE.--Chapter 6, Article 27 NMSA 1978 may be cited as the "Affordable Housing Act"."

SECTION 2. Section 6-27-2 NMSA 1978 (being Laws 2004, Chapter 104, Section 2) is amended to read:

"6-27-2. PURPOSE.--The purpose of the Affordable Housing Act is to implement the provisions of Subsections E and F of Article 9, Section 14 of the constitution of New Mexico."

SECTION 3. Section 6-27-3 NMSA 1978 (being Laws 2004, Chapter 104, Section 3, as amended) is amended to read:

"6-27-3. DEFINITIONS.--As used in the Affordable Housing Act:

1 A. "affordable housing" means residential housing
2 primarily for persons or households of low or moderate
3 income;

4 B. "authority" means the New Mexico mortgage
5 finance authority;

6 C. "building" means a structure capable of being
7 renovated or converted into affordable housing or a structure
8 that is to be demolished and is located on land that is
9 donated and upon which affordable housing will be
10 constructed;

11 D. "governmental entity" means the state,
12 including any agency or instrumentality of the state, a
13 county, a municipality or the authority;

14 E. "household" means one or more persons occupying
15 a housing unit;

16 F. "housing assistance grant" means the donation,
17 provision or payment by a governmental entity of:

18 (1) land upon which affordable housing will
19 be constructed;

20 (2) an existing building that will be
21 renovated, converted or demolished and reconstructed as
22 affordable housing;

23 (3) the costs of acquisition, development,
24 construction, financing and operating or owning affordable
25 housing; or

1 (4) the costs of financing or infrastructure
2 necessary to support affordable housing;

3 G. "infrastructure" includes infrastructure
4 improvements and infrastructure purposes;

5 H. "infrastructure improvement" includes, but is
6 not limited to:

7 (1) sanitary sewage systems, including
8 collection, transport, storage, treatment, dispersal,
9 effluent use and discharge;

10 (2) drainage and flood control systems,
11 including collection, transport, diversion, storage,
12 detention, retention, dispersal, use and discharge;

13 (3) water systems for domestic purposes,
14 including production, collection, storage, treatment,
15 transport, delivery, connection and dispersal;

16 (4) areas for motor vehicle use for road
17 access, ingress, egress and parking;

18 (5) trails and areas for pedestrian,
19 equestrian, bicycle or other nonmotor vehicle use for access,
20 ingress, egress and parking;

21 (6) parks, recreational facilities and open
22 space areas to be used by residents for entertainment,
23 assembly and recreation;

24 (7) landscaping, including earthworks,
25 structures, plants, trees and related water delivery systems;

1 (8) electrical transmission and distribution
2 facilities;

3 (9) natural gas distribution facilities;

4 (10) lighting systems;

5 (11) cable or other telecommunications lines
6 and related equipment;

7 (12) traffic control systems and devices,
8 including signals, controls, markings and signs;

9 (13) inspection, construction management and
10 related costs in connection with the furnishing of the items
11 listed in this subsection; and

12 (14) heating, air conditioning and
13 weatherization facilities, systems or services, and energy
14 efficiency improvements that are affixed to real property;

15 I. "infrastructure purpose" means:

16 (1) planning, design, engineering,
17 construction, acquisition or installation of infrastructure,
18 including the costs of applications, impact fees and other
19 fees, permits and approvals related to the construction,
20 acquisition or installation of the infrastructure;

21 (2) acquiring, converting, renovating or
22 improving existing facilities for infrastructure, including
23 facilities owned, leased or installed by the owner;

24 (3) acquiring interests in real property or
25 water rights for infrastructure, including interests of the

1 owner; and

2 (4) incurring expenses incident to and
3 reasonably necessary to carry out the purposes specified in
4 this subsection;

5 J. "municipality" means an incorporated city, town
6 or village, whether incorporated under general act, special
7 act or special charter, incorporated counties and H class
8 counties;

9 K. "public post-secondary educational institution"
10 means a state university or a public community college;

11 L. "qualifying grantee" means:

12 (1) an individual who is qualified to
13 receive assistance pursuant to the Affordable Housing Act and
14 is approved by the governmental entity; and

15 (2) a governmental housing agency, regional
16 housing authority, tribal housing agency, corporation,
17 limited liability company, partnership, joint venture,
18 syndicate, association or nonprofit organization that:

19 (a) is organized under state, local or
20 tribal laws and can provide proof of such organization;

21 (b) if a nonprofit organization, has no
22 part of its net earnings inuring to the benefit of any
23 member, founder, contributor or individual; and

24 (c) is approved by the governmental
25 entity; and

1 M. "residential housing" means any building,
2 structure or portion thereof that is primarily occupied, or
3 designed or intended primarily for occupancy, as a residence
4 by one or more households and any real property that is
5 offered for sale or lease for the construction or location
6 thereon of such a building, structure or portion thereof.

7 "Residential housing" includes congregate housing,
8 manufactured homes, housing intended to provide or providing
9 transitional or temporary housing for homeless persons and
10 common health care, kitchen, dining, recreational and other
11 facilities primarily for use by residents of a residential
12 housing project."

13 SECTION 4. Section 6-27-4 NMSA 1978 (being Laws 2004,
14 Chapter 104, Section 4) is amended to read:

15 "6-27-4. ELIGIBILITY REQUIREMENTS--NON-INDIVIDUAL AND
16 INDIVIDUAL QUALIFYING GRANTEEES.--

17 A. To be eligible to receive lands, buildings and
18 infrastructure pursuant to Article 9, Section 14 of the
19 constitution of New Mexico, a nonindividual qualifying
20 grantee shall:

21 (1) have a functioning accounting system
22 that is operated in accordance with generally accepted
23 accounting principles or shall designate an entity that will
24 maintain such an accounting system consistent with generally
25 accepted accounting principles;

1 (2) have among its purposes significant
2 activities related to providing housing or services to
3 low- or moderate-income persons or households; and

4 (3) if it has significant outstanding or
5 unresolved monitoring findings from either the authority or
6 its most recent independent financial audit, have a certified
7 letter from the authority or auditor stating that the
8 findings are in the process of being resolved.

9 B. To be eligible to receive lands, buildings and
10 infrastructure pursuant to Article 9, Section 14 of the
11 constitution of New Mexico, an individual qualifying grantee
12 shall meet the requirements established by the authority
13 pursuant to the Affordable Housing Act."

14 SECTION 5. Section 6-27-5 NMSA 1978 (being Laws 2004,
15 Chapter 104, Section 5, as amended) is amended to read:

16 "6-27-5. STATE, COUNTY, MUNICIPALITIES,
17 INSTRUMENTALITIES OF THE STATE AND THE AUTHORITY--
18 AUTHORIZATION FOR AFFORDABLE HOUSING.--The state, including
19 any agency or instrumentality of the state, or a county, a
20 municipality or the authority may:

21 A. donate, provide or pay all, or a portion, of
22 the costs of land for the construction on the land of
23 affordable housing;

24 B. donate, provide or pay all or a portion of the
25 costs of conversion or renovation of existing buildings into

1 affordable housing;

2 C. provide or pay the costs of financing or
3 infrastructure necessary to support affordable housing
4 projects; or

5 D. provide or pay all or a portion of the costs of
6 acquisition, development, construction, financing, operating
7 or owning affordable housing."

8 SECTION 6. Section 6-27-6 NMSA 1978 (being Laws 2004,
9 Chapter 104, Section 6) is amended to read:

10 "6-27-6. REQUIREMENT FOR SPECIFIC LAW AUTHORIZING A
11 HOUSING ASSISTANCE GRANT FROM STATE.--

12 A. The specific grant of authority created in the
13 Affordable Housing Act is the prior approval required
14 pursuant to Article 9, Section 14 of the constitution of
15 New Mexico to allow the state to provide affordable housing
16 assistance.

17 B. Funding pursuant to this grant of authority
18 shall be appropriated to the department of finance and
19 administration for disbursement by the authority to a
20 qualifying grantee in accordance with rules promulgated by
21 the authority.

22 C. Rules adopted by the authority may include
23 provisions for matching or using local, private or federal
24 funds in connection with a specific grant, but matching or
25 using federal funds shall not be prohibited.

1 D. The authority shall seek comment from the
2 Mortgage Finance Authority Act oversight committee prior to
3 its adoption of rules pursuant to this section."

4 SECTION 7. Section 6-27-7 NMSA 1978 (being Laws 2004,
5 Chapter 104, Section 7, as amended) is amended to read:

6 "6-27-7. REQUIREMENT FOR ENACTMENT OF AN ORDINANCE BY A
7 COUNTY OR A MUNICIPALITY AND REVIEW BY THE AUTHORITY
8 AUTHORIZING HOUSING ASSISTANCE GRANTS.--

9 A. A county or municipality may provide housing
10 assistance grants pursuant to Article 9, Section 14 of the
11 constitution of New Mexico after enactment by its governing
12 body of an ordinance authorizing grants stating the
13 requirements of and purposes of the grants. The ordinance
14 may provide for matching or using local, private or federal
15 funds either through direct participation with a federal
16 agency pursuant to federal law or through indirect
17 participation through programs of the authority. No less
18 than forty-five days prior to enactment, the county or
19 municipality shall submit a proposed ordinance to the
20 authority, which shall review the proposed ordinance to
21 ensure compliance with rules promulgated by the authority
22 pursuant to Section 6-27-8 NMSA 1978. Within fifteen days
23 after enactment of the ordinance, the county or municipality
24 shall submit a certified true copy of the ordinance to the
25 authority. The governing body of the county or municipality

1 shall authorize the transfer or disbursement of housing
2 assistance grant funds only after the qualifying grantee has
3 submitted a budget to the governing body and the governing
4 body has approved the budget.

5 B. A school district may transfer land or
6 buildings owned by the school district to a county or
7 municipality to be further granted as part or all of an
8 affordable housing grant if the school district and the
9 governing body of the county or municipality enter into a
10 contract that provides the school district with a negotiated
11 number of affordable housing units that will be reserved for
12 employees of the school district.

13 C. The governing board of a public post-secondary
14 educational institution may transfer land or buildings owned
15 by that institution to a county or municipality; provided
16 that:

17 (1) the property transferred shall be
18 granted by the county or municipality as part or all of an
19 affordable housing grant; and

20 (2) the governing board of the public
21 post-secondary educational institution and the governing body
22 of the county or municipality enter into a contract that
23 provides the public post-secondary educational institution
24 with affordable housing units.

25 D. Agencies or instrumentalities of the state may

1 provide housing assistance grants pursuant to Article 9,
2 Section 14 of the constitution of New Mexico in accordance
3 with rules promulgated by the authority.

4 E. The authority may provide housing assistance
5 grants pursuant to Article 9, Section 14 of the constitution
6 of New Mexico in accordance with rules promulgated by the
7 authority."

8 SECTION 8. Section 6-27-8 NMSA 1978 (being Laws 2004,
9 Chapter 104, Section 8, as amended) is amended to read:

10 "6-27-8. PROVISIONS TO ENSURE SUCCESSFUL COMPLETION OF
11 AFFORDABLE HOUSING PROJECTS--SALE AFTER FORECLOSURE.--

12 A. State, county and municipal housing assistance
13 grants awarded pursuant to the Affordable Housing Act shall
14 be applied for and awarded to qualifying grantees pursuant to
15 the rules promulgated by the authority subject to the
16 requirements of that act.

17 B. The authority shall adopt rules in accordance
18 with the Administrative Procedures Act to carry out the
19 purposes of the Affordable Housing Act. Concurrence by the
20 New Mexico municipal league is required for rules applicable
21 to municipalities. Concurrence by the New Mexico association
22 of counties is required for rules applicable to counties.

23 C. The authority shall adopt rules covering:

24 (1) procedures to ensure that qualifying
25 grantees meet the requirements of the Affordable Housing Act

1 and rules promulgated pursuant to that act both at the time
2 of the award and through the term of the grant;

3 (2) establishment of an application and
4 award timetable for housing assistance grants to permit the
5 selection of the potential qualifying grantees prior to
6 January of the year in which the grants would be made;

7 (3) contents of the application, including
8 an independent evaluation of the:

9 (a) financial and management stability
10 of the applicant;

11 (b) demonstrated commitment of the
12 applicant to the community;

13 (c) cost-benefit analysis of the
14 project proposed by the applicant;

15 (d) benefits to the community of a
16 proposed project;

17 (e) type or amount of assistance to be
18 provided;

19 (f) scope of the affordable housing
20 project;

21 (g) substantive or matching
22 contribution by the applicant to the proposed project; and

23 (h) performance schedule for the
24 qualifying grantee with performance criteria;

25 (4) a requirement for long-term

1 affordability of a state, county or municipal project so that
2 a project cannot be sold shortly after completion and taken
3 out of the affordable housing market;

4 (5) a requirement that a grant for a state
5 or local project must impose a contractual obligation on the
6 qualifying grantee that the housing units in a state or local
7 project developed pursuant to the Affordable Housing Act be
8 occupied by low- or moderate-income households;

9 (6) provisions for adequate security against
10 the loss of public funds or property in the event that a
11 qualifying grantee defaults on a contractual obligation for
12 the project or abandons or otherwise fails to complete a
13 project;

14 (7) a requirement for review and approval of
15 a housing grant project budget by the grantor before any
16 expenditure of grant funds or transfer of granted property;

17 (8) a requirement that, unless the period is
18 extended for good cause shown, the authority shall act on an
19 application within forty-five days of the date of receipt of
20 an application that the authority deems to be complete and,
21 if not acted upon, the application shall be deemed approved;

22 (9) a requirement that a condition of grant
23 approval be proof of compliance with all applicable state and
24 local laws, rules and ordinances;

25 (10) provisions defining "low- and moderate-

1 income" and setting out requirements for verification of
2 income levels;

3 (11) a requirement that a county or
4 municipality that makes a housing assistance grant shall have
5 an existing valid affordable housing plan or housing elements
6 contained in its general plan;

7 (12) a requirement that the governmental
8 entity enter into a contract with a qualifying grantee
9 consistent with the Affordable Housing Act, which contract
10 shall include remedies and default provisions in the event of
11 the unsatisfactory performance by the qualifying grantee; and

12 (13) provisions necessary to ensure the
13 timely sale of an affordable housing project on which a
14 qualifying grantee has defaulted on a contractual obligation
15 or abandoned or otherwise failed to complete.

16 D. The rules adopted by the authority pursuant to
17 Paragraph (13) of Subsection C of this section shall require
18 a governmental entity to:

19 (1) make a determination that the property
20 is not marketable for a price that would sufficiently recover
21 the public funds invested in the project;

22 (2) ascertain that the property has a title
23 that has been transferred to the contracting governmental
24 entity through a foreclosure sale, a transfer of title by
25 deed in lieu of foreclosure or any other manner;

1 (3) exercise reasonable efforts to ensure
2 that all proceeds from the sale of a property pursuant to
3 Paragraph (13) of Subsection C of this section are used
4 solely for purposes pursuant to the Affordable Housing Act
5 and that the qualifying grantee that held title to the
6 property shall not benefit from the sale of the property or
7 from the transfer of the affordable housing project; and

8 (4) provide the terms for:

9 (a) the sale of the property at fair
10 market value; and

11 (b) the removal of the contractual
12 obligation requiring long-term occupancy of the property by
13 low- or moderate-income households."

14 SECTION 9. A new section of the Affordable Housing Act
15 is enacted to read:

16 "INVESTIGATION OF AFFORDABLE HOUSING ACT
17 VIOLATIONS--PENALTIES--REMEDIES.--

18 A. The attorney general shall investigate an
19 alleged violation of the Affordable Housing Act reported by
20 the authority. If the attorney general has reasonable belief
21 that a person is in possession, custody or control of an
22 original or copy of a document or recording, including a
23 record, report, memorandum, paper, communication, tabulation,
24 map, chart, photograph, mechanical transcription or other
25 tangible document or recording that the attorney general

1 believes to be relevant to the subject matter of an
2 investigation of a probable violation of the Affordable
3 Housing Act, the attorney general may, prior to the
4 institution of a civil proceeding, execute in writing and
5 cause to be served upon the person a civil investigative
6 demand requiring the person to produce for inspection or
7 copying the document or recording.

8 B. If the attorney general has reasonable belief
9 that a person has violated a provision of the Affordable
10 Housing Act and that instituting a proceeding against that
11 person would be in the public interest, the attorney general
12 may bring a civil action on behalf of the state alleging a
13 violation of the Affordable Housing Act. The action may be
14 brought in the district court of the county in which the
15 person alleged to have violated that act resides or in which
16 the person's principal place of business is located. The
17 attorney general shall not be required to post bond when
18 seeking a temporary or permanent injunction in the civil
19 action.

20 C. The attorney general may, in addition to or as
21 an alternative to pursuing a civil action, as provided in
22 this section, pursue criminal charges against a person for an
23 alleged violation of the Affordable Housing Act under the
24 applicable provisions of the Criminal Code. Venue for any
25 criminal action shall be in the judicial district where

1 the violation occurred.

2 D. In a civil action brought under this section
3 for an alleged violation of the Affordable Housing Act, if a
4 court finds that a person willfully committed an act in
5 violation of the Affordable Housing Act, the attorney general
6 may seek to recover a civil penalty not exceeding the amount
7 of five thousand dollars (\$5,000) per violation, in addition
8 to any equitable relief imposed by the court.

9 E. As used in this section, "person" means an
10 individual, including a municipal or county government
11 employee or elected official, or a corporate entity,
12 including any organization formed under state law to carry
13 out business or other activities."

14 SECTION 10. EFFECTIVE DATE.--The effective date of the
15 provisions of this act is July 1, 2015. _____

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AN ACT

RELATING TO REGIONAL HOUSING; EXPANDING ELIGIBILITY TO
MODERATE-INCOME PERSONS; CONSOLIDATING REGIONAL HOUSING
AUTHORITIES; REVISING THE GOVERNANCE AND OVERSIGHT OF
REGIONAL HOUSING AUTHORITIES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 11-3A-2 NMSA 1978 (being Laws 1994,
Chapter 132, Section 2, as amended) is amended to read:

"11-3A-2. FINDING AND DECLARATION OF NECESSITY.--It is
declared that:

A. unsanitary and unsafe dwelling accommodations
exist in the state;

B. low- and moderate-income persons are forced to
reside in unsanitary and unsafe accommodations;

C. within the state:

(1) there is a shortage of safe and
sanitary dwelling accommodations available at rents that
low- and moderate-income persons can afford;

(2) low- and moderate-income persons are
forced to occupy overcrowded, congested dwelling
accommodations; and

(3) these conditions cause an increase in
and spread of disease and crime and constitute a menace to
the health, safety, morals and welfare of the residents of

1 the state and impair economic values;

2 D. excessive and disproportionate expenditures of
3 public funds for crime prevention and punishment, public
4 health and safety, fire and accident protection and other
5 public services and facilities are necessitated;

6 E. private enterprise alone cannot meet the need
7 or resolve the problems inherent in providing appropriate,
8 safe, sanitary and sufficient housing for low- and
9 moderate-income persons, and public participation in
10 construction of low- and moderate-income housing does not
11 compete with private enterprise;

12 F. demolition, replanning, reconstruction or
13 renovation of unsanitary and unsafe housing and acquisition
14 of land to provide safe and sanitary dwellings for low- and
15 moderate-income persons are in the public interest and are
16 essential state and local governmental functions requiring
17 expenditures of public money; and

18 G. it is in the public interest that work on
19 projects for demolition, planning, reconstruction, renovation
20 and land acquisition for provision of safe and sanitary
21 dwellings for low- and moderate-income persons be started
22 immediately in order to relieve the housing shortage that has
23 reached emergency status, and it is a necessity that the
24 Regional Housing Law be continued to relieve that emergency."

25 Section 2. Section 11-3A-3 NMSA 1978 (being Laws 1994,

1 Chapter 132, Section 3, as amended) is amended to read:

2 "11-3A-3. DEFINITIONS.--As used in the Regional Housing
3 Law:

4 A. "affordable housing" means housing that serves
5 the needs of low- and moderate-income persons;

6 B. "affordable housing programs" means an ongoing
7 delivery system of affordable housing services that assists
8 persons of low- and moderate-income;

9 C. "federal government" includes the United States
10 of America, programs of the United States department of
11 housing and urban development, the farmers home
12 administration and rural development administration of the
13 United States department of agriculture or housing programs
14 or any other agency or instrumentality, corporate or
15 otherwise, of the United States of America;

16 D. "housing project" means an undertaking of an
17 authority to:

18 (1) demolish, clear or remove buildings from
19 any slum area. The undertaking may embrace the adaptation of
20 the area to public purposes, including parks or other
21 recreational or community purposes; or

22 (2) provide decent, safe and sanitary
23 dwellings, apartments, single-family dwellings or other
24 affordable living accommodations for low- and moderate-income
25 persons. The undertaking may include buildings, land,

1 equipment, facilities and other real or personal property for
2 necessary, convenient or desirable appurtenances, streets,
3 sewers, water service, parks, site preparation or gardening
4 or administrative, community, health, recreational, welfare
5 or other purposes. "Housing project" also may be applied to
6 the planning of buildings and improvements, acquisition of
7 property or existing structures, demolition of existing
8 structures, construction, reconstruction, alteration and
9 repair of improvements or buildings or any other work
10 performed to complete housing projects;

11 E. "indebtedness" means any note, interim
12 certificate, debenture or other obligation to be issued
13 pursuant to the Regional Housing Law;

14 F. "local housing authority" means any municipal
15 or county housing authority established by a municipality or
16 county;

17 G. "local public body" means any county,
18 municipality, commission, district or other political
19 subdivision of the state;

20 H. "low-income person" means any individual,
21 couple or family whose gross income does not exceed eighty
22 percent of the person's particular area median income and who
23 cannot afford to pay more than thirty-five percent of gross
24 annual income for housing rent or mortgage payments; or a
25 low-income person as defined by the federal government;

1 I. "moderate-income person" means any individual,
2 couple or family whose gross annual income is not less than
3 eighty percent of the person's particular area median income
4 and does not exceed one hundred twenty percent of the area
5 income;

6 J. "obligee" means:

7 (1) a holder of indebtedness issued pursuant
8 to the Regional Housing Law or a trustee for the holder of
9 debt;

10 (2) a lessor leasing to a regional housing
11 authority or a local housing authority property used in
12 connection with a housing project or any assignee of a
13 lessor's interest or partial interest; or

14 (3) the federal government when it is a
15 party to a contract with a regional housing authority or a
16 local housing authority in regard to a housing project;

17 K. "real property" includes all lands, including
18 improvements and fixtures on the land, property of any nature
19 appurtenant to or used in connection with the land and every
20 estate, interest and right, legal or equitable, in the land,
21 including terms for years and liens by way of judgment,
22 mortgage or other instrument and the indebtedness secured by
23 the lien;

24 L. "regional housing authority" means any regional
25 housing authority or a nonprofit housing corporation approved

1 pursuant to Section 11-3A-9 NMSA 1978; and

2 M. "slum" means any area where dwellings
3 predominate, which by reason of dilapidation, overcrowding,
4 lack of ventilation, light or sanitary facilities or any
5 combination of these factors is detrimental to safety, health
6 or morals."

7 Section 3. Section 11-3A-4 NMSA 1978 (being Laws 1994,
8 Chapter 132, Section 4) is amended to read:

9 "11-3A-4. REGIONAL HOUSING AUTHORITIES CREATED.--Three
10 regional housing authorities are created for the state of New
11 Mexico as follows:

12 A. the northern regional housing authority that
13 shall include Cibola, Taos, McKinley, Rio Arriba, San Juan,
14 San Miguel, Mora, Los Alamos, Colfax and Sandoval counties;

15 B. the eastern regional housing authority that
16 shall include Chaves, De Baca, Eddy, Guadalupe, Harding, Lea,
17 Lincoln, Otero, Quay, Roosevelt, Union and Curry counties;
18 and

19 C. the western regional housing authority that
20 shall include Grant, Hidalgo, Luna, Sierra, Socorro, Catron,
21 Torrance and Valencia counties."

22 Section 4. Section 11-3A-5 NMSA 1978 (being Laws 1994,
23 Chapter 132, Section 5, as amended) is amended to read:

24 "11-3A-5. JURISDICTION.--

25 A. The regional housing authorities created

1 pursuant to Section 11-3A-4 NMSA 1978 shall operate within
2 the specified area of their region except for any portion
3 within the territorial boundary of a municipality or county
4 that has established a local housing authority. If the
5 governing body of a municipality or county that has
6 established a local housing authority consents by resolution
7 to have the regional housing authority take action within the
8 territory that would be excluded pursuant to this section,
9 the regional housing authority may enlarge its jurisdiction
10 to include that territory.

11 B. A subsequent withdrawal of consent by
12 resolution of a governing body of a municipality or county
13 that has established a local housing authority shall not
14 prohibit the development and operation of any housing
15 projects initiated within the territorial boundary of that
16 municipality or county by the regional housing authority
17 prior to the date of the resolution withdrawing consent,
18 except upon terms that are mutually agreed upon between the
19 regional housing authority and the governing body of the
20 municipality or county."

21 Section 5. Section 11-3A-6 NMSA 1978 (being Laws 1994,
22 Chapter 132, Section 6, as amended) is amended to read:

23 "11-3A-6. POWERS OF REGIONAL HOUSING AUTHORITY IN BOARD
24 OF COMMISSIONERS--APPOINTMENT OF BOARD OF REGIONAL HOUSING
25 AUTHORITIES--TERMS.--

1 A. The powers of each regional housing authority
2 shall be vested in its board of commissioners as the board
3 may be constituted, from time to time. The board of
4 commissioners of the regional housing authority for each of
5 the three regions shall consist of one person from each
6 county within the designated area of the regional housing
7 authority, which person shall be a resident of that county
8 and shall be appointed by the governor. Appointments shall
9 be for terms of four years and shall be made so that the
10 terms of not more than four commissioners on each board of
11 commissioners expire on July 1 of each year. Vacancies shall
12 be filled for the unexpired term. Commissioners shall serve
13 until their successors have been appointed.

14 B. Members of a board of commissioners of a
15 regional housing authority shall elect an executive committee
16 consisting of a chair, vice chair, treasurer, secretary and
17 one other member of the board to function and meet on a
18 monthly basis as an executive committee. The executive
19 committee shall have the authority to act on behalf of the
20 board of commissioners of the regional housing authority as
21 needed. The executive committee shall submit a report of
22 actions to the full board of commissioners, which shall meet
23 on a quarterly basis.

24 C. The members of the boards of commissioners may
25 receive per diem and mileage as provided in the Per Diem and

1 Mileage Act but shall receive no other compensation,
2 perquisite or allowance. A majority of the appointed
3 commissioners shall constitute a quorum of a board of
4 commissioners for the purpose of conducting its business and
5 exercising its powers and for all other purposes. Action may
6 be taken by a regional housing authority upon a vote of a
7 majority of the commissioners present. Each board of
8 commissioners shall organize itself at its annual meeting
9 each year. A board of commissioners may employ an executive
10 director, subject to approval by the New Mexico mortgage
11 finance authority. With delegated authority from the board
12 of commissioners, the executive director may hire or
13 terminate, according to the procurement and personnel
14 policies and procedures of the regional housing authority,
15 any technical experts, officers, attorneys, agents or
16 employees, permanent or temporary, as the regional housing
17 authority may require.

18 D. The threshold requirements for commissioners of
19 regional housing authorities are that commissioners have
20 expertise and experience in housing construction, real
21 estate, architecture, law, banking, housing finance,
22 business, property management, accounting, residential
23 development, public housing programs, community development,
24 social services or health care. The requirements set forth
25 in this section shall not apply to commissioners serving

1 pursuant to requirements of the federal department of housing
2 and urban development.

3 E. Commissioners are expected to attend all
4 meetings of the board of commissioners of the regional
5 housing authority, and more than three unexcused absences may
6 be grounds for dismissal from the board. All recommendations
7 for appointment as commissioners shall be forwarded to and
8 reviewed by the New Mexico mortgage finance authority prior
9 to recommendation to the governor."

10 Section 6. Section 11-3A-7 NMSA 1978 (being Laws 1994,
11 Chapter 132, Section 7, as amended) is amended to read:

12 "11-3A-7. POWERS.--

13 A. Every regional housing authority may:

14 (1) within its region, prepare, carry out,
15 acquire, purchase, lease, construct, reconstruct, improve,
16 alter, extend or repair any housing project and operate and
17 maintain the housing project or affordable housing program.
18 For any of such purposes, the board of commissioners of the
19 regional housing authority may expend money and authorize the
20 use of any property of the regional housing authority;

21 (2) lease or rent dwellings, houses,
22 accommodations, lands, buildings, structures or facilities
23 embraced in any housing project or affordable housing program
24 and establish and revise the rents or lease charges; own,
25 hold and improve real or personal property; purchase, lease,

1 obtain options upon or acquire by gift, grant, bequest,
2 devise or otherwise any real or personal property or any
3 interest therein; sell, lease, mortgage, exchange, transfer,
4 assign, pledge or dispose of real or personal property or any
5 interest in real or personal property; or procure or agree to
6 the procurement of insurance or guarantees from the federal
7 government of the payment of any bonds or parts thereof,
8 including the power to pay premiums on the insurance;

9 (3) enter on lands, buildings or property
10 for the purpose of making surveys, soundings and examinations
11 in connection with the planning or construction, or both, of
12 a housing project;

13 (4) insure or provide for the insurance of a
14 housing project of the regional housing authority against the
15 risks that the regional housing authority may deem advisable;

16 (5) arrange or contract for the furnishing
17 by any person or agency, public or private, of services,
18 privileges, works or facilities for or in connection with a
19 housing project or the occupants thereof and include in any
20 construction contract let in connection with a housing
21 project stipulations requiring that the contractor and
22 subcontractors comply with employment requirements, including
23 those in the constitution and laws of this state, as to
24 minimum wages and maximum hours of labor and comply with any
25 conditions that the state or federal government may have

1 attached to its financial aid of the project;

2 (6) within its area of operation,
3 investigate the living, dwelling and housing conditions and
4 the means and methods of improving those conditions;
5 determine where slum areas exist or where there is a shortage
6 of decent, safe and sanitary dwelling accommodations for
7 low- and moderate-income persons; make studies and
8 recommendations relating to the problem of clearing,
9 replanning and reconstructing slum areas and the problem of
10 providing dwelling accommodations for low- and
11 moderate-income persons and cooperate with the state or any
12 political subdivision of the state in action taken in
13 connection with the problems identified; and engage in
14 research, studies and experimentation on the subject of
15 housing; and

16 (7) exercise all or any part or combination
17 of powers granted in this subsection.

18 B. To standardize the delivery of affordable
19 housing programs and affordable housing services in New
20 Mexico, regional housing authorities within their
21 jurisdictions may:

22 (1) create partnerships between state,
23 federal, city and county governments, nonprofit entities and
24 the private sector that will provide the necessary resources
25 to carry out the planning, financing, development and

1 delivery of affordable housing and affordable housing
2 programs;

3 (2) assist local housing authorities or
4 housing nonprofit agencies in developing the knowledge,
5 expertise and technical capacity to provide a comprehensive
6 approach to the development and delivery of affordable
7 housing and affordable housing programs; or

8 (3) provide or secure planning, technical
9 assistance and training that city or county governments and
10 nonprofit entities may need in an effort to enhance the local
11 affordable housing delivery system.

12 C. In the event a local housing authority is
13 declared by the federal department of housing and urban
14 development to be in default on its annual contributions
15 contract with that department, the local housing authority
16 may by resolution of its governing body transfer its assets
17 and operations to the regional housing authority or local
18 housing authority within which jurisdiction it lies.

19 D. In the event of a resolution pursuant to
20 Subsection C of this section, the appropriate regional
21 housing authority or local housing authority shall accept by
22 resolution of its board of commissioners a transfer of the
23 assets and operations of a local housing authority that has
24 been declared by the federal department of housing and urban
25 development to be in default on its annual contributions

1 contract with that department."

2 Section 7. Section 11-3A-8 NMSA 1978 (being Laws 1994,
3 Chapter 132, Section 8, as amended) is amended to read:

4 "11-3A-8. REQUIREMENTS RESPECTING LEASE.--

5 A. Prior to the leasing of any housing project,
6 the regional housing authority shall determine and find the
7 following:

8 (1) the amount necessary in each year to pay
9 indebtedness proposed to fund the housing project; and

10 (2) the amount necessary to be paid each
11 year into any reserve funds that the regional housing
12 authority may deem advisable to establish in connection with
13 the retirement of any indebtedness and the maintenance of the
14 housing project and, unless the terms under which the housing
15 project is to be leased provide that the lessee shall
16 maintain the housing project and carry all proper insurance
17 with respect to it, the estimated cost of maintaining the
18 housing project in good repair and keeping it properly
19 insured.

20 B. The determinations and findings of the regional
21 housing authority required to be made in this section shall
22 be set forth in the proceedings under which the proposed
23 indebtedness is to be incurred.

24 C. Prior to the incurrence of any indebtedness,
25 the regional housing authority shall lease or sell the

1 housing project to a lessee or purchaser under an agreement
2 that is conditioned upon completion of the housing project
3 and that provides for payment to the regional housing
4 authority of rentals or payments in an amount that is found,
5 based on the determinations and findings, to:

6 (1) pay the indebtedness incurred to fund
7 the housing project;

8 (2) build up and maintain any reserve deemed
9 by the regional housing authority to be advisable in
10 connection with the housing project; and

11 (3) pay the costs of maintaining the housing
12 project in good repair and keeping it properly insured,
13 unless the agreement of lease obligates the lessee to pay for
14 the maintenance and insurance of the housing project."

15 Section 8. Section 11-3A-9 NMSA 1978 (being Laws 1994,
16 Chapter 132, Section 9, as amended) is amended to read:

17 "11-3A-9. NONPROFIT CORPORATIONS.--Every regional
18 housing authority, in addition to other powers conferred by
19 the Regional Housing Law, shall have, if authorized by
20 resolution of its board of commissioners and approved by the
21 state board of finance, the power to create nonprofit
22 corporations to carry out the powers and duties set forth in
23 Section 11-3A-7 NMSA 1978. The articles of incorporation and
24 bylaws, and any subsequent changes, shall be recommended for
25 approval by the state board of finance and the New Mexico

1 mortgage finance authority. Such nonprofit corporations
2 shall be subject to all of the duties and limitations imposed
3 on the regional housing authority and its board of
4 commissioners."

5 Section 9. Section 11-3A-10 NMSA 1978 (being Laws 1994,
6 Chapter 132, Section 10, as amended) is amended to read:

7 "11-3A-10. PROHIBITED ACTIONS.--Neither the regional
8 housing authority nor any of its contractors or their
9 subcontractors may enter into any contract, subcontract or
10 agreement in connection with a housing project under any
11 contract in which any of the following persons has an
12 interest, direct or indirect, during the person's tenure or
13 for one year thereafter:

14 A. any present or former member of the board of
15 commissioners of the regional housing authority or any member
16 of the member's immediate family. The prohibition
17 established by this subsection shall not apply to any member
18 who has not served on the governing body of a resident
19 management corporation, and who otherwise has not occupied a
20 policymaking position with the resident management
21 corporation or the regional housing authority;

22 B. any employee of the regional housing authority
23 who formulates policy or who influences decisions with
24 respect to a housing project, any member of the employee's
25 immediate family or any partner of the employee; or

1 C. any public official, member of a governing body
2 or state legislator, or any member of such person's immediate
3 family, who exercises functions or responsibilities with
4 respect to the housing project or the regional housing
5 authority."

6 Section 10. Section 11-3A-12 NMSA 1978 (being Laws
7 1994, Chapter 132, Section 12, as amended) is amended to
8 read:

9 "11-3A-12. STATE POLICY--OPERATION NOT FOR PROFIT.--

10 A. It is declared to be the policy of this state
11 that each regional housing authority shall manage and operate
12 its housing projects and affordable housing programs in an
13 efficient manner so as to enable it to fix the rentals for
14 dwelling accommodations at the lowest possible rates
15 consistent with its providing decent, safe and sanitary
16 dwelling accommodations.

17 B. No regional housing authority shall construct
18 or operate a housing project for profit.

19 C. A regional housing authority shall set the
20 rental rates for dwellings in the housing projects it manages
21 and operates at no higher rates than it finds to be necessary
22 in order to produce revenues that, together with any grants
23 or subsidies from the state or federal government or other
24 sources for housing projects, will be sufficient to:

25 (1) pay, as they become due, indebtedness or

1 other obligations of the regional housing authority incurred
2 pursuant to the Regional Housing Law;

3 (2) meet the cost of and provide for
4 maintaining and operating the housing projects, including the
5 cost of any insurance, the administrative expenses of the
6 regional housing authority incurred in connection with the
7 housing projects and the funding of operational reserves the
8 regional housing authority deems appropriate;

9 (3) fund operational reserves to secure the
10 payment of indebtedness as the regional housing authority
11 deems appropriate; and

12 (4) allow private, profit-making entities to
13 enter into agreements with the regional housing authority,
14 without the agreements affecting the nonprofit status of the
15 regional housing authority or conflicting with the intent of
16 the creation of the regional housing authority."

17 Section 11. Section 11-3A-13 NMSA 1978 (being Laws
18 1994, Chapter 132, Section 13, as amended) is amended to
19 read:

20 "11-3A-13. SALES, RENTALS AND TENANT SELECTION.--

21 A. In the operation or management of housing
22 projects or the sale of any property pursuant to the Regional
23 Housing Law, a regional housing authority shall:

24 (1) rent, lease or sell the dwelling
25 accommodations in the housing project only to persons falling

1 within the standards adopted by the regional housing
2 authority, which standards shall comply with state and
3 federal law;

4 (2) rent, lease or sell to a person dwelling
5 accommodations consisting of the number of rooms, but no
6 greater number, that it deems necessary to provide safe and
7 sanitary accommodations to the proposed occupants without
8 overcrowding; and

9 (3) reject any person as a tenant in any
10 federally subsidized housing project if the person has an
11 annual gross income in excess of federally established
12 standards.

13 B. Nothing contained in this section or Section
14 11-3A-12 NMSA 1978 shall be construed as limiting the power
15 of a regional housing authority to vest in an obligee the
16 right, in the event of a default by the regional housing
17 authority, to take possession and operate a housing project
18 or cause the appointment of a receiver for the housing
19 project, free from all the restrictions imposed by this
20 section or Section 11-3A-12 NMSA 1978."

21 Section 12. Section 11-3A-19 NMSA 1978 (being Laws
22 1994, Chapter 132, Section 19, as amended) is amended to
23 read:

24 "11-3A-19. REMEDIES OF AN OBLIGEE.--An obligee of a
25 regional housing authority shall have the right, in addition

1 to all other rights that may be conferred on such obligee,
2 subject only to any contractual restrictions binding upon
3 such obligee, to:

4 A. compel by mandamus, suit, action or proceeding
5 at law or in equity, the regional housing authority and its
6 officers, agents or employees to perform every term,
7 provision and covenant contained in any contract of the
8 regional housing authority with or for the benefit of the
9 obligee and to require the carrying out of all covenants and
10 agreements of the regional housing authority and the
11 fulfillment of all duties imposed upon the regional housing
12 authority by the Regional Housing Law; and

13 B. enjoin by suit, action or proceeding in equity,
14 any acts or things that may be unlawful or in violation of
15 the rights of the obligee of the regional housing authority."

16 Section 13. Section 11-3A-20 NMSA 1978 (being Laws
17 1994, Chapter 132, Section 20, as amended) is amended to
18 read:

19 "11-3A-20. ADDITIONAL REMEDIES CONFERRABLE TO AN
20 OBLIGEE.--A regional housing authority shall have the power
21 by its resolution, trust indenture, lease or other contract
22 to confer upon any obligee holding or representing a
23 specified amount in indebtedness, or holding a lease, the
24 right, in addition to all rights that may otherwise be
25 conferred, upon default as defined in the resolution or

1 instrument, by suit, action or proceeding in any court of
2 competent jurisdiction:

3 A. to cause possession of any housing project or
4 any part of a housing project to be surrendered to the
5 obligee and retained by the holder of debt or trustee so long
6 as the regional housing authority continues in default;

7 B. to obtain the appointment of a receiver of any
8 housing project of the regional housing authority and of the
9 rents and profits from the housing project. If a receiver is
10 appointed, the receiver may enter and take possession of all
11 or a part of the housing project and, so long as the regional
12 housing authority continues in default, operate and maintain
13 the housing project and collect and receive all fees, rents,
14 revenues or other charges arising from the housing project
15 and shall keep the money in a separate account and apply it
16 in accordance with the obligations of the regional housing
17 authority as the court directs; and

18 C. to require the regional housing authority and
19 its officers and agents to account for the money actually
20 received as if it and they were the trustees of an express
21 trust."

22 Section 14. Section 11-3A-21 NMSA 1978 (being Laws
23 1994, Chapter 132, Section 21, as amended) is amended to
24 read:

25 "11-3A-21. EXEMPTION OF PROPERTY FROM EXECUTION

1 SALE.--All real property owned or held by a regional housing
2 authority for the purposes of the Regional Housing Law shall
3 be exempt from levy and sale by virtue of an execution, and
4 no execution or other judicial process shall be issued
5 against property of the regional housing authority or shall
6 any judgment against a regional housing authority be a charge
7 or lien on the regional housing authority's real property;
8 provided, however, that the provisions of this section shall
9 not apply to or limit the right of obligees to pursue any
10 remedies for the enforcement of any pledge or lien given to
11 them on rents, fees or revenues."

12 Section 15. Section 11-3A-22 NMSA 1978 (being Laws
13 1994, Chapter 132, Section 22) is amended to read:

14 "11-3A-22. EXEMPTION OF PROPERTY FROM TAXATION.--The
15 real property of a housing project, as defined in the
16 Regional Housing Law, is declared to be public property used
17 for essential public and governmental purposes and is
18 property of a regional housing authority of this state and is
19 exempt from taxation until a deed conveying that property to
20 a nonexempt entity is executed and delivered by the regional
21 housing authority."

22 Section 16. Section 11-3A-23 NMSA 1978 (being Laws
23 1994, Chapter 132, Section 23, as amended) is amended to
24 read:

25 "11-3A-23. AID FROM STATE OR FEDERAL GOVERNMENT.--In

1 addition to the powers conferred upon a regional housing
2 authority by other provisions of the Regional Housing Law, a
3 regional housing authority is empowered to borrow money or
4 accept contributions, grants or other financial assistance
5 from the state or federal government for or in aid of any
6 housing project or affordable housing program within its area
7 of operation and, to these ends, to comply with conditions,
8 trust indentures, leases or agreements as necessary,
9 convenient or desirable. It is the purpose and intent of the
10 Regional Housing Law to authorize every regional housing
11 authority to do all things necessary, convenient or desirable
12 to secure the financial aid or cooperation of the federal
13 government in the undertaking, acquisition, construction,
14 maintenance or operation of any housing project of a regional
15 housing authority."

16 Section 17. Section 11-3A-24 NMSA 1978 (being Laws
17 1994, Chapter 132, Section 24, as amended) is amended to
18 read:

19 "11-3A-24. COOPERATION IN UNDERTAKING HOUSING PROJECTS
20 AND AFFORDABLE HOUSING PROGRAMS.--For the purpose of aiding
21 and cooperating in the planning, undertaking, construction or
22 operation of housing projects and affordable housing programs
23 located within the area in which it is authorized to act, a
24 local public body may, upon such terms as it may determine,
25 with or without consideration:

1 A. dedicate, sell, convey or lease any of its
2 interest in any property or grant easements, licenses or any
3 other rights or privileges to a regional housing authority;

4 B. cause parks, playgrounds, recreational,
5 community, educational, water, sewer or drainage facilities,
6 or any other works that it is otherwise empowered to
7 undertake, to be furnished adjacent to or in connection with
8 housing projects and affordable housing programs;

9 C. furnish, dedicate, close, pave, install, grade,
10 regrade, plan or replan streets, roads, roadways, alleys,
11 sidewalks or other places that it is otherwise empowered to
12 undertake;

13 D. cause services to be furnished for housing
14 projects and affordable housing programs of the character
15 that the local public body is otherwise empowered to furnish;

16 E. enter into agreements with respect to the
17 exercise by the local public body of its powers relating to
18 the repair, elimination or closing of unsafe, unsanitary or
19 unfit dwellings;

20 F. do any things necessary or convenient to aid
21 and cooperate in the planning, undertaking, construction or
22 operation of housing projects or affordable housing programs;

23 G. incur the entire expense of any public
24 improvements made by the local public body in exercising the
25 powers granted in the Regional Housing Law; and

1 H. enter into agreements, which may extend over
2 any period, notwithstanding any provision or rule of law to
3 the contrary, with a regional authority respecting action to
4 be taken by the local public body pursuant to any of the
5 powers granted by the Regional Housing Law. Any law or
6 statute to the contrary notwithstanding, any sale,
7 conveyance, lease or agreement provided for in this section
8 may be made by a local public body without appraisal, public
9 notice, advertisement or public bidding."

10 Section 18. Section 11-3A-25 NMSA 1978 (being Laws
11 1994, Chapter 132, Section 25, as amended) is amended to
12 read:

13 "11-3A-25. PROCEDURE FOR EXERCISING POWERS.--The
14 exercise by a regional housing authority or other local
15 public body of the powers granted in the Regional Housing Law
16 may be authorized by resolution of the governing body of the
17 regional housing authority or local public body adopted by a
18 majority of the members of its governing body present at a
19 meeting of the governing body. The resolution may be adopted
20 at the meeting at which the resolution is introduced. The
21 resolution shall take effect immediately and need not be laid
22 over or published or posted."

23 Section 19. Section 11-3A-30 NMSA 1978 (being Laws
24 2007, Chapter 50, Section 6) is amended to read:

25 "11-3A-30. FINANCIAL AND OPERATIONAL OVERSIGHT.--

1 A. Without the prior approval of the New Mexico
2 mortgage finance authority, no regional housing authority
3 shall:

4 (1) enter into any contract, memorandum of
5 understanding or other agreement with a value greater than
6 one hundred thousand dollars (\$100,000); or

7 (2) transfer, sell or liquidate any real or
8 personal property with a value greater than one hundred
9 thousand dollars (\$100,000).

10 B. Not less than thirty days prior to the
11 beginning of its fiscal year, each regional housing authority
12 and each nonprofit corporation established pursuant to
13 Section 11-3A-9 NMSA 1978 shall submit a final operating
14 budget for the subsequent fiscal year to the New Mexico
15 mortgage finance authority for review.

16 C. The financial affairs of every regional housing
17 authority and any nonprofit corporation created by a regional
18 housing authority shall be thoroughly examined and audited
19 annually by the state auditor, by personnel of the state
20 auditor's office designated by the state auditor or by
21 auditors approved by the state auditor. The audits shall be
22 conducted in accordance with generally accepted auditing
23 standards. Each regional housing authority shall submit to
24 the state auditor, the department of finance and
25 administration, the New Mexico mortgage finance authority,

1 the Mortgage Finance Authority Act oversight committee and
2 the legislative finance committee, within thirty days
3 following the receipt of the annual audit of the regional
4 housing authority, a copy of that audit.

5 D. Every regional housing authority shall submit
6 an annual report of its financial and operational activities
7 to the New Mexico mortgage finance authority for review and
8 analysis and for dissemination to the department of finance
9 and administration, the Mortgage Finance Authority Act
10 oversight committee and the legislative finance committee.
11 Each report shall set forth a complete operating and
12 financial statement covering its operations since the
13 previous report was presented.

14 E. Failure on the part of a regional housing
15 authority to correct any qualified audit within one year of
16 the release of the audit shall result in the abatement of any
17 state funds until such corrective actions are taken. If a
18 regional housing authority should receive a qualified audit
19 opinion for more than two consecutive years, the oversight
20 agency shall recommend corrective action to be taken."

21 Section 20. A new section of the Regional Housing Law
22 is enacted to read:

23 "TRANSITIONAL PROVISIONS--COMMISSIONERS--CONTRACTS AND
24 AGREEMENTS.--

25 A. Members of boards of commissioners of regional

1 housing authorities appointed prior to the effective date of
2 this 2009 act shall continue to serve as members of boards of
3 commissioners until their terms expire or their successors
4 are appointed and qualified pursuant to the provisions of
5 this 2009 act.

6 B. All contracts and agreements of regional
7 housing authorities in effect on the effective date of this
8 2009 act shall continue in effect."

9 Section 21. EMERGENCY.--It is necessary for the public
10 peace, health and safety that this act take effect
11 immediately. _____

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2024 Legislative Agenda

New Mexico Housing Trust Fund

\$500 million

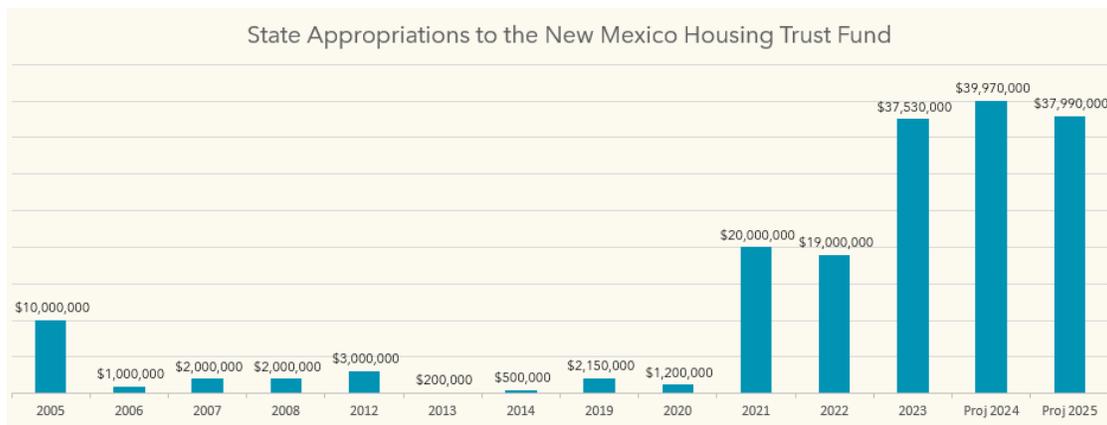
The New Mexico Housing Trust Fund (NMHTF) was established to fund the acquisition, building, rehabilitation, preservation, financing, weatherization, and home energy efficiency upgrades for low to moderate income New Mexicans. A transformative investment to the NMHTF is required to address the housing crisis facing low and moderate income New Mexicans.

The New Mexico Mortgage Finance Authority (MFA), as the Trustee of the NMHTF, has established programs, partnerships, and administrative capacity to effectively utilize state funds for housing development, preservation of existing affordable housing, and homeownership programs across the entire state.

Background

From its establishment in 2005 through 2022, the legislature has appropriated \$61,050,000 to the NMHTF, of which \$25 million (42%) were state appropriations of federal stimulus dollars (Coronavirus State and Local Fiscal Recovery Funds) in 2021 and 2022.

In 2022, Senate Bill 134 was enacted to allocate 2.5% of severance tax bonding capacity to the NMHTF. In 2023, Senate Bill 381 was enacted to move forward the effective date of the earmark to July 1, 2023. **MFA has committed nearly 100% of the state appropriations, including the state fiscal year 2024 recurring funding to a program or project.**



Strategic Approach

In October 2021, MFA convened an Advisory Committee to provide leadership over the development of the New Mexico Housing Strategy.¹ Published in September 2023, the New Mexico Housing Strategy identifies four goals to transform our state’s housing challenges:

- Produce new housing across the housing continuum,
- Preserve existing housing and redevelop underutilized properties,
- Build homeownership opportunities, and
- Create housing stability for vulnerable populations.

These goals serve as MFA’s framework for administering the NMHTF to ensure impact across the housing continuum of need.

Production

The state’s rental housing gap is concentrated at income levels below 30% area median income (AMI). New Mexico’s gap at this income level is approximately 32,000 units. Ensuring an adequate supply of affordable housing opportunities allows communities to retain and grow their workforce, which is foundational to catalyzing New Mexico’s economic development potential. **MFA’s housing development programs provide a “one stop shop” for affordable housing developers to efficiently increase New Mexico’s housing stock statewide.**

Preservation

Nearly 45% of New Mexico’s housing stock was built before 1980, 40,000 housing units in the state do not have a complete kitchen, and the same number of units are without complete plumbing. Strong preservation efforts and redevelopment are critical to supporting economic growth and to maintaining affordability for New Mexicans. This need is especially important to the state’s rural areas where naturally occurring affordable housing is aging, and thus likelier to be more expensive to heat and cool, has higher maintenance costs, and has a higher likelihood of lead exposure or other adverse conditions. MFA administers numerous programs aimed at addressing the state’s preservation and redevelopment needs, including home rehabilitation, weatherization, and acquisition/rehab/resale.

Homeownership Opportunities

Inflation, flat income growth and higher interest rates have increased barriers to homeownership for low-to-moderate income households. The growing affordability gap, which is the difference between income and home price, has pushed the dream of homeownership out of reach for many families. For example, the affordability gap for a

¹ To find the complete New Mexico Housing Strategy, visit: <https://housingnm.org/the-new-mexico-housing-strategy>

household at the 80% AMI level in Santa Fe is \$215,000, based on the median home price. In Las Cruces the affordability gap amounts to \$53,000, and in Albuquerque it is \$45,000.²

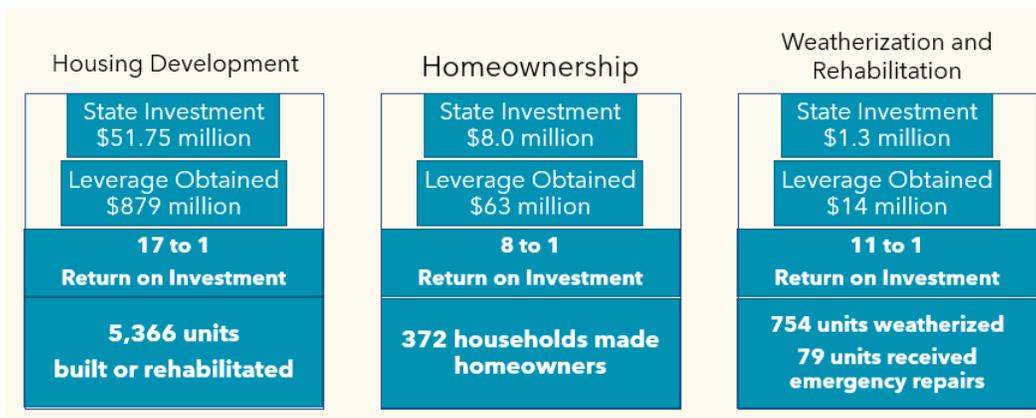
Currently, down payment assistance programs for low-to-moderate income households are not sufficiently resourced to meet the need in New Mexico. In 2023, MFA deployed \$8 million of down payment assistance grants for households at the 80% AMI level in less than 120 days, underscoring the demand for expanding homeownership opportunities.

Vulnerable Populations

The Legislative Finance Committee Homelessness Supports and Affordable Housing Spotlight³ estimates a need for 859 additional permanent supportive housing units, a development model that pairs long term housing with supportive services. The report goes on to state that 105,557 households are experiencing housing insecurity due to being low income and housing cost burdened. Addressing homelessness is demonstrated to result in savings to taxpayers by reducing the use of the more costly, de facto solutions like jails and hospitals. MFA administers programs proven to prevent and eradicate homelessness, including permanent supportive housing development and rapid rehousing.

Leverage

MFA maximizes state investment by leveraging federal and private funding and interest and loan repayments. Currently, MFA is tracking approximately a 16/1 leverage ratio across all programs. The leverage ratio varies within programs primarily based on the amount of federal and private funding available.



Accountability

² 80% AMI in Santa Fe County for a 2-person family in Santa Fe is \$54,600. In Las Cruces and Albuquerque 80% AMI for a 2-person family is \$41,350 and \$51,150 respectively.

³ To find the complete Homelessness Supports and Affordable Housing Spotlight, visit: https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20-%20Homlessness%20and%20Affordable%20Housing%20Supports.pdf

MFA was created by the State Legislature in 1975. The MFA Act defines MFA as a “public body corporate, separate and apart from the state.” **MFA became the state government’s designated housing agency in 1997 and has never received operating funds from the state.** MFA administers all state and federal housing programs, which allows for a high level of operational efficiency.

State and Legislative Oversight

The MFA Act created MFA’s Legislative Oversight Committee, which meets five to six times per year during the interim session. While the State does not approve MFA’s budget, MFA makes annual presentations to the Legislative Finance Committee and the State Board of Finance in the October-November timeframe. **The State Board of Finance also certifies the uses of the NMHTF earmark funding.**

Board of Directors

MFA has a seven-member Board of Directors, comprised of the Lieutenant Governor, Attorney General and the State Treasurer and four members appointed by the Governor and confirmed by the Senate. The Governor designates the Chair of the Board, who may be any member. The Board annually elects a Vice Chair.

Management and Staff

MFA’s Executive Director/CEO, Isidoro Hernandez (28-year tenure at MFA), serves under the control and direction of the MFA Board of Directors. MFA’s leadership team consists of Chief Financial Officer Arundhati Bose, Chief Housing Officer Donna Maestas-De Vries and Chief Lending Officer Jeff Payne. The agency has a 17-person Strategic Management Committee and 125 employees.

Audits

MFA is subject to more than a dozen audits each year. In addition to our annual financial statement and single audit, MFA has a robust internal audit program and is also audited for individual federal and state programs on an ongoing basis. **Fiscal Year 2022 was MFA’s 30th year of unmodified opinions on financial statement audits with no material weaknesses.**

Programs

MFA administers around 40 programs that address the full spectrum of housing needs. MFA programs assist people experiencing homelessness and people with special needs, provide sophisticated financing for affordable rental projects, rehabilitate and weatherize homes for low-income homeowners, and provide low-interest mortgages and down payment assistance for low and moderate income homebuyers. MFA relies on almost 400 partners, including realtors, lenders, developers, property owners, service providers, non-profits and local and Tribal governments, to deliver MFA program services throughout New Mexico.



Affordable Housing Act Oversight Duties **\$500,000**

This appropriation will enable MFA to 1) oversee the Affordable Housing Act, including review and approval of plans and ordinances, 2) provide direct technical assistance to local governments in the drafting of an affordable housing plan and affordable housing ordinance, and 3) offer planning and implementation grants to local governments on an as-needed basis.

Background

The Affordable Housing Act was signed into law in 2004. Like the Local Economic Development Act (LEDA), it is an exemption to the state's Anti-Donation clause. It permits the state and local governments to contribute public funds, land, buildings and other resources to create and preserve affordable housing. MFA is charged with rulemaking authority and oversight of the Act but receives no funds for these purposes.

Results

The priority for this funding is to help local governments, municipalities, and jurisdictions implement approved housing plans and ordinances, paving the way for communities to increase housing stock and deploy housing solutions that meet local needs while leveraging local resources. To date, MFA has assisted 36 local governments in adopting an affordable housing ordinance and 36 local governments in creating affordable housing plans. These local governments have donated land and resources totaling more than \$73 million for affordable housing as of November 2022.

SENATE BILL

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

MAKING AN APPROPRIATION TO THE NEW MEXICO HOUSING TRUST FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. APPROPRIATION.--Five hundred million dollars (\$500,000,000) is appropriated from the general fund to the New Mexico housing trust fund for expenditure in fiscal year 2025 and subsequent fiscal years by the New Mexico mortgage finance authority for the purposes of carrying out the provisions of the New Mexico Housing Trust Fund Act. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

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_____ BILL

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND
ADMINISTRATION TO CARRY OUT THE PURPOSES OF THE AFFORDABLE
HOUSING ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. APPROPRIATION.--Five hundred thousand dollars
(\$500,000) is appropriated from the general fund to the
department of finance and administration for expenditure in
fiscal year 2025 and subsequent fiscal years for the New Mexico
mortgage finance authority to carry out the purposes of the
Affordable Housing Act. Any unexpended or unencumbered balance
remaining at the end of a fiscal year shall not revert to the
general fund.

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MFA Board of Directors



Angel Reyes, Chair
President, Centinel Bank, Taos

Angel Reyes assumed the role of president at Centinel Bank of Taos in 2003, following a successful five-year tenure as the bank's chief financial officer. Mr. Reyes achieved the prestigious rank of cadet at the New Mexico Military Institute during his formative years and went on to pursue his undergraduate studies at the Anderson School of Management at the University of New Mexico. Adding to his educational accomplishments, Mr. Reyes obtained a graduate degree from the renowned Graduate School of Banking at the University of Colorado. In addition to his leadership at Centinel Bank, Mr. Reyes has actively contributed to the banking industry as a board member of the esteemed New Mexico Bankers Association. His valuable insights and expertise have influenced the industry's landscape, further solidifying his reputation as a respected figure in the financial sector. Furthermore, he has demonstrated his commitment to the betterment of the Taos community by serving as the chair of the Taos Community Foundation, where he has worked diligently to support local initiatives and foster positive change.



Derek Valdo, Vice Chair
Chief Executive Officer, AMERIND Risk

Derek Valdo has held the position of chief executive officer at AMERIND Risk since 2012. AMERIND Risk stands out as the sole insurance company that is entirely tribally-owned. As an enrolled member of Acoma Pueblo, Mr. Valdo brings a wealth of experience, having served as a tribal councilman for a commendable 14 years. Mr. Valdo's educational background includes a bachelor's degree in economics, with a minor in management, earned from the University of New Mexico. His dedication to community and academia is evident through his active participation on the boards of the UNM Anderson School of Management Foundation and the United Way for Central New Mexico. Additionally, he has previously held the position of chairman on the Acoma Business Enterprises Board of Directors, further showcasing his commitment to fostering economic growth and development. Derek Valdo's leadership as CEO at AMERIND Risk, coupled with his tribal council experience, exemplifies his profound understanding of the insurance industry and the unique needs of tribal communities. His educational accomplishments and involvement in various boards reflect his dedication to enhancing business practices and supporting community initiatives in Central New Mexico.



Howie Morales, Ex Officio Member
Lieutenant Governor

Lt. Gov. Howie Morales was raised in Silver City, New Mexico. As a teenager, he worked to help support his family and was the first in his family to attend college. He earned both a bachelor's and master's degree in bilingual special education from Western New Mexico University, and obtained a doctorate from New Mexico State University. Lt. Gov. Morales taught special education in Silver City and in the Cobre School Districts and was a high school baseball coach. He was elected to the office of county clerk in Grant County in 2005, where he oversaw the modernization of the county's voting systems. In 2008, Lt. Gov. Morales was appointed to fill the state legislative seat formerly held by Sen. Ben. Altamirano. Later that year, he ran for and won the seat. During his time as a state senator, he served on the Legislative Finance Committee and worked to improve New Mexico's public education system. He was elected to the office of Lieutenant Governor of New Mexico in November, 2018.



Raúl Torrez, Ex Officio Member
Attorney General

Raul Torrez assumed office as New Mexico's 32nd Attorney General on January 1st, 2023. Prior to his appointment, he served as Bernalillo County's District Attorney for an impressive six-year term. With a diverse legal background, Raul has held notable positions as a Federal Prosecutor, Assistant United States Attorney, Assistant Attorney General, and Assistant District Attorney. Additionally, he has contributed his expertise as a Senior Advisor in President Obama's Department of Justice. Raul graduated from Harvard University before pursuing a Master's Degree from the prestigious London School of Economics. He furthered his legal studies at Stanford University, where he earned his law degree. Born and raised in Albuquerque, Raul has deep ties to the community, which he currently calls home. He resides in Albuquerque with his wife, Nasha, and their two children.

MFA Board of Directors



Laura M. Montoya, Ex Officio Member

State Treasurer

Laura M. Montoya was sworn into office on January 1, 2023, becoming the first female State Treasurer of New Mexico and the first Latina State Treasurer in the United States. Born, raised, and educated in Northern New Mexico, she earned her bachelor's degree in Political Science and Psychology, with a minor in Sociology, and later obtained her master's degree in Public Affairs from New Mexico Highlands University. Montoya has served New Mexico for more than two decades in federal, state, tribal and local government. She worked under U.S. Senator Jeff Bingaman, Treasurer Douglas M. Brown, and Treasurer James B. Lewis, and was elected to two terms as Sandoval County Treasurer. Montoya has worked in several capacities in both the New Mexico House of Representatives and the New Mexico Senate, in addition to serving as the vice-chair of Finance, Pensions and Intergovernmental Affairs, chair of the Next Generation of Young Elected Officials, and several other boards and committees. She is an advocate for financial literacy and teaches finance and treasury classes to county and city employees, elected officials, and union members.



Rebecca Wurzburger

Strategic Planning Consultant

Rebecca Wurzburger, has dedicated her life to public service and community development. She served as a Santa Fe city councilor for an impressive 12 years, during which she made significant contributions to the betterment of the city. Her commitment to public service was recognized by her appointment as mayor pro-tem, a role in which she effectively supported the mayor and ensured the smooth functioning of the city government. In addition to her notable political career, Ms. Wurzburger has also excelled in the field of construction contracting. Her expertise in this area has allowed her to contribute to the growth and development of various construction projects, leaving a tangible and lasting impact on the infrastructure of her community. In addition to her numerous advanced degrees in public administration and social work, Ms. Wurzburger, is equipped with a strong theoretical foundation and a deep understanding of the complexities of governance and community development. Throughout her career, Ms. Wurzburger has been deeply involved in advocacy efforts and community housing initiatives, striving to provide safe and affordable housing options to individuals and families in need.



Patricia A. Sullivan, PhD

Associate Dean, NM State University College of Engineering

Patricia A. Sullivan holds a prominent role as an associate dean in the College of Engineering at New Mexico State University, where she also serves as the Director for Strategic Initiatives within the Office of the Chancellor. Dr. Sullivan obtained her PhD in industrial engineering, a master's degree in economics and a bachelor of science, all from New Mexico State University. She actively engages in various organizations and initiatives, showcasing her commitment to the advancement of higher education. Notably, she serves as a member on the Western Interstate Commission for Higher Education, contributing her valuable insights and perspectives to this influential organization. Additionally, Dr. Sullivan is a founding board member for Enchantment Land Certified Development Company, further demonstrating her dedication to fostering growth and development in her community. With her active involvement in the Mortgage Finance Authority, as a past board member and current member of the tax allocation review committee, Dr. Sullivan exemplifies her passion and commitment for making a positive impact in the community.

MFA Leadership Profiles



Isidoro Hernandez

Executive Director/Chief Executive Officer | New Mexico Mortgage Finance Authority (MFA)

Isidoro Hernandez came to the New Mexico Mortgage Finance Authority in 1992 as the organization's management trainee. Over the next 30 years, Hernandez worked in every area of the organization and held a variety of positions including the director of single-family programs and the community development department as well as the deputy director of programs. In December 2019, Hernandez was named as MFA's sixth executive director, bringing a wealth of experience and institutional knowledge to the position. In addition to his work at MFA, Hernandez served in the New Mexico Army National Guard for 32 years, retiring as a colonel in 2016. He attended the Senior Service College (aka War College), had two deployments and commanded as many as 1,000 soldiers at the brigade level. A native of Dexter, New Mexico, Hernandez has a bachelor's degree in finance and real estate from New Mexico State University and an MBA from TOURO University International. He is currently on the board of the FHLB - Dallas Affordable Housing Advisory Committee. He is married to Melinda, and together they've built a family of six children and nine grandchildren.



Donna Maestas-De Vries

Chief Housing Officer | New Mexico Mortgage Finance Authority (MFA)

Donna Maestas-De Vries joined MFA in March 2020 as the Deputy Director of Programs. Maestas-De Vries oversees all aspects of MFA's asset management, community development, compliance and initiatives, and marketing and communications departments. Prior to joining MFA, Maestas-De Vries served as the Director of the Property Tax Division and Tribal Liaison for the New Mexico Taxation and Revenue Department. She also previously served as Acting Director and Deputy Director of the State Board of Finance for the New Mexico Department of Finance and Administration. In addition, she worked for more than a decade in commercial and residential real estate in California and served as a project manager for a large multifamily development in San Diego, CA before coming to New Mexico. She earned a bachelor's degree from the University of California, San Diego with a major in psychology and minors in physics and mathematics.



Arundhati Bose

Chief Financial Officer | New Mexico Mortgage Finance Authority (MFA)

Arundhati Bose joined the New Mexico Mortgage Finance Authority as its chief financial officer in September 2023. As CFO, she is responsible for the MFA Finance and Servicing Departments. Bose's journey began at MFA in 1992, where she initially served in the bond financing area. After an eight-year tenure, she ventured into the strategic finance and financial disclosure realms at Public Service Company of New Mexico, lending her expertise to a corporate merger along the way. For over 20 years, Bose made invaluable contributions at Gap Inc., wearing various hats that spanned budgeting, forecasting, sensitivity analysis, inventory management, addressing global supply chain challenges, as well as real estate occupancy accounting management. Bose's proficiency extends to global process development, where she played an integral role in developing internal controls and optimizing processes for Gap Inc.'s Japan business unit. Bose holds a Master of Science in economics from the University of Calcutta in Calcutta, India, in addition to a Master of Business Administration in finance and accounting and a post-MBA certification in human resources from the University of New Mexico.

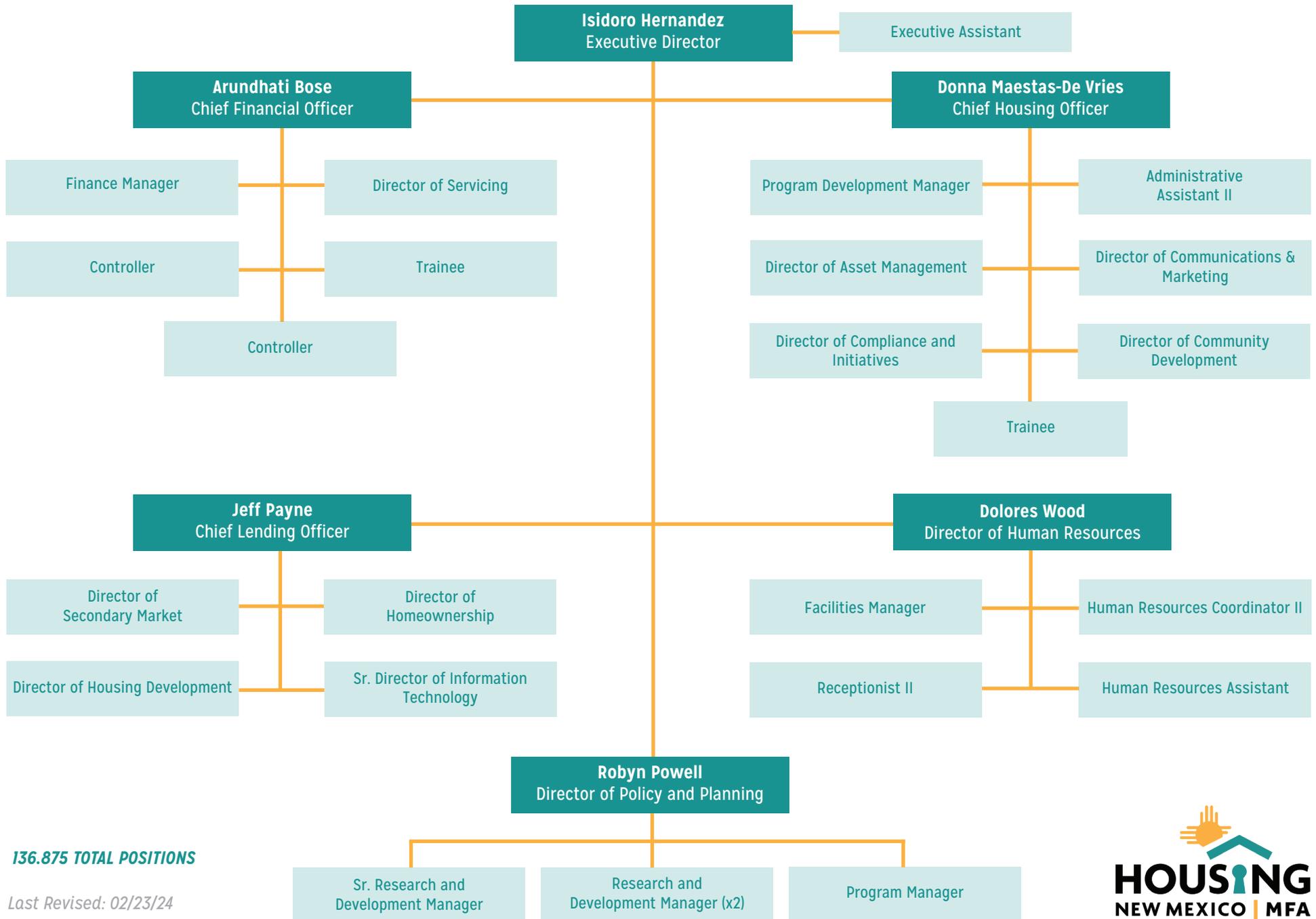


Jeff Payne

Chief Lending Officer | New Mexico Mortgage Finance Authority (MFA)

Jeff Payne joined MFA in February 2017 as Senior Director of Mortgage Operations. Payne initially led the Homeownership and Servicing departments and played a pivotal role in establishing the Secondary Market department. Currently serving as the Chief Lending Officer, Payne is responsible for leading MFA's single-family lending efforts in the Homeownership and Secondary Market departments. Furthermore, he plays a crucial role in overseeing multifamily construction and financing in the Housing Development department, in addition to managing the Information Technology department. Prior to joining MFA, he served as Manager of Single-Family Mortgage Lending Originations for a major national bank in central and northern New Mexico. He has worked in the mortgage industry over 30 years with experience in single-family mortgage origination, underwriting, loss mitigation, construction, and development lending. He also previously served as President for one year of a three-year term on the Board of Directors for Greater Albuquerque Habitat for Humanity. He holds a bachelor's degree in business management with an emphasis in finance from Brigham Young University.

Organization Chart



136.875 TOTAL POSITIONS

Last Revised: 02/23/24





HOUSING
NEW MEXICO | MFA

We are Housing New Mexico.

2023 ANNUAL REPORT

New Mexico Mortgage Finance Authority

HousingNM.org



In 2023, MFA maximized resources through program modifications and funding leverage strategies to align the entire organization's efforts with the New Mexico Housing Strategy.



Angel Reyes

MFA Board of Directors Chair



Isidoro Hernandez

MFA Executive Director/CEO

MFA programs impacted more than 18,900 households despite challenging market conditions. MFA maximized resources through program modifications and funding leverage strategies to align the entire organization's efforts with the New Mexico Housing Strategy. While rent, home prices, interest rates, and construction costs persisted at exceptionally high levels, MFA maintained its expansive reach across the state.

During the 2023 session, the legislature made a historic investment to the New Mexico Housing Trust Fund, which in the state's 2024 fiscal year amounted to nearly \$40 million. This enabled us to create some innovative and essential programs to meet the housing needs. We are thankful to our partners that are instrumental in delivering programs and services at the local level. Within just a few months, the demand for the funding has far exceeded the available resources, strongly indicating New Mexico's need for continued and expanded commitment and support.

In addition to our partners, we are thankful for the governor's office, legislators, and staff for all they do to make affordable housing a reality for New Mexicans. While we know there is more work to be done, MFA is proud to be **Housing New Mexico**.

Production Highlights



Created More Housing

\$10,341,000 provided to construct
285 NEW HOMES.

Preserved and Improved Existing Affordable Housing and Catalyzed Redevelopment

\$116,219,000 provided to weatherize, rehabilitate, preserve, or redevelop **1,577 HOMES.**



Built Homeownership and Wealth

\$388,294,000 provided for first mortgage and down payment assistance totaling 3,352 loans for **1,845 HOUSEHOLDS.** \$24,145,000 provided for mortgage assistance to **2,925 HOUSEHOLDS.**



Created Stable Housing Environments

\$39,796,000 provided for housing vouchers for **5,843 HOUSEHOLDS.** \$7,002,000 provided for housing stability and homeless shelter services to **6,488 PEOPLE.**



18,963
households served



3,707
homes produced,
financed or preserved



\$585,797,000
total funding administered



\$433 Million
in direct and indirect local impact



Created and supported **5,900**
construction and long-term jobs



Our Mission: MFA is New Mexico’s leader in affordable housing. We provide innovative products, education, and services to strengthen families and communities.

Financial Highlights

See the full report of independent auditors and financial statements at: housingnm.org/about-mfa/financials

MFA’s overall financial position and results of operations for fiscal year 2023 (October 1, 2022 to September 30, 2023) and fiscal year 2022 (October 1, 2021 to September 30, 2022) are presented in thousands:

	2023	2022
Cash and cash equivalents (unrestricted and restricted)	\$178,602	\$193,832
Investments (unrestricted and restricted)	\$65,386	\$59,743
Mortgage-backed securities and mortgage loans receivable	\$1,493,795	\$1,270,913
Total assets	\$1,787,713	\$1,556,675
Bonds payable	\$1,547,359	\$1,325,981
Total liabilities	\$1,666,348	\$1,398,860
Total net position	\$121,274	\$157,725
Total operating revenues	\$86,301	\$59,915
Total operating expenses	\$71,616	\$62,165
Operating income	\$14,685	(\$2,250)
Total nonoperating expenses*	(\$51,136)	(\$173,132)
Change in net position*	(\$36,451)	(\$175,382)

**Unrealized loss due to GASB31 fair value adjustment.*

Oversight and Accountability

Board of Directors

Lieutenant Governor **Howie Morales**

Attorney General **Raúl Torrez**

State Treasurer **Laura M. Montoya**

Four Governor Appointments:

Chair **Angel Reyes**

Vice Chair **Derek Valdo**

Patricia A. Sullivan

Treasurer **Rebecca Wurzbarger**

Legislative Oversight Committee

Representative **Eliseo Lee Alcon**, Chair

Senator **Nancy Rodriguez**, Vice Chair

Representative **Meredith A. Dixon**

Senator **Roberto “Bobby” J. Gonzales**

Senator **Stuart Ingle**

Representative **Rod Montoya**

Senator **Michael Padilla**

Representative **Angelica Rubio**

Advisory Members:

Representative **Janelle Anyanonu**

Senator **Gregory A. Baca**

Representative **Cynthia Borrego**

Representative **Ambrose Castellano**

Representative **Kathleen Cates**

Representative **Tara L. Lujan**

Senator **Mark Moores**

Senator **Gerald Ortiz y Pino**

Representative **Andrea Romero**

Representative **Patricia Roybal Caballero**

Representative **Luis M. Terrazas**

Audits

Three decades of unmodified audits

12+ audits per year

Multiple Advisory Committees

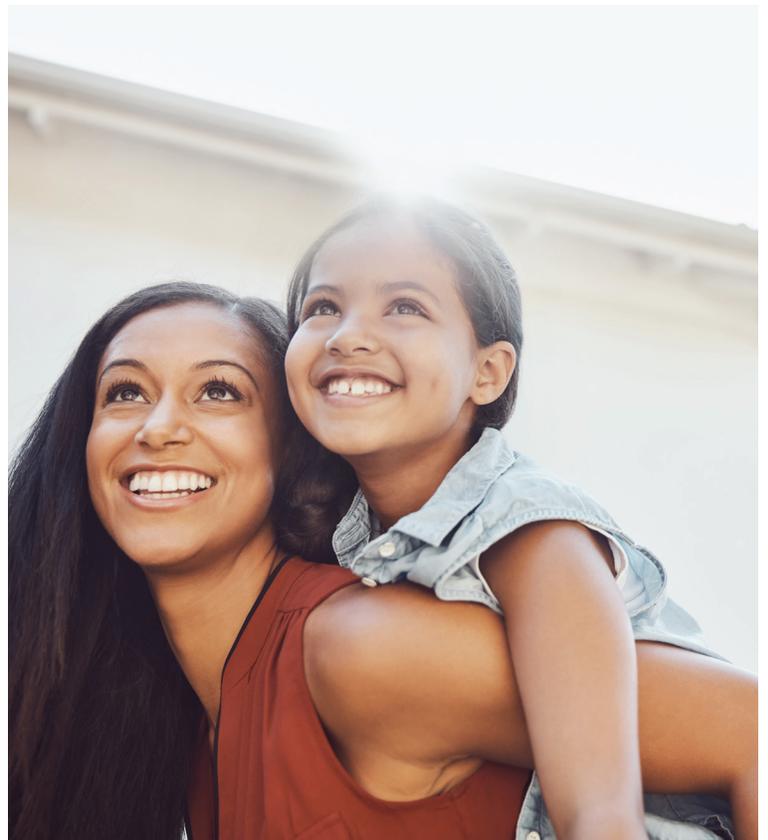
New Mexico Housing Trust Fund Advisory Committee

Land Title Trust Fund Advisory Committee

Allocation Review Committee

(Low-Income Housing Tax Credit)

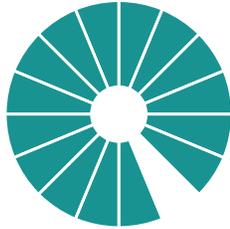
New Mexico Housing Strategy Committee



New Mexico Housing Trust Fund

PROVEN RESULTS

\$956M leveraged with
\$61M in appropriations

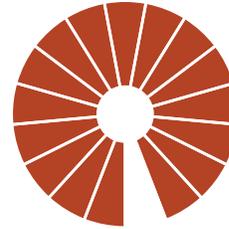


16 to 1
Leverage

6,571 UNITS
Total

HOUSING DEVELOPMENT

State Investment: **\$51.8M**
Leverage Obtained: **\$879M**



17 to 1
Return on Investment

5,366 UNITS
Built or Rehabilitated

HOMEOWNERSHIP

State Investment: **\$8M**
Leverage Obtained: **\$63M**



8 to 1
Return on Investment

372 HOUSEHOLDS
Made Homeowners

WEATHERIZATION AND REHABILITATION

State Investment: **\$1.3M**
Leverage Obtained: **\$14M**



11 to 1
Return on Investment

754 UNITS Weatherized

79 UNITS Received
Emergency Repairs

Expanding MFA's Reach

MFA FY 2021-2025
**Strategic
Plan**



MFA Vision, Mission and Core Values

Vision

All New Mexicans will have quality affordable housing opportunities.

Mission

MFA is New Mexico's leader in affordable housing. We provide innovative products, education and services to strengthen families and communities.

Core Values

→ Responsive

To meet New Mexico's needs, MFA optimizes resources, cultivates partnerships and makes our programs accessible.

→ Professional

MFA upholds high personal and professional standards. We comply with regulations and ensure prudent financial stewardship.

→ Dynamic

MFA is a dynamic place to work. Our employees are our strength. We embrace diversity and provide opportunities for personal and professional growth.



Strategic Plan Themes

Addressing the Affordable Housing Shortage

New Mexico has a shortage of affordable housing units and a lack of resources required to meet the housing needs of its residents, including vulnerable and rural populations. In addition, much of New Mexico's housing stock is aging and in poor condition. All of these factors have significant social and economic implications.

Partnerships

In order for MFA programs to have a positive impact on communities throughout the state, it is imperative that partnerships with a variety of housing-related entities are developed, maintained and expanded.

Public Education

Although MFA has a strong reputation among its partners, there is a need to further educate the public about the value of quality affordable housing in general and, specifically, about MFA's products and programs.



Strong Financial Management

MFA must continue its tradition of strong financial management in order to weather changing and uncertain market and political conditions.

Technology and Cybersecurity

Cybersecurity and state-of-the-art technology allow MFA to continually improve its business practices and customer service.

Staffing and Work Environment

Appropriate staffing levels and a dynamic, team-oriented and healthy work environment are critical to MFA's success.

2021-2025 Goals

GOAL 1



Create affordable housing opportunities that support and strengthen New Mexico's communities.

GOAL 2



Build a network of advocates and partners that work to create and promote affordable housing in the state.

GOAL 3



Maintain judicious financial stewardship and principled, efficient business practices.

GOAL 4



Provide robust technological solutions.

GOAL 5



Foster a healthy, dynamic and team-oriented work environment.

GOAL 1



Create affordable housing opportunities that support and strengthen New Mexico's communities.

Objectives

- ➔ **Objective 1:** Promote health, safety and environmental efficiency through improvements to New Mexico's existing housing stock.
- ➔ **Objective 2:** Reduce the personal and societal costs of homelessness through programs and housing opportunities for persons experiencing or at risk of homelessness.
- ➔ **Objective 3:** Strengthen financial security and stability and improve long-term outcomes of low- to moderate-income households through new affordable multifamily housing.
- ➔ **Objective 4:** Increase wealth building opportunities through promoting sustainable, affordable homeownership programs and affordable single-family home development.
- ➔ **Objective 5:** Address unmet housing needs for underserved populations including vulnerable and rural populations.

GOAL 2



Build a network of advocates and partners that work to create and promote affordable housing in the state.

Objectives

- ➔ **Objective 1:** Provide education on the value of quality affordable housing and the social and economic impact of MFA's products and programs.
- ➔ **Objective 2:** Strengthen partners' capacity to deliver MFA's affordable housing products and programs in every area of the state.
- ➔ **Objective 3:** Expand the network of stakeholders that are committed to affordable housing and housing-related programs.

GOAL 3



Maintain judicious financial stewardship and principled, efficient business practices.

Objectives

- ➔ **Objective 1:** Optimize existing financial strategies and evaluate new financial tools
- ➔ **Objective 2:** Expand and diversify MFA's financial opportunities, grow current resources and establish new resources
- ➔ **Objective 3:** Continuously improve processes and systems to ensure quality customer service and maximize programmatic impact

GOAL 4



Provide robust technological solutions.

Objectives

- ➔ **Objective 1:** Implement and maintain state-of-the-art technology that will support MFA staff, partners and clients
- ➔ **Objective 2:** Maintain system reliability
- ➔ **Objective 3:** Protect MFA's data and systems

GOAL 5



Foster a healthy, dynamic and team-oriented work environment.

Objectives

- ➔ **Objective 1:** Cultivate an environment that encourages the open exchange of ideas and accommodates an ever-changing work dynamic to attract and retain employees
- ➔ **Objective 2:** Offer opportunities for staff development and advancement and ensure the transfer of institutional knowledge
- ➔ **Objective 3:** Ensure appropriate staffing levels so that employees have a balanced workload

GOAL 1



Create affordable housing opportunities that support and strengthen New Mexico's communities.

	objective	initiatives	benchmarks
Objective 1	Promote health, safety and environmental efficiency through improvements to New Mexico's existing housing stock.	<ul style="list-style-type: none"> Expand and update weatherization and rehabilitation programs Increase rehabilitation of older single-family housing stock 	<ol style="list-style-type: none"> Provide mortgage financing for 2,043 homebuyers. Maintain average mortgage product utilization of 25% of all FHA loans recorded in New Mexico. Finance the development and/or preservation of 850 rental and homeownership units. Maintain a 35% exit rate of individuals experiencing homelessness served to permanent housing through EHAP. Achieve annual combined average loan delinquencies of MFA serviced portfolio below 9.0%. Maintain subserviced portfolio delinquency percentage below the Federal Housing Administration Loan Performance Trend delinquency rate (purchase loans only). Evaluate at least three new specialty products or significant program or product improvements.
Objective 2	Reduce the personal and societal costs of homelessness through programs and housing opportunities for persons experiencing or at risk of homelessness.	<ul style="list-style-type: none"> Connect more individuals experiencing homelessness with services 	
Objective 3	Strengthen financial security and stability and improve long-term outcomes of low- to moderate-income households through new affordable multifamily housing.	<ul style="list-style-type: none"> Evaluate current QAP and consider changes Promote the utilization of 4% LIHTC Evaluate multifamily loan product changes Prioritize LIHTC resyndication along with loan modification and restructuring Evaluate mechanisms to increase utilization of the 542(c) Risk Share program 	
Objective 4	Increase wealth building opportunities through promoting sustainable, affordable homeownership programs and affordable single-family home development.	<ul style="list-style-type: none"> Explore methods to finance affordable single family housing development Explore methods to increase homeownership access Evaluate options to improve borrower financial literacy and credit Manage single family loan production concentration risk Manage mission-driven single family lending activities and level of risk 	
Objective 5	Address unmet housing needs for underserved populations including vulnerable and rural populations.	<ul style="list-style-type: none"> Prioritize funding for permanent supportive, rural, tribal and senior housing Explore mechanisms to support housing options for youth between 18 and 25 years old that are aging out of the foster care system Evaluate barriers to develop manufactured housing and potential funding source(s) Effectively provide housing assistance to households experiencing financial hardship due to COVID-19 Evaluate mechanisms to increase participation of rural and tribal borrowers 	

GOAL 2



Build a network of advocates and partners that work to create and promote affordable housing in the state.

	objective	initiatives	benchmarks
Objective 1	Provide education on the value of quality affordable housing and the social and economic impact of MFA's products and programs.	<ul style="list-style-type: none"> • Continue to stay current with digital media outreach strategies • Implement a comprehensive, multi-pronged communication and marketing plan • Improve MFA's website • Provide in-depth board sessions • Establish partnership between Communications and IT to ensure proper use of MFA technology for improved stakeholder engagement. 	<ol style="list-style-type: none"> 1. Increase digital media engagement rate by 10% each quarter. 2. Expand services of at least one program to an underserved area of the state. 3. Conduct outreach to and/or assist at least 25 local governments, tribal governments, potential new program partners and/or elected officials. 4. Provide at least 34 formal group training opportunities for property owners, developers, service providers and/or lenders.
Objective 2	Strengthen partners' capacity to deliver MFA's affordable housing products and programs in every area of the state.	<ul style="list-style-type: none"> • Evaluate mechanisms to increase partner capacity 	
Objective 3	Expand the network of stakeholders that are committed to affordable housing and housing-related programs.	<ul style="list-style-type: none"> • Evaluate options to seek and/or support development of new partners in areas where MFA does not offer services • Create and lead the Housing New Mexico Advisory Committee. • Increase knowledge of and support for affordable housing among decision makers • Create a statewide housing strategy • Evaluate the effect of housing programs on societal issues and consider future collaborations 	

GOAL 3



Maintain judicious financial stewardship and principled, efficient business practices.

	objective	initiatives	benchmarks
Objective 1	Optimize existing financial strategies and evaluate new financial tools.	<ul style="list-style-type: none"> Evaluate and implement the sale of individual single family mortgage loans Move the review and purchase function of single family program loans to MFA from subservicer 	<ol style="list-style-type: none"> Obtain unqualified opinion on MFA financial statements and no material weakness in internal control over financial reporting or major programs, excluding first-time audits. Maintain or improve credit rating. Achieve operating performance and profitability equal to net revenues over total revenues of at least XX%, based on five-year average. Obtain balance sheet strength equal to net asset position over total bonds outstanding of at least XX%, based on five-year average. Realize administrative fee of at least 18 basis points on all bond issues. Realize profitability of .5% on TBA executions. Maintain servicing fee yield at an average of XX% of the purchased servicing portfolio. Earn 100% base fees for PBCA contract. Yield a collection rate of 95% or greater for compliance monitoring fees. Meet commitment and expenditure requirement of 95% of recurring grant funding. Provide at least \$7,700,000 in resources for affordable housing through expenditure of New Mexico Housing Trust Funds, contributions through the state affordable tax credit program, and allocations of 4% LIHTCs. Evaluate at least one new business model or financial tool. Increase funding by at least one new source. Improve at least three MFA processes or resources.
Objective 2	Expand and diversify MFA's financial opportunities, grow current resources and establish new resources.	<ul style="list-style-type: none"> Assess the effectiveness of the current funding strategy and use of existing resources Evaluate new funding opportunities for housing loans and grant programs 	
Objective 3	Continuously improve processes and systems to ensure quality customer service and maximize programmatic impact.	<ul style="list-style-type: none"> Improve multifamily housing resource application process Improve multifamily housing resource allocation process. Evaluate and implement internal efficiency improvements Evaluate board reporting needs and streamline as necessary Explore providing services directly Evaluate outsourcing opportunities Reach out to current and potential partners and innovate 	



Provide robust technological solutions.

	objective	initiatives	benchmarks
Objective 1	Implement and maintain state-of-the-art technology that will support MFA staff, partners and clients.	<ul style="list-style-type: none"> • Continue evaluating and implementing technology solutions • Address software capacity limits as servicing grows 	<ol style="list-style-type: none"> 1. Maintain a RS3 score greater than or equal to 725, averaged over four quarters. 2. Achieve a Recovery Point Objective (RPO) for infrastructure servers at or below ten minutes and a Recovery Time Objective (RTO) at or below six hours. 3. Implement new software solutions.
Objective 2	Maintain system reliability.		
Objective 3	Protect MFA's data and systems.	<ul style="list-style-type: none"> • Continually review and implement recommendations of security vendors 	

GOAL 5



Foster a healthy, dynamic and team-oriented work environment.

	objective	initiatives	benchmarks
Objective 1	Cultivate an environment that encourages the open exchange of ideas and accommodates an ever-changing work dynamic to attract and retain employees.	<ul style="list-style-type: none"> • Maintain culture and encourage open exchange of ideas • Reward creativity, innovation and performance • Improve communication and collaboration 	<ol style="list-style-type: none"> 1. Participate in Annual Employee Engagement Survey and determine and implement actionable steps to address opportunities for improvement. 2. Complete compensation survey.
Objective 2	Offer opportunities for staff development and advancement and ensure the transfer of institutional knowledge.	<ul style="list-style-type: none"> • Improve and expand employee development programs. • Improve new hire training process • Transfer institutional knowledge 	
Objective 3	Ensure appropriate staffing levels so that employees have a balanced workload.		





NEW MEXICO HOUSING STRATEGY

EXECUTIVE SUMMARY

A comprehensive analysis of New Mexico's housing needs and strategies to address them.
(Study commissioned in January 2022)

EXECUTIVE SUMMARY

In October 2021, the New Mexico Mortgage Finance Authority (MFA) convened an Advisory Committee (AC) of experts to provide leadership over the development of a statewide strategic plan to expand housing opportunities for all New Mexicans. This is the **New Mexico Housing Strategy**.

The Housing Strategy serves as:

1. A **roadmap** for partners to address the continuum of housing needs;
2. A **common source of communication** to housing partners and residents about the state's goals and intentions;
3. **Practical solutions** for streamlining barriers to addressing housing needs and reforming existing systems and programs; and
4. **Big ideas** to change and improve the housing landscape.

The backdrop of the Housing Strategy is a housing market that has become increasingly difficult for all but the highest income New Mexicans to afford.

Lack of affordable housing not only impedes the ability of households to be self-sufficient and invest in economic growth for their families—it also has negative consequences for state and local economic development and growth. The latter can be

easy to overlook as it is often hidden, but the impacts are significant.

Without adequate affordable housing:

- New Mexico's urban areas cannot continue to attract new businesses,
- Existing businesses, particularly small businesses, cannot keep standard operating hours and cannot grow;
- Low income renters are forced to move more frequently, disrupting community ties, stable employment, and educational consistency for their children;
- Moderate income renters cannot achieve ownership and pass on wealth to their families; and
- Persons with special needs—including seniors, New Mexicans with disabilities, and residents vulnerable to and experiencing homelessness—are caught in a perpetual and costly cycle of housing instability.

This **call to action** enlists the State of New Mexico, local governments, nonprofit organizations, foundations, lawmakers, and private entities to join together and address the state's housing challenges. It provides the **strategic direction to collectively move forward**.

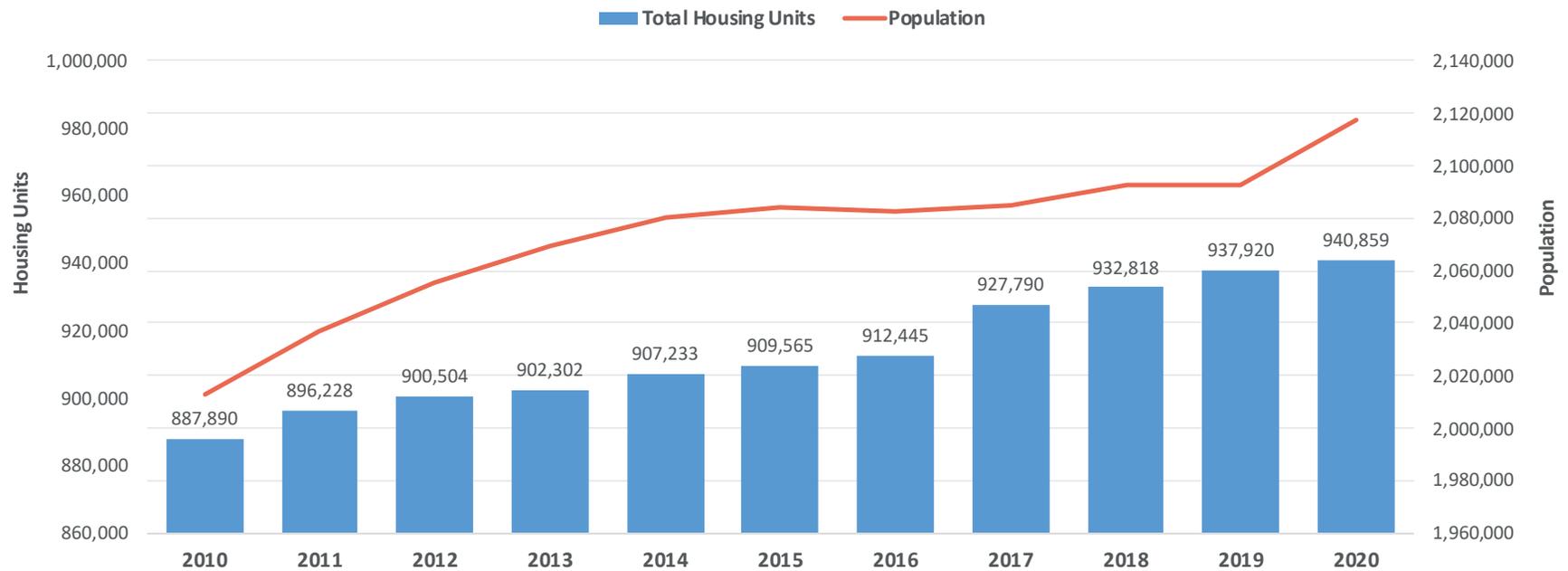
EXECUTIVE SUMMARY

HOUSING COMPOSITION

Between 2000 and 2019, housing production adequately accommodated population and household growth; housing units increased by 20% while population rose by 15%. The 2020 Census shows a shift in the balance between housing production and population growth, with production falling behind growth.

More than 50,000 housing units in the state are vacant for seasonal and recreational use, mostly in Lincoln, Santa Fe, Taos, Otero, and Colfax Counties. Future housing planning should account for the growing number of units that have become intended for seasonal and recreational use.

Housing Units and Population, 2010-2020



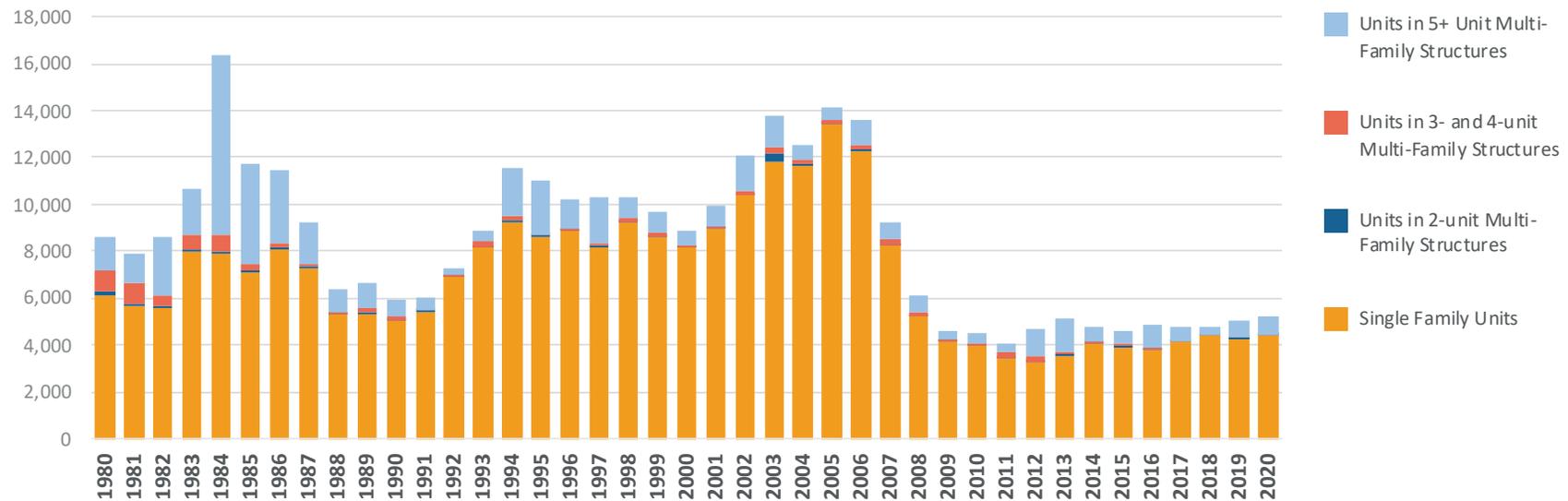
Source: 2020 Decennial Census, ACS 5-year estimates (various years), and Root Policy Research.

EXECUTIVE SUMMARY

Beginning in 1990, New Mexico’s housing production shifted heavily towards single family detached homes. Single family detached homes have remained the dominant housing type built—making up 82% of residential permits issued between 2010 and 2020—despite changing needs. Multifamily units made up 15%, and attached units—townhomes, duplexes, small multifamily structures which typically offer better affordability—made up just 2% of units permitted.

Excluding diverse housing types from a community’s housing stock has the effect of excluding diverse residents. As shown in the figure on the following page, about half of low income households—those with incomes of less than 80% of the state’s median income—live in units other than single family detached homes.

Building Permits, 1980-2020



Source: 2020 Decennial Census, ACS 5-year estimates (various years), and Root Policy Research.

EXECUTIVE SUMMARY

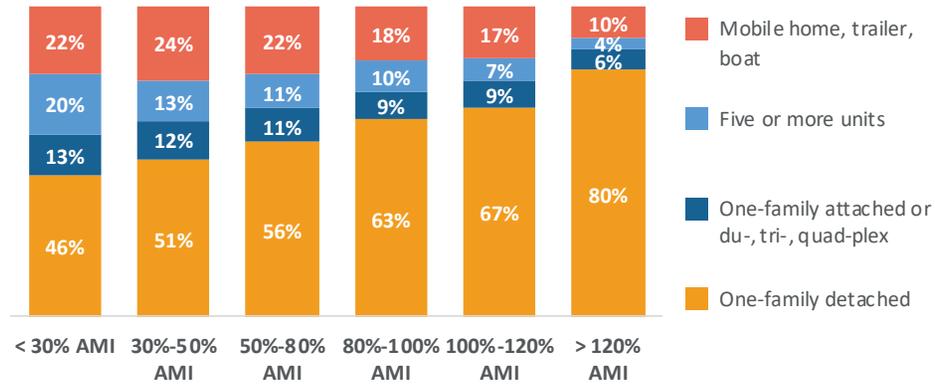
Housing Type Occupied by Income, 2019

Note:

AMIs are calculated by applying a population-weighted average of each county's 50% AMI by household size within PUMA.

Source:

2019 ACS 5-year IPUMS, HUD AMI and Root Policy Research.

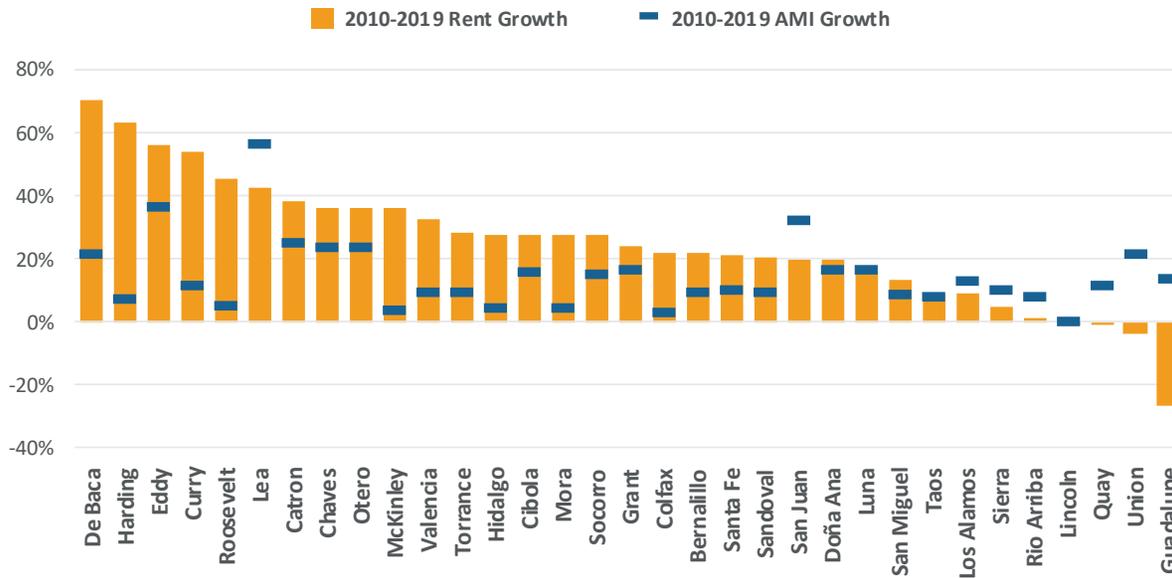


HOUSING COST

In the majority of New Mexico's counties, income growth fell well short of what was needed to keep up with rising rents. As demonstrated in the figure on the bottom left, except for Lea and San Juan Counties, incomes kept up with or outpaced rent increases only in counties where rent growth was modest or declining.

The upward shift in prices disproportionately hurts lower income households. Between 2010 and 2019, the supply of rental units affordable to households with incomes of less than \$25,000 a year decreased by over 50%—compared to a 9% decrease in the number of renters with incomes of less than \$25,000.

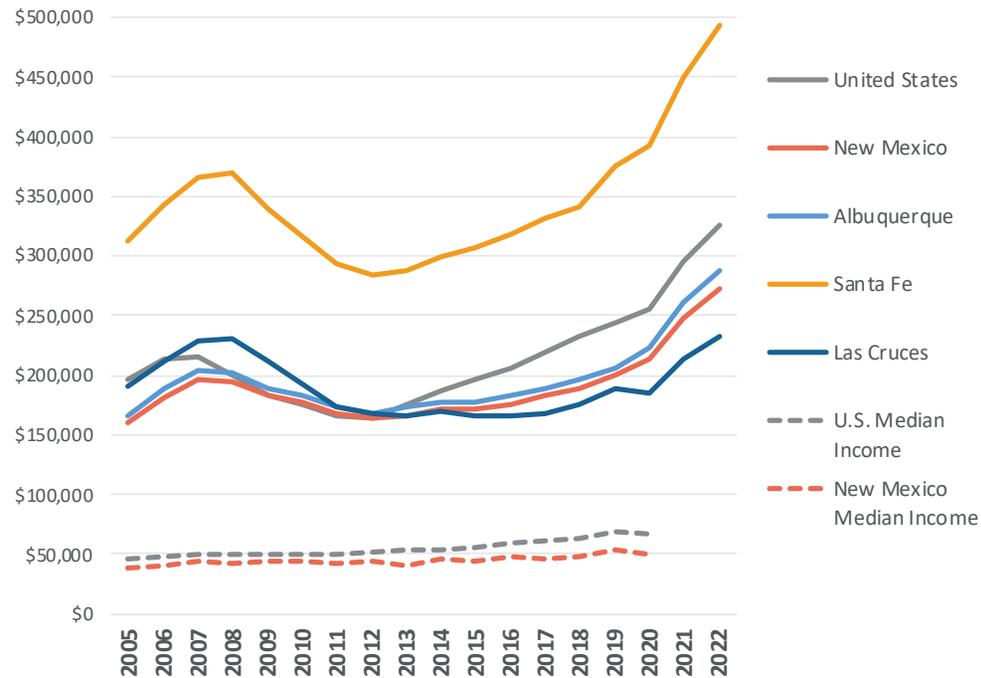
Rent and AMI Growth by County, 2010-2019



Source: 2010 and 2019 ACS, HUD, and Root Policy Research.

EXECUTIVE SUMMARY

Typical Home Value and Median Income



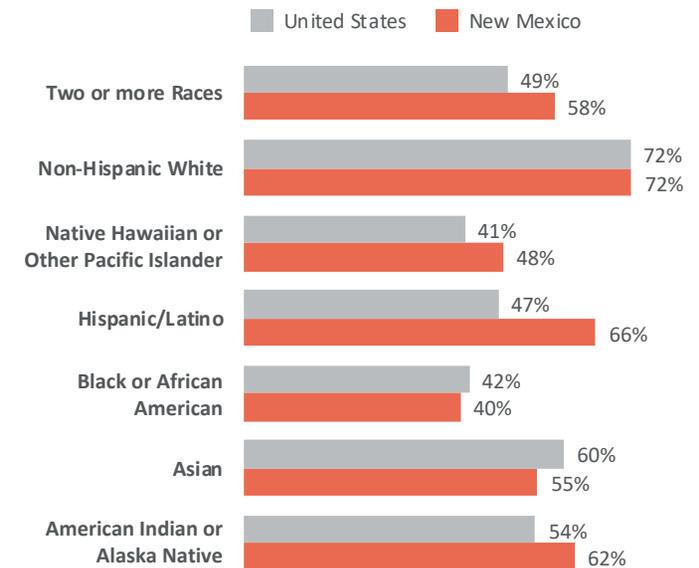
Note: Data for 2022 represents the typical home value for the month of January only.

Source: Zillow Home Value Index, Federal Reserve Bank of St. Louis, and Root Policy Research.

As shown above, trends in home values and incomes in New Mexico have closely followed trends in the U.S. overall, with income growth failing to keep up with value growth. Home values increased significantly beginning in 2020, coinciding with historically low interest rates and supply constraints.

Existing homeowners benefit from these value increases; however, rising prices make it difficult for renters to attain homeownership. Half of low income households in New Mexico are owners, and New Mexico does a better job than the U.S. overall in Native and Hispanic ownership. The state's relatively high homeownership rate will be challenging to sustain with continued increases in home values that outpace income increases.

Homeownership Rate by Race/Ethnicity, New Mexico and U.S., 2019



Source: 2019 ACS 5-year estimates, and Root Policy Research.

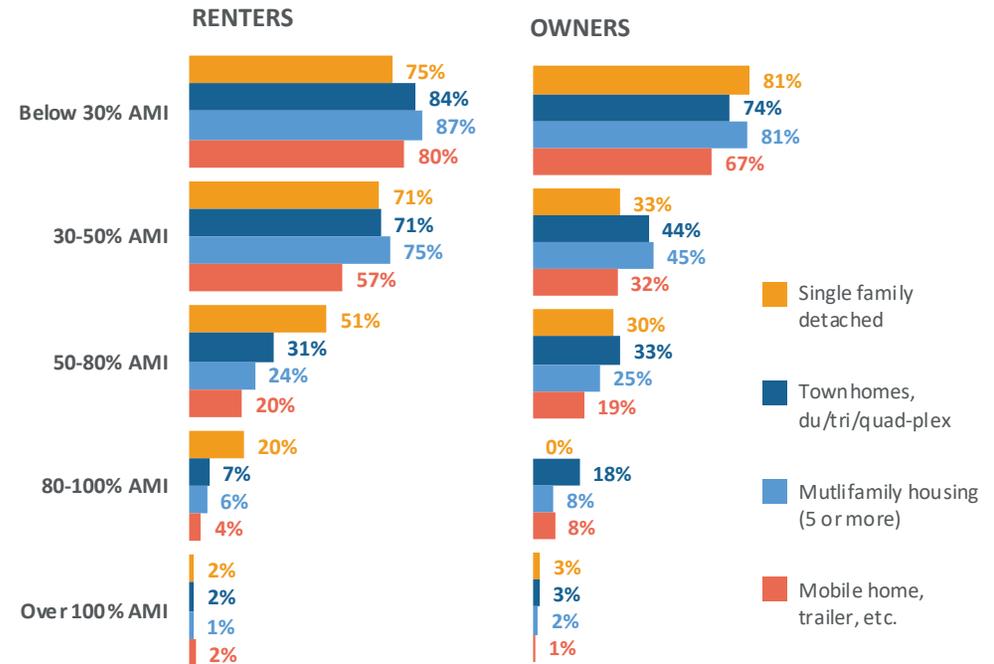
EXECUTIVE SUMMARY

CURRENT HOUSING NEEDS

Housing cost burden—when households pay more than 30% of their gross income in housing costs—is highest among the state’s lowest income households. Low income renters are more likely to be burdened than owners even as their incomes rise and if they live in single family detached homes. Owners and renters occupying mobile homes have lower rates of cost burden.

The state’s rental units are concentrated in the \$625 to \$1,250 range, forcing low income renters to occupy units they cannot afford. These units are also occupied by high income renters who “rent down” because of lack of supply, and who may be more competitive in the very tight rental market, further limiting low income renters’ options. The graphic below shows the number of appropriately priced units to renters by income range, revealing deficiencies for both low and high income renters.

Cost Burden by Unit Type and AMI, 2019



Source: 2019 5-year ACS, and Root Policy Research.

APPROPRIATELY PRICED UNITS BY RENTER INCOME, 2019

= one appropriately priced unit
 = one renter

INCOME LESS THAN \$25,000



1 to 2

1 appropriately priced unit for every 2 renters

INCOME \$25,000 TO \$50,000



1.8 to 1

1.8 appropriately priced units for every renter

INCOME \$50,000 TO \$75,000



1 to 1

An equal match of appropriately priced units

INCOME MORE THAN \$75,000



1 to 10

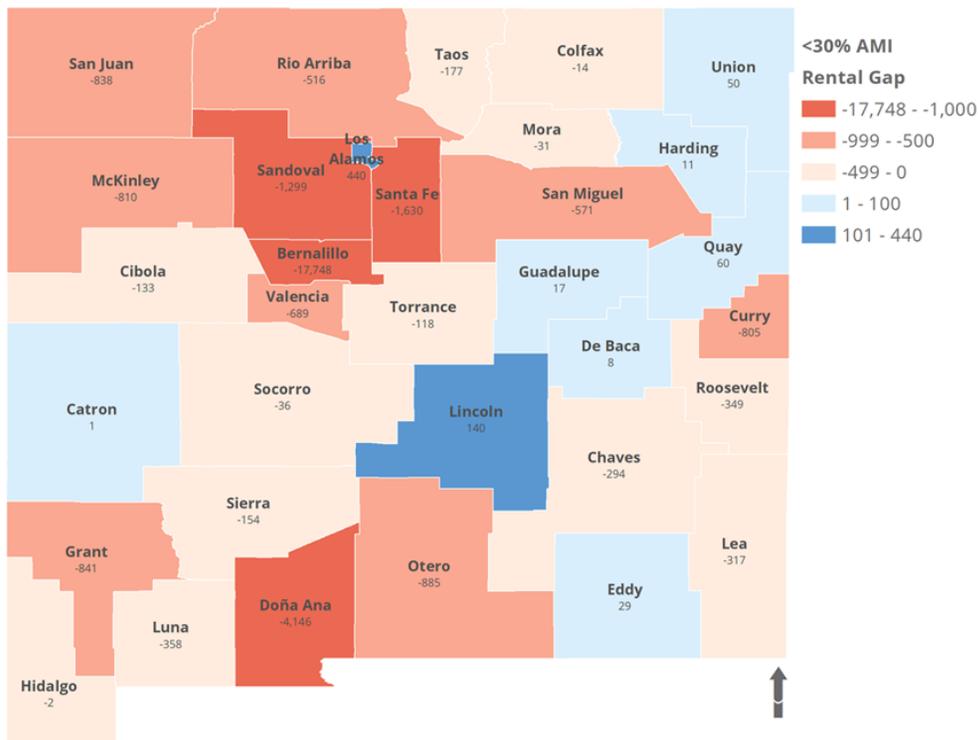
1 appropriately priced unit for every 10 renters

Note: Appropriately priced units have rents and utilities that are 30% and less of renter income.

EXECUTIVE SUMMARY

Overall in the state, there are 32,000 too few affordable rental units to meet the needs of renters with incomes of 30% of AMI and less. The shortage is most pronounced in Bernalillo, Dona Ana, Santa Fe, and Sandoval Counties. A combination of new affordable rental units, rental assistance, and market rate production is needed to address this gap.

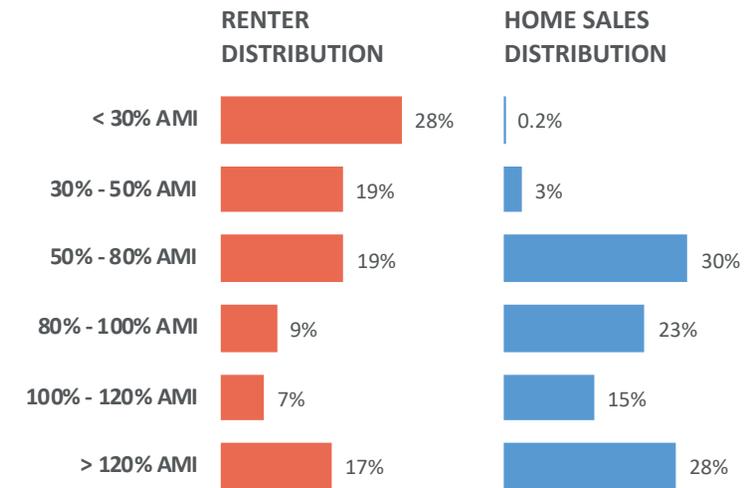
Rental Gap for Households Below 30% AMI by County, 2019



Source: 2019 5-year ACS, and Root Policy Research.

The state will be challenged to maintain its high and equitable ownership rate if production does not keep up with demand. Mortgage loan data suggest many counties do not have the supply to allow renters to transition into homeownership: The majority of renters have incomes of less than 80% of AMI, while the supply of homes affordable is concentrated at higher incomes.

Renter and Affordable Home Sales Distribution, by AMI



Note: Assumes a 30-year mortgage at a rate of 3.25% with a 5% down payment, 35% of monthly payment is used for property taxes, utilities, and insurance.

Source: Root Policy Research, 2019 ACS 5 year estimates, and HMDA.

EXECUTIVE SUMMARY

For many New Mexicans, their housing needs are intensified by periods of housing instability, health care challenges, poor housing condition, geographic isolation, and wages paid by the industries in which they work.

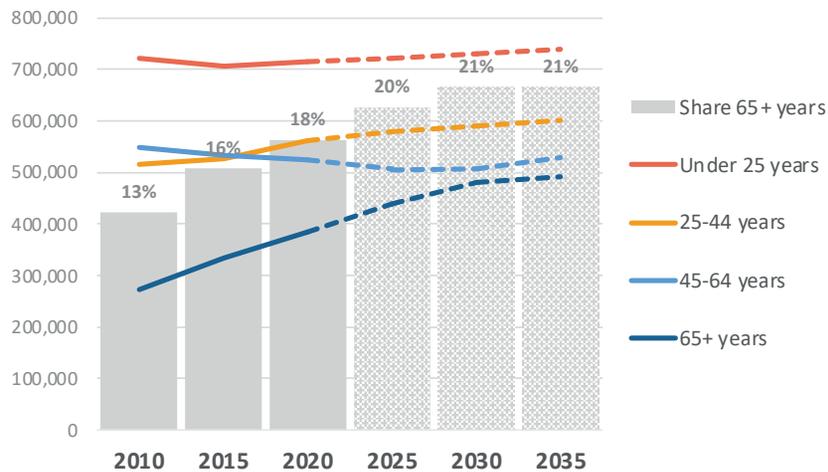
- The New Mexico Coalition to End Homelessness (NMCEH) estimates the number of New Mexicans experiencing homelessness at between 15,000 and 20,000—with **9,000 children and youth experiencing homelessness**. This number is much larger than that reported in annual “point in time” counts, which identify between 2,500 and 3,500 homeless individuals. The larger estimate captures the hidden homeless—residents who are living with others temporarily, living in unsafe housing conditions, sleeping in cars, living in motels—in addition to those staying in shelters. **Native American and Black/African American residents are overrepresented among homeless individuals**, while Hispanic residents are underrepresented, based on their share of individuals living in poverty. NMCEH estimates that more than 6,500 people who experience homelessness annually do not receive adequate services or housing to help them exit homelessness.
- According to the resident survey conducted for the Housing Strategy, 25% of residents live in housing that does not meet the needs of their household member with a disability—equivalent to **43,000 New Mexico households with accessibility needs**.
- **Residents living on Tribal lands and in colonias** are more likely than other New Mexicans to be **living in housing in poor condition**.
- There is a **shortage of 4,590 rental units priced below \$500 for senior renter households**. According to the resident survey, 28% of households with an older adult share housing with friends or family members due to lack of housing that meets their needs.
- According to Census data, **around 28% of households with children—an estimated 78,000 households—are cost burdened**. According to the resident survey, families with children experience high rates of housing instability. The survey found that 32% of households with children experienced displacement in the past five years.
- New Mexico has nearly **12,000 jobs** in the agriculture, forestry, fishing, and hunting industries, where the average wage of workers—\$35,000 per year—is **30% lower than average annual wages in the state**. Workers in these industries would need rentals that cost no more than \$875 per month, including utilities.
- New Mexico is home to over **12,000 active duty military members**. A comparison of the Basic Allowance for Housing (BAH) provided by the federal government and gross rents by county found that BAH rates are reasonable when compared to rents in each area. A larger barrier for military personnel is the **lack of available housing, given the historically low vacancy rates in the state**.
- The Comprehensive Needs Assessment of Young People Experiencing Housing Instability and Homelessness in Bernalillo County identified foster care as a contributor to unstable housing: **34% of youth surveyed who were classified as unstably housed or homeless had been in foster care** at some point in their lives.

EXECUTIVE SUMMARY

FUTURE HOUSING NEEDS

By 2035, New Mexico’s senior residents will comprise 21% of all residents, up from 16% in 2010. Growth projections estimate that the state will retain a large share of younger residents, accounting for around 30% of the total population—which bodes well for economic growth.

Population Projections by Age, 2010 to 2035



Source: The University of New Mexico Geospatial and Population Studies, and Root Policy Research.

Ensuring that the state’s housing production adequately supports the formation of new households, addresses the needs of aging residents, and supports the needs of housing unstable households will be imperative for sustained economic growth.

By 2035, the state is projected to reach nearly 900,000 households—65,000 more than in 2020.

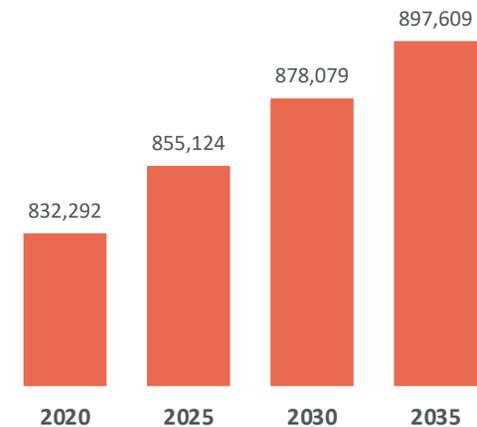
Household Projections, 2020 to 2035

Note:

Holding 2019 average household size for each county constant.

Source:

The University of New Mexico Geospatial and Population Studies, and Root Policy Research.



Based on the above projections,

- Between now and 2025, an average of 5,100 housing units per year are needed to accommodate growth; and
- Between 2025 and 2030, an average of 5,140 housing units per year are needed to accommodate growth.

This compares to a 10-year average of annual permits issued of 4,107 housing units in growth counties and 4,771 housing units statewide.

EXECUTIVE SUMMARY

Housing production must be paired with programs and policies to ensure a portion of new units meet affordability needs.¹

- By 2025 the state will need around 25,400 units; around 4,200 of them should be affordable to households with income below 30% AMI and 7,600 below 50% AMI.

- By 2035 the state will need around 73,700 units; around 12,000 of them should be affordable to households with income below 30% AMI and 22,000 below 50% AMI.
- Market production will be concentrated at 120%+ AMI; therefore, incentives for production below that price point should be pursued.

Projected Total Units Needed by 2035, by County, AMI

Note:

Holding 2019 AMI and tenure distributions constant.

Source:

The University of New Mexico Geospatial and Population Studies, and Root Policy Research.

	Total	PERCENT OF AMI					
		0-30%	30-50%	50-80%	80-100%	100-120%	Over 120%
Total	73,774	12,078	9,861	12,661	7,132	6,156	25,886
Bernalillo	27,399	4,890	3,854	4,663	2,529	2,297	9,165
Sandoval	17,504	2,245	1,799	3,093	1,803	1,699	6,866
Doña Ana	11,700	2,092	1,825	1,858	1,034	774	4,116
Santa Fe	7,362	1,156	1,031	1,315	781	547	2,533
San Juan	3,129	611	473	562	310	273	901
Curry	1,730	253	215	330	173	135	624
Lea	1,609	266	173	262	179	161	568
Chaves	1,389	222	214	232	137	104	480
Valencia	1,053	197	167	199	105	94	290
Roosevelt	483	75	54	80	42	38	194
Eddy	259	41	36	41	25	22	93
Cibola	156	30	19	26	13	11	57

	Total	PERCENT OF AMI					
		0-30%	30-50%	50-80%	80-100%	100-120%	Over 120%
Rental Units	25,637	6,530	5,548	4,489	3,749	3,409	1,912
Bernalillo	11,692	3,048	2,566	2,073	1,660	1,537	807
Sandoval	3,384	878	765	663	440	416	220
Doña Ana	4,991	1,234	1,135	786	766	681	389
Santa Fe	2,206	564	474	357	345	294	173
San Juan	1,105	251	239	202	179	148	87
Curry	693	162	116	115	113	106	81
Lea	549	151	74	101	79	83	62
Chaves	443	96	80	83	77	63	44
Valencia	227	61	38	42	36	33	16
Roosevelt	209	54	35	41	31	30	18
Eddy	81	18	16	15	13	11	8
Cibola	59	13	10	11	10	9	7
Ownership Units	48,137	5,548	4,313	8,172	3,383	2,747	23,974
Bernalillo	15,707	1,841	1,288	2,590	869	760	8,358
Sandoval	14,121	1,367	1,033	2,429	1,363	1,283	6,646
Doña Ana	6,710	858	690	1,073	269	93	3,727
Santa Fe	5,156	592	557	958	436	253	2,360
San Juan	2,023	360	234	361	130	125	814
Curry	1,037	91	99	215	60	30	542
Lea	1,061	115	100	161	101	78	506
Chaves	946	126	135	149	60	41	436
Valencia	827	136	130	157	69	61	273
Roosevelt	275	22	19	39	10	8	176
Eddy	178	23	20	26	13	11	85
Cibola	97	17	8	16	3	2	51

¹ Assumes 2019 household size, AMI distribution, and tenures remain constant.

EXECUTIVE SUMMARY

A CALL TO ACTION

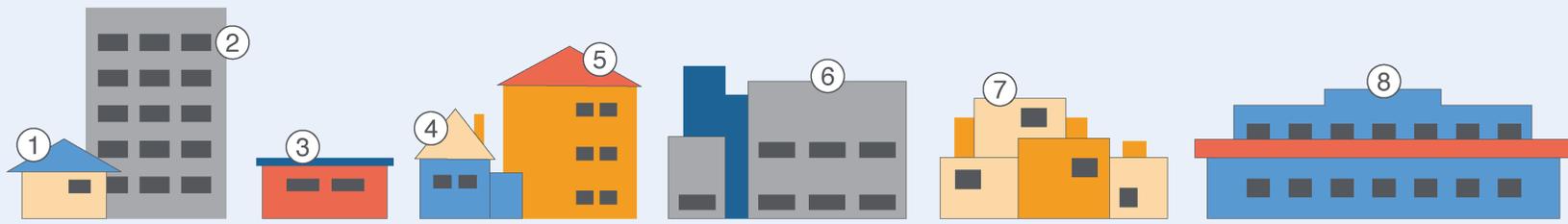
This Housing Strategy leads the state, New Mexico local governments, and private and nonprofit partners toward the **highest impact actions** to address challenges in:

- **Producing housing** across the income continuum;
- **Preserving and Improving** existing affordable housing, both privately and publicly owned, and **Redeveloping** underutilized and vacant properties to increase supply and catalyze economic development;

- **Building Homeownership** opportunities to retain the state's high homeownership rate, especially among low and moderate income, and racially and ethnically diverse, households;
- **Creating Housing Stability** for people vulnerable to and experiencing homelessness and residents with special housing needs; and
- **Advocating** for effective federal housing policies and regulations.

The Housing New Mexico Strategic Plan at Work

- 1 Housing for Individuals Experiencing Homelessness, Unique Needs of Residents:**
 - PSH predevelopment funding
 - Property management and service provider collaborative training and support
 - Supportive services funding
 - Rental assistance
 - Coordinated entry system changes
- 2 Rental Housing:**
 - Acquisition and redevelopment funding
 - Landlord incentives
 - Zoning and land use reform
 - Infrastructure funding
- 3 Manufactured Homes:**
 - Streamlined process to convert to real property
 - Emergency assistance for homeowners
- 4 Homeownership Housing:**
 - Regulatory efficiencies
 - Down payment and closing cost assistance
 - Below market mortgage loans
 - Zoning and land use reform
 - Infrastructure funding
- 5 Preservation of Existing Housing:**
 - Targeted weatherization and rehabilitation funding
 - Public housing condition improvements
- 6 Rehabilitation of Vacant, Underutilized Properties:**
 - Toolkit training and technical assistance
 - Acquisition and redevelopment funding
- 7 Housing on Tribal Lands:**
 - Infrastructure funding
 - Tailored financing
- 8 Policy Leadership:**
 - Local government policy and program technical assistance



EXECUTIVE SUMMARY

A CALL TO ACTION TO CREATE MORE HOUSING

These actions will address the housing challenges of:

- If current development patterns continue, housing unit production in growth counties will lag demand. Accelerated job growth could further exacerbate production gaps.
- Public infrastructure—water and wastewater systems, public utilities—is expensive to extend and can prevent needed housing from being developed.
- High costs of development—due to materials costs, land costs, and labor shortages—complicate the ability to build new housing to meet needs. The more remote the location, the higher the costs.
- Contractors and laborers are nearly impossible to find in the state’s non-urban areas. Very few contractors operate in the market overall and they often need to import labor from other states.
- Local zoning, land use regulations, and building codes present a variety of challenges to getting units built.
- Community resistance to all types of new construction—affordable and market rate—prevents needed units from being built or adds significant delays.

Goal: Increase housing production across the housing continuum.

- 1) Prioritize existing federal block grant, state, and local infrastructure resources to fund public improvements to support residential development with the most favorable programs for developments that incorporate affordable housing. This includes infrastructure extensions for new (and improvements for existing) manufactured home communities/parks with affordability and lot lease requirements.
- 2) Take state policy action to boost residential construction workforce, such as partnerships with technical education and training providers, streamlined licensing, and opportunities for re-entry workforce and persons formerly homeless.
- 3) Advocate for increased local, state, and federal appropriations, revenue generating policy changes benefiting affordable housing, and tax exemptions for affordable housing development and operation.

EXECUTIVE SUMMARY

Goal: Create flexibility within state and local programs and policies to respond to housing needs and market fluctuations.

1) Advocate for concrete changes to state law to reduce regulatory barriers to housing development. Examples of changes considered or adopted in other states and localities that could be studied include:

- Incentivize and/or require that planning commissions consider housing needs documented in local or regional housing needs assessments when making zoning and land use decisions;
 - Incentivize and/or require that economic development incentives, such as those offered through LEDA, include a workforce housing component for production and/or preservation;
 - Incentivize by right or administrative approval for developments with a significant share of affordable units including casitas/ADUs and plexes;
 - Allow density bonuses and/or fast track approval for homes that meet energy efficiency requirements (to offset higher costs of green building);
- Create a model development code that includes feasible land use incentives for affordable housing, mixed-income housing, and mixed-use development;
 - Create an incentive program that provides funding to local governments that adopt policies that facilitate flexibility and efficiency in development approval, infill development, income-diverse development, and efficient zoning. Funding could be used for: community revitalization, economic development, or infrastructure expansion activities;
 - Create a program to mitigate resistance to affordable housing at the local level, including training to build community awareness and support of needs.

EXECUTIVE SUMMARY

A CALL TO ACTION TO PRESERVE AND IMPROVE EXISTING AFFORDABLE HOUSING AND CATALYZE REDEVELOPMENT

These actions will address the housing challenges of:

- New Mexico communities have many underutilized and vacant properties that could be redeveloped into housing but lack the knowledge, staff capacity, and financial resources to facilitate redevelopment.
- Counties where growth is modest or stagnant have trouble attracting capital; investors migrate to higher-return urban areas.
- It is often less expensive to rehabilitate homes to keep them affordable versus build new—but funding (such as 9% tax credits) is harder to secure.
- Public housing is aging and has not had resources to keep up with maintenance.
- Naturally occurring affordable housing (NOAH) provided by the private market is being lost due to rent increases at a much faster pace than new affordable housing is being developed.
- Private property owners are incentivized to raise their rents to keep up with the market, resulting in a loss of NOAH.

- Low income homeowners can be at-risk of losing housing due to rising costs of taxes, maintenance, and economic shocks.

Goal: Catalyze the potential of underutilized properties to be redeveloped into new housing.

- 1) Create a comprehensive technical assistance (TA) fund, a resource catalogue, and access to TA providers to assist with redevelopment of underutilized and vacant parcels and address staff capacity gaps.

Goal: Preserve existing naturally occurring affordable housing and publicly subsidized housing stock.

- 1) Support preservation and provide funding to improve the condition of existing affordable housing; and consider prioritizing projects owned and/or managed by public, regional and tribal housing authorities.
- 2) Reconsider how new funding sources for weatherization and rehabilitation funds could be allocated to ensure that the funding distribution aligns with needs (v. population based distribution).
- 3) Monitor the Qualified Allocation Plan (QAP) to ensure that 9% credits adequately support multifamily acquisition/rehabilitation.

EXECUTIVE SUMMARY

Goal: Build assurance among property owners and property managers of the economic feasibility of housing formerly homeless and special needs residents, thereby stabilizing housing for low income renters.

- 1) Incentivize landlords—through a “signing bonus,” “holding fees” while they wait for a voucher approval, enhanced loss mitigation, and subsidies to pay rents above fair market rent standards—to provide units to vulnerable renters.
- 2) Create a permanent housing stability fund serving renters who need help paying rental costs (including application fees and security deposits), households who do not qualify for housing through the Coordinated Entry System (CES), homeowners vulnerable to foreclosure, and manufactured home park owners who face personal situations (job losses, injuries) that create challenges in paying lot leases.
- 3) Create a case management program to assist vulnerable housing voucher holders apply for housing and maintain housing stability.

EXECUTIVE SUMMARY

A CALL TO ACTION TO BUILD HOMEOWNERSHIP AND WEALTH

These actions will address the housing challenges of:

- Down payment/closing cost assistance has not kept up with what is needed to attain homeownership in many parts of the state.
- The state residential inspection process delays completion of new homes and adds to building costs; this is exacerbated by rapidly rising construction costs.
- Local zoning, land use regulations, and building codes present a variety of challenges to getting units built.
- Community resistance to all types of new construction—affordable and market rate—prevents needed units from being built or adds significant delays.
- Manufactured homes are a relatively affordable option for ownership in New Mexico and contribute to the state's high ownership rate, yet financing, production, and infrastructure challenges create barriers to continued affordability.

Goal: Create flexibility within state programs and policies to respond to housing needs and market fluctuations.

- 1) Streamline the local and state residential inspection processes to make the system more efficient, practical, and timely—e.g., by allowing video inspections, allowing third party contractors—while preserving public health and safety objectives.
- 2) Seek funding sources that allow for down payment assistance programs to adequately meet the needs of consumers and explore programs to support their success as homeowners.
- 3) Explore and advocate for innovative homeownership programs to expand wealth building opportunities, including extended mortgage terms, accelerated mortgage terms, and land trust models.
- 4) Explore and advocate for programs aimed at maintaining homeownership.
- 5) Explore financial capability programs to expand access to homeownership and wealth building.

EXECUTIVE SUMMARY

Goal: Ensure that manufactured homes continue to be a housing solution for homeowners and renters.

- 1) Make changes to the process of converting chattel property to real property consistent across New Mexico's counties.
- 2) Explore and pilot a MFA manufactured home purchase program to assist in the conversion to real property loans and facilitate manufactured homeownership.
- 3) Fund infrastructure extensions for new (and improvements for existing) manufactured home communities/parks with affordability and lot lease requirements.

EXECUTIVE SUMMARY

A CALL TO ACTION TO CREATE STABLE HOUSING ENVIRONMENTS FOR PERSONS EXPERIENCING HOMELESSNESS AND WITH SPECIAL NEEDS

These actions will address the housing challenges of:

- New Mexico needs to expand its range of evidence-proven and housing+services models, tailored to local needs, to address homelessness
- Urban areas need both site-based and scattered site models. Predevelopment funding, developer capacity, deeper subsidies, and adequate and consistent supportive services are needed to create successful exits from homelessness
- Small (< 30 unit) housing+services developments or scattered site developments are often the best solution in rural counties, yet funding favors larger developments. Rural areas need adequate and consistent supportive services for small and scattered site single family homes
- Federal requirements and guidance for defining chronic homelessness and assessing needs through the Coordinated Entry System (CES) can be misaligned with local needs
- Lack of a comprehensive behavioral health care system makes it difficult for housing providers, including private

sector property managers, to address the complex needs of tenants. Providers may not recognize the behavioral health needs of residents and be unsure of how to properly address challenges, perpetuating the cycle of housing instability.

Goal: Expand successful housing+services models tailored to local needs.

- 1) Provide annual funding for predevelopment grants to cultivate Permanent Supportive Housing (PSH) development partners and build local developer and supportive service provider capacity. Funding would support capacity building/local support, needs assessments, zoning and planning review, architecture and engineering, and development applications.
- 2) Increase collaboration between service providers and property managers through training and technical assistance that results in successful housing of PSH clients.
- 3) Expand funding for the Linkages program to ensure that New Mexicans with mental health challenges, are experiencing or at-risk of homelessness, and are extremely low income have the resources needed to remain in stable housing environments.
- 4) Address the operating subsidy deficits common in PSH projects through encouraging PHA's to project-base vouchers and by exploring options to project-base the Linkages program.

EXECUTIVE SUMMARY

- 5) Evaluate how the Coordinated Entry System (CES) could be tailored through state and local programs so that vulnerable households are prioritized in an equitable manner. Advocate for state and local solutions to ensure that the most vulnerable households are able to fill gaps in emergency housing. This would include households in first-time homelessness and/or who are housed but in unsafe situations.

Goal: Strengthen supportive service programs that foster housing stability.

- 1) Increase service provision funding options for PSH developments. Examine how Medicaid waivers could be used for supportive services, allowing supportive service providers to be reimbursed at a rate that can sustain programming and operations.
- 2) Support actions to strengthen statewide behavioral health system including satellite care facilities.

Goal: Strengthen support for emergency homelessness interventions.

- 1) Advocate for increased state and local appropriations to support emergency homeless shelters and other immediate interventions, including funding to improve the conditions of shelters.

EXECUTIVE SUMMARY

A CALL TO ACTION FOR FEDERAL ADVOCACY

Federal grant funds, federal tax credits, and the federal authority to issue tax-free bonds to finance housing development collectively make up the vast majority of resources available to address housing needs in the U.S.—and in New Mexico.

Current initiatives that would significantly boost the ability of New Mexico and its local governments address housing needs include:

Broaden the Low Income Housing Tax Credit (LIHTC) program.

Because these credits are allocated based on population—not on need—New Mexico receives a disproportionately lower share of credits relative to its need. MFA receives twice as many applications for LIHTC developments annually than it has credits to allocate.

An amendment to LIHTC legislation to increase the amount of credits would help the state meet affordable rental production needs and alleviate renter cost burden. Revisions that would prioritize credits in “hard to reach communities” would benefit New Mexico communities by making capital, which is challenging to raise locally, more readily available for affordable rental housing development.

Create equitable opportunities to attain homeownership and build wealth.

Other than federal block grant funding, there is no significant federal funding source that facilitates the development of affordable ownership products. Federal support of homeownership has historically been in financing and mortgage insurance. New Mexico would benefit from new federal initiatives to develop affordable homeownership products.

Maximize federal appropriations for affordable housing programs.

HUD, U.S. Department of Agriculture (USDA), and Department of Energy housing programs are classified as discretionary programs, meaning that Congress must set annual funding levels through the budget and appropriations process.

Maximizing the annual appropriations for affordable housing programs, including the HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), Section 811 Project Rental Assistance, Weatherization Assistance Program, and rural housing programs within the USDA, would benefit both urban and rural New Mexico communities. Advocating for HUD training and technical assistance for Tribal governments who are new to housing developments would build capacity to address housing needs that maximize federal and state funding.

EXECUTIVE SUMMARY

Streamline federal regulations related to affordable housing policies and programs.

Supporting the efforts of trade associations, such as the National Council of State Housing Agencies (NCSHA), to reduce regulatory barriers would help reduce administrative burden in the delivery of federal housing and community development block grant programs.

Advocating for changes in tenant based rental assistance programs, including Fair Market Rent and income limits, would expand the number of available rental units and not penalize tenants when they acquire employment.

Support federal initiatives to lower housing development costs including tariff reductions on building materials and programs that would add flexibility to non-domestic workers.

Visit NMHousingStrategy.org
or scan the QR code to learn more.

New Mexico Mortgage Finance Authority 344 Fourth St. SW, Albuquerque, New Mexico 87102
tel. 505.843.6880 toll free 800.444.6880 housingnm.org



SUMMARY OF AUDITS

Updated as of 2/26/2024

Financial Statement and Single Audit

Conducted by CliftonLarsonAllen LLP in accordance with Government Auditing Standards, State Audit Act, and OMB 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
Annually
Audit of fiscal year-end financial statements, internal controls and compliance with federal programs

Internal Audit

Conducted by Moss Adams at the request of MFA Board
Throughout the year
Audit of internal processes, functions, procedures, programs, departments, etc.

Quality Control Audit of Servicing

Conducted by Moss Adams at the request of MFA Management
Monthly
Audit of Mortgage Loan Servicing functions

Quality Control Audit of Section 8 Administration

Conducted by Moss Adams at the request of MFA Management
Annually
Audit of Section 8 Administration Work Plan

Section 8 Administration Audit

Conducted by Department of Housing & Urban Development in accordance with program regulations
Annually
Audit of Section 8 Administration Work Plan

HOME, ESG, and HOPWA Program Audits

Conducted by the Department of Housing & Urban Development in accordance with program regulations.
Annually
Audit of program administration and compliance

Weatherization Assistance Program Audit

Conducted by Department of Energy in accordance with program regulations.
Annually
Audit of program administration and compliance

State of New Mexico

Conducted by Department of Finance and Human Services Department
Annually
Audit of program administration and compliance with Joint Powers Agreements,
Memorandums of Understanding, or Grant Agreements

State of New Mexico

Conducted by State Auditor
Upon Discretion
Audit of financial statements or Joint Powers Agreements

Internal Revenue Service

Conducted by Internal Revenue Service, Department of Treasury
Upon Discretion
Audit of non-taxable bond issues, tax returns of bond arbitrage rebate calculation, Tax
Credit allocations

Affordable Housing Disposition Program

Conducted by FDIC in accordance with contract
Upon Discretion
Audit of program compliance and monitoring of properties

Audit of Loan Servicing

Conducted by Department of Housing & Urban Development in accordance with
Servicing qualification
Upon Discretion
Audit of Mortgage Loan Servicing functions, claims submitted and loss mitigation

Audit of Loan Servicing

Conducted by Fannie Mae, Freddie Mac, Ginnie Mae in accordance with Seller/Service
qualification
Upon Discretion
Audit of Mortgage Loan Servicing functions



Housing Continuum

MFA Programs from Homelessness to Homeownership



The Housing Continuum

MFA's programs support the entire housing continuum, from Homelessness to Homeownership:

							
<p>Homeless</p> <p>Supportive programs prevent homelessness and facilitate shelter access.</p>	<p>Transitional</p> <p>Transitional housing keeps people housed, off the street, and safe.</p>	<p>Specialized</p> <p>Specialized housing helps support the housing needs of vulnerable residents.</p>	<p>Rental Development</p> <p>Workforce housing developments expand the availability of housing for residents.</p>	<p>Single-Family Development</p> <p>Single-family developments expand New Mexico's housing stock, helping more residents into homes.</p>	<p>Homeownership</p> <p>Affordable mortgage programs allow more residents to fulfill the dream of homeownership.</p>	<p>Homeowners</p> <p>Programs for homeowners to help support families and communities.</p>	<p>Other</p> <p>Innovating the future of affordable housing in New Mexico.</p>
<p>Emergency Homeless Assistance Program</p> <hr/> <p>HOME American Rescue Plan Supportive Services / Emergency Solutions Grant Rapid Rehousing and Homeless Prevention</p> <hr/> <p>Continuum of Care</p> <hr/> <p>Youth Homelessness Demonstration Project</p> <hr/> <p>Española Pathways Shelter</p>	<p>Landlord Incentive Programs</p> <ul style="list-style-type: none"> Landlord Collaboration Landlord Engagement <hr/> <p>Recovery Housing: Substance Abuse</p>	<p>Housing Opportunities for Persons With AIDS</p> <hr/> <p>Linkages: Permanent Supportive Housing</p>	<p>Low-Income Housing Tax Credits</p> <hr/> <p>HUD Risk Share 542(c)</p> <hr/> <p>Project Based Section 8</p> <hr/> <p>Section 811: Rental Assistance</p> <hr/> <p>538: Guaranteed Rural Rental Housing</p> <hr/> <p>Gap Financing:</p> <ul style="list-style-type: none"> HOME Rental National Housing Trust Fund New Mexico Housing Trust Fund <hr/> <p>Regional Housing Oversight</p> <hr/> <p>New Mexico Preservation Loan</p>	<p>Primero: Low-Cost Loans</p> <hr/> <p>Restoring Our Communities</p> <hr/> <p>State Tax Credit</p> <hr/> <p>Neighborhood Stabilization</p> <hr/> <p>Single-Family Development Grant</p>	<p>FirstHome / FirstDown</p> <hr/> <p>HomeForward / HomeForward DPA</p> <hr/> <p>HomeNow</p> <hr/> <p>FirstDown Plus</p> <hr/> <p>Partners</p> <hr/> <p>Tribal</p>	<p>HOME Rehabilitation</p> <hr/> <p>Veterans Rehabilitation</p> <hr/> <p>Home Improvement Program</p> <hr/> <p>NM EnergySmart Weatherization Assistance Program</p> <hr/> <p>Homeowner Assistance Fund</p>	<p>Emergency Housing Needs</p> <hr/> <p>Congressional Funds: Community Project Funding for Fire Affected Counties</p> <hr/> <p>Housing Innovation Program</p> <ul style="list-style-type: none"> New Mexico Ramp Project Workforce Integration Network Other <hr/> <p>State and Local Fiscal Recovery Funds</p> <hr/> <p>Affordable Housing Act</p> <hr/> <p>Constituent Services</p>

Homeless Programs



Homeless

Supportive programs prevent homelessness and facilitate shelter access.

Emergency Homeless Assistance Program

HOME American Rescue Plan Supportive Services /
Emergency Solutions Grant Rapid Rehousing and
Homeless Prevention

Continuum of Care

Youth Homelessness Demonstration Project



Homeless Programs



Emergency Homeless Assistance Program (EHAP)

Funding supports shelter operations, essential services and data collection.



Emergency Solutions Grant Rapid Rehousing and Homeless Prevention (ESG RR-HP)

Provides short and medium-term rental assistance, housing stability case management, and housing search and placement services for people experiencing homelessness and those most at-risk of homelessness. Formerly known as RAP.



Continuum of Care (CoC)

Funds provide housing assistance to individuals/families experiencing homelessness and supportive services, such as assistance with medical, financial and educational programs.



Youth Homeless Demonstration Project (YHDP)

The goal is to drastically reduce the number of youth experiencing homelessness, including unaccompanied, pregnant and parenting youth.

Transitional Programs



Transitional

Transitional housing keeps people housed, off the street, and safe.

Landlord Incentive Programs:

- Landlord Collaboration
- Landlord Engagement

Recovery Housing: Substance Abuse



Transitional Housing Programs

Landlord Collaboration Program

Increases access to safe, permanent and supportive housing for youth (ages 18-24) who are experiencing homelessness or are at risk of homelessness.

Recovery Housing Program (RHP)

Provides stable transitional, temporary, and permanent supportive housing for individuals in recovery from a substance use disorder.

Linkages

Linkages is a state-funded permanent supportive housing program that provides long-term rental subsidies, utility assistance, and supportive services to vulnerable populations. Serves homeless consumers with housing needs, prioritizing individuals with a serious mental illness (SMI) including Native Americans living off a reservation

Specialized Housing Programs



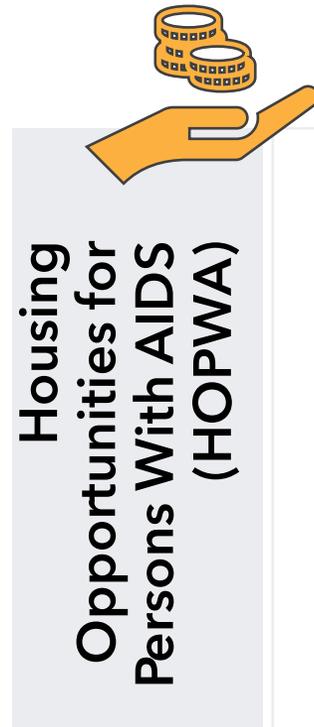
Specialized

Specialized housing helps support the housing needs of vulnerable residents.

Housing Opportunities for Persons With AIDS

Linkages: Permanent Supportive Housing

Specialized Housing Programs



HOPWA is federal funding that provides rental/mortgage and utility assistance to people with a documented HIV/AIDS diagnosis who are living at or below 80% AMI.

Rental Development Programs



Rental Development

Workforce housing developments expand the availability of housing for residents.

Low-Income Housing Tax Credits

HUD Risk Share 542(c)

Project Based Section 8

Section 811: Rental Assistance

538: Guaranteed Rural Rental Housing

Regional Housing Oversight

New Mexico Preservation Loan

Gap Financing:

- HOME Rental
- National Housing Trust Fund
- New Mexico Housing Trust Fund



Rental Development Programs



Low Income Housing Tax Credit (LIHTC)

Federal Program for low- and very low-income renters which bases tax credit allocation on state population.



542(c) HUD & 538 Rural Development Risk Share

HUD and USDA Risk Share loans are federal programs for multifamily loans, permitting state HFAs to process, underwrite and service loans and to manage and dispose of properties which fall into default.



Section 811

The program provides project based rental assistance for extremely low-income persons with disabilities who are linked with long-term services. The program works like the Section 8 program; the rental assistance covers the difference between the tenant payment and the property's contract rent.



Section 8 Project Based Contract Administration (PBCA)

Since 2000 MFA has served as the PBCA for HUD. MFA has a contract with HUD to perform administrative functions for their NM Project-Based Section 8 properties. Section 8 is a HUD program that subsidizes rent for low-income tenants. MFA manages HUD's section 8 portfolio in NM as part of the PBCA contract.



Rental Development Programs

Regional Housing Authority (RHA) Oversight

In 2009, MFA Legislative Oversight Committee, Department of Finance & Administration and the Legislative Finance Committee were mandated to create a plan to reform the Regional Housing Authorities. MFA has been providing the required oversight since 2009.

Affordable Housing Act (AHA)

MFA acts as the oversight entity for the Affordable Housing Act which serves as an exception to the anti-donation clause in the New Mexico Constitution to allow local governments- and other political subdivisions- to put resources towards affordable housing.



Rental Development Programs

Gap Financing

HOME Funding

As gap financing, HOME funds are typically the last dollars committed to a project and are used in combination with other housing resources such as MFA's Low Income Housing Tax Credit (LIHTC) and 542(c) loan programs.

New Mexico Housing Trust Fund (NMHTF)

Flexible funding for housing initiatives that provide construction and/or preservation of affordable housing single or multifamily housing for persons or households of low or moderate income.

National Housing Trust Fund (NHTF)

Loans assist in construction or acquisition/rehab of affordable housing for extremely low-income households with incomes do not exceed the greater of 30% Area Median Income (AMI) or the federal poverty line.



Rental Development Programs

New Mexico Preservation Loan Program (NMPLF)

Provides funding for projects to support the preservation of at-risk affordable housing in the state.

The Four Initiatives:

Phase 1:
Rehabilitation

Phase 2:
Acquisition

Phase 3:
Housing
Authority

Phase 4:
Bridge

Single-Family Development



Single-Family Development

Single-family developments expand New Mexico's housing stock, helping more residents into homes.

Primer: Low-Cost Loans

Restoring Our Communities

State Tax Credit

Neighborhood Stabilization

Single-Family Development Grant



Single Family Development Programs

Primer

A flexible, low-cost loan program created to finance the development of affordable rental, special needs residential facilities, or single-family subdivisions that might be considered "high risk" by traditional lenders.

NM Affordable Housing Tax Credit (State Tax Credit)

A tax credit program created by the State of New Mexico to encourage charitable donations to affordable housing projects.

Restoring Our Communities (ROC)

ROC will provide funding for the acquisition, rehabilitation, and resale of single-family homes with a goal of increasing homeowner opportunities for low- and moderate-income households.

Single-Family Development Grant Pilot Program

Addresses supply-side challenges to homeownership opportunities for low- and moderate-income New Mexicans. This program aims to increase the development of affordable homes for homeownership by making available flexible funding.

Homeownership Programs



Homeownership

Affordable mortgage programs allow more residents to fulfill the dream of homeownership.

FirstHome / FirstDown

HomeForward / HomeForward DPA

HomeNow

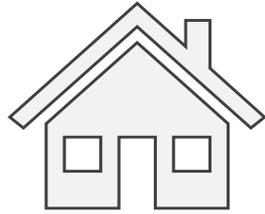
FirstDown Plus

Partners

Tribal



Homeownership Programs



FirstHome & FirstDown

FirstHome

An affordable mortgage loan option for first-time homebuyers.

FirstDown

An amortizing down payment assistance program with monthly payments that must be combined with FirstHome funded through Housing Opportunity Fund (General Fund).



Home Forward

Home Forward

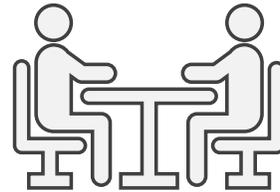
A recently updated first mortgage loan option for non-first-time homebuyers. Formerly known as NextHome.

Home Forward DPA

A 10 or 15 year, amortizing down payment assistance program with monthly payments that must be combined with Home Forward.



Homeownership Programs



Partners

MFA purchases first time homebuyer loans originated by Habitat for Humanity affiliates in New Mexico.

Homeowners Programs



Homeowners

Programs for homeowners to help support families and communities.

HOME Rehabilitation

Veterans Rehabilitation

Home Improvement Program

NM EnergySmart Weatherization
Assistance Program

Homeowner Assistance Fund



Homeowners Programs

HOME and Veterans Rehab Program

Covers home rehabilitation, health and safety, fall reduction, accessibility modifications, care giver modifications and code compliance upgrades.

Direct Services Pilot Program

MFA is currently in the process of establishing a direct services program to access a wider variety of New Mexicans by covering counties that are not currently served by our five service providers.

Weatherization Assistance Program (WAP)

MFA's NM EnergySmart Weatherization Assistance Program provides energy-saving retrofits and home modifications at no charge to eligible homeowners and renters.

WAP Emergency FRF

Funding was made available to make homes "Weatherization Ready" for participation in the NM EnergySmart Program in the Fall of 2022.

Homeowner Assistance Fund (HAF)

The New Mexico Homeowner Assistance Fund (HAF) provides housing grants to income-eligible households experiencing financial hardship associated with the COVID-19 health crisis.

Programs for Emerging Housing Needs



Other

Innovating the future of affordable housing in New Mexico.

Emergency Housing Needs

Congressional Funds: Community Project Funding for Fire Affected Counties

Housing Innovation

- New Mexico Ramp Project
- Workforce Integration Network
- Other

State and Local Fiscal Recovery Funds

Affordable Housing Act

Constituent Services

Programs for Emerging Housing Needs



Emergency Housing Needs Program

A mechanism for MFA to quickly deploy assistance to respond to emergency housing situations as they arise.



State and Local Fiscal Recovery Funds

In response to the severe economic impact produced by the pandemic and resulting recession.

Programs for Emerging Housing Needs



Housing Innovation Program

A resource to spur innovative housing projects and create an opportunity to test novel housing solutions.



Community Project for Fire Affected Counties

Supports the construction of temporary and permanent housing, rehabilitate housing and provide housing support and stability services to meet the needs of New Mexicans who are or were displaced as a result of wildfires or who were otherwise affected by the wildfires.



2023 Production Highlights

\$585,797,000
Total Funding
Administered

18,963
New Mexicans
Served

3,707
Homes Produced,
Financed or
Preserved

40+
Statewide Affordable
Housing Programs

Create More Housing

\$10,341,000 provided to construct **285** new rental homes.

Preserve and Improve Existing Affordable Housing and Catalyze Redevelopment

\$116,219,000 provided to weatherize, rehabilitate, preserve, or redevelop **1,577** homes.

Build Homeownership and Wealth

\$388,294,000 provided for first mortgage down and payment assistance totaling **3,352** loans to **1,845** families.

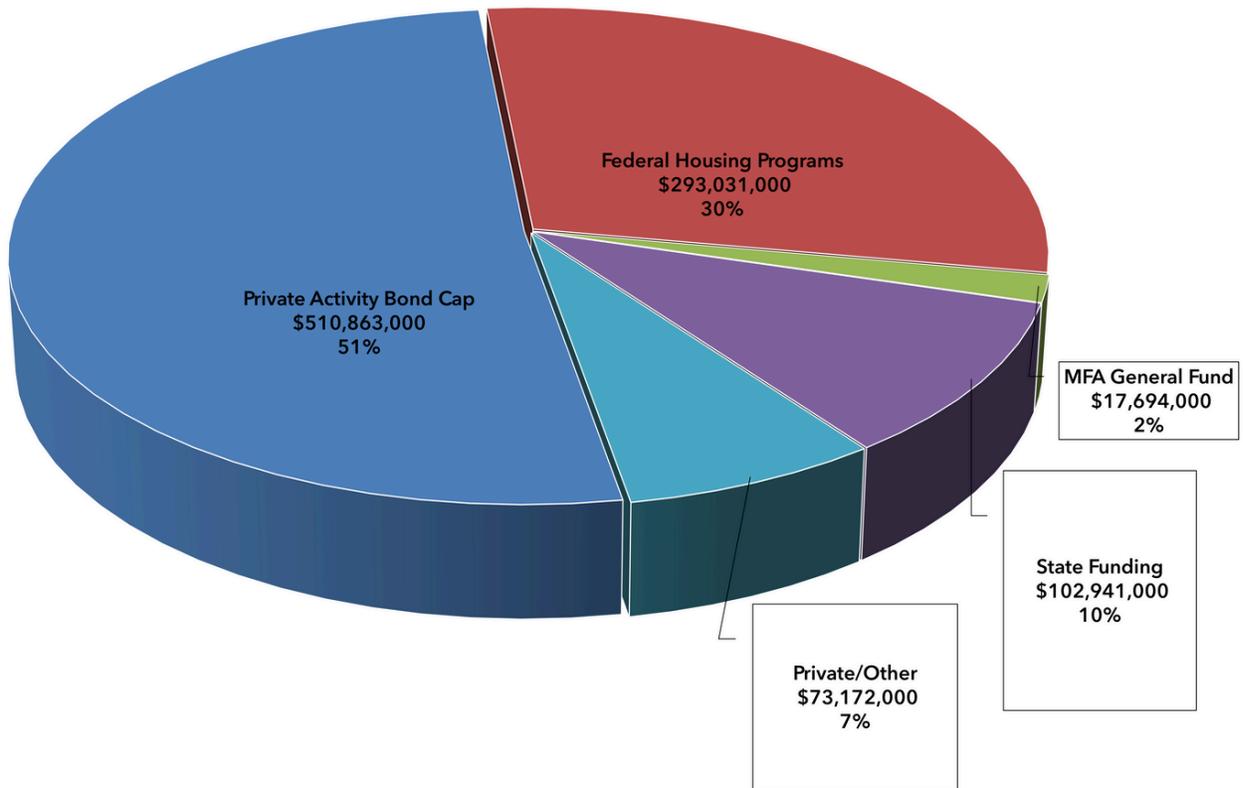
\$24,145,000 provided for mortgage assistance to **2,925** households.

Create Stable Housing Environments

\$39,796,000 provided for housing vouchers for **5,843** households.

\$7,002,000 provided for housing stability and homeless shelter services to **6,488** people.

ESTIMATED RESOURCES AVAILABLE



Available Resource Data**Private Activity Bond Cap**

Source	Estimated Amount
Tax-Exempt Mortgage Revenue Bonds (Single Family)	\$ 287,932,506
Tax-Exempt Mortgage Revenue Bonds (Multifamily)	\$ 222,930,000

Federal Housing Programs

Source	Estimated Amount
HOME Investment Partnerships Program	\$ 5,967,476
HOME Program Income and Carryforward and any allocation not yet committed TCAP	\$ 10,782,437
*Community Development Block Grant Recovery Housing Program (CDBG-RHP)	\$ 1,268,811
*American Rescue Plan Homeowner Assistance Fund (HAF)	\$ 393,579
HOME American Rescue Plan	\$ 17,341,579
Low Income Housing Tax Credits (9%)	\$ 6,128,698
Bond Financed Low Income Housing Tax Credits (4%)	\$ 176,639,000
Project-Based Section 8 Housing Assistance	\$ 33,476,881
Section 811 Housing Assistance	\$ 296,516
*Bipartisan Infrastructure Bill (DOE Weatherization Assistance Program)	\$ 4,413,350
Energy\$mart (DOE Weatherization Assistance Program) and Carry Over	\$ 2,800,000
Low Income Home Energy Assistance Program (LIHEAP)	\$ 2,500,000
Emergency Solutions Grants Program	\$ 1,208,579
*Emergency Solutions Grant-CARES (Shelter, Rapid Rehousing/Homeless Prevention Program)	\$ 360,219
Housing Opportunities for Persons With AIDS (HOPWA) BOS	\$ 727,392
Housing Opportunities for Persons With AIDS (HOPWA) COA	\$ 696,208
Housing Counseling	\$ -
Veterans Home Rehab 2020	\$ 1,500,000
Veterans Home Rehab 2019	\$ 539,673
Capital Magnet Fund	\$ 1,453,000
National Housing Trust Fund	\$ 3,066,413
*New Mexico Housing Trust Fund (CSLFRF)	\$ 14,346,562
*Community Project Funding- Fire Affected Areas	\$ 3,000,000
MFA Housing Opportunity Fund – Primero PRLF	\$ 4,125,000

MFA General Fund

Source	Estimated Amount
MFA Housing Opportunity Fund – Primero	\$ 4,500,000
MFA Housing Opportunity Fund – Partners Program	\$ 894,202
MFA Housing Opportunity Fund – HERO, First Down DPA	\$ 12,250,000
MFA Housing Opportunity Fund – ACCESS Loans	\$ -
MFA Housing Opportunity Fund - Emergency Housing Needs	\$ 50,000
MFA General Fund – Capacity Building and Training	\$ -

State Funding

Source	Estimated Amount
New Mexico Housing Trust Fund (2024 Legislative Appropriation)	\$ 50,000,000
New Mexico Housing Trust Fund (Unawarded STB SFY 25 Earmark)	\$ 34,620,000
New Mexico Housing Trust Fund (Unawarded STB SFY 24 Earmark)	\$ 5,692,502
New Mexico Housing Trust Fund (Program Income)	\$ 6,333,165
Landord Collaboration - CYFD	\$ 103,950
Human Services Department/BHSD - Linkages	\$ 4,287,879
Human Services Department/BHSD - Rapid Rehousing/Homeless Prevention	\$ 50,000
Youth Homeless Demonstration Project	\$ 413,000
Espanola Pathways Shelter	\$ 225,000
State Homeless Assistance	\$ 1,215,700

Private/Other

Source	Estimated Amount
Taxable Mortgage Revenue Bonds (Single Family)	\$ 64,000,000
Land Title Trust Fund	\$ 680,000
New Mexico Affordable Housing Tax Credit Allocating Authority	\$ 5,748,237
NM Gas Company Energy\$mart	\$ 1,600,000
PNM Energy\$mart	\$ 600,000
El Paso Electric	\$ 543,805

TOTAL ESTIMATED RESOURCES AVAILABLE	\$ 997,701,319
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Federal Administering Agency	Program	Funding Acquisition	Funding Amount/ Value	Beneficiaries	Eligible Activities
Department of Housing and Urban Development (HUD)	Congressionally Directed Spending	Sen. Heinrich Earmark	\$3,000,000	Low and moderate income households residing in fire affected counties	<ul style="list-style-type: none"> Urgent and long-term housing recovery projects.
	American Rescue Plan Act HOME Homelessness Assistance ("HOME-ARP")	Passed as part of the ARP Act and allocated to New Mexico based on a formula grant	HOME-ARP allocation: \$19,577,257 (<i>One-time allocation</i>)	Individuals who are homeless, at risk of homelessness, fleeing domestic violence, at the greatest risk of housing instability and veterans and their families.	<ul style="list-style-type: none"> Tenant based rental assistance Development of housing currently permitted under the HOME program Supportive services, including housing counseling and homeless prevention services Acquisition or development of non-congregate shelters
	Emergency Solutions Grant ("ESG")	Formula grant	FY2023 allocation = \$1,208,579	Homeless individuals and families, victims of domestic violence, youth, people with mental illness, families with children and veterans. ESG funds may also be used to aid people who are at imminent risk of becoming homeless due to eviction, foreclosure, or utility shutoff	<ul style="list-style-type: none"> Operations and maintenance of emergency shelter facilities Essential supportive services (i.e., case management, physical and mental health treatment, substance abuse counseling, childcare, etc.) Homelessness prevention Data collection for homeless and domestic violence databases
	Community Development Block Grant Recovery Housing Program (CDBG-RHP)	Formula Grant	FY23 allocation = \$1,268,811	Low or moderate income individuals directly impacted by a substance use disorder can be served for up to two years through qualified recovery housing residents	<ul style="list-style-type: none"> Public facilities and improvements Acquisition and disposition of real property Payment of lease, rent, and utilities Rehabilitation, reconstruction, and construction of both single family, multifamily, and public housing Clearance and demolition Relocation Administration and technical assistance
	Housing Opportunities for Persons	Formula grant	FY23 allocation = \$727,392 Albuquerque FY23 which MFA	Households earning no more than 80% of area median income in which one or more members is medically diagnosed with HIV/AIDS	<ul style="list-style-type: none"> Rental assistance Short-term payments to prevent homelessness. Permanent housing placement. Supportive services (i.e., case management)

	with AIDS (“HOPWA”)		administers= \$696,208		<ul style="list-style-type: none"> Acquisition, rehabilitation, repair, conversion, and lease of facilities.
Department of Housing and Urban Development (HUD)	HOME Investment Partnerships Program (“HOME”)	Formula grant	FY23allocation= \$5,967,476	Households earning no more than 60% of area median income	<ul style="list-style-type: none"> Development of rental homes and some related expenses Certified Community Housing Development Organization (CHDO) operating expenses Owner-occupied housing rehab
	National Housing Trust Fund (NHTF)	Formula grant	FY23 allocation= \$3,066,413	Households earning no more than the greater of 30% of area median income or the federal poverty level, based on family size	<ul style="list-style-type: none"> New construction, acquisition/rehabilitation, and rehabilitation of permanent rental housing Operating cost assistance and operating cost reserves under limited circumstances
Department of Health and Human Services	Low-Income Home Energy Assistance Program (LIHEAP)	A portion granted by the State to MFA	MFA received= \$2,500,000	Households with incomes at or below 200% of the federal poverty level Priority is given to the elderly, households in which one or more members has a disability, and families with young children	Energy efficiency improvements including: <ul style="list-style-type: none"> Weather-stripping, caulking, and insulation Window and door replacement Tuning, repairing, or replacing furnaces or heating units Replacing incandescent bulbs with CFLs Refrigerator replacement Training and technical assistance
Department of Energy (DOE)	Weatherization Assistance Program (WAP, “NM EnergySmart”)	Formula grant	FY23 allocation = \$2,800,000		
	Bipartisan Infrastructure Law (BIL) for Weatherization Assistance Program (“NM EnergySmart”)	Formula grant	BIL allocation for 5 years= \$22,066,751		

Department of the Treasury	Low Income Housing Tax Credit Program ("LIHTC" or "Tax Credits")	Formula credit allocation	FY24 annual allocation = \$6,128,698	Households earning no more than 60% of area median income on average for each property (could be more restrictive, depending on the project)	<ul style="list-style-type: none"> Rental housing development including new construction, rehabilitation, or acquisition/rehabilitation
	Homeowner Assistance Fund ("HAF")	A portion granted by the State to MFA	MFA received \$49,001,740 of the total allocation to the State of New Mexico of \$55,772,684	Households earning no more than 150% of area median income	<ul style="list-style-type: none"> Mortgage reinstatement, ongoing homeownership assistance, property taxes, homeowner's insurance, and utilities Housing counseling and legal services
	American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund ("SLFRF")	A portion granted by the State to MFA	MFA received \$25,000,000	Low- or moderate-income households or communities (defined as: 1) income at or below 300% of the Federal Poverty Guidelines for the household size; or 2) income at or below 65% of area median income)	<ul style="list-style-type: none"> Down payment assistance Rental housing development, including permanent supportive housing Weatherization related activities Other housing programs

9% Low Income Housing Tax Credit Awards by Congressional District and County, 2000-2024

All estimates except Rio Rancho, Las Cruces and Santa Fe city are Quickfacts Population Estimates July 1, 2022 (V2022) - the most recent available.

2023 Population Estimates, July 1, 2023 (V2023) US Census QuickFacts

<https://www.census.gov/data/datasets/time-series/demo/popest/2020s-counties-total.html#v2023>

		Non-Urban Areas per QAP:					
				9% LIHTC	9% LIHTC	Percent	Percent
				to Urban	to Rural	Population	Population
				Areas	Areas	Urban	Rural
Bernalillo County	671,586	Chaves County	63,561	Period:			
Doña Ana County	225,210	Cibola County	26,780	2000-2022	48.90%	51.10%	
Sandoval County	155,936	Curry County	47,222	2013-2022	44.90%	55.10%	
Santa Fe County	155,956	Eddy County	60,275	2018-2022	51.00%	49.00%	
	1,208,688	Grant County	27,472	Note: Farmington and Roswell were redefined as Rural areas in 2023 QAP			
Urban Areas per QAP:		Lea County	72,101	2000-2023	48.03%	51.97%	
671,586	Bernalillo County - entire county	Lincoln County	20,029	2000-2024	47.68%	52.32%	46.47% 53.53%
108,082	Rio Rancho in Sandoval County	Los Alamos County	19,444	Counties w/o 9% LIHTC:			
113,888	Las Cruces in Dona Ana County	Luna County	25,316	Catron	3,825		
89,008	Santa Fe in Santa Fe County	McKinley County	68,797	Colfax	12,255		
982,564		Otero County	68,835	DeBaca	1,657		
46.47%	Percent of State's Population	Rio Arriba County	39,876	Guadalupe	4,292		
Total NM Population:		San Juan County	120,675	Harding	624		
Urban Counties	1,208,688	San Miguel County	26,668	Hidalgo	3,965		
Non Urban Listed Coun	820,524	Socorro County	15,963	Mora	4,123		
No 9% LIHTC Counties	85,159	Taos County	34,405	Quay	8,510		
NM Total Population:	2,114,371	Union County	3,964	Roosevelt	18,787		
		Valencia County	79,141	Sierra	11,488		
		Non-Urban areas of urban counties:		Torrance	15,633		
		Sandoval County	47,854		85,159		
		Dona Ana County	111,322	(counties with no LIHTC)			
		Santa Fe County	66,948				
		Non-listed counties	85,159				
		Total Non-Urban:	1,131,807				
			53.53%				

Table 8
9% Low Income Housing Tax Credit Awards by County
2000 - 2024

Urban and Rural Areas \$57.4 million or 49.24% of awards were made in urban areas.
\$59.2 million or 50.76% of awards were made in rural areas.

County*	Population (July 1, 2023 Estimates)	Percent of Population	9% LIHTC Award Amount	Percent of Total 9% LIHTC Awards	9% LIHTC Awards in Urban Areas**	9% LIHTC Awards in Rural Areas	9% LIHTC per capita
Bernalillo County	671,586	31.8%	32,715,729	28.0%	32,715,729	0	48.71
Chaves County	63,561	3.0%	2,120,141	1.8%		2,120,141	33.36
Cibola County	26,780	1.3%	5,462,707	4.7%		5,462,707	203.98
Curry County	47,222	2.2%	5,090,452	4.4%		5,090,452	107.80
Doña Ana County	225,210	10.7%	12,599,812	10.8%	6,739,156	5,860,656	55.95
Eddy County	60,275	2.9%	3,374,358	2.9%		3,374,358	55.98
Grant County	27,472	1.3%	1,837,270	1.6%		1,837,270	66.88
Lea County	72,101	3.4%	7,674,510	6.6%		7,674,510	106.44
Lincoln County	20,029	0.9%	1,912,734	1.6%		1,912,734	95.50
Los Alamos County	19,444	0.9%	2,592,410	2.2%		2,592,410	133.33
Luna County	25,316	1.2%	1,746,914	1.5%		1,746,914	69.00
McKinley County	68,797	3.3%	3,846,631	3.3%		3,846,631	55.91
Otero County	68,835	3.3%	2,488,710	2.1%		2,488,710	36.15
Rio Arriba County	39,876	1.9%	307,779	0.3%		307,779	7.72
San Juan County	120,675	5.7%	2,775,168	2.4%		2,775,168	23.00
San Miguel County	26,668	1.3%	1,242,063	1.1%		1,242,063	46.58
Sandoval County	155,936	7.4%	4,849,431	4.2%	2,850,483	1,998,948	31.10
Santa Fe County	155,956	7.4%	16,103,948	13.8%	15,122,386	981,562	103.26
Socorro County	15,963	0.8%	768,507	0.7%		768,507	48.14
Taos County	34,405	1.6%	4,226,641	3.6%		4,226,641	122.85
Union County	3,964	0.2%	240,064	0.2%		240,064	60.56
Valencia County	79,141	3.7%	2,661,928	2.3%		2,661,928	33.64
Other Counties	85,159	4.0%	0	0.0%	0	0	0.00
Total New Mexico	2,114,371	100%	116,637,907	100%	57,427,754	59,210,153	55.16
Percentage of Tax Credits					49.24%	50.76%	

*Only counties receiving 9% LIHTC awards are listed separately.

**Urban Areas include Bernalillo County and the Cities of Rio Rancho, Las Cruces, and Santa Fe.

Table 9
Low Income Housing Tax Credit Awards by County
2024 Only

County*	Population (July 1, 2023 Estimates)	Percent of NM Population	9% LIHTC Award Amount	Percent of Total 9% LIHTC Awards	9% LIHTC Awards in Urban Areas**	9% LIHTC Awards in Rural Areas	9% LIHTC per capita
Bernalillo County	671,586	31.8%	1,622,805	21.6%	1,622,805	0	2.42
Cibola County	26,780	1.3%	1,163,732	15.5%	0	1,163,732	43.46
Lincoln County	20,029	0.9%	1,496,000	19.9%	0	1,496,000	74.69
San Juan County	120,675	5.7%	1,600,760	21.3%	0	1,600,760	13.27
Santa Fe County	155,956	7.4%	1,622,805	21.6%	1,622,805	0	10.41
Total	995,026	47%	7,506,102	100%	3,245,610	4,260,492	3.55
Percentage of Tax Credits					43.24%	56.76%	

Other Counties:

Catron
Colfax
DeBaca
Guadalupe
Harding
Hidalgo
Mora
Quay
Roosevelt
Sierra
Torrance

Town:

Reserve
Raton
Fort Sumner
Santa Rosa
Mosquero
Lordsburg
Mora
Tucumcari
Portales
Truth or Consequences
Estancia

	Population:	Total Credits	Per Capita
Urban Areas	982,564	57,427,754	58.45
Rural Areas	1,131,807	59,210,153	52.31

Expressed as a number of annual tax credits per capita, urban areas have received \$56.73 per capita overall and rural areas have received \$54.04 per capita since 2000. The \$48.23 annual tax credits per capital in Bernalillo County remains below the average \$55.29 annual tax credits per capita statewide.

9% Low Income Housing Tax Credit Awards by Congressional District and County, 2000-2024

Geographic Distribution Congressional District 1 received 29.8% or \$34.7 million in 9% LIHTCs
 Congressional District 2 received 30.1% or \$35.1 million in 9% LIHTCs
 Congressional District 3 received 40.1% or \$46.7 million in 9% LIHTCs
 \$57.4 million or 49.24% of awards were made in Bernalillo County or within the cities of Rio Rancho, Las Cruces, and Santa Fe

Urban and Rural Areas \$59.2 million or 50.76% of awards were made in rural areas.

Congressional District or County*	Population (July 1, 2023 Estimates)	Percent of Population	9% LIHTC Award Amount	Percent of Total 9% LIHTC Awards	9% LIHTC Awards in Urban Areas**	9% LIHTC Awards in Rural Areas
Congressional District 1						
Bernalillo County	671,586	31.8%	28,823,083	24.7%	28,823,083	0
Lincoln County	20,029	0.9%	1,912,734	1.6%		1,912,734
Sandoval County	155,936	7.4%	4,000,483	3.4%	2,850,483	1,150,000
Totals CD 1	847,551	40.1%	34,736,300	29.8%	31,673,566	3,062,734
Congressional District 2						
Bernalillo County	671,586	31.8%	3,892,646	3.3%	3,892,646	0
Cibola County	26,780	1.3%	5,462,707	4.7%		5,462,707
Doña Ana County	225,210	10.7%	12,599,812	10.8%	6,739,156	5,860,656
Eddy County	60,275	2.9%	2,224,358	1.9%		2,224,358
Grant County	27,472	1.3%	1,837,270	1.6%		1,837,270
Lea County	72,101	3.4%	1,455,008	1.2%		1,455,008
Luna County	25,316	1.2%	1,746,914	1.5%		1,746,914
Otero County	68,835	3.3%	2,488,710	2.1%		2,488,710
Socorro County	15,963	0.8%	768,507	0.7%		768,507
Valencia County	79,141	3.7%	2,661,928	2.3%		2,661,928
Totals CD 2	1,272,679	60.2%	35,137,860	30.1%	10,631,802	24,506,058
Congressional District 3						
Chaves County	63,561	3.0%	2,120,141	1.8%		2,120,141
Curry County	47,222	2.2%	5,090,452	4.4%		5,090,452
Eddy County	60,275	2.9%	1,150,000	1.0%		1,150,000
Lea County	72,101	3.4%	6,219,502	5.3%		6,219,502
Los Alamos County	19,444	0.9%	2,592,410	2.2%		2,592,410
McKinley County	68,797	3.3%	3,846,631	3.3%		3,846,631
Rio Arriba County	39,876	1.9%	307,779	0.3%		307,779
San Juan County	120,675	5.7%	2,775,168	2.4%		2,775,168
San Miguel County	26,668	1.3%	1,242,063	1.1%		1,242,063
Sandoval County	155,936	7.4%	848,948	0.7%		848,948
Santa Fe County	155,956	7.4%	16,103,948	13.8%	15,122,386	981,562
Taos County	34,405	1.6%	4,226,641	3.6%		4,226,641
Union County	3,964	0.2%	240,064	0.2%		240,064
Totals CD 3	868,880	41%	46,763,747	40.1%	15,122,386	31,641,361
Total New Mexico	2,114,371	100%	116,637,907	100%	57,427,754	59,210,153
Percentage of Tax Credits					49.24%	50.76%

*Only counties receiving 4% LIHTC awards are listed; therefore, county population totals do not add up to New Mexico population total. Further, Bernalillo, Eddy, Lea and Sandoval county populations are listed in two districts, which makes those districts' populations artificially high.

**Urban Areas include Bernalillo County and the Cities of Rio Rancho, Las Cruces, and Santa Fe

Low Income Housing Tax Credits in New Mexico Congressional District 1: 2000-2023

Credit Type	Project	Address	City	County	Zip	Year Awarded	Award Amount	Total Development Cost	Tax Credit Proceeds	Total Units	Tax Credit Units
9%	Ventana Ranch	10400 Universe Blvd. NW	Albuquerque	Bernalillo	87114	2003	\$811,588	\$19,368,690	\$7,670,336	288	216
	Sawmill Lofts	1801 Bellamah Avenue NW	Albuquerque	Bernalillo	87104	2004	\$598,993	\$7,163,152	\$6,343,763	60	59
	Casa Bonita/Carlisle Family Homes/Cox Estate	4528 Carlisle Blvd. NE	Albuquerque	Bernalillo	87109	2004	\$756,589	\$11,454,116	\$5,449,218	140	139
	Silver Gardens Phase I	100 Silver Ave SW	Albuquerque	Bernalillo	87102	2008	\$1,031,881	\$13,637,017	\$9,028,056	66	56
	Downtown @ 700 - 2nd	700 2nd Street NW	Albuquerque	Bernalillo	87102	2008	\$959,090	\$12,606,116	\$7,959,652	72	59
	*Sawmill Senior Housing	990 18th Street NW	Albuquerque	Bernalillo	87104	2008	\$947,376	\$9,029,479	\$7,354,176	46	44
	*The Artisan at Sawmill Village	1751 Bellamah Avenue NW	Albuquerque	Bernalillo	87104	2009	\$1,140,845	\$13,142,997	\$9,251,591	62	60
	Silver Gardens Phase II	100 Second Street SW	Albuquerque	Bernalillo	87102	2010	\$747,130	\$9,074,899	\$5,378,798	55	45
	Plaza Feliz	509 San Pablo Street SE	Albuquerque	Bernalillo	87108	2010	\$1,023,391	\$11,421,307	\$7,470,007	66	55
	Luna Lodge (Ubuntu)	9119 Central Avenue NE	Albuquerque	Bernalillo	87123	2010	\$344,120	\$4,944,189	\$2,821,502	30	30
	Sundowner	6101 Central Avenue NE	Albuquerque	Bernalillo	87108	2012	\$638,687	\$9,063,847	\$5,428,297	71	60
	Casitas de Colores	215 Lead Avenue SW	Albuquerque	Bernalillo	87102	2012	\$1,110,000	\$17,249,897	\$11,098,890	71	50
	Plaza Ciudadana	312 Indian School Road NW	Albuquerque	Bernalillo	87102	2012	\$1,110,000	\$13,991,462	\$10,821,418	67	56
	Cuatro	1319 Fourth Street NW	Albuquerque	Bernalillo	87102	2014	\$1,072,150	\$13,166,583	\$10,291,611	56	55
	The Imperial Building	205 Silver Avenue SW	Albuquerque	Bernalillo	87102	2014	\$1,150,000	\$18,362,555	\$11,845,939	74	54
	Casa Feliz	443 Española Street SE	Albuquerque	Bernalillo	87108	2015	\$1,150,000	\$16,839,385	\$12,533,747	85	84
	Rio Vista Apartments	7770 Juan Tabo Blvd. NE	Albuquerque	Bernalillo	87123	2016	\$984,000	\$12,872,995	\$9,172,860	75	75
	Solar Villa	1135 Texas St. NE	Albuquerque	Bernalillo	87110	2017	\$1,150,000	\$17,926,031	\$11,747,125	100	99
	Broadway/McKnight	1840-1878 Broadway Place NE	Albuquerque	Bernalillo	87102	2020	\$954,720	\$19,280,048	\$8,830,277	54	54
	6100 Harper	6100 Harper Drive NE	Albuquerque	Bernalillo	87109	2020	\$912,789	\$17,029,819	\$8,351,184	56	56
	Copper Terrace (Vista Grande)	12801 Copper NE	Albuquerque	Bernalillo	87123	2020	\$1,232,333	\$17,871,428	\$11,705,993	96	90
	Luminaria Senior	10600 Central Ave. SE	Albuquerque	Bernalillo	87123	2020	\$1,142,400	\$17,881,550	\$10,394,800	91	91
	Hiland Plaza	5000 Central Ave. SE	Albuquerque	Bernalillo	87108	2021	\$1,652,725	\$23,819,403	\$14,294,642	91	91
	120 La Plata	120 La Plata Road NW	Albuquerque	Bernalillo	87107	2022	\$796,000	\$10,637,950	\$7,004,100	32	32
	Calle Cuarta	3525 4th St. NW	Albuquerque	Bernalillo	87107	2022/23	\$1,394,826	\$25,434,677	\$13,110,608	61	61
	9000 Veranda	9000 Veranda Road NE	Albuquerque	Bernalillo	87111	2022	\$765,840	\$14,226,675	\$7,140,744	35	35
	Farolito Senior Community	10501 Central Avenue NE	Albuquerque	Bernalillo	87123	2023	\$1,622,805	\$24,566,008	\$14,198,124	82	82
	Somos Apartments	7200 Central Avenue SE	Albuquerque	Bernalillo	87108	2024	\$1,622,805	\$21,751,638	\$14,035,860	70	70
	Ladera Courts/Ladera Apt. Homes	500 Dipaolo Hill Drive	Ruidoso Downs	Lincoln	88346	2000	\$416,734	\$6,360,648	\$3,358,700	60	45
	Elk Meadows	1104 Mechem Drive	Ruidoso	Lincoln	88345	2024	\$1,496,000	\$19,249,026	\$12,714,728	72	61
Village in the Bosque	857 Calle Los Mayores	Bernalillo	Sandoval	87004	2013	\$1,150,000	\$19,511,368	\$10,808,919	98	83	
Felician Villa Apartments	1301 Stephanie Road SE	Rio Rancho	Sandoval	87124	2022	\$1,228,760	\$16,140,344	\$10,996,302	66	65	
Felician Villa II Apartments	1325 Stephanie Road SE	Rio Rancho	Sandoval	87124	2023	\$1,621,723	\$20,375,333	\$13,783,267	66	66	
4%	Sandpiper Apartments	4401 Montgomery Blvd. NE	Albuquerque	Bernalillo	87109	2001	\$50,937	\$15,733,657	\$4,024,337	239	235
	Brentwood Gardens	6302 Harper Place NE	Albuquerque	Bernalillo	87109	2001	\$229,631	\$8,527,933	\$1,833,101	122	122
	Manzano Mesa	700 Eubank Blvd. SE	Albuquerque	Bernalillo	87123	2001	\$427,908	\$15,114,152	\$3,592,684	224	224
	El Paseo	301 El Pueblo Road NW	Albuquerque	Bernalillo	87114	2002	\$331,364	\$11,324,428	\$2,734,307	166	166
	Vista Grande	12801 Copper NE	Albuquerque	Bernalillo	87123	2003	\$148,910	\$5,567,152	\$1,161,500	96	95
	Sunny Acres	2821 Mountain Road NW	Albuquerque	Bernalillo	87104	2003	\$118,062	\$4,071,303	\$897,271	75	74
	Sandia Vista	901 Tramway Blvd. NE	Albuquerque	Bernalillo	87123	2003	\$172,583	\$6,794,059	\$172,583	138	136
	Aztec Village	4321 Montgomery Blvd. NE	Albuquerque	Bernalillo	87109	2003	\$432,596	\$13,981,772	\$3,504,028	228	228
	El Paseo Phase II	291 El Pueblo Road NW	Albuquerque	Bernalillo	87107	2003	\$279,372	\$10,126,326	\$2,290,852	124	124
	Arioso	7303 Montgomery Blvd. NE	Albuquerque	Bernalillo	87109	2004	\$473,223	\$16,892,456	\$4,093,380	265	262
	Lafayette Square	3901 Lafayette Drive NE	Albuquerque	Bernalillo	87107	2004	\$351,827	\$11,597,071	\$3,271,991	189	188
	El Pueblo/ Madera	Various Sites	Albuquerque	Bernalillo	87108	2004	\$207,294	\$5,467,752	\$1,508,092	107	107
	Alta Vista	4200 Spanish Bit NE	Albuquerque	Bernalillo	87111	2004	\$554,224	\$18,762,424	\$4,918,069	270	264
	Chateau	6101 Osuna Road NE	Albuquerque	Bernalillo	87109	2005	\$159,199	\$5,743,134	\$1,496,471	78	78
	Sun Pointe Park	4057 Montgomery Blvd. NE	Albuquerque	Bernalillo	87109	2005	\$639,834	\$19,138,049	\$6,083,448	260	260
	Cottonwood Apartments	3600 Old Airport Road NW	Albuquerque	Bernalillo	87114	2005	\$487,615	\$18,241,079	\$4,631,879	185	185
	Ladera Senior Apartments	3704 Ladera Drive NW	Albuquerque	Bernalillo	87120	2005	\$300,527	\$10,839,180	\$2,918,121	114	114
	St. Anthony's Plaza	1750 Indian School NW	Albuquerque	Bernalillo	87104	2005	\$245,298	\$8,991,730	\$2,330,328	160	158
	Montgomery Manor	4301 Morris Street NE	Albuquerque	Bernalillo	87111	2006	\$167,815	\$5,944,200	\$1,577,461	80	80
	Silver Moon Lodge	901 Park Avenue SE	Albuquerque	Bernalillo	87102	2013	\$474,526	\$13,654,730	\$3,952,247	151	150
	Arroyo Vista	4201 Bryn Mawn Dr & Pan American Fw NE	Albuquerque	Bernalillo	87107	2016	\$901,053	\$25,178,082	\$9,460,110	190	190
	The Sterling Downtown	800 Silver Avenue SW	Albuquerque	Bernalillo	87102	2016	\$586,322	\$15,460,350	\$6,448,886	111	99
	La Vida Nueva	1200 Dickerson Dr. SE	Albuquerque	Bernalillo	87106	2017	\$1,198,070	\$38,749,883	\$11,744,527	316	316
	Casa de Sierra/Valencia Court	200 Valencia Drive SE	Albuquerque	Bernalillo	87108	2019	\$1,318,994	\$23,591,861	\$8,393,549	188	188
	Sandia Vista/Plaza David Chavez	901 Tramway Blvd. NE/2821 Mountain Road NW	Albuquerque	Bernalillo	87123/87104	2019	\$1,340,250	\$39,558,374	\$12,396,073	213	213
	The Commons at Martineztown	415 Fruit Ave NE, 320 Roma St NE, and 615 Arno St NE	Albuquerque	Bernalillo	87102	2020	\$709,045	\$20,596,180	\$6,806,151	96	96
	Mountain View II & III	1515 & 1333 Columbia Dr SE	Albuquerque	Bernalillo	87106	2023	\$2,478,063	\$56,902,717	\$22,176,446	241	241
	La Serena	457 Coors Blvd NW	Albuquerque	Bernalillo	87121	2023	\$1,488,169	\$31,043,417	\$13,094,578	100	100
	Trailhead at Chamizal	SEC 4th St NW and Osuna Rd NW	Los Ranchos de Albuquerque	Bernalillo	87107	2022	\$2,087,905	\$55,578,663	\$18,789,266	204	204
	Inspiration Heights JLG Cen FAM	301 Sierra Lane	Ruidoso Downs	Lincoln	88346	2017	\$195,158	\$4,508,413	\$1,652,200	48	47
La Villa Elena	201 Villa Elena Lane	Bernalillo	Sandoval	87004	2009	\$92,943	\$3,140,642	\$557,658	54	53	
Sandia Vista	492 Camino Don Tomas	Bernalillo	Sandoval	87004	2017	\$105,298	\$3,611,238	\$964,262	39	39	
Enchanted Vista	4501 Sprint Blvd. NE	Rio Rancho	Sandoval	87144	2003	\$357,190	\$12,705,531	\$2,930,706	174	174	
550 Paseo	US 550 between Paseo del Volcan/Safelite Blvd	Rio Rancho	Sandoval	87144	2020	\$2,313,494	\$48,364,449	\$19,246,345	240	240	
Casa de Encantada	7780 Paseo 550 Drive NE	Rio Rancho	Sandoval	87144	2021	\$1,463,655	\$30,690,676	\$12,761,795	152	152	
Sandoval Flats	3200 Camino Encantadas NE	Rio Rancho	Sandoval	87144	2022	\$3,787,265	\$78,811,271	\$35,176,655	216	216	
Total							\$61,411,918	\$1,220,454,966	\$551,986,591	8,367	8,096

*Tax Credit Exchange Program project authorized under the American Recovery and Reinvestment Act

4% Low Income Housing Tax Credit Awards by Congressional District and County, 2000-2024

Geographic Distribution Congressional District 1 received 51.2% or \$26.7 million in 4% LIHTCs
 Congressional District 2 received 22% or \$11.5 million in 4% LIHTCs
 Congressional District 3 received 26.8% or \$13.9 million in 4% LIHTCs
 \$40.5 million or 82.29% of awards were made in Bernalillo County or within the cities of Rio Rancho, Las Cruces, and Santa Fe

Urban and Rural Areas \$9.6 million or 19.64% of awards were made in rural areas.

Congressional District or County*	Population (July 1, 2023 Estimates)	Percent of Population	4% LIHTC Award Amount	Percent of Total 4% LIHTC Awards	4% LIHTC Awards in Urban Areas**	4% LIHTC Awards in Rural Areas
Congressional District 1						
Bernalillo County	671,586	31.8%	18,360,615	35.2%	18,360,615	0
Lincoln County	20,029	0.9%	195,158	0.4%		195,158
Sandoval County	155,936	7.4%	8,119,845	15.6%	7,921,604	1,150,000
Totals CD 1	847,551	40.1%	26,675,618	51.2%	26,282,219	1,345,158
Congressional District 2						
Bernalillo County	671,586	31.8%	5,301,958	10.2%	5,301,958	0
Cibola County	26,780	1.3%	773,209	1.5%		773,209
Doña Ana County	225,210	10.7%	4,407,683	8.5%	3,398,412	1,009,271
Grant County	27,472	1.3%	169,183	0.3%		169,183
Hidalgo County	3,965	0.2%	27,952	0.1%		27,952
Lea County	72,101	3.4%	272,216	0.5%		272,216
Luna County	25,316	1.2%	295,079	0.6%		295,079
Sierra County	11,488	0.5%	119,443	0.2%		119,443
Valencia County	79,141	3.7%	112,770	0.2%		112,770
Totals CD 2	1,143,059	54.1%	11,479,494	22.0%	8,700,370	2,779,124
Congressional District 3						
Chaves County	63,561	3.0%	142,349	0.3%		142,349
Curry County	47,222	2.2%	73,125	0.1%		73,125
Eddy County	60,275	2.9%	1,816,620	3.5%		1,816,620
Lea County	72,101	3.4%	489,263	0.9%		489,263
McKinley County	68,797	3.3%	1,077,064	2.1%		1,077,064
Rio Arriba County	39,876	1.9%	264,611	0.5%		264,611
Roosevelt County	18,787	0.9%	112,443	0.2%		112,443
San Juan County	120,675	5.7%	1,296,734	2.5%		1,296,734
San Miguel County	26,668	1.3%	335,621	0.6%		335,621
Santa Fe County	155,956	7.4%	8,342,350	16.0%	8,342,350	0
Totals CD 3	673,918	32%	13,950,180	26.8%	8,342,350	5,607,830
Total New Mexico	2,114,371	100%	52,105,291	100%	43,324,939	9,732,111
Percentage of Tax Credits					83.15%	18.68%

*Only counties receiving 4% LIHTC awards are listed; therefore, county population totals do not add up to New Mexico population total. Further, Bernalillo, Eddy, Lea and Sandoval county populations have constituents in two districts, which may make those district populations artificially high.

**Urban Areas include Bernalillo County and the Cities of Rio Rancho, Las Cruces, and Santa Fe

Estimated Economic Impact of LIHTC Projects in New Mexico Congressional District 1: 2000-2024

8,367 units															
Local Income and Jobs By Industry		Phase I: Direct and Indirect Impact of Construction Activity				Phase II: Induced Effect of Spending Income and Tax Revenue from Phase I					Phase III: Ongoing Annual Effect That Occurs Because Units Are Occupied				
Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported
Construction	\$510,453,936	\$196,331,655	\$314,122,281	\$55,000	5,690	\$19,377,972	\$7,137,051	\$12,240,921	\$55,000	251	\$7,270,923	\$2,752,743	\$4,509,813	\$55,000	84
Manufacturing	\$33,468	\$0	\$33,468	\$54,000	0	\$75,303	\$0	\$75,303	\$52,000	0	\$50,202	\$0	\$41,835	\$52,000	0
Transportation	\$16,734	\$8,367	\$8,367	\$29,000	0	\$878,535	\$426,717	\$451,818	\$29,000	0	\$493,653	\$234,276	\$251,010	\$29,000	0
Communications	\$3,304,965	\$1,137,912	\$2,167,053	\$77,000	0	\$17,620,902	\$7,279,290	\$10,341,612	\$81,000	167	\$12,282,756	\$5,087,136	\$7,187,253	\$81,000	84
Utilities	\$778,131	\$167,340	\$610,791	\$97,000	0	\$5,982,405	\$1,263,417	\$4,718,988	\$97,000	84	\$2,451,531	\$518,754	\$1,932,777	\$97,000	0
Wholesale & Retail Trade	\$56,427,048	\$12,450,096	\$43,976,952	\$33,000	1339	\$46,353,180	\$7,831,512	\$38,513,301	\$31,000	1255	\$36,547,056	\$5,455,284	\$31,091,772	\$34,000	920
Finance & Insurance	\$3,012,120	\$117,138	\$2,894,982	\$102,000	0	\$10,132,437	\$393,249	\$9,730,821	\$90,000	84	\$6,735,435	\$259,377	\$6,476,058	\$87,000	84
Real Estate	\$12,759,675	\$10,985,871	\$1,773,804	\$55,000	0	\$31,828,068	\$13,194,759	\$18,633,309	\$55,000	335	\$41,759,697	\$17,302,956	\$24,448,374	\$55,000	418
Personal & Repair Services	\$2,083,383	\$493,653	\$1,589,730	\$40,000	0	\$12,165,618	\$4,367,574	\$7,798,044	\$40,000	167	\$6,501,159	\$2,367,861	\$4,141,665	\$40,000	84
Services to Dwellings/Buildings	\$1,255,050	\$485,286	\$769,764	\$37,000	0	\$4,434,510	\$1,715,235	\$2,719,275	\$37,000	84	\$2,769,477	\$1,070,976	\$1,698,501	\$37,000	84
Business & Professional Services	\$22,800,075	\$5,572,422	\$17,227,653	\$63,000	251	\$44,596,110	\$12,818,244	\$31,786,233	\$58,000	586	\$22,699,671	\$6,384,021	\$16,307,283	\$53,000	335
Eating & Drinking Places	\$652,626	\$100,404	\$543,855	\$29,000	0	\$21,327,483	\$4,183,500	\$17,143,983	\$27,000	669	\$16,248,714	\$3,187,827	\$13,060,887	\$27,000	502
Automobile Repair & Service	\$468,552	\$142,239	\$326,313	\$40,000	0	\$9,345,939	\$2,811,312	\$6,534,627	\$40,000	167	\$7,881,714	\$2,367,861	\$5,505,486	\$40,000	167
Entertainment Services	\$200,808	\$16,734	\$184,074	\$33,000	0	\$2,577,036	\$485,286	\$2,091,750	\$30,000	84	\$2,961,918	\$401,616	\$2,560,302	\$29,000	84
Health, Education & Social Services	\$58,569	\$0	\$58,569	\$51,000	0	\$50,185,266	\$5,580,789	\$44,604,477	\$55,000	837	\$30,723,624	\$3,221,295	\$27,510,696	\$55,000	502
Local Government	\$1,506,060	\$0	\$1,506,060	\$78,000	0	\$75,336,468	\$0	\$75,336,468	\$60,000	1255	\$20,398,746	\$0	\$20,398,746	\$60,000	335
Other	\$3,622,911	\$2,125,218	\$1,497,693	\$47,000	0	\$6,701,967	\$3,304,965	\$3,397,002	\$43,000	84	\$3,162,726	\$1,531,161	\$1,631,565	\$42,000	0
Total	\$619,434,111	\$230,134,335	\$389,291,409	\$52,000	7,279	\$358,919,199	\$72,792,900	\$286,117,932	\$48,000	6,108	\$220,939,002	\$52,143,144	\$168,754,023	\$46,000	3,681

Local Government General Revenue by Type	Phase I: Construction Activity	Phase II: Induced Effect	Phase III: Ongoing Annual Effect
Taxes			
Business Property Taxes	\$2,953,551	\$10,408,548	\$7,622,337
Residential Property Taxes	\$0	\$0	\$12,291,123
General Sales Taxes	\$6,727,068	\$3,673,113	\$2,685,807
Specific Excise Taxes	\$435,084	\$1,539,528	\$1,129,545
Income Taxes	\$1,347,087	\$1,171,380	\$769,764
License Taxes	\$326,313	\$995,673	\$727,929
Other Taxes	\$234,276	\$794,865	\$585,690
Total Taxes	\$12,023,379	\$18,583,107	\$25,812,195

User Fees & Charges			
Residential Permit/Impact Fees	\$114,393,624	\$0	\$0
Utilities & Other Gov't. Enterprises	\$6,450,957	\$14,960,196	\$8,885,754
Hospital Charges	\$2,987,019	\$3,355,167	\$3,472,305
Transportation Charges	\$1,171,380	\$677,727	\$418,350
Education Charges	\$1,213,215	\$702,828	\$435,084
Other Fees & Charges	\$3,949,224	\$4,526,547	\$3,104,157
Total Fees & Charges	\$130,165,419	\$24,222,465	\$16,315,650

Total General Revenue	\$142,188,798	\$42,805,572	\$42,127,845
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Low Income Housing Tax Credits in New Mexico Congressional District 2: 2000-2023

Credit Type	Project	Address	City	County	Zip	Year Awarded	Award Amount	Total Development Cost	Tax Credit Proceeds	Total Units	Tax Credit Units
9%	*NewLife Homes 4	6600 Delia SW	Albuquerque	Bernalillo	87121	2007	\$780,648	\$7,685,000	\$5,074,213	48	48
	Generations at West Mesa	5715 Avalon Road NW	Albuquerque	Bernalillo	87105	2017	\$674,999	\$13,052,135	\$6,383,102	54	45
	Nuevo Atrisco	7909 Central Avenue NW	Albuquerque	Bernalillo	87121	2018	\$1,019,999	\$19,036,806	\$9,979,742	100	100
	Route 66 Flats	7600 Central Avenue NW	Albuquerque	Bernalillo	87121	2023	\$1,417,000	\$16,486,445	\$12,468,353	48	48
	PAHA LIHTC Homes #1	Pinsbaari Dr. & Cedar Meadow Lane	Acoma	Cibola	87034	2016	\$767,638	\$7,599,653	\$7,895,831	30	30
	Sunray Village & Lobo Canyon	1071 Lobo Canyon Rd., 1801 Cordova Ct.	Grants	Cibola	87020	2019	\$1,232,333	\$16,625,152	\$11,151,498	128	126
	Laguna Homes I	1 Starr Loop Road	Laguna	Cibola	87026	2004	\$407,782	\$5,995,287	\$3,364,202	40	40
	Laguna Homes II	13 Rodeo Drive	Laguna	Cibola	87026	2004	\$291,234	\$4,117,686	\$2,428,892	39	39
	Laguna #3	NM-124/Rt 66 & Holly Road	Laguna	Cibola	87007	2022	\$928,988	\$11,533,834	\$7,802,719	20	20
	Laguna #4	1 Starr Loop Road	Laguna	Cibola	87038	2024	\$1,163,732	\$11,482,452	\$9,483,467	40	40
	PAHA LIHTC Homes #2	South of Pinon Street	Acoma	Cibola	87034	2020	\$671,000	\$7,604,105	\$5,702,930	30	30
	Franklin Vista V	505 Curry Court	Anthony	Doña Ana	88021	2001	\$60,468	\$1,857,541	\$471,766	28	28
	Cimmaron	825 4th Street	Anthony	Doña Ana	88021	2004	\$534,785	\$6,069,129	\$4,652,630	60	59
	Franklin Vista VI	855 Clark Avenue	Anthony	Doña Ana	88021	2006	\$116,846	\$2,829,197	\$1,025,077	24	24
	Franklin Vista VII	855 Clark Avenue	Anthony	Doña Ana	88021	2006	\$154,051	\$3,651,645	\$1,355,649	25	24
	*Cimmaron II	801 4th Street	Anthony	Doña Ana	88021	2008	\$984,958	\$10,606,443	\$7,545,759	84	84
	Tierra Encantada	805 Clark Avenue	Anthony	Doña Ana	88021	2023	\$388,782	\$5,768,267	\$3,382,065	24	24
	*Falcon Ridge	20 S. Chile Capital Street	Hatch	Doña Ana	87937	2007	\$735,434	\$9,826,025	\$6,600,520	72	72
	El Camino Real	21 Chile Capital Street	Hatch	Doña Ana	87937	2015	\$884,729	\$10,577,922	\$10,773,551	40	40
	Montana Sr. Village II	335 E. Montana Avenue	Las Cruces	Doña Ana	88005	2001	\$286,398	\$6,148,260	\$2,677,539	84	60
	Mira Vista Villas	2141 N. Solano Drive	Las Cruces	Doña Ana	88001	2001	\$358,597	\$4,789,525	\$2,904,634	76	60
	Desert Palms Apartments	2405 W. Picacho Avenue	Las Cruces	Doña Ana	88007	2003	\$227,879	\$4,615,418	\$1,891,396	100	100
	Mesquite Village	1851 N. Mesquite Street	Las Cruces	Doña Ana	88001	2003	\$132,443	\$4,214,148	\$1,033,055	49	48
	Vista Montana	316 Foster Road	Las Cruces	Doña Ana	88005	2003	\$698,931	\$7,640,188	\$5,661,341	80	79
	Four Hills	2595 Mars Avenue	Las Cruces	Doña Ana	88012	2003	\$403,431	\$6,505,830	\$3,328,306	72	60
	Stone Mountain Place	930 E. Boutz Road	Las Cruces	Doña Ana	88001	2005	\$686,168	\$9,872,018	\$6,689,452	84	71
	Los Altos Apartments	2301 El Camino Real	Las Cruces	Doña Ana	88005	2005	\$431,389	\$7,310,584	\$4,098,196	72	60
	Alta Tierra Apartments	1500 E. Madrid Avenue SW	Las Cruces	Doña Ana	88001	2008	\$427,479	\$5,038,361	\$3,314,672	63	60
	Robledo Ridge	1571 Medina Drive	Las Cruces	Doña Ana	88005	2011	\$744,879	\$10,525,888	\$6,777,721	71	60
	Paseo del Oro	4350 Elks Drive	Las Cruces	Doña Ana	88005	2014	\$439,650	\$6,037,858	\$6,152,391	24	24
	Desert Hope	1310 Pecos Street	Las Cruces	Doña Ana	88001	2019	\$560,000	\$6,678,744	\$5,105,488	40	40
	The Three Sisters Apartments	130 Walnut Street	Las Cruces	Doña Ana	88001	2022	\$1,341,912	\$18,071,970	\$12,008,911	70	69
	Valle Verde II Apartments	360 Bienes Street	Placitas/Hatch	Doña Ana	87937	2002	\$91,626	\$2,157,445	\$684,632	25	25
	Valle Verde III Apartments	360 Bienes Street	Placitas/Hatch	Doña Ana	87937	2002	\$37,346	\$886,960	\$279,048	10	10
	Valle Verde I Apartments	350 Bienes Street	Placitas/Hatch	Doña Ana	87937	2018	\$472,169	\$5,946,733	\$4,390,733	36	36
	Santa Teresa Family Homes	155 Comerciantes Blvd.	Santa Teresa	Doña Ana	88008	2002	\$550,822	\$7,096,798	\$4,131,167	74	60
	Villa Mirasol	Country Club/McNutt Road	Sunland Park	Dona Aña	88008	2020	\$848,640	\$11,115,825	\$7,552,141	48	48
	Colonial Hillcrest Apartments	605 N. 5th Street	Carlsbad	Eddy	88220	2016	\$852,000	\$17,439,563	\$7,347,765	75	76
	Villa San Jose Apartments	415 W. Del Rio Street	Carlsbad	Eddy	88220	2017	\$572,358	\$7,807,839	\$5,179,322	60	60
	Parkside Place Apartments	805/710 Hueco Street	Carlsbad	Eddy	88220	2018	\$800,000	\$15,463,122	\$7,199,280	80	80
	Silver Cliffs Apartments	1414 Little Walnut Road	Silver City	Grant	88061	2015	\$802,339	\$10,213,951	\$8,262,439	80	80
	Mountain View Senior Apartments	N. Juniper/E. 16th Street	Silver City	Grant	88061	2017	\$1,034,931	\$11,182,544	\$9,313,448	69	69
Willow Bend Villas	1000 N. Marland Blvd.	Hobbs	Lea	88240	2003	\$495,508	\$5,394,618	\$4,122,627	60	60	
New Leaf Community	1621 E. Marland Street	Hobbs	Lea	88240	2014	\$959,500	\$13,516,500	\$12,229,561	72	60	
Desert Sun/Deming Farm Labor	1201 N. 8th Street	Deming	Luna	88030	2000	\$156,958	\$3,426,690	\$1,226,690	40	40	
Mariposa Village	901 S. Tennyson	Deming	Luna	88030	2002	\$296,893	\$4,187,226	\$2,315,766	60	45	
Desert Sun Apartments II	1101 N. 8th Street	Deming	Luna	88030	2003	\$199,816	\$4,619,216	\$1,558,563	56	55	
Sierra Vista	905 N. Tin Street	Deming	Luna	88030	2011	\$536,569	\$5,630,231	\$4,426,788	24	24	
Mountain View Apartments	1101 S. Shelly Drive	Deming	Luna	88030	2011	\$556,678	\$6,838,475	\$5,065,263	48	45	
Azotea Senior Apt. Homes	2400 E. First Street	Alamogordo	Otero	88310	2004	\$532,853	\$5,598,019	\$4,422,680	61	60	

*Tax Credit Exchange Program project authorized under the American Recovery and Reinvestment Act

Low Income Housing Tax Credits in New Mexico Congressional District 2: 2000-2023

Credit Type	Project	Address	City	County	Zip	Year Awarded	Award Amount	Total Development Cost	Tax Credit Proceeds	Total Units	Tax Credit Units
	Cottonwood Commons Housing	1200 Jefferson Avenue	Alamogordo	Otero	88310	2005	\$637,349	\$7,425,586	\$6,166,352	61	60
	I-Sah'-din'-dii	101 Central Avenue	Mescalero	Otero	88340	2007	\$691,737	\$7,445,265	\$5,915,518	30	30
	A'diidi ni'kuwaa	Off Old Road and Pinto Drive	Mescalero	Otero	88340	2020	\$626,771	\$11,877,770	\$5,254,958	39	39
	Vista de Socorro	100 Vista de Socorro Drive	Socorro	Socorro	87801	2021	\$768,507	\$8,734,011	\$6,762,185	32	32
	Belen Apartments	1200 Court Street	Belen	Valencia	87002	2009	\$482,634	\$6,401,327	\$2,992,032	40	40
	Belen Vista	531 Christopher Road	Belen	Valencia	87002	2021	\$787,639	\$12,782,569	\$6,930,530	56	56
	Ventana Cove	450 Los Cerritos Road	Los Lunas	Valencia	87031	2003	\$392,445	\$6,866,269	\$3,606,602	72	60
	Hilltop Apartments	393 Canal Blvd.	Los Lunas	Valencia	87031	2009	\$386,061	\$4,976,129	\$2,431,941	40	39
	Encantada Apartments	300 Canal Blvd.	Los Lunas	Valencia	87031	2020	\$613,149	\$7,449,909	\$5,311,386	47	47
4%	Westwood Village	901 68th Street NW	Albuquerque	Bernalillo	87121	2006	\$98,141	\$3,763,590	\$922,525	64	64
	Volcanes Commons (Glenrio Apts)	6901 Glenrio Road NW	Albuquerque	Bernalillo	87121	2013	\$745,553	\$21,352,687	\$6,858,402	198	198
	Village at Avalon	601 90th St NW	Albuquerque	Bernalillo	87121	2015	\$1,262,342	\$33,990,393	\$12,225,812	240	238
	Valle de Atrisco	9901 Ceja Vista, Mead Rd SW	Albuquerque	Bernalillo	87121	2017	\$1,425,874	\$37,853,887	\$12,974,156	240	240
	Ceja Vista Senior Apartments	10001 Ceja Vista Rd SW	Albuquerque	Bernalillo	87121	2019	\$1,358,684	\$34,543,709	\$11,229,753	154	154
	Marbella Apartments	6801 Glenrio Road NW	Albuquerque	Bernalillo	87121	2019	\$411,364	\$13,831,732	\$3,648,550	96	96
	Vista Mesa Villa	1121 Mount Taylor Drive	Grants	Cibola	87020	2022	\$773,209	\$17,959,252	\$6,571,619	100	100
	Montana Meadows	201 E. Montana Avenue	Las Cruces	Doña Ana	88005	2001	\$170,606	\$5,682,539	\$1,398,969	80	80
	Highland Park	2013 S. Triviz Drive	Las Cruces	Doña Ana	88001	2006	\$91,367	\$3,144,499	\$767,480	50	50
	Peachtree Apartments	Peachtree Hills Rd & Jornada Rd	Las Cruces	Doña Ana	88012	2023	\$1,925,028	\$39,411,779	\$16,454,531	144	144
	Pedrena Senior Apartments	1955 El Paseo Rd.	Las Cruces	Dona Aña	80001	2023	\$1,211,411	\$25,406,492	\$10,441,319	80	80
	Franklin Vista I - V	820 Hettinga Lane	Anthony	Doña Ana	88021	2017	\$397,620	\$11,525,072	\$3,631,693	136	136
	Dona Aña 6	Various Sites	Anthony/Sunland Pa	Doña Ana	88021/88063	2016	\$611,651	\$18,483,703	\$5,687,785	200	200
	Lintero	2711 N. Leslie Road	Silver City	Grant	88061	2006	\$88,222	\$2,726,464	\$741,064	50	50
	Casa Linda Apartments	100 E. 17th Street	Silver City	Grant	88061	2009	\$80,961	\$2,794,425	\$485,766	41	40
	King Arthur's Court	428 W. Gales	Lordsburg	Hidalgo	88045	2003	\$27,952	\$893,127	\$232,842	28	27
	Washington Place	1405 E. Marland Street	Hobbs	Lea	88240	2015	\$272,216	\$8,487,208	\$2,476,918	76	76
	Columbus Apartments	60 Botanico Ave.	Columbus	Luna	88029	2017	\$75,839	\$2,608,104	\$688,921	24	24
	Deming Manor	1000 S. Zinc	Deming	Luna	88030	2003	\$43,820	\$1,426,733	\$333,030	52	51
	Rio Mimbres I - II	1608 South Tin St.	Deming	Luna	88030	2018	\$175,421	\$5,084,590	\$1,602,217	60	60
	Tradewinds Carriage	1301 Pershing Street	Truth or Consequ	Sierra	87901	2003	\$34,422	\$1,128,939	\$261,605	32	31
	Rio Abajo Apartments	1485 E. 2nd Street	Truth or Consequ	Sierra	87002	2009	\$85,021	\$2,994,151	\$517,946	42	41
	Westside Apartments JLG Cem FAM	721 Christopher Rd	Belen	Valencia	87002	2017	\$112,770	\$1,471,923	\$969,822	24	24
Total							\$46,617,354	\$778,899,104	\$415,387,206	5,425	5,252

*Tax Credit Exchange Program project authorized under the American Recovery and Reinvestment Act

Estimated Economic Impact of LIHTC Projects in New Mexico Congressional District 2: 2000-2024

5,425 units	Phase I: Direct and Indirect Impact of Construction Activity					Phase II: Induced Effect of Spending Income and Tax Revenue from Phase I					Phase III: Ongoing Annual Effect That Occurs Because Units Are Occupied				
Local Income and Jobs By Industry															
Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported
Construction	\$330,968,400	\$127,297,625	\$203,670,775	\$55,000	3,689	\$12,564,300	\$4,627,525	\$7,936,775	\$55,000	163	\$4,714,325	\$1,784,825	\$2,924,075	\$55,000	54
Manufacturing	\$21,700	\$0	\$21,700	\$54,000	0	\$48,825	\$0	\$48,825	\$52,000	0	\$32,550	\$0	\$27,125	\$52,000	0
Transportation	\$10,850	\$5,425	\$5,425	\$29,000	0	\$569,625	\$276,675	\$292,950	\$29,000	0	\$320,075	\$151,900	\$162,750	\$29,000	0
Communications	\$2,142,875	\$737,800	\$1,405,075	\$77,000	0	\$11,425,050	\$4,719,750	\$6,705,300	\$81,000	109	\$7,963,900	\$3,298,400	\$4,660,075	\$81,000	54
Utilities	\$504,525	\$108,500	\$396,025	\$97,000	0	\$3,878,875	\$819,175	\$3,059,700	\$97,000	54	\$1,589,525	\$336,350	\$1,253,175	\$97,000	0
Wholesale & Retail Trade	\$36,586,200	\$8,072,400	\$28,513,800	\$33,000	868	\$30,054,500	\$5,077,800	\$24,971,275	\$31,000	814	\$23,696,400	\$3,537,100	\$20,159,300	\$34,000	597
Finance & Insurance	\$1,953,000	\$75,950	\$1,877,050	\$102,000	0	\$6,569,675	\$254,975	\$6,309,275	\$90,000	54	\$4,367,125	\$168,175	\$4,198,950	\$87,000	54
Real Estate	\$8,273,125	\$7,123,025	\$1,150,100	\$55,000	0	\$20,636,700	\$8,555,225	\$12,081,475	\$55,000	217	\$27,076,175	\$11,218,900	\$15,851,850	\$55,000	271
Personal & Repair Services	\$1,350,825	\$320,075	\$1,030,750	\$40,000	0	\$7,887,950	\$2,831,850	\$5,056,100	\$40,000	109	\$4,215,225	\$1,535,275	\$2,685,375	\$40,000	54
Services to Dwellings/Buildings	\$813,750	\$314,650	\$499,100	\$37,000	0	\$2,875,250	\$1,112,125	\$1,763,125	\$37,000	54	\$1,795,675	\$694,400	\$1,101,275	\$37,000	54
Business & Professional Services	\$14,783,125	\$3,613,050	\$11,170,075	\$63,000	163	\$28,915,250	\$8,311,100	\$20,609,575	\$58,000	380	\$14,718,025	\$4,139,275	\$10,573,325	\$53,000	217
Eating & Drinking Places	\$423,150	\$65,100	\$352,625	\$29,000	0	\$13,828,325	\$2,712,500	\$11,115,825	\$27,000	434	\$10,535,350	\$2,066,925	\$8,468,425	\$27,000	326
Automobile Repair & Service	\$303,800	\$92,225	\$211,575	\$40,000	0	\$6,059,725	\$1,822,800	\$4,236,925	\$40,000	109	\$5,110,350	\$1,535,275	\$3,569,650	\$40,000	109
Entertainment Services	\$130,200	\$10,850	\$119,350	\$33,000	0	\$1,670,900	\$314,650	\$1,356,250	\$30,000	54	\$1,920,450	\$260,400	\$1,660,050	\$29,000	54
Health, Education & Social Services	\$37,975	\$0	\$37,975	\$51,000	0	\$32,539,150	\$3,618,475	\$28,920,675	\$55,000	543	\$19,920,600	\$2,088,625	\$17,837,400	\$55,000	326
Local Government	\$976,500	\$0	\$976,500	\$78,000	0	\$48,846,700	\$0	\$48,846,700	\$60,000	814	\$13,226,150	\$0	\$13,226,150	\$60,000	217
Other	\$2,349,025	\$1,377,950	\$971,075	\$47,000	0	\$4,345,425	\$2,142,875	\$2,202,550	\$43,000	54	\$2,050,650	\$992,775	\$1,057,875	\$42,000	0
Total	\$401,629,025	\$149,214,625	\$252,408,975	\$52,000	4,720	\$232,716,225	\$47,197,500	\$185,513,300	\$48,000	3,960	\$143,252,550	\$33,808,600	\$109,416,825	\$46,000	2,387

Local Government General Revenue by Type	Phase I: Construction Activity	Phase II: Induced Effect	Phase III: Ongoing Annual Effect
Taxes			
Business Property Taxes	\$1,915,025	\$6,748,700	\$4,942,175
Residential Property Taxes	\$0	\$0	\$7,969,325
General Sales Taxes	\$4,361,700	\$2,381,575	\$1,741,425
Specific Excise Taxes	\$282,100	\$998,200	\$732,375
Income Taxes	\$873,425	\$759,500	\$499,100
License Taxes	\$211,575	\$645,575	\$471,975
Other Taxes	\$151,900	\$515,375	\$379,750
Total Taxes	\$7,795,725	\$12,048,925	\$16,736,125

User Fees & Charges			
Residential Permit/Impact Fees	\$74,170,600	\$0	\$0
Utilities & Other Gov't. Enterprises	\$4,182,675	\$9,699,900	\$5,761,350
Hospital Charges	\$1,936,725	\$2,175,425	\$2,251,375
Transportation Charges	\$759,500	\$439,425	\$271,250
Education Charges	\$786,625	\$455,700	\$282,100
Other Fees & Charges	\$2,560,600	\$2,934,925	\$2,012,675
Total Fees & Charges	\$84,396,725	\$15,705,375	\$10,578,750

Total General Revenue	\$92,192,450	\$27,754,300	\$27,314,875
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Low Income Housing Tax Credits in New Mexico Congressional District 3: 2000-2023

Credit Type	Project	Address	City	County	Zip	Year Awarded	Award Amount	Total Development Cost	Tax Credit Proceeds	Total Units	Tax Credit Units
9%	Spicewood Canyon Villas	1301 E. Alameda	Roswell	Chaves	88203	2003	\$494,437	\$5,307,216	\$4,113,716	60	60
	Wilshire Gardens	2727 Wilshire Boulevard	Roswell	Chaves	88201	2006	\$915,983	\$11,602,242	\$9,141,848	91	76
	Roswell Summit Apartments	1600 W. Summit	Roswell	Chaves	88201	2007	\$328,473	\$4,595,326	\$3,087,337	52	52
	Cielo del Oro Senior Housing	1700 W. Hendricks Street	Roswell	Chaves	88203	2014	\$381,248	\$4,883,507	\$3,434,701	30	30
	Main Street Townhomes	3205 N. Main Street	Clovis	Curry	88101	2001	\$236,582	\$2,362,473	\$1,821,683	25	25
	Sedona Village/Villa del Sol	1500 Echols Avenue	Clovis	Curry	88101	2002	\$203,676	\$2,657,921	\$1,507,000	50	50
	Parkside Village	1100 N. Sycamore	Clovis	Curry	88101	2003	\$391,256	\$4,677,436	\$3,423,490	42	42
	Lolomas Senior Housing	1500 Mitchell Street	Clovis	Curry	88101	2007	\$952,795	\$9,858,267	\$8,931,560	55	55
	Clovis Apartments/Bella Vista	3805 Gidding Street	Clovis	Curry	88101	2007	\$904,052	\$8,474,640	\$8,474,640	61	60
	Hotel Clovis Lofts	201 N. Main Street	Clovis	Curry	88101	2010	\$1,055,077	\$12,343,815	\$8,317,395	60	60
	Andalusia Apartments	201 N. Connelly Street	Clovis	Curry	88101	2013	\$1,148,190	\$11,373,444	\$9,873,447	60	60
	Mesquite	412 S. Avenue F	Texico	Curry	88135	2001	\$198,824	\$2,007,832	\$1,530,944	20	20
	Roselawn Manor Apartments	800 S. Roselawn Avenue	Artesia	Eddy	88210	2015	\$1,150,000	\$14,297,039	\$11,383,862	63	62
	La Pradera	2900 N. Dal Paso Street	Hobbs	Lea	88240	2009	\$1,140,553	\$11,100,234	\$7,606,728	60	60
	Park Place (fka Casa Hermosa)	920 E. Michigan Drive	Hobbs	Lea	88240	2012	\$874,388	\$11,331,792	\$8,262,140	88	87
	Playa Escondida	1021 E. Yeso Drive	Hobbs	Lea	88240	2014	\$869,157	\$12,364,596	\$8,738,164	60	46
	Parkside Terrace	300 E. White Street	Hobbs	Lea	88240	2015	\$1,087,936	\$14,879,056	\$10,660,707	65	64
	Skyview Terrace	3600 N. Skyview Street	Hobbs	Lea	88240	2019	\$1,157,325	\$16,052,950	\$10,877,767	72	72
	West Berry Senior	616 W. Berry Drive	Hobbs	Lea	88240	2021	\$1,090,143	\$17,246,079	\$9,347,041	56	56
	Mesa del Norte	650 San Ildefonso	Los Alamos	Los Alamos	87544	2012	\$513,809	\$6,437,914	\$4,675,194	36	36
	Canyon Walk Apartments	120 DP Road	Los Alamos	Los Alamos	87544	2018	\$1,049,930	\$18,022,722	\$9,552,452	70	70
	The Bluffs Senior Apartments	135 DP Road	Los Alamos	Los Alamos	87544	2019	\$1,028,671	\$12,871,284	\$9,051,400	64	64
	Cliffside III	601 Dani Drive	Gallup	McKinley	87301	2000	\$111,620	\$2,252,068	\$116,223	31	30
	Villa Mentmore	3420 Sanostee Drive	Gallup	McKinley	87301	2001	\$353,349	\$3,705,853	\$2,685,456	52	52
	Casamera Apartments	350 Basilio Drive	Gallup	McKinley	87301	2006	\$827,960	\$9,581,191	\$7,093,133	72	60
	Chuska Apartments	2534 Aztec Avenue	Gallup	McKinley	87301	2006	\$659,512	\$8,370,835	\$6,199,413	30	30
	Sunset Hills Apartments	220 Rudy Drive	Gallup	McKinley	87301	2013	\$966,241	\$11,882,312	\$9,081,757	61	59
	ZHA LIHTC #1	A Avenue, 4th St. & BIA Route 301E	Zuni Pueblo	McKinley	87327	2014	\$584,862	\$7,436,931	\$5,519,406	38	38
	ZHA LIHTC #2	A Avenue, 4th St. & BIA Route 301E	Zuni Pueblo	McKinley	87327	2015	\$343,087	\$4,481,663	\$3,396,222	21	21
	Tsigo bugeh/P'o K'ay	West Kennedy Subdivision	Ohkay Owingeh	Rio Arriba	87566	2001	\$307,779	\$3,973,269	\$2,308,343	40	31
	Hidden Valley	717 Ruth Lane	Bloomfield	San Juan	87413	2003	\$544,054	\$6,094,227	\$4,098,903	60	60
	Ladera/Regency Terrace	3500 N. Butler	Farmington	San Juan	87401	2002	\$355,260	\$5,271,266	\$2,770,751	60	45
	La Terraza*	900 Cannery Court	Farmington	San Juan	87401	2009	\$858,032	\$10,307,210	\$5,319,266	72	60
	Chaco River	Highway 491 & N. 509 Road	Shiprock	San Juan	87420	2006	\$142,284	\$3,267,680	\$1,305,158	24	24
	Chaco River II	Highway 491 & N. 509 Road	Shiprock	San Juan	87420	2007	\$875,538	\$10,426,148	\$6,959,831	72	60
	Villa Las Vegas	200 Mountain View Drive	Las Vegas	San Miguel	87701	2000	\$505,795	\$4,989,680	\$3,793,464	60	60
	Gallinas Valley	2612 7th Street	Las Vegas	San Miguel	87701	2012	\$295,960	\$4,565,803	\$2,456,222	43	43
	Kristin Park	2351 Moreland Street	Las Vegas	San Miguel	87701	2014	\$440,308	\$6,028,840	\$3,896,336	44	43
	Domingo Housing Project/Wa-Di	Old BIA Road 88/New BIA Road 88	Santo Domingo Pueblo	Sandoval	87052	2015	\$848,948	\$9,955,871	\$8,369,790	41	41
	Villa Del Norte Apartments	737 La Joya Street	Espanola	Santa Fe	87532	2019	\$572,401	\$7,676,614	\$5,151,094	50	50
	White Sands Village	27 Tribal Works Road	Pojoaque	Santa Fe	87501	2000	\$208,965	\$2,463,495	\$1,608,870	30	30
	White Sands Village II	27 Tribal Works Road	Pojoaque	Santa Fe	87501	2005	\$200,196	\$2,742,329	\$1,801,764	20	20
	Ventana de Vida I	1500 Pacheco Street	Santa Fe	Santa Fe	87505	2000	\$558,889	\$6,024,886	\$4,191,670	60	59
Ventana de Vida II	1500 Pacheco Street	Santa Fe	Santa Fe	87505	2001	\$553,079	\$6,195,993	\$4,148,092	60	60	
Stone Creek/Casa Rufina	2323 Casa Rufina Road	Santa Fe	Santa Fe	87506	2003	\$1,034,620	\$14,024,423	\$9,336,618	100	100	
Casa Rufina, Phase II	2323 Casa Rufina Road	Santa Fe	Santa Fe	87507	2006	\$258,685	\$3,486,547	\$2,560,982	20	17	
San Ildefonso/Mesa Vista	Route 5, Box 315A	Santa Fe	Santa Fe	87506	2006	\$293,415	\$3,342,118	\$2,640,735	20	20	
*The Village	5951 Larson Loop	Santa Fe	Santa Fe	87507	2008	\$828,406	\$10,319,120	\$8,872,429	60	60	
Villa Alegre	701 W. Alameda Street	Santa Fe	Santa Fe	87501	2009	\$1,055,096	\$14,075,985	\$6,857,436	60	51	
Cedar Creek Apartments	3991 Camino Juliana	Santa Fe	Santa Fe	87507	2011	\$831,654	\$12,113,166	\$7,484,138	86	86	

*Tax Credit Exchange Program project authorized by the American Recovery and Reinvestment Act

Low Income Housing Tax Credits in New Mexico Congressional District 3: 2000-2023

Credit Type	Project	Address	City	County	Zip	Year Awarded	Award Amount	Total Development Cost	Tax Credit Proceeds	Total Units	Tax Credit Units
	Campo Apartments	104 Camino del Campo	Santa Fe	Santa Fe	87501	2011	\$603,542	\$6,580,677	\$5,612,379	28	28
	Stage Coach Apartments	3360 Cerrillos Road	Santa Fe	Santa Fe	87507	2011	\$1,039,833	\$12,723,592	\$9,773,453	60	60
	Villa Alegre	821 W. Alameda Street	Santa Fe	Santa Fe	87501	2011	\$92,024	\$25,948	\$59,815	60	51
	Villa Hermosa	1510-1520 Luisa Lane	Santa Fe	Santa Fe	87505	2016	\$1,150,000	\$15,549,825	\$12,763,724	116	116
	Soleras Station	4690 Rail Runner Road	Santa Fe	Santa Fe	87507	2016	\$1,081,327	\$20,680,811	\$9,821,650	87	73
	Villa Consuelo	1200 Camino Consuelo	Santa Fe	Santa Fe	87505	2018	\$1,115,168	\$19,752,274	\$10,048,889	100	100
	1115 Calle La Resolana	1115 Calle La Resolana	Santa Fe	Santa Fe	87507	2019	\$723,285	\$12,058,322	\$6,870,520	45	45
	Siler Yard: Arts+Creativity Center	1218 Siler Road	Santa Fe	Santa Fe	87505	2019	\$1,040,000	\$18,539,801	\$9,542,409	65	65
	Ocate Apartments	1111 Ocate Road	Santa Fe	Santa Fe	87507	2024	\$1,622,805	\$22,275,632	\$14,279,256	60	60
	Country Club Apartments	5999 Airport Road	Santa Fe	Santa Fe	87507	2024	\$1,240,558	\$21,593,630	\$10,915,819	62	62
	El Cerrito Housing	250 Paseo Del Canon East	Taos	Taos	87571	2005	\$658,675	\$7,969,196	\$6,652,618	57	56
	Taos Haus	631 Paseo del Pueblo Sur	Taos	Taos	87571	2012	\$631,861	\$6,715,973	\$5,408,189	30	30
	Tierra Montosa Phase 2	750 Gudsorf Road	Taos	Taos	87571	2016	\$984,401	\$12,037,720	\$10,740,710	70	70
	Herdner 80	120 Herdner Road/812 Gudsorf Road	Taos	Taos	87571	2018	\$1,150,000	\$14,090,000	\$10,980,252	80	80
	Mariposa	201 Mariposa Place	Taos	Taos	87571	2021	\$801,704	\$11,668,188	\$7,214,614	57	57
Walnut Street Courts	100 Walnut Street	Clayton	Union	88415	2000	\$240,064	\$2,444,380	\$1,872,499	25	25	
4%	Wildewood	201 W. Sherrill Lane	Roswell	Chaves	88201	2000	\$142,349	\$4,540,343	\$1,209,968	60	60
	Gatewood Village	1309 W. 15th Street	Clovis	Curry	88101	2006	\$73,125	\$2,487,793	\$614,250	60	60
	Penasco Apartments JLG Cen FAM	501 South 20th St.	Artesia	Eddy	88210	2017	\$114,196	\$3,757,011	\$1,376,833	40	39
	EMLI at Wells of Artesia	2104 W. Richey Avenue	Artesia	Eddy	88210	2022	\$1,702,424	\$37,748,481	\$13,958,456	198	191
	Four Seasons	2405 N Jefferson St	Hobbs	Lea	88240	2020	\$396,761	\$13,066,387	\$3,570,492	80	80
	Southview Apartments	1300 W. Avenue R	Lovington	Lea	88260	2009	\$92,502	\$2,543,949	\$777,017	48	46
	Sagebrush	650 Dani Drive	Gallup	McKinley	87301	2006	\$101,310	\$3,412,982	\$851	50	50
	Sage Apartments	110 Rudy Drive	Gallup	McKinley	87301	2009	\$107,928	\$2,838,169	\$906,595	44	43
	Gallup 3	Various Sites	Gallup	McKinley	87301	2012	\$488,409	\$15,361,201	\$4,248,733	208	204
	Cliffside I-III	621 Dani Drive	Gallup	McKinley	87301	2017	\$379,417	\$10,988,690	\$3,471,318	105	105
	Mundo Ranch	Stone Lake Road	Dulce	Rio Arriba	87520	2004	\$264,611	\$5,286,873	\$2,116,888	46	46
	Ruth Visage Senior	1101 W Fir St	Portales	Roosevelt	88130	2017	\$112,443	\$2,771,903	\$953,416	26	25
	Pinos Blancos I-II	512 West Blanco Blvd.	Bloomfield	San Juan	87413	2017	\$180,896	\$6,203,922	\$1,656,554	67	67
	Apple Ridge Apartments	1600 Cliffside Drive	Farmington	San Juan	87401	2002	\$205,484	\$6,143,886	\$1,602,778	80	80
	Northgate Village	2500 W. Apache Street	Farmington	San Juan	87405	2006	\$115,682	\$3,595,788	\$971,729	50	50
	South Shiprock Homes	U.S. Highway 491	Shiprock	San Juan	87420	2016	\$794,672	\$25,150,318	\$6,912,955	255	252
	North Star JLG Cen FAM	333 Chico Dr	Las Vegas	San Miguel	87701	2017	\$162,632	\$3,757,011	\$1,376,833	40	39
	San Miguel Senior JLG Cen Senior	2710 Collins Dr	Las Vegas	San Miguel	87701	2017	\$172,989	\$4,264,464	\$1,466,793	40	39
	Evergreen Apts	2020 Calle Lorca	Santa Fe	Santa Fe	87505	2000	\$205,463	\$6,625,859	\$1,293,860	70	70
	Country Club Apartments	5999 Airport Road	Santa Fe	Santa Fe	87507	2002	\$139,830	\$5,480,790	\$1,153,559	62	62
	Las Palomas	2000 Hopewell Street	Santa Fe	Santa Fe	87505	2004	\$681,799	\$21,407,884	\$6,203,042	280	278
	Santa Fe Retirement	3330 Calle Po Ae Pi	Santa Fe	Santa Fe	87507	2004	\$406,314	\$11,284,128	\$2,616,097	107	106
	Airport Vista	6921 Airport Road	Santa Fe	Santa Fe	87507	2006	\$425,494	\$13,889,789	\$3,385,120	116	114
	Sunset View	1899 Pacheco Street	Santa Fe	Santa Fe	87505	2006	\$857,946	\$18,674,233	\$6,035,431	136	136
	Villas de San Ignacio	4499 San Ignacio Road	Santa Fe	Santa Fe	87507	2008	\$499,111	\$14,879,723	\$3,755,320	127	127
	Villa Alegre Senior Apartments	701 W. Alameda Street	Santa Fe	Santa Fe	87501	2009	\$311,043	\$10,449,575	\$2,453,277	51	50
	Pasa Tiempo	664 Alta Vista Street	Santa Fe	Santa Fe	87505	2017	\$630,451	\$21,061,105	\$6,871,121	121	121
Santa Fe Community Living	664 Alta Vista Street	Santa Fe	Santa Fe	87505	2014/2016	\$819,699	\$23,820,730	\$7,474,362	120	113	
Santa Fe Apts/Sangre de Cristo	255 Camino Alire/1801 Espinacitas St	Santa Fe	Santa Fe	87501/87505	2023	\$3,365,200	\$81,286,062	\$29,106,069	228	228	
Total							\$60,713,927	\$997,288,325	\$533,933,230	6,544	6,376

*Tax Credit Exchange Program project authorized by the American Recovery and Reinvestment Act

Estimated Economic Impact of LIHTC Projects in New Mexico Congressional District 3: 2000-2024

6,544 units															
Local Income and Jobs By Industry	Phase I: Direct and Indirect Impact of Construction Activity					Phase II: Induced Effect of Spending Income and Tax Revenue from Phase I					Phase III: Ongoing Annual Effect That Occurs Because Units Are Occupied				
Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported
Construction	\$399,236,352	\$153,554,960	\$245,681,392	\$55,000	4,450	\$15,155,904	\$5,582,032	\$9,573,872	\$55,000	196	\$5,686,736	\$2,152,976	\$3,527,216	\$55,000	65
Manufacturing	\$26,176	\$0	\$26,176	\$54,000	0	\$58,896	\$0	\$58,896	\$52,000	0	\$39,264	\$0	\$32,720	\$52,000	0
Transportation	\$13,088	\$6,544	\$6,544	\$29,000	0	\$687,120	\$333,744	\$353,376	\$29,000	0	\$386,096	\$183,232	\$196,320	\$29,000	0
Communications	\$2,584,880	\$889,984	\$1,694,896	\$77,000	0	\$13,781,664	\$5,693,280	\$8,088,384	\$81,000	131	\$9,606,592	\$3,978,752	\$5,621,296	\$81,000	65
Utilities	\$608,592	\$130,880	\$477,712	\$97,000	0	\$4,678,960	\$988,144	\$3,690,816	\$97,000	65	\$1,917,392	\$405,728	\$1,511,664	\$97,000	0
Wholesale & Retail Trade	\$44,132,736	\$9,737,472	\$34,395,264	\$33,000	1047	\$36,253,760	\$6,125,184	\$30,122,032	\$31,000	982	\$28,584,192	\$4,266,688	\$24,317,504	\$34,000	720
Finance & Insurance	\$2,355,840	\$91,616	\$2,264,224	\$102,000	0	\$7,924,784	\$307,568	\$7,610,672	\$90,000	65	\$5,267,920	\$202,864	\$5,065,056	\$87,000	65
Real Estate	\$9,979,600	\$8,592,272	\$1,387,328	\$55,000	0	\$24,893,376	\$10,319,888	\$14,573,488	\$55,000	262	\$32,661,104	\$13,532,992	\$19,121,568	\$55,000	327
Personal & Repair Services	\$1,629,456	\$386,096	\$1,243,360	\$40,000	0	\$9,514,976	\$3,415,968	\$6,099,008	\$40,000	131	\$5,084,688	\$1,851,952	\$3,239,280	\$40,000	65
Services to Dwellings/Buildings	\$981,600	\$379,552	\$602,048	\$37,000	0	\$3,468,320	\$1,341,520	\$2,126,800	\$37,000	65	\$2,166,064	\$837,632	\$1,328,432	\$37,000	65
Business & Professional Services	\$17,832,400	\$4,358,304	\$13,474,096	\$63,000	196	\$34,879,520	\$10,025,408	\$24,860,656	\$58,000	458	\$17,753,872	\$4,993,072	\$12,754,256	\$53,000	262
Eating & Drinking Places	\$510,432	\$78,528	\$425,360	\$29,000	0	\$16,680,656	\$3,272,000	\$13,408,656	\$27,000	524	\$12,708,448	\$2,493,264	\$10,215,184	\$27,000	393
Automobile Repair & Service	\$366,464	\$111,248	\$255,216	\$40,000	0	\$7,309,648	\$2,198,784	\$5,110,864	\$40,000	131	\$6,164,448	\$1,851,952	\$4,305,952	\$40,000	131
Entertainment Services	\$157,056	\$13,088	\$143,968	\$33,000	0	\$2,015,552	\$379,552	\$1,636,000	\$30,000	65	\$2,316,576	\$314,112	\$2,002,464	\$29,000	65
Health, Education & Social Services	\$45,808	\$0	\$45,808	\$51,000	0	\$39,250,912	\$4,364,848	\$34,886,064	\$55,000	654	\$24,029,568	\$2,519,440	\$21,516,672	\$55,000	393
Local Government	\$1,177,920	\$0	\$1,177,920	\$78,000	0	\$58,922,176	\$0	\$58,922,176	\$60,000	982	\$15,954,272	\$0	\$15,954,272	\$60,000	262
Other	\$2,833,552	\$1,662,176	\$1,171,376	\$47,000	0	\$5,241,744	\$2,584,880	\$2,656,864	\$43,000	65	\$2,473,632	\$1,197,552	\$1,276,080	\$42,000	0
Total	\$484,471,952	\$179,992,720	\$304,472,688	\$52,000	5,693	\$280,717,968	\$56,932,800	\$223,778,624	\$48,000	4,777	\$172,800,864	\$40,782,208	\$131,985,936	\$46,000	2,879

Local Government General Revenue by Type	Phase I: Construction Activity	Phase II: Induced Effect	Phase III: Ongoing Annual Effect
Taxes			
Business Property Taxes	\$2,310,032	\$8,140,736	\$5,961,584
Residential Property Taxes	\$0	\$0	\$9,613,136
General Sales Taxes	\$5,261,376	\$2,872,816	\$2,100,624
Specific Excise Taxes	\$340,288	\$1,204,096	\$883,440
Income Taxes	\$1,053,584	\$916,160	\$602,048
License Taxes	\$255,216	\$778,736	\$569,328
Other Taxes	\$183,232	\$621,680	\$458,080
Total Taxes	\$9,403,728	\$14,534,224	\$20,188,240

User Fees & Charges			
Residential Permit/Impact Fees	\$89,469,568	\$0	\$0
Utilities & Other Gov't. Enterprises	\$5,045,424	\$11,700,672	\$6,949,728
Hospital Charges	\$2,336,208	\$2,624,144	\$2,715,760
Transportation Charges	\$916,160	\$530,064	\$327,200
Education Charges	\$948,880	\$549,696	\$340,288
Other Fees & Charges	\$3,088,768	\$3,540,304	\$2,427,824
Total Fees & Charges	\$101,805,008	\$18,944,880	\$12,760,800

Total General Revenue	\$111,208,736	\$33,479,104	\$32,949,040
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Estimated Economic Impact of LIHTC Projects in New Mexico: 2000-2023

20,336 units															
Local Income and Jobs By Industry	Phase I: Direct and Indirect Impact of Construction Activity					Phase II: Induced Effect of Spending Income and Tax Revenue from Phase I					Phase III: Ongoing Annual Effect That Occurs Because Units Are Occupied				
Industry	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported	Local Income	Local Business Owners' Income	Local Wages and Salaries	Wages and Salaries Per Full-time Job	Number of Local Jobs Supported
Construction	\$1,240,658,688	\$477,184,240	\$763,474,448	\$55,000	13,828	\$47,098,176	\$17,346,608	\$29,751,568	\$55,000	610	\$17,671,984	\$6,690,544	\$10,961,104	\$55,000	203
Manufacturing	\$81,344	\$0	\$81,344	\$54,000	0	\$183,024	\$0	\$183,024	\$52,000	0	\$122,016	\$0	\$101,680	\$52,000	0
Transportation	\$40,672	\$20,336	\$20,336	\$29,000	0	\$2,135,280	\$1,037,136	\$1,098,144	\$29,000	0	\$1,199,824	\$569,408	\$610,080	\$29,000	0
Communications	\$8,032,720	\$2,765,696	\$5,267,024	\$77,000	0	\$42,827,616	\$17,692,320	\$25,135,296	\$81,000	407	\$29,853,248	\$12,364,288	\$17,468,624	\$81,000	203
Utilities	\$1,891,248	\$406,720	\$1,484,528	\$97,000	0	\$14,540,240	\$3,070,736	\$11,469,504	\$97,000	203	\$5,958,448	\$1,260,832	\$4,697,616	\$97,000	0
Wholesale & Retail Trade	\$137,145,984	\$30,259,968	\$106,886,016	\$33,000	3,254	\$112,661,440	\$19,034,496	\$93,606,608	\$31,000	3,050	\$88,827,648	\$13,259,072	\$75,568,576	\$34,000	2,237
Finance & Insurance	\$7,320,960	\$284,704	\$7,036,256	\$102,000	0	\$24,626,896	\$955,792	\$23,650,768	\$90,000	203	\$16,370,480	\$630,416	\$15,740,064	\$87,000	203
Real Estate	\$31,012,400	\$26,701,168	\$4,311,232	\$55,000	0	\$77,358,144	\$32,069,872	\$45,288,272	\$55,000	813	\$101,496,976	\$42,054,848	\$59,421,792	\$55,000	1017
Personal & Repair Services	\$5,063,664	\$1,199,824	\$3,863,840	\$40,000	0	\$29,568,544	\$10,615,392	\$18,953,152	\$40,000	407	\$15,801,072	\$5,755,088	\$10,066,320	\$40,000	203
Services to Dwellings/Buildings	\$3,050,400	\$1,179,488	\$1,870,912	\$37,000	0	\$10,778,080	\$4,168,880	\$6,609,200	\$37,000	203	\$6,731,216	\$2,603,008	\$4,128,208	\$37,000	203
Business & Professional Services	\$55,415,600	\$13,543,776	\$41,871,824	\$63,000	610	\$108,390,880	\$31,154,752	\$77,256,464	\$58,000	1424	\$55,171,568	\$15,516,368	\$39,634,864	\$53,000	813
Eating & Drinking Places	\$1,586,208	\$244,032	\$1,321,840	\$29,000	0	\$51,836,464	\$10,168,000	\$41,668,464	\$27,000	1,627	\$39,492,512	\$7,748,016	\$31,744,496	\$27,000	1220
Automobile Repair & Service	\$1,138,816	\$345,712	\$793,104	\$40,000	0	\$22,715,312	\$6,832,896	\$15,882,416	\$40,000	407	\$19,156,512	\$5,755,088	\$13,381,088	\$40,000	407
Entertainment Services	\$488,064	\$40,672	\$447,392	\$33,000	0	\$6,263,488	\$1,179,488	\$5,084,000	\$30,000	203	\$7,198,944	\$976,128	\$6,222,816	\$29,000	203
Health, Education & Social Services	\$142,352	\$0	\$142,352	\$51,000	0	\$121,975,328	\$13,564,112	\$108,411,216	\$55,000	2,034	\$74,673,792	\$7,829,360	\$66,864,768	\$55,000	1220
Local Government	\$3,660,480	\$0	\$3,660,480	\$78,000	0	\$183,105,344	\$0	\$183,105,344	\$60,000	3,050	\$49,579,168	\$0	\$49,579,168	\$60,000	813
Other	\$8,805,488	\$5,165,344	\$3,640,144	\$47,000	0	\$16,289,136	\$8,032,720	\$8,256,416	\$43,000	203	\$7,687,008	\$3,721,488	\$3,965,520	\$42,000	0
Total	\$1,505,535,088	\$559,341,680	\$946,173,072	\$52,000	17,692	\$872,353,392	\$176,923,200	\$695,409,856	\$48,000	14,845	\$536,992,416	\$126,733,952	\$410,156,784	\$46,000	8,948

Local Government General Revenue by Type	Phase I: Construction Activity	Phase II: Induced Effect	Phase III: Ongoing Annual Effect
Taxes			
Business Property Taxes	\$7,178,608	\$25,297,984	\$18,526,096
Residential Property Taxes	\$0	\$0	\$29,873,584
General Sales Taxes	\$16,350,144	\$8,927,504	\$6,527,856
Specific Excise Taxes	\$1,057,472	\$3,741,824	\$2,745,360
Income Taxes	\$3,274,096	\$2,847,040	\$1,870,912
License Taxes	\$793,104	\$2,419,984	\$1,769,232
Other Taxes	\$569,408	\$1,931,920	\$1,423,520
Total Taxes	\$29,222,832	\$45,166,256	\$62,736,560

User Fees & Charges			
Residential Permit/Impact Fees	\$278,033,792	\$0	\$0
Utilities & Other Gov't. Enterprises	\$15,679,056	\$36,360,768	\$21,596,832
Hospital Charges	\$7,259,952	\$8,154,736	\$8,439,440
Transportation Charges	\$2,847,040	\$1,647,216	\$1,016,800
Education Charges	\$2,948,720	\$1,708,224	\$1,057,472
Other Fees & Charges	\$9,598,592	\$11,001,776	\$7,544,656
Total Fees & Charges	\$316,367,152	\$58,872,720	\$39,655,200

Total General Revenue	\$345,589,984	\$104,038,976	\$102,391,760
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Commonly Used Housing & Finance Acronyms

2MP	Second Modification Program
ACC	Annual Contributions Contract
ACED	Area of Chronic Economic Distress
ACF	Albuquerque Community Foundation
AFFH	Affirmatively Furthering Fair Housing
AFHMP	Affirmative Fair Housing Marketing Plan
AGMI	Area Gross Median Income
AHA	Affordable Housing Act or Albuquerque Housing Authority
AHIC	Affordable Housing Investors Council
AHP	Affordable Housing Program
AIDA	All Indian Business Development Program
AIPC	All Indian Pueblo Council
AIPHA	All Indian Pueblo Housing Authority
AMI	Area Median Income
AMT	Alternative Minimum Tax
ANA	Administration for Native Americans
ARC	Allocation Review Committee
ARM	Adjustable Rate Mortgage
ARP or ARPA	American Rescue Plan (Act)
ARRA	American Recovery and Reinvestment Act
ARPA-SLFRF	American Rescue Plan Act State and Local Fiscal Recovery Funds
ASDN	Area(s) of Statistically Demonstrated Need
BA	Budget Authority
BABA	Build America, Buy America
BBER	Bureau of Business and Economic Research (UNM)
BHC	Behavioral Health Collaborative
BIA	Bureau of Indian Affairs
BoS	Balance of State
BPRC	Business Plan Review Committee
BMA	Bond Market Association
CA	Contract Administration
CAA	Community Action Agency
CAIVRS	Credit Alert Interactive Voice Response System (HUD Credit Alert System)
CAPER	Consolidated Annual Performance and Evaluation Report
CARES	Coronavirus, Aid, Relief, and Economic Security
CBO	Community-Based Organization
CDBG	Community Development Block Grant
CDBG-CV	Community Development Block Grant – Coronavirus
CDBG – DR	Community Development Block Grant – Disaster Relief

CDC	Certified Development Company
CDC	Certified Development Community
CDC	Community Development Council
CDCU	Community Development Credit Union
CDD	Community Development Department
CDFI	Community Development Financial Institution
CDRLF	Community Development Revolving Loan Fund
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CFR	Code of Federal Regulations
CFPB	Consumer Financial Protection Bureau
CHDO	Community Housing Development Organization
CHO	Chief Housing Officer
CIP	Community Investment Program
CLO	Chief Lending Officer
CLT	Community Land Trust
CLTV	Combined Loan to Value-
CMF	Capital Magnet Fund
CNA	Capital Needs Assessment
COB	Convertible Option Bond
COC	Continuum of Care
COG	Council of Governments
COI	Costs of Issuance
COL	Contract Loan Program
CPF	Community Project Funding
CRA	Community Reinvestment Act
CRF	Cares Act Relief Funds
CRF	Coronavirus Relief Funds
CSBG	Community Services Block Grant
CSLFRF	Coronavirus State and Local Fiscal Recovery Funds
DDA	Difficult Development Area
DFA	New Mexico Department of Finance and Administration
DOE	Department of Energy
DOJ	Department of Justice
DOT	Department of Transportation
DPA	Down Payment Assistance
DSC or DSCR	Debt Service Coverage Ratio
DTI	Debt to Income Ratio
ECOA	Equal Credit Opportunity Act
EDA	Economic Development Administration
EHAP	Emergency Homeless Assistance Program
EIV	Enterprise Income Verification

ELCDC	Enchantment Land Certified Development Company
eLOCCS	Line of Credit Control System
EHAP	Emergency Homelessness Assistance Program
ESG	Emergency Solutions Grant
ERA	Emergency Rental Assistance (Program)
ERHA	Eastern Regional Housing Authority
Exchange	Housing Credit Exchange Program
FAMC	Federal Agriculture Mortgage Corporation
FCL	Foreclosure
FDIC	Federal Deposit Insurance Corporation
FEMA	Federal Emergency Management Agency
FHA	Federal Housing Administration or Fair Housing Act
FHEO	Office of Fair Housing and Equal Opportunity
FHFA	Federal Housing Finance Agency
FHFB	Federal Housing Finance Board
FHLB	Federal Home Loan Bank
FHLMC	Federal Home Loan Mortgage Corporation (Freddie Mac)
FICA	Federal Insurance Contribution Act
FICO	Fair Isaac and Company (credit score)
FMHCSS	Federal Manufactured Home Construction and Safety Standards
FMR	Fair Market Rents
FNMA	Federal National Mortgage Association (Fannie Mae)
FPDP	Foreclosure Prevention and Defense Program
FRF	Fiscal Recovery Funds
FSA	Financial Security Assurance
FSA	Farm Service Agency
GAAR	Greater Albuquerque Association of Realtors
GAHP	Greater Albuquerque Housing Partnership (now Sol Housing)
GNMA	Government National Mortgage Association (Ginnie Mae)
GO	General Obligation
GP	General Partner
GSE	Government Sponsored Enterprise
GUS	Guaranteed Underwriting System
HA	Housing Authority
HAF	Homeowner Assistance Fund
HAFA	Home Affordable Foreclosure Alternatives
HAMP	Home Affordable Modification Program
HAP	Homeownership Assistance Fund
HAP	Housing Assistance Payments
HC	Housing Credit
HCA	Housing Credit Agency
HD or HDD	Housing Development Department

HECM	Home Equity Conversion Mortgage (HUD Reverse Mortgage)
HELOC	Home Equity Line of Credit
HERA	Housing and Economic Recovery Act
HFA	Housing Finance Agency
HIP	Home Improvement Program
HMA	Heath Management Alliance
HHF	Hardest-Hit Fund
HMDA	Home Mortgage Disclosure Act
HMIS	Homeless Management Information System
HOEPA	Home Ownership and Equity Protection Act
HOME	HOME Investment Partnerships Program
HOME-ARP	HOME Investment Partnerships Program – American Rescue Plan
HOPE	Homeownership Opportunities for People Everywhere
HOPWA	Housing Opportunities for Persons with AIDS
HOTMA	Housing Opportunity Through Modernization Act
HRSA	Health Resources and Services Administration
HTF	Housing Trust Fund (national when federal, state when used by MFA)
HUD	US Department of Housing and Urban Development
IDIS	Integrated Disbursement and Information Service
IHA	Indian Housing Authority
IMAX	Integrated Multifamily Access eXchange
iREMS	Integrated Real Estate Management System
IREM	Institute of Real Estate Management
IRS	Internal Revenue Service
JTPA	Job Training and Partnership Act
LCP	Landlord Collaboration Program
LDC	Local Development Corporation
LEP	Landlord Engagement Program
LFC	Legislative Finance Committee
LGIP	Local Government Investment Pool
LIHEAP	Low Income Home Energy Assistance Program
LIHTC	Low Income Housing Tax Credit Program
LLC	Limited Liability Company
LOC	Letter of Credit
LOC	Legislative Oversight Committee
LP	Limited Partner
LLP	Limited Liability Partnership
LTTF	Land Title Trust Fund
LTV	Loan-to-Value Ratio
LURA	Land Use Restriction Agreement
MBE	Minority-Owned Business Enterprise
MBS	Mortgage Backed Securities

MCC	Mortgage Credit Certificate
MHEA	Manufactured Home Energy Audit.
MF	Multifamily
MFA	New Mexico Mortgage Finance Authority
MH	Manufactured Housing
MMCR	Multi-Merged Credit Report
MIF	Mortgage Insurance Fund
MIP	Mortgage Insurance Premium
MOR	Management and Occupancy Review
MOU	Memorandum of Understanding
MPC	Mortgage Participation Certificate
MRB	Mortgage Revenue Bond
MSA	Metropolitan Statistical Area
MSR	Mortgage Servicing Rights
MO	Mortgage Operations
NAHASDA	Native American Housing & Self Determination Act of 1996
NAHRO	National Association of Housing and Redevelopment Officials
NAIHC	National American Indian Housing Council
NAIOP	National Association of Industrial and Office Properties
NCAIED	National Center for American Indian Enterprise Development
NCSHA	National Council of State Housing Agencies
NCSHB	National Conference of State Housing Boards
NCUA	National Credit Union Administration
NDC	National Development Council (now Grow America)
NEAT	National Energy Audit Tool
NFIP	National Flood Insurance Program
NFMC	NeighborWorks Foreclosure Mitigation Counseling
NHS	Neighborhood Housing Services Enterprise
NHTF	National Housing Trust Fund
NIBP	New Issue Bond Program
NMAHCT	New Mexico Affordable Housing Charitable Trust
NMAR	New Mexico Association of Realtors (replaces RANM)
NMCDLF	New Mexico Community Development Loan Fund
NMCEH	New Mexico Coalition to End Homelessness
NMCF	New Mexico Community Foundation
NME\$	New Mexico Energy\$mart
NMGC	New Mexico Gas Company
NMHTF	New Mexico Housing Trust Fund
NMSBDC	New Mexico Small Business Development Center
NOFA	Notice of Fundings Availability
NOO	Notice of Obligation
NPL	Non Performing Loan

NRHA	Northern Regional Housing Authority
NRC	Neighborhood Reinvestment Corporation
NSP	Neighborhood Stabilization Program
NSPIRE	National Standards for the Physical Inspections of Real Estate
OCAF	Operating Cost Adjustment Factor
OIG	Office of Inspector General
OMB	Office of Management and Budget
ONAP	Office of Native American Programs (HUD)
OPA	Original Principal Amount
PAB	Private Activity Bond
PAE	Participating Administrative Entity
PSH	Permanent Supportive Housing
PASS	Physical Assessment Subsystem
PBCA	Project-Based Contract Administrator
PBRA	Project-Based Rental Assistance
PHA	Public Housing Authority
PHP	Permanent Housing Placement
PIS	Placed in Service
PITI	Principal, Interest, Taxes, and Insurance
PJ	Participating Jurisdiction
PMA	Primary Market Area
PMI	Private Mortgage Insurance
PNA	Physical Needs Assessment
PNM	Public Service Company of New Mexico
POA	Period of Affordability
POA	Power of Attorney
(P)OS	(Preliminary) Official Statement
PRIMERO	Primero Loan Fund
PRLF	Preservation Revolving Loan Fund
PSH	Permanent Supportive Housing
PUD	Planned Unit Development
QAP	Qualified Allocation Plan
QC	Quality Control
QC	Qualified Contract
QCT	Qualified Census Tract
RD	Rural Development
RDIC	Rural Development Investment Council
REMIC	Real Estate Mortgage Investment Conduit
REO	Real Estate Owned
RESPA	Real Estate Settlement Procedures Act
RFP	Request for Proposals
RFQ	Request for Qualifications

RFQ	Request for Quotes
RHA	Regional Housing Authority
RHED	Rural Housing and Economic Development
RHP	Recovery Housing Program
RHS	Rural Housing Service
RLF	Revolving Loan Fund
RMCR	Residential Mortgage Credit Report
ROC	Restoring Our Communities
RR/HP	ESG Rapid Rehousing/Homeless Prevention
RS	Risk Share or Risk Sharing Loan
RTC	Resolution Trust Corporation
S+C	Shelter Plus Care
SAIL	State Apartment Incentive Loan Program
SBA	Small Business Administration
SBI	Small Business Institute
SBIC	Small Business Investment Company
SBOF	State Board of Finance
SCRA	Servicemembers Civil Relief Act
SDDA	Small Difficult Development Area
SF	Single Family
SFHA	Special Flood Hazard Area
SFHGLP	Single Family Housing Guaranteed Loan Program
SHA	State Homeless Assistance
SHOP	Self-Help Homeownership Opportunity Program
SHP	Supportive Housing Program
SHPO	State Historic Preservation Office
SIC	State Investment Council
SL FRF	State and Local Fiscal Recovery Funds
SMA	Secondary Market Area
SRO	Single Room Occupancy
SRP	Service Release Premium
SSBIC	Specialized Small Business Investment Corporation
STRMU	Short Term Rent, Mortgage and Utilities
T&TA	Training and Technical Assistance
TANF	Temporary Assistance for Needy Families
TBA	"To Be Announced" (forward commitment of mortgage loan)
TBRA	Tenant Based Rental Assistance
TCAP	Tax Credit Assistance Program
TCEP	Tax Credit Exchange Program
TCLP	Temporary Credit and Liquidity Program
TDC	Total Development Cost
TDD	Telecommunications Device for the Deaf

TEFRA	Tax Equity and Fiscal Responsibility Act
TIF	Tax-Increment Financing
TOHILA	Title I Home Improvement Lenders Association
TPO	Third Party Originator
TRACS	Tenant Rental Assistance Certification System
UA	Utility Allowance
UPB	Unpaid Principal Balance
UPCS	Uniform Physical Conditions Standards
URLA	Uniform Residential Loan Application
URAR	Universal Residential Appraisal Report
USDA	US Department of Agriculture
VA	Department of Veterans Affairs
VAFF	VA Funding Fee
VASH	Veterans Affairs Supportive Housing
VAWA	Violence Against Women Act
VHRMP	Veteran's Housing Rehab & Modification Pilot Program
VRDO	Variable Rate Demand Option
WAP	Weatherization Assistance Program
WBE	Woman-Owned Business Enterprise
WRHA	Western Regional Housing Authority
YDHP	Youth Development Homeless Program
YHDP	Youth Homelessness Demonstration Project

APPENDIX K: GLOSSARY OF TERMS

This glossary contains key words and phrases frequently used in connection with the financing of housing by state and local housing and finance agencies. While most terms relate directly to bond financing, others are also used in mortgage financing and real estate development. If a definition varies between these disciplines, the given definition applies to bond financing.

A

Affordable Housing Program: This is a program offered through the Federal Home Loan Bank System which subsidizes the interest rate on loans and provides direct subsidies to Bank System member institutions that lend for long-term, very-low-, low-, and moderate-income, owner-occupied and affordable rental housing. The program is designed to encourage creative efforts in increasing affordable housing.*

Agency Buydown: An upfront agency payment, which reduces the monthly principal and interest payments on a loan by reducing the initial interest rate. By buying down a loan, an agency subsidizes the homeowner during the buydown period.

Agency Contribution: Upfront dollar transfer of agency unrestricted funds to a new bond issue to help pay the issuance costs. The agency thereby reduces the amount of non-asset bonds, making the potentially negative effect of partial non-origination of mortgages less of a credit problem.

Amortization: The reduction in the outstanding principal amount of a loan achieved as the result of repayment of principal.

Arbitrage (or Program's Gross Spread): The yield differential between the bond and, in the case of Mortgage Revenue Bonds, the mortgage contract rate. Costs which must be paid from this spread typically include: the underwriter's discount; bond counsel fees; other costs of issuance; and mortgage origination, servicing, and related fees. Arbitrage limitations on tax-exempt bonds are established by the Internal Revenue Service.

ARM (Adjustable-Rate Mortgage or Variable-Rate Mortgage): A mortgage on which the interest rate is adjusted on a periodic basis in reference to an accepted index of market interest rates, such as the 12-month U.S. Treasury borrowing rate. ARMs usually include limits, or caps, on the size of the interest rate adjustments, such as 1 percent a year and 5 percent overall.

B

Basis Point: Yields on municipal securities are usually quoted in increments of basis points. One basis point is equal to .01 or 1/100th of 1 percent.

Basis Price: The price of a security expressed in yield or percentage return on the investment.

Bearer Bond: A bond that has no identification as to owner and therefore is presumed to be owned by the person who holds it (the bearer). Bearer bonds are freely and easily

negotiable since ownership can be quickly transferred from seller to buyer. Bearer bonds are no longer permitted for new issues of tax-exempt bonds.

“Blue Sky” Laws: State laws enacted to protect the public against securities fraud.

Bond: An interest-bearing promise to pay a specified sum of money—the principal amount—which is due on a specific date and secured by specified sources of revenue.

Bond Anticipation Notes (BANs): Short-term securities issued by states and municipalities to obtain interim financing for projects, which will eventually be funded long-term through the sale of a bond issue.

Bond Counsel: Legal counsel responsible for determining that all applicable local, state, and federal laws, regulations, and procedures are met in the issuance of a bond.

Bond Insurance: Guarantee of timely principal and interest payments to bondholders in the event of issuer default.

Bond Rate: The interest rate which is stated on the bond and payable to the bondholders periodically.

Bond Traders: Investment bank and commercial bank employees who engage in the purchase and sale of bonds after they are first sold (a secondary market).

Bond Yield: The overall interest cost percentage for a series of bonds.

Broker: A securities firm or department of a commercial bank which engages in the underwriting, trading, and sales of municipal securities for the account of another.

C

Call Provisions: The terms under which bonds are redeemable by the issuer prior to the specified maturity date at a stated price (which often is above par).

Canadian Interest Cost (CIC): A method of calculating total cost for new issues of municipal securities that takes into consideration the time value of money.

Cash Flow: For bonds which finance mortgage loans, the sum of mortgage repayments and prepayments, plus other revenues available to make debt service payments on the bonds and to pay related fiduciary and servicing costs.

Capped Adjustable Mortgage: An adjustable-rate mortgage which has a limit on the size of the annual and/or total increase in the interest rate.

Capital Appreciation/Accumulator Bonds (CABs): Bonds which pay interest on an accumulated basis at maturity. Unlike zero coupon bonds, the par amount of CABs does not reflect future interest payments.

Capital (Debt Service) Reserve Fund: A security requirement established to provide a revenue bond program with reserves which would be available in the event of a shortfall in operating revenues. The requirement is normally set in terms of maximum annual debt

service but is sometimes calculated as a fixed percentage of the principal amount of outstanding debt.

CHAS (Comprehensive Housing Affordability Strategy): An analysis of housing needs and strategies which is required of states and local governments to receive HUD program funds or assistance.

Coinsurance: Mortgage insurance in which the loan originator agrees to insure part of the mortgage in return for part of the premium. A stop-loss provision with respect to a pool of mortgage is usually involved. The term is often used in a less generic sense to refer to a now-terminated Federal Housing Administration (FHA) multifamily program.

Collateralized Mortgage Obligations (CMOs): A security backed by a pool of mortgages or mortgage pass-through certificates. CMOs are issued with varying classes (tranches), all of which receive interest payments semi-annually from monthly interest payments on the mortgages in the pool. Principal payments on the mortgages in the pool are applied to the CMOs of the shortest tranche until retirement, next to the CMOs of the next shortest tranche, and so forth until all of the CMOs backed by the pool have been paid off.

Community Development Block Grants (CDBG): Programs administered by HUD to aid community and economic development, mostly to benefit activities serving low and moderate income persons. Three types of CDBGs:

CDBGs (Entitlement): Grants to entitlement communities, for a wide range of community development programs for neighborhood revitalization, economic development and improved community facilities and services. These communities develop their own programs in consultation with local residents.

CDBGs (Non-Entitlement) For States And Small Cities: Grants to non-entitlement communities, for similar programs.

CDBGs (Section 108 Loan Guarantee): These are loan guarantees that offer eligible communities financing for housing rehabilitation, economic development and large-scale physical development projects.

Community Housing Development Organizations (CHDOs): Community-based nonprofit entities for which a portion of HOME funds must be set aside.

Community Investment Program: This is a program offered through the Federal Home Loan Bank System which provides funds for community-oriented mortgage lending. Under the program, each Bank also designates a community investment officer to implement the Banks' community lending and affordable housing advance programs.

Competitive Bids: A sale of municipal securities by an issuer in which underwriters or syndicates of underwriters submit sealed bids to purchase the securities. This contrasts with negotiated underwriting.

Compliance Monitoring: The process of determining whether program requirements continue to be met. For example, the Low Income Housing Tax Credit program has specific compliance monitoring requirements.

CBO (Congressional Budget Office): The major budgetary analysis organization for Congress.

CRS (Congressional Research Service): The research arm of the Congress.

CDI (the Continuing Disclosure Information (Pilot)): This is the Municipal Securities Rulemaking Board's (MSRB's) effort to collect continuing financial information regarding municipal bond issues.

Convertible Option Bonds (COBs): Bonds initially issued at a short-term interest rate which may be converted later at the option of the issuer to a long-term fixed-rate bond.

Costs of Issuance: All expenses related to the authorization, sale, and issuance of bonds.

Coupon: The stated interest rate on a bond, usually paid semi-annually. For bearer bonds, "coupons" specifying the date and amount of each interest payment are attached to the bond. To receive an interest payment, the bondholder detaches and presents the coupon for payment.

Credit Enhancement: Security devices such as letters of credit, moral obligation pledge, or bond insurance which are obtained for a bond issue to enhance the marketability of the bonds (to improve ratings/lower interest costs).

Current Yield: The ratio of the interest rate to the actual market price of a bond, stated as a percentage. For example, a bond selling for \$1,000 that pays \$80 per year in interest has a current yield of 8 percent.

D

Dealer: A securities firm or department of a commercial bank which engages in the underwriting, trading, and sales of municipal securities for its own account.

Debt Limit: The statutory or constitutional maximum debt which an issuer can legally incur.

Debt Service: The payments required for interest on and repayment of the principal amount of debt.

Default: Failure to pay principal or interest when due. Non-monetary default is a violation of the terms and conditions of a mortgage or a bond issue.

Delinquency Experience: The level of loans with overdue payments, expressed as a percentage of the total portfolio of loans.

Denomination: The face amount or par value of a security which the issuer promises to pay on the maturity date. Most municipal bonds are issued in minimum denominations of \$5,000, although a few are available in \$1,000 denominations. Notes are generally available in \$25,000 minimum denominations.

Discount: The amount by which the purchase price of a security is less than the principal amount or par value.

Disposition Demonstration Program: Also known as "dispo/demo," this is a demonstration program under which HUD enters into agreements with HFAs to dispose

of some of the properties that HUD owns as a result of foreclosures in HUD-insured mortgages.

Dollar Bond: A bond which is quoted and traded in dollar prices rather than in terms of yield.

Double Barreled Bond: A bond secured by the pledge of two or more sources of repayment, such as the unlimited taxing power of the issuer as well as the revenues generated by a particular user charge.

Double Exemption: Securities on which the interest is exempt from taxation imposed by two levels of government, such as exemption from state and federal income taxes.

E

Equity Sharing (or Shared Appreciation Mortgage): A mortgage in which the borrower makes payments at an interest rate below the prevailing market rate. In return for accepting the lower rate, the lender (or holder of the mortgage) receives the right to a predetermined share of any future appreciation in the value of the property.

F

Face Amount: The par value (e.g., principal or maturity value) of a security shown on the face of the instrument.

Fair market rents (FMRs): Established by HUD to determine how much rent HUD will subsidize when it assists low income renters under its rental assistance programs. HUD determines the FMR by calculating the 45th percentile rent for an area, i.e., the rent level below which 45 percent of the units should rent.

FDIC (Federal Deposit Insurance Corporation): An instrumentality of the federal government which insures the deposits of member institutions.

FHA (Federal Housing Administration): A federal agency within HUD which insures mortgages on both single family and multifamily loans, usually with high loan-to-value ratios.

FHFB (Federal Housing Finance Board): The governing body of the Federal Home Loan Bank System.

FHLB (Federal Home Loan Bank): One of the 12 federally-chartered regional banks of the Federal Home Loan Bank System. A bank's primary function is to supply credit to members, principally savings and loan institutions.

FHLMC (Federal Home Loan Mortgage Corporation, or "Freddie Mac"): A government-sponsored enterprise which is authorized to buy and to package for sale (usually in the form of mortgage-backed securities) conventional, FHA, and VA loans and participating interests in blocks of such loans.

Financial Advisor: A consultant to an issuer of municipal securities who provides the issuer with advice with respect to the structure, timing, terms, or related matters concerning a new issue of securities.

First-Time Homebuyer: For purposes of the MRB and MCC programs, a mortgagor who has not held an ownership interest in a principal residence at any time during the three-year period which ends on the date on which the qualified MRB loan or MCC-assisted loan is executed or assumed.

FNMA (Federal National Mortgage Association, or "Fannie Mae"): A government-sponsored enterprise which is authorized to buy and to package for sale (usually in the form of mortgage-backed securities) conventional, FHA, and VA loans and participating interests in blocks of such loans.

Foreclosure: A procedure in which property pledged as security for a debt is sold to repay the debt in the event of a default in payments or terms.

G

General Obligation Bond: A bond which is secured by the pledge of the issuer's full faith and credit and usually also its taxing power.

GNMA (Government National Mortgage Association, or "Ginnie Mae"): A government corporation within HUD which provides full-faith-and-credit-of-the-federal-government guarantees of timely payment on securities backed by FHA and VA loans.

Government-Sponsored Enterprises (GSEs): Federally chartered, privately owned corporations which carry an implicit guarantee of the federal government. Examples are FNMA and FHLMC.

H

HOME Investment Partnerships (HOME) Program: A "housing block grant" program authorized by the National Affordable Housing Act of 1990 which provides federal funds which may be used for ownership or rental housing or tenant-based assistance.

HUD (U.S. Department of Housing and Urban Development): The executive department which administers most federal housing programs.

I

Indenture (Bond Indenture): A written agreement under which debt securities are issued. It sets forth the maturity date, interest rate, call provisions, security, and other factors affecting the bonds.

Industrial Development Bond: A security issued by a state, certain agencies or authorities, a local government, or development corporation to finance the construction or purchase of industrial plants or equipment which will be leased to a private corporation and backed by the credit of the private corporation.

Interest: Compensation paid or to be paid for the use of money. Interest is generally expressed as an annual percentage rate.

Issuer: A state, political subdivision, agency, or authority which borrows money through the sale of bonds or notes.

L

Lead Underwriter: The bond underwriter which “runs the books of the account” for a group of underwriters (syndicate) created to buy and sell a bond issue.

Legal Opinion: An opinion concerning the validity of a securities issue with respect to statutory authority, constitutionality, procedural conformity, and usually the exemption of interest from federal income taxes. The legal opinion is usually rendered by a law firm recognized as specializing in public borrowings (often referred to as bond counsel).

Lendable Proceeds: Bond proceeds available for direct loans, mortgage purchases, or loans-to-lenders activities.

Letter of Credit (LOC): A direct guarantee provided by a bank which agrees to provide a trustee with the funds necessary to make payments to bondholders. A “standby” LOC provides funds only in the event of a shortfall in other available funds.

Level Payment (Self Amortizing) Mortgage: A level (or fixed) payment mortgage is a standard, fully amortizing mortgage with a fixed term and fixed equal payments to term.

Loans-to-Lenders: A mortgage financing method used by bond issuers in which loans are made to lenders under conditions which set the mortgage contract rate and the borrower eligibility standards under which the funds will be reloaned to the ultimate borrowers..

Loan-to-Value (LTV) Ratio: The ratio of the amount of funds borrowed when financing a property relative to the total sales price. The lower the ratio, the larger the share of owner equity and presumably the less risk involved in making the loan.

Local Authorities: Refers to local housing finance or other municipal agencies which issue tax-exempt bonds.

Low Income: In program eligibility determinations, defined as some percentage (usually 80 percent) of median income.

Low Income Housing Tax Credit (Tax Credit): A credit against ordinary income taxes which is permitted under Section 42 of the Internal Revenue Code for certain investments in low income rental housing.

“Lower Floaters”: Refers to adjustable-rate tender bonds (usually 30-year bonds) which are tied to short-term rates and allow the bondholder to “put” the bonds back to the issuer at the bondholder’s discretion.

M

Major Rehab: Major or substantial rehab refers to residential rehabilitation which involves substantial structural renovation (e.g., of a gutted building), usually to one or more of a building’s systems (e.g., roof, boiler, electrical, etc.). This type of rehab requires major costs to complete.

Marketability: A subjective measure of the ease with which a security can be sold in the secondary market.

Maturity: The date on which the principal amount of a security becomes due and payable.

“McKinney Act” Programs: A series of program enacted by Congress to address the needs of homeless persons and to prevent homelessness.

Median Family Income: The annual gross income above which and below which lie an equal number of family incomes. Income eligibility for subsidized housing programs are often set as a percentage (%) of the area median income.

Median Sales Price: The home price in a defined market area above which and below which lie an equal number of home sales by price for a period of time.

Moderate Income: In program eligibility determinations, often defined as families with gross incomes between 80 and 120 percent of median family income.

Moral Obligation Bond: A type of municipal security which is not backed by the full faith and credit of a state, but for which state law provides that the state will consider replenishing the issue’s debt reserve fund if necessary.

Mortgage Banker: A private company which originates and services mortgage loans which are sold to primary or secondary market institutions.

Mortgage Credit Certificate (MCC): Certificates issued by state and local HFAs to qualified first-time homebuyers which provide federal income Tax Credits equal to a specified percentage of the annual mortgage interest paid. These Tax Credits directly reduce the federal income tax liability of the recipients. The program is an alternative to the issuance of MRBs.

Mortgage Revenue Bond (MRB): A tax-exempt security issued by a state, certain agencies or authorities, or a local government to make or purchase loans (including mortgages or other owner financing) for single family residences.

Multifamily Housing: Usually refers to rental housing in buildings of five or more units.

MSIL (Municipal Securities Information Library): The central repository of information regarding bond issues and continuing disclosure of financial information related to them.*

Municipal Securities Rulemaking Board (MSRB): An independent self-regulatory organization established by the Securities Acts Amendments of 1975 which is charged with primary rulemaking authority over dealers, dealer banks, and brokers in municipal securities.

N

NAHA (National Affordable Housing Act): Legislation that created the HOME Program.

Negative Amortization: In the case of mortgage loans, a payment plan in which the interest payments are insufficient and the shortfall is added to the outstanding loan balance as additional principal. As a result, the total principal amount of the mortgage can become larger than the initial principal amount. A mortgage which allows for negative amortization early in the life of the mortgage usually provides for increased

payments later to assure full payment of the principal and interest by the end of the loan term.

Negative Arbitrage: The result of paying a higher interest rate on bonds than is achieved from the investment of bond proceeds.

Negotiated Sales: Sales in which the issuer chooses one underwriter or group of underwriters to sell its bonds to investors. There is no competitive bid for the issue. Instead, the interest rate and terms of sale are negotiated.

Net Interest Cost (NIC): The traditional method of calculating total cost for new issues of municipal securities which does not consider the time value of money.

Non-Callable Bond: A bond which cannot be redeemed at the option of the issuer before its specified maturity date.

Notes: Short-term instruments which promise to pay specified amounts of money and are secured by specific sources of future revenues, such as taxes, federal and state aid payments, and bond proceeds.

Notice of Sale: An official document disseminated by an issuer of municipal securities which gives pertinent information regarding an upcoming bond issue and invites competitive bids from prospective underwriters.

O

Offering Price: The price at which the members of an underwriting syndicate for a new issue decide to offer the securities for sale to investors.

OTA (Office of Technology Assessment): The research organization of the Congress specializing in technology issues.

OTS (Office of Thrift Supervision): The federal regulatory agency responsible for examination and regulation of federally and state chartered savings institutions.

Official Statement: A document prepared by or for the issuer which provides detailed security and financial information on the bond issue.

Over-the-Counter Market (OTC): A securities market which is conducted among dealers throughout the country through negotiation rather than by using an auction system (as represented by the stock exchanges).

P

Par Value: The stated principal amount of a bond or note due at maturity.

Private Mortgage Insurance (PMI): Private mortgage insurance, usually providing coverage for loans with less than a 20 percent downpayment, up to a 97 percent loan-to-value ratio. PMI companies are regulated by states.

Pool Insurance: Additional security for a single family mortgage loan portfolio. This usually provides coverage equal to 10 percent of the original aggregate loan amount, frequently with a minimum dollar amount of coverage also specified.

Premium: The amount by which the price of a security exceeds its par amount.

Prepay: Used in conjunction with low-income rental units that will become eligible for their owners to pay off the underlying HUD mortgages and convert the units to market-rate housing.*

Prepayment Assumption: A calculated guess of the future performance of a portfolio of single family loans, relative to the incidence of recoveries of principal. The assumption is often expressed as a percentage of the long-term FHA loan performance experience with the rate of recoveries of principal in a particular state or region.

Primary Market (new issue market): Market for new issues of municipal bonds and notes.

Principal: The face amount of a bond, exclusive of accrued interest and payable at maturity.

Public Housing: Low income housing developed, owned, and operated by public housing authorities (PHAs) and financed through the sale of tax-exempt bonds. HUD provides debt service contributions, operation subsidies, modernization funds, and technical assistance to support PHA projects.

PIG: Public interest group.

Put Options: A contract which gives its owner the right to sell a security at a specific price within a defined time period.

Q

Qualified Allocation Plan: A required plan which a state allocating agency must use to allocate Low Income Housing Tax Credits.

R

Ratings: Designations provided by investors' ratings service to securities to indicate their relative credit quality (e.g., Standard and Poor's, Moody's, Fitch).

Recapture: Provision under MRB program by which an MRB borrower who sells his or her house within 10 years of initial purchase must count a certain portion of the profit as taxable income.*

Red Herring: A preliminary prospectus or official statement which does not include the price at which the securities will be offered to the public. It is issued to obtain an indication of the interest in an offering. It gets its name from the statement, printed in red ink on its front cover, which says the document is a preliminary prospectus or official statement.

REMICs (Real Estate Mortgage Investment Conduits): A REMIC is an entity which holds a pool of mortgage loans and issues securities representing interests in those mortgages. This entity enables a pool of mortgages to be split into different ownership interests offering a range of maturities, thereby giving greater choice as to the length of

investment. Income generated by the mortgage pools is taxed not at the entity level but at the investor level.

Refunding: A procedure by which a bond issue is redeemed with funds from a new bond issue under conditions generally more favorable to the issuer. This results in the proceeds of the new bonds (the refunding bonds) being substituted for the proceeds of the old bonds (the refunded bonds), which may or may not be redeemed.

Registered Bond: A bond whose owner is registered with the issuer or its agents, either as to both principal and interest, or as to principal only. Transfer of ownership can be accomplished only when the securities are properly endorsed by the registered owner.

Resolution (Bond Resolution): Formal board action authorizing the issuance of bonds. This is an alternative to indenture.

Revenue Anticipation Notes (also see Tax Anticipation Notes): Securities issued in anticipation of other sources of future revenue, typically a form of federal or state aid.

Revenue Bond: A bond payable solely from net or gross non-tax revenues derived from tolls, charges, or rents paid by the users of a facility constructed with the proceeds of a bond issue.

RFP: Request for Proposals.

RTC (Resolution Trust Corporation): A federal corporation created to sell or liquidate ("resolve") failed savings and loan associations.

Risk-sharing: A concept by which HFAs insure mortgages they issue in partnership with entities such as private insurers or FHA.

Rural Housing Service (formerly Farmers Home Administration): An agency of the federal government which makes, participates in, and insures loans for rural housing and other purposes. FmHA recently was renamed the Rural Housing and Community Development Department.

S

Safe Harbor: "Safe Harbor" refers to Internal Revenue Service (IRS) estimates issued for the MRB and MCC programs which are used to determine purchase price limits for homes eligible to be bought under the programs. The estimates are developed from federal data samples and may be appealed by individual agencies seeking to use their own limits (based on a more accurate, comprehensive, and timely data base than the official limits).

Savings and Loan Association (S&L): A financial institution which takes savings deposits and invests them mainly in mortgage loans. Always a corporation, an S&L may be either a mutual or a capital stock institution and may be either state or federally chartered.

Savings Bank: A financial institution which takes savings deposits and invests them in mortgages and other securities allowed under law.

Savings Institutions: Savings and loans and savings banks which have historically been primary investors in residential mortgage loans.

Secondary Financing: A loan secured by a second mortgage or deed of trust on real property.

Secondary Market: A market for issues previously offered or sold.

Section 8: A rental assistance program administered by HUD under which the federal government pays the difference between what a household can afford to pay for a housing unit and its fair market rent. Eligible tenants pay 30 percent of their income toward rent.

Section 8: Lower Income Rental Assistance Program under which HUD makes up the difference between what a low- and very-low income household can afford and approved rent. Among aspects of Section 8 Program:

Section 8 Moderate Rehabilitation Program: A HUD program under which PHAs administering the program advertise fund availability and select participating landlords based on a competitive process. The landlords agree to rehabilitate the properties to certain standards, and the PHAs set rents based on a number of factors.

Section 8 Rental Certificate Program: HUD contracts with PHAs and IHAs, which issue rental certificates to very low income families. The families may find a suitable home, and assistance payments are made to the property owners. A certificate pays the difference between the recipient's unit's actual rent and 30 percent of the tenant's income. Generally, the rent for the units may not exceed the fair market rent (FMR), which is set at roughly the 45th percentile of local rents.

Section 8 Rental Voucher Program: HUD contracts with local public housing agencies (PHAs) and Indian Housing agencies (IHAs), which issue rental vouchers to very low income families. A voucher pays the difference between a payment standard (similar to the FMR) and 30 percent of the tenant's income. If the actual rent exceeds or is less than the payment standard, the tenant pays the excess or keeps the difference.

Section 10b: This section of the Federal Home Loan Bank Act allows organizations that are not members of the Federal Home Loan Bank ("non-members", such as HFAs) to collect advances from the Federal Home Loan Banks for affordable housing activities. Amendment was enacted in 1992 pursuant to NCSHA advocacy.

Section 203(k): Rehabilitation Mortgage Insurance. Mortgage insurance program for one-to-four-family properties under which HUD insures loans to finance: rehabilitation of an existing property; purchase and rehabilitation of a property; or rehabilitation and refinancing of the outstanding indebtedness of a property.

Section 221(d)(3) and (4): Multifamily Rental Housing for Moderate Income Families. Mortgage insurance programs administered by HUD to finance rental or cooperative multifamily housing for moderate-income households, including housing for the elderly and Single Room Occupancy (SRO) housing. The primary distinction between the two programs is that HUD may insure full replacement cost under 221(d)(3) for public

nonprofit and cooperative mortgagors, but only up to 90 percent under Section 221(d)(4), regardless of the type of mortgagor.

Section 223(f): A federal mortgage insurance program administered by FHA for refinancing existing apartment buildings.

Section 515: Program administered by the Farmers Home Administration (FmHA) under which FmHA provides direct loans to private and public sponsors for the construction, acquisition, rehabilitation, and operation of multifamily rental projects for low and moderate income families in rural areas.*

Section 811: Supportive Housing for Persons with Disabilities. Program administered by HUD under which capital advances are made to eligible nonprofit sponsors to finance the development of rental housing with supportive services for disabled persons.

Section 142 of the Internal Revenue Code: Tax law establishing and defining exempt facility bond programs (multifamily housing bonds).

SEC (Securities and Exchange Commission): The agency that administers federal securities laws.

Serial Bonds: Bonds issued with serial maturity dates and commensurate interest rates.

Servicing: The collection of payments on a mortgage. Servicing also consists of operational procedures covering accounting, bookkeeping, insurance, tax records, loan payment follow-up, delinquent loan follow-up, and loan analysis.

Single Family: Usually refers to one-to-four unit owner-occupied family housing.

Sinking Fund: A fund accumulated by an issuer over a period of time which is designated for use to retire debt, either periodically or all at one time.

Special Tax Bond: A bond secured by a special tax, such as a gasoline tax.

Spread: In bond underwriting, the difference between the price received for a security by the issuer and the price paid by the investor.

Swap: A transaction in which an investor sells one security and simultaneously buys another with the proceeds, usually for about the same price. The term is also used to refer to an interest rate swap, in which an obligor on fixed-rate debt agrees to exchange repayment responsibilities with an obligor on a similar amount of variable-rate debt for a stated period.

Syndicate: A group of investment bankers and commercial banks which buy (underwrite) a new issue from the issuer and offer it for resale to the general public.

T

Take-Down: (Sometimes referred to as take-down concession). The discount from the list price allowed to a member of an underwriting account on any bonds it sells.

Targeted Area: An area of chronic economic distress or an area with a high percentage of low income families entitled to special treatment (e.g., higher purchase price limits) under the MRB and MCC programs.

Tax Anticipation Notes (TANs): Notes issued by states or municipalities to finance current operations in anticipation of future tax receipts.

Tender Bond: A bond which gives the investor the option to tender or "put" the bond to the issuer at par on a specified date. A premium is paid for a tender bond because the put option affords protection against the erosion of principal during periods of rising interest rates.

Term Bond: A bond that has a single stated maturity date.

TEFRA Hearing: A public hearing required prior to the issuance of certain kinds of tax-exempt bonds. The hearing allows persons to express their views on both the issuance of the bonds and the location of the proposed facility.

Total Bond Indebtedness: The amount of total general obligation debt issued by a municipality, regardless of the purposes of the debt.

Triple Exemption: Securities on which the interest is exempt from federal, state, and local income taxes.

True Interest Cost (TIC): A method of calculating bids for new issues of municipal securities which accounts for the time value of money.

Trustee: A bank designated by the issuer as the custodian of funds and the official representative of the bondholders. Trustees are appointed to ensure compliance with the contract and to represent bondholders to enforce their contract with the issuer.

U

Underwrite: To purchase a bond or note issue from the issuing body for the purpose of reselling the securities to the general public.

Unlimited Tax Bond: A bond secured by the pledge of taxes which is not limited by rate or amount.

V

VA (U.S. Department of Veterans Administration, formerly the Veterans Administration): A federal agency responsible for administering veterans benefits programs, including the provision of federal guarantees for home loans for veterans.

Y

Yield: The dividends or interest paid on a particular security, expressed as a percentage of the current price or cost price or as related to the maturity of a bond.

Yield-to-Call: The hypothetical return which is projected to be earned on a bond, assuming that the issuer calls it on the first date permitted.

Yield-to-Maturity: The hypothetical return which is projected to be earned on a bond, assuming that the bond is held to maturity.

Z

Zoning: The designation by a city or county authorities of the eligible uses of property or eligible kind of activities in a specific geographic area.

Zero Coupon Bonds: Bonds which sell for less than their face amount because no interest is paid until maturity. The face amount represents the full amount of principal and accumulated interest (with effects of compounding) at maturity (also see Capital Appreciation/Accumulator Bonds).