



September 10, 2010

Patricia Rynn Sylvester, Director, Multifamily Housing
Community Development Administration
Maryland Department of Housing and Community Development
100 Community Place
Crownsville, MD 21032-20003

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Re: Draft 2011 QAP

Dear Ms. Sylvester,

We are writing to express our concern with draft 2011 Qualified Allocation Plan ("QAP") governing distribution of Low Income Housing Tax Credits (LIHTC's) in the State of Maryland. Of particular concern to us is the requirement of a letter of local support from a Mayor or County Executive, a major barrier to fair housing. It is no accident that family LIHTC projects are far less likely in non-urban, majority-white communities in Maryland. There has been overt hostility to the development of affordable housing in these communities, and this requirement provides further disincentive for developers who wish to provide affordable housing options in high opportunity communities.

The threshold requirement creates impediments to affordable housing in communities traditionally resistant to low and moderate income housing. Other states, such as Illinois and Massachusetts, do not require local support.

Accordingly, we are requesting that Threshold Requirement 3.3 Local Government Support and Contribution, be removed. Instead, under Evaluation Criteria, points could be awarded to projects with local government contributions.

We have been meeting with the U.S. Department of Justice (DOJ) and the U.S. Department of Housing and Urban Development (HUD) as they develop guidance addressing the Fair Housing Act requirement that jurisdictions receiving federal housing assistance affirmatively further fair housing. DOJ and HUD are also working with the Internal Revenue Service (IRS) to ensure that the LIHTC program also serves to affirmatively further fair housing as required by Section 808(d) of the Act. Removal of the Local Support threshold requirement would help demonstrate that the State of Maryland is taking an important step in meeting its obligation to affirmatively further fair housing.

Sincerely,

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A handwritten signature in black ink, appearing to read "Joe Rich".

Joe Rich
Director of Fair Housing Project, Lawyers' Committee

A handwritten signature in black ink, appearing to read "Diane Glauber".

Diane Glauber
Director of Community Development Project, Lawyers' Committee