

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# Analysis of Savings from and Benefits of Tax-Exempt Financing

Pursuant to 10 MRSA Sec. 363

March 2009

**MaineHousing**  
Maine State Housing Authority

April 6, 2009

The Honorable Elizabeth Schneider, Chair  
The Honorable Nancy E. Smith, Chair  
Members, Joint Standing Committee on Business,  
Research and Economic Development  
100 State House Station  
Augusta, ME 04333-0100

**Subject: Analysis of Savings from and Benefits of Tax-Exempt Financing**

Dear Committee Members:

Pursuant to 10 MRSA Sec. 363, please find under this cover the above referenced report along with the Independent Accountants Report on Applying Agreed Upon Procedures.

Sincerely,



Dale McCormick  
Director

DM/pme  
Enclosure

# MAINE STATE HOUSING AUTHORITY

## TABLE OF CONTENTS

Independent Accountants' Report on Applying Agreed Upon Procedures	i
Appendix A; Independent Accountants' Procedures Pursuant to 10 MRSA Sec. 363	ii
Analysis of Savings From and Benefits of Tax-Exempt Financing	1
Schedule 1; Benefit of 2008 Single Family Issues	6

**INDEPENDENT ACCOUNTANTS' REPORT ON  
APPLYING AGREED UPON PROCEDURES**

The Board of Commissioners

Maine State Housing Authority

Governor of the State of Maine

The Joint Standing Committee for Business, Research and Economic Development

We have performed the procedures in Appendix A, which were agreed to by the Maine State Housing Authority, and the Joint Standing Committee for Business, Research and Economic Development (the Committee), solely to assist you with respect to the requirements of the State of Maine 10 MRSA Sec. 363, subsection 11. The Maine State Housing Authority is responsible for the preparation of the "Benefit of 2008 Single Family Issues" (Schedule 1). This engagement to apply agreed-upon procedures was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures either for the purpose for which this report has been requested or for any other purpose.

The procedures we performed and our findings are summarized in Appendix A.

We were not engaged to, and did not, perform an examination, the objective of which would be the expression of an opinion on Schedule 1. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of Maine State Housing Authority, the Governor of the State of Maine and the Committee and is not intended to be and should not be used by anyone other than these specified parties.

Portland, Maine  
March 31, 2009

*Baker Newman & Noyes*  
Limited Liability Company

**INDEPENDENT ACCOUNTANTS' PROCEDURES  
PURSUANT TO 10 MRSA SEC. 363**

We obtained the "Benefit of 2008 Single Family Issues" Schedule ("Schedule 1") prepared by the Maine State Housing Authority (MaineHousing) which lists the tax-exempt bonds issued in 2008 and performed the following:

1. We agreed the Lendable Proceeds for the Single Family bond issues which were 2008 Series A/B, 2008 Series C/D, 2008 Series F and 2008 Series G/H to the estimated uses of funds schedule contained in the Official Statement for the corresponding bonds.
2. We calculated the weighted average rate of the lendable Single Family proceeds produced in 2008 by MaineHousing, as shown, of 5.45%.
3. We agreed the Fannie Mae 2008 average 60-day commitment rate of 6.11% to a schedule provided by MaineHousing.
4. We recalculated the Savings of 0.66% on the interest rate, \$54 on the monthly payment and \$648 on the annual payments, based upon the MaineHousing assumption of a \$128,000, 30 year mortgage. We did not recalculate the \$128,000 or the 30 years.

## ANALYSIS OF SAVINGS FROM AND BENEFITS OF TAX-EXEMPT FINANCING

In 2008, the Maine State Housing Authority (MaineHousing) issued tax exempt bonds in the aggregate principal amount of \$546,140,000. The proceeds of the issues were used to fund required debt service reserves, pay the cost of issuance, pay the underwriters fees, refund prior bonds, and to make or purchase new mortgage loans. The issues, which were for both single-family and multi-family mortgages, generated \$168 million of lendable proceeds for MaineHousing's programs.

In 2008, MaineHousing purchased \$167 million in mortgage loans; substantially all of which qualified for tax-exempt financing. About \$24 million of the bond proceeds used in these purchases were generated in bond sales from prior years, surplus monies, or taxable bonds. At year-end \$25 million of lendable proceeds remained from 2008 bond sales.

### BOND ISSUANCE AND BOND CAP USAGE

In 2008, MaineHousing issued \$546,140,000 of tax exempt bonds but only expended \$128,521,000 in Private Activity Bond cap. That means that over \$417 million of MaineHousing's issues in 2008 did not require an allocation of bond cap. The three mechanisms used by MaineHousing to issue private activity bonds without utilizing bond cap are explained below:

1. **Refunding:** When the proceeds of a tax-exempt bond sale are used to redeem the outstanding bonds of a prior issue, private purpose bond cap is not required. In 2008, MaineHousing used approximately \$91 million for such purposes.
2. **501(c)(3) Multifamily Bonds:** Bonds sold to fund a qualified low-income project, which is owned by a 501(c)(3) entity, do not require private activity bond cap. In 2008, MaineHousing sold \$0 million of the 501(c)(3) bonds.
3. **Replacement Refundings:** The tax code allows that if, within 90 days the issuance of new bonds, bonds of similar tax status are retired, that the new bonds in an amount equal to the redeemed bonds may be deemed to be replacing the prior bonds and do not require a bond cap allocation. In 2008, MaineHousing saved over \$326 million in new bond cap in this manner. By using \$326 million of mortgage prepayments or surplus earnings to redeem prior, higher rate bonds, MaineHousing was, in effect, able to recycle bond cap allocation from prior years into tax-exempt program money in 2008.

### MULTIFAMILY BOND AND THE LOW INCOME HOUSING TAX CREDIT (LIHTC)

Multifamily bonds issued from an allocation of the private activity bond cap produce an additional allocation of the LIHTC equal to 10 years of an annual tax credit equal to 4% of the cost of the low income units in a project. This tax credit is then sold to investors to produce equity capital for the project, thereby reducing the amount of debt required.

Example: A 20-unit project is being built for low-income tenants. The cost is \$50,000/unit or \$1,000,000. The project, if financed with private activity bonds, would be eligible for \$40,000 of annual tax credits for 10 years or a total of \$400,000. Investors are currently paying approximately 95 cents on the dollar, which in this example would generate \$380,000 of equity for the project. The required financing would be thereby reduced from \$1 million to \$620,000. If the interest rate on the \$620,000 mortgage is 6.5%, the rate on a \$1 million mortgage would have to be under 3% to produce the same payment. The LIHTC, therefore, supplements the impact of the lower rate by replacing debt with equity.

## **INCOME TARGETING: SINGLE FAMILY**

The single-family program is restricted to first time homebuyers who are Maine residents buying a principal residence. The income of the borrowers may not exceed 115% of the area median and the purchase price of the residence may not exceed 110% of the area median. In 2008, the average loan size was about \$128,000. The average family income was \$45,000.

## **INCOME TARGETING: MULTIFAMILY**

In multifamily projects financed with the proceeds of tax-exempt bonds, the benefits of the tax-exempt mortgage rates are passed along to tenants in the form of below market rents. The tax code requires either 20% of the units must be affordable for families at 50% of the area median income or 40% of the units for families at 60% of the area median income. The computation assumes that 30% of gross monthly income is available for rent.

In almost every program, MaineHousing requires even greater affordability than the tax code.

In multifamily projects the benefits of tax exempt financing should be measured by the rent differential between market rents and rents in the low-income units.



2008 Mortgage Purchase Program (MPP) Bond Issues - Sources and Uses of Funds

Type of Issue	2008A/B Single Family	2008C/D Single Family	2008E Single Family & Multi-Family	2008F Single Family	2008G/H Single Family	2008I Single Family	2008J Multi-Family	TOTAL MPP BOND ISSUES
<b>SOURCES:</b>								
Principal of Bonds	50,000,000	34,000,000	90,550,000	25,000,000	60,700,000	100,000,000	11,460,000	371,710,000
MaineHousing Contribution	-	-	441,142	205,000	-	300,000	-	946,142
<b>TOTAL SOURCES</b>	<b>50,000,000</b>	<b>34,000,000</b>	<b>90,991,142</b>	<b>25,205,000</b>	<b>60,700,000</b>	<b>100,300,000</b>	<b>11,460,000</b>	<b>372,656,142</b>
<b>USES:</b>								
Purchase of Non- Mortgage Investments	-	-	-	-	-	100,000,000	-	100,000,000
Purchase of Mortgages	46,070,000	31,673,935	-	23,300,000	56,439,000	-	10,095,000	167,577,935
Refunding of Prior Bonds	-	-	90,550,000	-	-	-	-	90,550,000
Premium of Prior Bonds	-	-	-	-	-	-	-	-
Debt Service Reserve	3,400,000	2,000,000	-	1,500,000	3,640,000	-	1,136,000	11,676,000
Cost of Issuance Underwriters	200,000	150,000	300,000	200,000	300,000	169,000	89,000	1,408,000
Fee/Discount	330,000	176,065	141,142	205,000	321,000	131,000	140,000	1,444,207
<b>TOTAL SOURCES</b>	<b>50,000,000</b>	<b>34,000,000</b>	<b>90,991,142</b>	<b>25,205,000</b>	<b>60,700,000</b>	<b>100,300,000</b>	<b>11,460,000</b>	<b>372,656,142</b>
 <b>BOND CAP USED</b>	 <b>39,631,000</b>	 <b>21,740,000</b>	 -	 <b>15,415,000</b>	 <b>40,275,000</b>	 -	 <b>11,460,000</b>	 <b>128,521,000</b>

2008 Draw Down Bonds - Sources and Uses of Funds

GRAND  
TOTAL

Type of Issue	2005A/B Single Family	TOTAL DRAW DOWN	MPP AND DRAW DOWN
<b><u>SOURCES:</u></b>			
Principal of Bonds	174,430,000	174,430,000	546,140,000
MSHA Contribution		-	946,142
<b>TOTAL SOURCES</b>	<b>174,430,000</b>	<b>174,430,000</b>	<b>\$ 547,086,142</b>
<b><u>USES:</u></b>			
Purchase of Non-Mortgage Investments	174,430,000	174,430,000	274,430,000
Purchase of Mortgages	-	-	167,577,935
Refunding of Prior Bonds	-	-	90,550,000
Premium of Prior Bonds	-	-	-
Debt Service Reserve	-	-	11,676,000
Cost of Issuance	-	-	1,408,000
Underwriters Fee	-	-	1,444,207
<b>TOTAL SOURCES</b>	<b>174,430,000</b>	<b>174,430,000</b>	<b>\$ 547,086,142</b>
 <b>BOND CAP USED</b>	 -	 -	 <b>\$ 128,521,000</b>

I. BOND CAP AVAILABLE IN 2008

Carryforward from prior years	323,063,740
Initial Allocation in 2008	40,000,000
Re-allocation during 2008	158,710,000
HERA Allocation 2008	96,550,479
Total Available	<u>618,324,219</u>
BOND CAP USED IN 2008	128,521,000
BOND CAP EXPIRED IN 2008	23,540,000
CARRYFORWARD TO 2009	466,263,219

**BENEFIT OF 2008 SINGLE FAMILY ISSUES**

<b>Issue</b>	<b>Lendable Proceeds</b>	<b>Average Mortgage Rate</b>
2008 Series A/B	\$46,070,000	5.18%
2008 Series C/D	\$31,673,935	5.40%
2008 Series F	\$23,300,000	5.45%
2008 Series G/H	\$56,439,000	5.71%

The benefit of the tax exempt financing to first time homebuyers qualifying for MaineHousing’s program could be measured as the difference between the monthly mortgage payments on the below market rates versus what the payments would be at market rates. Without tax exempt bonds, over the long run, MaineHousing would not be able to produce a mortgage that was consistently better than those produced by Fannie Mae and Freddie Mac for market lenders.

The weighted average rate of the lendable single family proceeds produced in 2008 by MaineHousing as shown above is 5.45%. MaineHousing’s mortgages were substantially all level payment, 30 year term mortgages.

A good proxy for market rates is the Fannie Mae 60 day Commitment Rate. In 2008, the average of this market indicator, taken in each of the 52 weeks, was 6.11%.

	<b>Market</b>	<b>MaineHousing</b>	<b>Savings</b>
Interest Rate	6.11%	5.45%	0.66%
Payments on a \$128,000 30 year mortgage	Monthly \$777	Monthly \$723	Monthly \$54
	Annual \$9,324	Annual \$8,676	Annual \$648