

**Forum on Affordable Housing and Community Development Law**  
**BOOT CAMP**  
**October 4-5, 2018**  
**Hilton Boston Back Bay Hotel**  
**Boston, MA**

**THURSDAY, October 4, 2018**

**9:30 am**      **Tour participants to meet at hotel.**

**9:30 am –  
Noon**      **Bus Tour to Visit Two Public Housing Redevelopment Sites in South Boston**

A chartered bus will take participants on a short ride from the hotel to two large, active and complex public housing redevelopment sites in two different Boston neighborhoods: Whittier Street in Roxbury and Old Colony in South Boston. Whittier is the site of construction for the first phase of a Choice Neighborhoods Initiative redevelopment effort. Old Colony will soon begin work on its third phase of redevelopment, and visitors will be able to visit the completed phases and learn about next steps on this site and throughout the BHA's portfolio. Tours will be provided by representatives of the Boston Housing Authority and their private development partners.

**12:00 –  
1:00 pm**

**Lunch and Discussion:**

A discussion about the latest housing developments in the Commonwealth of Massachusetts as a whole and the City of Boston specifically and insight into the hard work that went into creating recent, local affordable housing success stories.

**Moderator:**    **George Weidenfeller**, Counsel – AFL-CIO Housing Investment Trust, Washington, D.C.,  
Chair of Forum on Affordable Housing and Community Development Law

**Guests:**        **Sheila A. Dillon**, Chief of Housing and Director of Neighborhood Development – City of Boston, M.A.  
**Chrystal Kornegay**, Executive Director – MassHousing, Boston, M.A.

**1:15-  
3:15 pm**

**Session 1**

**Track A— Introductory Level Session: Rental Assistance Demonstration (RAD), Program Basics and Closing a RAD Deal**

The Rental Assistance Demonstration (“RAD”) was created to give public housing authorities a powerful tool to preserve and improve public housing properties and address the \$26-Billion Dollar nationwide backlog of deferred maintenance. RAD also gives owners of three HUD "legacy" program (Rent Supplement, Rental Assistance Payment, and Section 8 Moderate Rehabilitation) the opportunity to enter into long-term contracts that facilitate the financing of improvements. This

interactive session is intended to provide an introduction to the RAD program. It will include a discussion and overview of the HUD form documents for RAD conversions, common RAD structures and participants, key legal requirements of the RAD programs, including tenant protections, and fair housing considerations.

**Faculty:** **Cody Bannon**, Associate—Reno & Cavanaugh, Washington, D.C.  
**Courtney Hunter**, Associate—Ballard Spahr, Washington, D.C.

**Track B— Advanced Level Session: Health Care and Housing: Innovative Ideas**

This panel will explore innovative models for collaboration between housing providers and health care stakeholders to improve health and housing outcomes by expanding access to quality, healthy affordable homes and by delivering and expanding access to services and supports in homes. The panel will also examine legal issues that affect what housing providers can do and how transactions can be structured.

**Faculty:**  
**Sharon Wilson Geno**, EVP and National Services & Chief Operating Officer – Volunteers of America, Inc., Washington, D.C.  
**Brian Rahmer**, VP, Health and Housing – Enterprise Communities Partners, Columbia, M.D.  
**Roberta Rubin**, Chief Counsel -- Department of Housing and Community Development, Boston, M.A.  
**Megan Sandel**, MD, MPH, Associate Director – GROW Clinic Boston Medical Center, Boston M.A.

**Track C— Introductory Level Session: Low Income Housing Tax Credit Program**

And the question is....? Join our faculty for a 101 session on fundamental LIHTC concepts in an engaging and interactive “Jeopardy” format. Topics will include the differences between a 4% and a 9% credit, basic requirements in connection with each credit including discussion of qualified allocation plans, extended use agreements, carryover allocations and 42(m) letters, how each credit is awarded and how to calculate each.

**Faculty:** **Rochelle Lento**, Partner—Dykema, Detroit, MI  
**Sarah Perez**, Partner—Gubb & Barshay, Oakland, CA

3:15 –  
5:15pm

## Session 2

### **Track A— Introductory Level Session: Types of Section 8 Assistance and How to Leverage Them**

This panel will focus on the two main types of Section 8 assistance commonly utilized in affordable housing transactions, Section 8 Project-Based Vouchers (“PBV”) and Section 8 Project Based Rental Assistance (“PBRA”). The panelists will provide an introduction to Section 8 rental assistance provided under both programs, and will also explore and discuss the use of Section 8 rental assistance in affordable housing development and financing from the perspectives of lawyers, developers and lenders.

**Faculty:**       **Jesse Elton**, Director of Finance – The Community Builders, Inc., Boston, MA  
                      **Andrew Gilmore**, Associate—Klein Hornig, Boston, MA  
                      **Tatiana Gutierrez**, Partner – Nixon Peabody, New York, NY  
                      **Taisha Sturdivant**, Associate -- Klein Hornig, Boston, MA

### **Track B— Introductory Level Session: Understanding Federal Financing – FHA, GSEs, Home Loan Banks and the Fed**

Have you ever wondered how various finance entities work together to provide affordable housing? Join us as we delve into these sources of finance and introduce you to their programs. Topics will include the role Fannie Mae and Freddie Mac in providing liquidity and stability in the multifamily mortgage market, the relationship between FHA and Ginnie Mae, and collaborative efforts between the Federal Home Loan Banks and New England Housing Finance Agencies to help house New England.

**Faculty:**   **Susan Campbell**, Counsel —Partner, Blanco Tackabery & Matamoros Winston-Salem, NC  
                  **Cynthia Lacasse**, Director of Rental Business Development, MassHousing, Boston, MA  
                  **Anne McCulloch**, President and CEO— Housing Partnership Equity Trust, Washington, DC

### **Track C— Advanced Level Session: Advanced Tax Issues**

Our panelists will lead an interactive roundtable discussion regarding recent and emerging developments in tax and regulatory issues confronted by industry practitioners, best practices, industry standards and new opportunities. The session will cover issues such as (i) new limitations on the deduction of interest and the “Real Property Trade or Business” election, (ii) changes in depreciation for Housing Projects that elect the alternative method of depreciation and how the election can affect LIHTC Deals, capital accounts, and GPs that are affiliates of

tax-exempt entities, (iii) how the new Opportunity Zone rules might work with LIHTCs, (iv) issues that arise when combining LIHTC with Historic Tax Credits in view of the new “ratable” rules for claiming the HTC, and (v) an update on the recently-effective Partnership Representative rules and whether to elect the pass-through of liability for IRS audit adjustments. Attendees should come to the session ready to engage and participate in what is certain to be a lively and informative discussion!

**Facilitators:** **Molly R. Bryson**, Partner – Ballard Spahr, Washington, DC  
**Forrest Milder**, Partner—Nixon Peabody, Boston, MA

**5:30 –  
7:00 pm**

**Reception**

# FRIDAY, FEBRUARY 2, 2018

**7:30- Registration & Continental Breakfast**

**8:00 -  
9:00 am**

**Plenary Session:**

**Speakers:** **Paul Compton**, General Counsel-- U.S. Department of Housing and Urban Development, Washington, D.C.  
**Stephen Coyle**, Chief Executive Officer -- AFL-CIO Housing Investment Trust, Washington, D.C.

**9:15 –  
11:00 am**

**Session 3**

**Track A - Advanced Level Session: Hot Topics in RAD**

Panelists will lead discussions about current hot topics in RAD conversions including the new RAD/Section 18 disposition blending, tax issues in syndication of RAD deals, transfers of assistance and post-closing issues. This session is intended to provide a forum to present and discuss more complex and nuanced issues facing practitioners guiding clients through the RAD conversion process from different perspectives (PHAs, lenders, owners, syndicators).

**Faculty:** **Susan Cohen**, General Counsel – Cambridge Housing Authority, Cambridge, MA  
**Sarah Molseed**, Partner—Reno & Cavanaugh, Washington, DC  
**Kathie Soroka**, Counsel – Nixon Peabody, New York, NY.

**Track B— Advanced Level Session: How HUD and State Housing Finance Agencies Work Together and Strategies for Working with Local and State Governmental Agencies**

Hear from senior HUD and HFA counsel about current programs and issues and best practices for working with HUD and with Housing Finance Agencies and structuring and closing your deals.

**Faculty:**

**Paul Compton**, General Counsel-- U.S. Department of Housing and Urban Development, Washington, DC  
**Nicole Clement**, General Counsel – Rhode Island Housing (invited)  
**Rich Froehlich**, General Counsel and Chief Operating Officer-New York City Housing Development Corp., New York, NY  
**Karen Kelleher**, Executive Director – LISC Boston, Boston, MA

9:15 –

11:00 am

**Session 3 (cont'd)**

**Track C— Introductory Level Session: Drafting and Negotiating a Partnership Agreement**

This interactive session will give introductory lawyers an overview of, and a toolkit for, negotiating a limited partnership agreement, which is the primary (and often voluminous) document governing the investor and sponsor rights in a LIHTC transaction. This session will focus on the key definitions in a typical LIHTC partnership agreement, credit adjuster provisions, investor consent rights and standard representations and warranties, among other topics.

**Faculty:**       **Bennett P. Applegate**, Partner—Applegate Thorne-Thomsen, Chicago, IL  
                      **Kelly Rushin Lewis**, Partner—Liles & Rushin, Birmingham, AL

11:15 am -  
1:00 pm

**Session 4**

**Track A— Advanced Level Session: Preserving Older Subsidized Projects (Including 202 and 811)**

This session will be a panel discussion on the best ways to preserve older HUD projects that need to be repositioned to sustain long term affordability. The panelist will discuss various preservation and refinancing strategies from both the developer, lender and public agency perspective as well as HUD programs that further preservation. The panelists will share actual preservation deals and experience and will also offer attendees a chance to ask question of our expert panelists.

**Faculty:**       **Joshua Cohen**, Vice President for Development-- Beacon Communities, Boston, MA  
                      **David Keene**, Chief Preservation Office – MassHousing, Boston, MA  
                      **Linda Pellegrino**, Senior Vice President-- Rockport Mortgage, Gloucester, MA  
                      **Michael Reardon, Partner** – Nixon Peabody, Washington, DC  
                      **Amy Schectman**, President and Chief Executive Officer – Jewish Community Housing for the Elderly, Brighton, MA  
                      **Kathie Soroka**, Counsel – Nixon Peabody, New York, NY

**11:15 am -  
1:00 pm**

**Session 4 (cont'd)**

**Track B— Introductory Level Session: What is a Lawyers Role in Property Management/Asset Management/Enforcement Issues**

The job of an affordable housing lawyer doesn't stop just because a deal has closed! This panel will discuss legal issues that arise as projects are built, lease-up, and operated. Subjects will include compliance with HUD and LIHTC operational requirements, addressing and resolving violations when they arise, rent increases processes, addressing lease enforcement issues. The panelists will also discuss recent issues they have been seeing in their work with the operation of affordable housing properties.

**Faculty:**        **Ethan Ceplikas**, Deputy General Counsel —The Community Builders, Boston, MA  
                      **Cynthia Langelier Paine**, Special Counsel—Katten Muchin Rosenman, Washington, DC  
                      **Dena Xifaras**, Senior Vice President, Ownership and Operations—Boston, MA

**Track C-- Introductory Level Session: What a Lawyer Needs to Know About Fair Housing**

**This panel will provide an overview of key fair housing rules and hot topics about which transactional and housing lawyers should be aware. These include sexual harassment under the Fair Housing Act, elderly restrictions under HUD programs and the Fair Housing Act, accessibility requirements, and reasonable accommodations.**

**Faculty:**        **Amy Glassman**, Partner—Ballard Spahr LLP, Washington, DC  
                      **Eric Levin**, Associate Regional Counsel for Litigation-- U.S. Department of Housing and Urban Development, Boston, MA  
                      **Shayla Simmons**, Assistant General Counsel – Cambridge Housing Authority, Cambridge, MA

**1:00–  
2:00 pm**

**Boxed Lunch, Wrap up and Feedback**

## Conference Information

- 1. ADVANCE REGISTRATION:** In order to be included in the list of conference attendees, you must register by **September 21, 2018**. [Register now](#) Conference registrations will be accepted only when accompanied by a check, money order, government agency purchase order, Visa, MasterCard or American Express information. Credit card users may fax registration forms to 312-988-5850. Registrations cannot be processed without payment **and should not be emailed to the ABA or their staff**.
- 2. ON-SITE REGISTRATION:** On-site registration is available for those persons who missed the advanced registration deadline but would like to attend the conference. If you plan to register at the door, please Dawn R. Holiday at 312-988-5660 or email [dawn.holiday@americanbar.org](mailto:dawn.holiday@americanbar.org) at least 72 hours before the conference. On-site registration will only be accepted when accompanied by a check, government agency purchase order, Visa, MasterCard or American Express.
- 3. CANCELLATION POLICY:** Registrants who must cancel will receive a refund less a \$50 administrative fee if via email [dawn.holiday@americanbar.org](mailto:dawn.holiday@americanbar.org), with a subject heading of **Cancel**. No refunds will be granted after **September 21, 2018**. Substitutions are acceptable, or conference materials will be sent in lieu of a refund after the program. The ABA reserves the right to cancel any program and assumes no responsibility for personal expenses.
- 4. HOTEL INFORMATION:** The conference will be held at the Hilton Boston Back Bay, Boston, MA. To reserve a room, contact the hotel directly at 617-236-1100 or 800-HILTONS In addition, you can use this link [Click here](#). The room block will be made available until **September 21, 2018** or the room block has sold-out. Our room rate is \$269++ plus taxes. When reserving a room, reference the ABA Forum on Affordable Housing and Community Development Law Boot Camp. Group Code ABA18
- 5. AIR TRAVEL:** Airline discounts to ABA meetings are available through the ABA travel agency (Orbitz) or directly from the airlines.
- 6. CLE Credit:**

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 7.5 CLE credit hours in 60-minute states, and 8.5 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit [www.americanbar.org/cle/mandatory\\_cle.html](http://www.americanbar.org/cle/mandatory_cle.html) or contact Dawn R. Holiday [dawn.holiday@americanbar.org](mailto:dawn.holiday@americanbar.org) or 312-988- 5660
- 7. COURSE MATERIALS:** Will be posted on-line prior to the conference. All attendees who register and include their email address will receive a link prior to the conference. Registrations must be received by September 21, 2018.
- 8. TAX DEDUCTIION FOR EDUCATION PURPOSES:** In the United States, an income tax deduction may be allowed for education expenses undertaken to maintain or improve professional skills. This includes registration, travel, meals and lodging, subject to applicable limitations (see Treas. Reg.1.162-5: Coughlin v. Commissioner, 203 F.2d 307 (2d Cir.1953)).
- 9. (Put in handicapped insignia) Americans with Disabilities Act:** If special arrangements are required for disabled individuals to attend this program, contact: Dawn R. Holiday at [dawn.holiday@americanbar.org](mailto:dawn.holiday@americanbar.org) in writing by **September 21, 2018** at the American Bar Association, 321 N. Clark St., Chicago, IL, 60654.
- 10. DRESS:** Business Casual
- 11. PRIVACY NOTICE:** Registration for, attendance at, or participation in the Forum conferences and other associated activities constitutes an agreement by the registrant or participant to permit the American Bar Association to use and distribute (both now and in the future) the registrant or participant's image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such event and activities.
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15. **JOIN the DISCUSSION:** Would you like to get the latest information or get feedback from colleagues, join the Forum on Affordable Housing Email Discussion List (HOMEFORUM). Visit our web-site at [http://www.americanbar.org/groups/affordable\\_housing.html](http://www.americanbar.org/groups/affordable_housing.html). You must be a member of the Forum on Affordable Housing and Community Development Law to join a discussion list.
16. **QUESTIONS:** If you have questions or require additional conference information, contact: Dawn R. Holiday at [dawn.holiday@americanbar.org](mailto:dawn.holiday@americanbar.org) or visit the Forum on Affordable Housing and Community Development Law [http://www.americanbar.org/groups/affordable\\_housing.html](http://www.americanbar.org/groups/affordable_housing.html)
17. 312-988-5660 or visit our web-site

# Forum on Affordable Housing and Community Development Law



October 4-5, 2018

## REGISTRATION FORM

### **By Fax (put in Fax insignia)**

Fax completed registration form with  
credit card payment only  
to 312-988-5850

### **Mail (put in mail insignia)**

ABA, Meeting Registration AH1810  
Forum on Affordable Housing Law –  
321 N. Clark, St. MS 16<sup>th</sup> Floor  
Chicago, IL 60654

### [Register On-line](#)

### Questions - Call 800-238-2667 x 5660

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- \_\_\_ \$450 Non-ABA Members
- \_\_\_ \$150 Academic (identify school)
- \_\_\_ \$FREE Faculty/Moderator
- \_\_\_ \$150 Government/Non-profit\*
- \_\_\_ \$175 Young Lawyer Member\*
- \_\_\_ \$ 75 Student\*

#### **After September 21, 2018**

- \_\_\_ \$350 Forum Members
- \_\_\_ \$425 ABA Members
- \_\_\_ \$500 Non-ABA Members
- \_\_\_ \$200 Academic (identify school)
- \_\_\_ \$100 Faculty/Moderator
- \_\_\_ \$200 Government/Non-profit\*
- \_\_\_ \$225 Young Lawyer Member\*
- \_\_\_ \$125 Student\*

**\*Must be an ABA Forum Member**

Are you licensed to practice in New York/IL? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are you a first-time attendee? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are you attending the **Thursday Tour & Lunch** Yes \_\_\_\_\_ No \_\_\_\_\_ (included in registration)  
 Are you attending the Reception Yes \_\_\_\_\_ No \_\_\_\_\_ (included in registration)  
 Friday Boxed Lunch Yes \_\_\_\_\_ No \_\_\_\_\_ (included in registration)

SESSION 1	SESSION 2	SESSION 3	SESSION 4
Workshop A _____	Workshop A _____	Workshop A _____	Workshop A _____
Workshop B _____	Workshop B _____	Workshop B _____	Workshop B _____
Workshop C _____	Workshop C _____	Workshop C _____	Workshop C _____

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COMMUNITY DEVELOPMENT LAW**

**28<sup>th</sup> Annual Meeting**

**May 22-24, 2019**

**The Mandarin Oriental Hotel**

**Washington, DC**

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