FORUM ON
AFFORDABLE HOUSING
AND COMMUNITY
DEVELOPMENT LAW

Annual Meeting

MAY 22-24, 2019

MANDARIN ORIENTAL HOTEL • WASHINGTON, DC
DEAR COLLEAGUES

As our nation faces an affordable housing crisis, it is our job, as leaders in the industry, to explore and develop new and innovative policy strategies that not only address the housing crisis, but also intersect with other critical components to providing successful housing including healthcare, civil rights and community economic development. This year’s Conference will provide a venue for the discussion of the latest cross-cutting policy ideas to tackle the daunting task of increasing the amount of affordable housing in a nation that is in desperate need. In particular, a number of panels and a plenary will highlight the critical intersection between housing and healthcare. In addition, attendees at the conference can learn how the latest tools in the industry, including Qualified Opportunity Zones and Income Averaging, are being used to boost affordable housing developments. They can also learn to navigate transfers of Section 8 Project Based Rental Assistance and the RAD for PRAC program. Additional panel topics will include discussions of fair housing, tax credit equity, bonds, public housing, HUD-insured financing, and community economic development. The Conference will also recognize the invaluable contributions of the Forum’s members to the advancement of affordable housing and community development across the nation. The Conference will be held, May 22-24, 2019 in Washington, DC.

Once again, we will hold two separate Wednesday afternoon multi-panel sessions (May 22, 2019), one in partnership between the Forum’s HUD practice committee and the US Department of Housing and Urban Development at HUD headquarters and the other organized by the Forum’s Tax Credits and Equity Financing Committee. The HUD session will include a panel on the topic of health care and affordable housing, with representatives from HUD’s Office of Residential Care Facilities and other experts on elderly affordable housing, as well as a round table discussion on the FHA Closing process, including what is working well and what needs more improvement.

The Tax Credit and Equity Financing session will include discussion of recent guidance and issues related to the new federal Qualified Opportunity Zones incentive, and issues related to low income housing tax credit and other implementation of the changes from Tax Reform. Personnel from the Internal Revenue Service and Treasury have been invited to participate.

During Thursday morning’s plenary session, policy leaders will take an aspirational look at what is needed to address the nation’s affordable housing crisis. Friday’s plenary will focus on the critical interplay between healthcare and housing.

The will be excellent opportunities for networking throughout the Conference, including: First Timers and Young Lawyers Reception on Wednesday evening, a Thursday evening networking reception and the Forum practice committee meetings. These are available to all Conference registrants.

ADVANCE REGISTRATION:
Register now. In order to be included in the list of conference attendees, you must register by May 3, 2019.

FINANCIAL HARDSHIP:
To request an application, send an email to dawn.holiday@americanbar.org

SPONSORSHIP OPPORTUNITIES
Sponsorship Opportunities are available for this conference: For more information contact Dawn Holiday at dawn.Holiday@americanbar.org

INFORMATION:
Visit our website or contact Dawn Holiday at dawn.Holiday@americanbar.org

FORUM CHAIR:
George Weidenfeller
Telesis Corporation

CONFERENCE PLANNING CHAIRS:
Michael Hopkins
Bocarsly Emden Cowan Esmail & Arndt LLP
Kathie Soroka
Nixon Peabody LLP

COURSE MATERIALS EDITORS:
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**WEDNESDAY, MAY 22, 2019**

11:00 – 5:00 pm
REGISTRATION (MANDARIN ORIENTAL)

1:00 – 5:00 pm
HUD PROGRAM
This program will be held at the HUD Building (7th & D – Northwest Corner) (Pre-registration & ID required to attend this event)
Plan to arrive 20 minutes before the start of the program, as all attendees must clear HUD security

1:30 – 3:00
HUD 1: CAN HUD HELP YOU AGE IN PLACE?
A LOOK AT THE AUTHORITIES AND LIMITS ON THE OFFICE OF RESIDENTIAL CARE FACILITIES PROGRAMS
FHA-insured loans to health care facilities provide one of the most far-reaching and effective financing vehicles for nursing homes today, yet many practitioners do not even know that HUD provides this assistance. This panel will focus on HUD’s Office of Residential Care Facilities, its statutory authorities and program limitations. In particular, as advocates for elder care encourage policies and facilities designed to allow seniors to age in place, the panel will explore how ORCF programs can support such facilities and the challenges such approaches encounter.

Moderator: Christine Waldmann Carmody
Pepper Hamilton LLP, Washington DC

Panelists: John Hartung
US Dept. of Housing and Urban Development (HUD), St. Louis, MO
Erica Levin
US Dept. of Housing and Urban Development (HUD), New York, NY
John Brennan
Byrne, Costello & Pickard, P.C., New York, NY
Tony Love
Bellwether Enterprise Real Estate Capital, LLC, Cleveland, OH
Kyle Perry
Century Health Capital, Inc., Saratoga Springs, NY

3:00 – 3:15pm
BREAK

3:15 – 4:45 pm
HUD 2: “FEDERAL HOUSING ADMINISTRATION (FHA) CLOSING ROUNDTABLE: WHAT IS WORKING WELL, AND WHAT NEEDS WORK.”
FHA practitioners engage in a roundtable discussion of FHA multifamily closing issues, opportunities, and new developments. Audience participation is encouraged.

Moderator: Ian Adams
Kantor Taylor PC, Seattle, WA

Panelists: Tiffany Baymiller
PGIM Real Estate Finance, Columbus, OH
Jon Peyton
Kennerly, Montgomery & Finley, P.C., Knoxville, TN
Amy Brown
US Dept. of Housing and Urban Development (HUD), Washington, DC
Ray Keyser
US Dept. of Housing and Urban Development (HUD), Cleveland, OH

1:30 – 4:30 pm
IRS PROGRAMS
All programs will be held at the Mandarin Oriental – Lower Level

1:30 – 3:00 pm
IRS/TREASURY DISCUSSION ON QUALIFIED OPPORTUNITY ZONES
A panel of IRS, Treasury and industry tax professionals will discuss the IRC 1400-Z Qualified Opportunity Zone incentive, including recently published regulations. The panel will discuss issues related to qualification of Qualified Opportunity Zone Funds, requirements for Qualified Opportunity Zone Businesses and property owned by such businesses, as well as structuring and timing issues related to OZ projects and investments.

Panelists: Glenn Graff
Applegate & Thorne-Thomsen, Chicago, IL
Mike Novey
Treasury, Washington, DC
Julie Hanlan-Bolton
IRS Chief Counsel, Washington, DC
Michael Novogradac
Novogradac & Company, Walnut Creek, CA
Forrest Milder
Nixon Peabody, Boston, MA
3:15 – 4:30 PM
IRS/TREASURY DISCUSSION ON LOW-INCOME HOUSING AND HISTORIC CREDITS AND TAX REFORM ISSUES
A panel of IRS, Treasury and industry tax professionals will discuss current IRS/Treasury projects and recently released guidance related to Low-Income Housing Tax Credits, Historic Tax Credits and Tax Reform related issues. Issues discussed will include possible guidance and issues related to income averaging, historic issues related to finalization of Section 50(d) guidance and the change to delivery of historic tax credits, as well as issues related to Section 163(j) interest income limitations and impacts on depreciation.
Panelists:  
Sue Wilson  
Enterprise Community, Columbia, MD  
Glenn Graff  
Applegate & Thorne-Thomsen, Chicago, IL  
Mike Novey  
Treasury, Washington, DC  
James Holmes  
IRS, Washington, DC  
Jian Grant  
IRS, Washington, DC  
Forrest Milder  
Nixon Peabody, Boston, MA

5:15 – 7:00 pm
FIRST TIMER AND YLD RECEPTION
Gallery
Hosted by the AH YL Committee (Networking Roundtable)

6:00 – 7:30 pm
LEGAL EDUCATORS MEETING
Hirschhorn
Light Snacks will be provided

THURSDAY, MAY 22, 2019
7:00 AM
REGISTRATION & CONTINENTAL BREAKFAST

8:30 AM
WELCOME REMARKS
George Weidenfeller  
Telesis Corporation, Chair, Forum on Affordable Housing and Community Development Law  
Paul Compton  
General Counsel, US Department of Housing and Urban Development

8:45 AM
PLENARY: IDEAS WORTH WRITING HOME ABOUT
Panelists will provide a rundown of current legislative initiatives and an aspirational look at what might be needed to address the housing crisis. Panelists will discuss proposals offered by the Democratic presidential candidates, review current policy and legislation the industry is pursuing and also reflect on the bigger picture questions such as: What would it actually take to solve the housing crisis? What should we be asking for and talking about that we aren’t already?
Moderator:  
Shannon Ross  
Housing Partnership Network, Washington, DC
Panelists:  
Emily Cadik  
Affordable Housing Tax Credit Coalition, Washington, DC  
Maurice Jones  
Local Initiatives Support Corporation, New York, New York  
Diane Yentel  
National Low-Income Housing Coalition, Washington, DC

10:00 – 11:15 AM
SESSION 1
WORKSHOP 1A: COMMON STRUCTURING PITFALLS IN RAD TRANSACTIONS
As RAD transactions have become both more common and more complex practitioners are facing common issues and pitfalls in structuring and closing deals and implementing the RAD conversion. Our panelists will discuss some of these common issues faced, and strategies to address them, from the perspective of HUD requirements, tax credit structuring and operational issues that should be considered prior to closing.
Moderator:  
Sarah Molseed  
Reno & Cavanaugh, PLLC, Washington, DC
Panelists:  
Lucie Du  
Du and Associates, Bethesda, MD  
Vickie Longosz  
US Dept of Housing and Urban Development (HUD), Washington, DC  
Cara Nesbit  
Kutak Rock LLP, Omaha, NE

WORKSHOP 1B: LOW INCOME HOUSING TAX CREDIT (LIHTC) COMPLIANCE AND INCOME AVERAGING
Many thousands of properties have a multi-decade responsibility to comply with low-income housing tax credit program rules. This panel will address important and recent issues. The speakers include those responsible for enforcement at federal and state agency levels. The discussion also will focus on the new income averaging option.
Moderator:  
Mark Shelburne  
Office of Housing and Finance at Georgia Department of Community Affairs, Atlanta, GA
Panelists:  
Brigitte Collier  
Indiana Housing & Community Development Authority, Indianapolis, IN  
Jen Brewerton  
Dominium, Austin, TX  
Stephanie Naquin  
Novogradac & Company LLP, Austin, TX

WORKSHOP 1C: COMMUNITY REINVESTMENT ACT: HOW RECENT UPDATES AFFECT AFFORDABLE HOUSING AND COMMUNITY ECONOMIC DEVELOPMENT
The Community Reinvestment Act (CRA) requires federally-insured financial institutions to meet the credit needs of the communities in which they operate, including low- and moderate-income (LMI) neighborhoods. Low Income Housing Tax Credits (LIHTC) incentivize investments in affordable rental housing. Since 1995, CRA regulations have encouraged financial institutions to invest in LIHTCs. The combined effect has transformed affordable housing and community development. This panel will discuss the practical and strategic use of the CRA for financial institutions, LIHTC developers and syndicators. It will also discuss current proposals to reform the CRA and how a new regulatory landscape might affect affordable housing investment in the future.
Moderator:  
Cassandra Jones Havard  
University of Baltimore, Baltimore, MD
Panelists:  
Nancy Amstad  
RBC Capital Markets, Cleveland, OH  
David Portilla  
Debevoise & Plimpton, New York, NY  
Benson Roberts  
National Association of Affordable Housing Lenders, Washington, DC
WORKSHOP 1D: FINANCIAL PROJECTIONS AND CAPITAL ACCOUNTS – THE BASICS – PART I
The panelists will review a basic set of projections and analyze issues important for an attorney to review. Topics will include timing of credit delivery, sources and uses, eligible basis, depreciation, capital accounts, IRR and forecasted sale.

Moderator:
Angela Christy
Faegre Baker Daniels, Minneapolis, MN

Panelists:
Stephanie Caragher
CohnReznick LLP, Charlotte, NC
Dayna Hutchins
Holland & Knight LLP, Boston, MA

WORKSHOP 1E: GOING LOCAL: BOLD STRATEGIES TRIED BY LOCAL GOVERNMENTS
The unmet need for affordable housing is at crisis level in virtually all major cities and towns across the United States. In response, many local municipalities are developing strategies, programs and financial incentives to maximize opportunities for the production, financing and preservation of affordable housing. Panelist from several major cities will discuss the bold and creative initiatives introduced by their local government to address this issue.

Moderator: Dina Schlossberg
Regional Housing Legal Services (RHLS), Philadelphia, PA

Panelists:  
Marnell Cooper
Palmer Cooper, LLC, Baltimore, MD
Anne Mavity
Minnesota Housing Partnership, St. Paul, MN
Faith Pettis
Pacifica Law Group, LLP, Seattle, WA
Julia Wiley
Department of Housing and Community Development, Washington DC

11:15
BREAK

11:30 – 12:45
SESSION 2
WORKSHOP 2A: HOT TOPICS IN HUD/FHA MULTIFAMILY
This panel will include a discussion with HUD officials and leaders in the private bar on new and challenging matters relating to REAC, enforcement, asset management and development. This will include changes to REAC, enforcement and MOR procedures, as well as Davis Bacon initiatives, and the LIHTC 221.d4 Pilot.

Moderator: George Weidenfeller
Telesis Corporation, Washington, DC

Panelists:  
Donald “DJ” La Voy
US Department of Housing and Urban Development (HUD), Washington, DC
Dori Garmeiser
Hessel & Alluse and Nuen, Washington, DC
Elizabeth Friedgut
DLA Piper, Chicago, IL
Patricia Burke
US Dept. of Housing and Urban Development (HUD), Washington, DC

WORKSHOP 2B: ANATOMY OF A LEGAL OPINION AND THE ETHICAL IMPLICATIONS INVOLVED
Panelists to present a breakdown of the typical topics addressed in a legal-opinions and, for each section, as deals become increasingly more complex, the considerations and best practices for complying with ABA Model Rules 1.1, 1.7, 3.1, and 4.1; AICPA SSTS No. 1(5)(a) and No. 7, Circular 230 Section 10.34 and 10.37 and ABA Formal Opinion Number 314.

Moderator: Mattye Jones  
Coats Rose, Dallas, TX

Panelists:  
Gordon Gerson
Gerson Law Firm APC, San Diego, CA
Tom Mason
Harris, Wiltshire & Grannis, Washington DC
Doug Prince
Buchalter, Seattle, WA

WORKSHOP 2C: REBUILDING AFTER NATURAL DISASTERS
In the wake of recent natural disasters occurring throughout the country, disaster preparedness and recovery has become an increasingly important topic as the affordable housing community continues to come together to ensure that people affected by natural disasters have access to safe and affordable housing. Panelists will discuss lessons learned from past disaster recovery efforts, protocol for preparedness, immediate responses, on-going tax credit compliance, rebuilding, government assistance and funding.

Moderator: Kimberly Black King  
Volunteers of America (VOA), Washington, DC

Panelists:  
Tom McCasland
City of Houston, Houston, TX
Marian McFadden
Enterprise Community Partners, Washington DC
Dan Rees
State of Louisiana, Baton Rouge, Louisiana

WORKSHOP 2D: FINANCIAL PROJECTIONS AND CAPITAL ACCOUNTS – ADVANCED ISSUES – PART II
The panelists will review advanced projections for an acquisition/rehabilitation LIHTC project. Topics will include an analysis of timing issues in claiming LIHTC in acquisition/rehabilitation issues related to multiple buildings and meeting the 50% test for tax exempt bonds. The panelists will also provide an in-depth analysis of capital accounts and minimum gain, ways to avoid negative capital accounts, when disaffiliation is required, and some special rules related to capital accounts including how the stacking rules work.

Moderator: Angela Christy
Faegre Baker Daniels, Minneapolis, MN

Panelists:  
Kathryn Galbraith Day  
Klein Hornig LLP, Boston, MA
Jill Goldstein
Kutak Rock LLP, Omaha, NE
David Herdick
Rubin Brown LLP, St. Louis, MO
WORKSHOP 2E: PUBLIC HOUSING UPDATE-DISPOSITIONS, PBV, LIFE POST-RAD
Panelists will discuss the latest updates on public housing issues, including the HUD’s public housing repositioning goals and efforts, status of the project-based voucher program, the new public housing ACC, the new REAC inspection protocol, and issues PHAs face post-RAD conversion.
Moderator: Amy Glassman
Ballard Spahr, LLP Washington, DC
Panelists: Cody Bannon
Reno Cavanaugh, Washington, DC
Cassandra Knight
Atlanta Housing Authority, Atlanta, GA
Chaundi Randolph
US Dept of Housing and Urban Development (HUD), Washington DC

12:50 – 2:25 pm
LUNCHEON
Business Meeting: Nominations Report
PRESENTATIONS:
2019 Michael Scher Award
Acknowledgment of Chair
Acknowledgment of 2019 Law Student Writing Competition Winner
Acknowledge Tim Iglesias

2:30 – 3:30 pm
PRACTICE COMMITTEE MEETINGS
• Community Economic Development
• Fair Housing
• Legal Educator
• HUD (Preservation and Public Housing)
• Tax Credits (NMTC, LIHTC, and HTC)

3:30
BREAK

3:45 – 5:00
SESSION 3
WORKSHOP 3A: NAVIGATING TRANSFERS OF SECTION 8 PROJECT BASED RENTAL ASSISTANCE
A discussion on practical aspects of transferring a Section 8 Project-Based Rental Assistance contract. The focus of the panel will be transfers under the authority provided in Section 8(bb) of the United States Housing Act, and Section 210 of the HUD Appropriations Act.
Moderator: Nathaniel “Nate” Cushman
Nixon Peabody, LLP, Washington, DC
Panelists: Eric Herrmann
Klein Hornig LLP, Washington, DC
Margaret Poethig
US Dept. of Housing and Urban Development (HUD), Washington, DC

WORKSHOP 3B: NEGOTIATIONS AND DISPUTES IN LIHTC PRESERVATION
This panel will focus on issues related to Year 15 transitions and long-term affordability. We will discuss negotiations and disputes that arise from these issues and will present both a national perspective and the experience of a state housing finance agency.
Moderator: Randy Shorr
Shorr Law, Cleveland, OH
Panelists: Laura Abernathy
National Housing Trust, Washington, DC
Michael Cyppers
Glaser Weil, Los Angeles, CA
Honora Sutor
Maryland Department of Housing and Community Development, Lanham, MD

WORKSHOP 3C: RESIDENTIAL PREFERENCES IN AFFORDABLE HOUSING DEVELOPMENTS
Many cities and affordable housing providers around the U.S. are adopting admission policies for affordable housing developments that give preference to neighborhood residents. Join us for a discussion about these policies and the fair housing implications. For communities concerned about gentrification and protecting long-time residents, is there a way to craft these policies without violating the Fair Housing Act?
Moderator: Toni Jackson
Jones Walker, Houston, TX
Panelists: Heather Way
University of Texas School of Law, Austin, TX
Sara Pratt
Rehman Dane and Colfax PLLC, Washington, DC

WORKSHOP 3D: USING OPPORTUNITY ZONE INCENTIVES IN LIHTC TRANSACTIONS
For LIHTC Projects that are in the new federal Qualified Opportunity Zones, there is an possibility to incorporate Opportunity Zone benefits into the LIHTC transaction to create a more desirable project. The panel will provide an introduction on how a LIHTC transaction can incorporate qualified opportunity fund equity, including a review of OZ requirements and how the project, developer and investor can all potentially benefit from the Opportunity Zone incentives.
Moderator: Glenn Graff
Applegate & Thorne-Thomsen, Chicago, IL
Panelists: Megan Christensen
Manatt, Phelps & Phillips, Washington, DC
Kristen DeKuiper
Holland & Knight, LLP, Brandon, FL
Beth Mullen
CohnReznick, Sacramento, CA
WORKSHOP 3E: INTRODUCTION TO THE GOVERNMENT SPONSORED ENTITIES (GSE) FANNIE/FREDDIE 101

Intro to the Government Sponsored Entities (“GSEs”) Fannie Mae, Freddie Mac, and Ginnie Mae. Panelists will give a background on the creation and history of the GSEs as well as a discussion of the products GSEs offer and how they operate. Panelists will give a discussion of latest developments with GSEs, including expansion into affordable housing and new products available. Panelists will give practice pointers geared toward lender and borrower counsel.

Moderator: Keely Downs
Moye White, Denver, CO

Panelists: Susan Campbell
Blanco Tackabery, Winston Salem, NC
Alonso Cisneros
Troutman Sanders, Washington DC
Lauryn Enrico
FHFA, Washington DC
Robert A. Kearbey
Freddie Mac, Washington DC

5:15 pm
RECEPTION
All paid registrants are invited to attend the reception - Badge required.

FRIDAY, MAY 24, 2019

8:00 am
REGISTRATION & CONTINENTAL BREAKFAST

8:30 am
PLENARY: HOUSING AND HEALTHCARE

This plenary 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.

Moderator: Roberta Rubin
Department of Housing and Community Development, Boston, MA

Panelists: Megan Sandel MD
MPH, GROW clinic, Boston Medical Center, Boston, MA
Brian Rahmer
Enterprise Community Partners, Baltimore, MD
Sharon Wilson Géno
Volunteers of America National Services, Washington, DC
Andrea Posner
Stewards of Affordable Housing for the Future, Washington, DC

10:00 – 11:15 am
SESSION 4

WORKSHOP 4A ELDERLY HOUSING PART I: REFINANCING AND REPOSITIONING SECTION 202 PROJECTS

This session will be a panel discussion on refinancing and repositioning options for senior housing projects originally financed with Section 202 direct loans. The panelists will discuss existing HUD guidance on the topics, as well as various strategies from both the developer and lender perspectives for achieving a successful closing. The panelists will share actual preservation deals and experience and will also offer attendees a chance to ask questions.

Moderator: Schuyler Armstrong
Katten Muchin, Rosenman LLP, Washington, DC

Panelists: Minnie Monroe Baldwin
US Department of Housing and Urban Development (HUD), Washington, DC
Daniel Ehrenberg
Klein Hornig, Boston, MA
Watt Taylor
Kantor Taylor, Seattle, WA

WORKSHOP 4B LOW INCOME HOUSING TAX CREDIT (LIHTC) HOT TOPICS

Practitioners will discuss the effects of recent tax legislation and IRS guidance on LIHTC Transactions, including: Income averaging, combining 9% and 4% projects, structuring state tax credit transactions, special allocations and concerns about Rights of First Refusal.

Moderator: Sue Wilson
Enterprise Community Partners, Columbia, MD

Panelists: Holly Heer
Barnes & Thornburg LLP, Columbus, OH
Daniel Kraus
Kraus Lam LLC, Chicago, IL
Forrest Milder
Nixon Peabody LLP, Boston, MA

WORKSHOP 4C BEYOND LOW INCOME HOUSING TAX CREDIT (LIHTC): OPPORTUNITY ZONES AND OTHER CREATIVE HOUSING AND COMMUNITY DEVELOPMENT FINANCING TOOLS

This panel will discuss how to combine newer and older financing tools to promote community development. Topics to be discussed include Opportunity Zones, New Market Tax Credits, social impacts bonds, and philanthropic grants and program related investments.

Moderator: Dorcas Gilmore
Gilmore Khandhar, Baltimore, MD

Panelists: Lisa Hall
Beeck Center at Georgetown University, Washington, DC
Bob Cooney
LISC, Boston, MA
Rutledge Simmons
NeighborWorks America, Washington, DC
Perry Teicher
Orrick, New York, NY
WORKSHOP 4D: APPRAISALS: WHY DO THEY MATTER?
What is the purpose of appraisals in LIHTC transactions? How should I review an appraisal? What concerns do developers, lenders, public agencies, investors, and tax attorneys raise with valuation and methodology? What are the common tax issues that arise in appraisals? This panel will offer an introduction on what appraisals are and the different perspectives that the parties in a LIHTC transaction have on the valuation of the property. The panel will also explore tax issues such as ground lease valuation, land/building splits, how to value operating subsidies, valuation of RAD properties, and the role of the appraisal in year 15 exit strategies.

Moderator: Amy DeVaudreuil
Goldfarb & Lipman LLP, San Diego, CA
Panelists: Daryll Kidd
Bocarsly Emden, Los Angeles, CA
Blair Kincer
Novogradac, Washington, DC
Sarah Perez
Gubb & Barshay, Oakland, CA

WORKSHOP 4E: CUTTING EDGE DEBT AND BOND MARKET PRODUCTS
A review of current approaches to bond finance and related lending. The discussion will include back to back lending, GSE procedures FHA Insurance, mixed income finance and some of the challenges of incorporating income averaging for tax credits with private activity bond requirements.

Moderator: Richard Froehlich
NYC Housing Development Corporation, New York, NY
Panelists: Sisera Daniels
Kutak Rock, Washington DC
Allison R. King
Tiber Hudson, Washington DC
Kevin Murphy
Hawkins Delafield & Wood, New York, NY

11:30 – 12:45
SESSION 5
WORKSHOP 5A: ELDERLY HOUSING PART II: RAD FOR PRAC
Statutory authority for the Rental Assistance Demonstration (RAD) expanded in 2017 to allow conversions of Section 202 Project Rental Assistance Contracts (PRACs). This panel will explore the statutory authority, take deep dive into the latest HUD guidance and explore programmatic features and challenges.

Moderator: Kathie Soroka
Nixon Peabody, New York, NY
Panelists: Tom Davis
US Dept of Housing and Urban Development (HUD), Washington, DC
Michelle Norris
National Church Residences, Columbus, OH

WORKSHOP 5B: CONDOMINIUM DOCUMENT DRAFTING AND NEGOTIATION IN AFFORDABLE HOUSING TRANSACTIONS
This panel will discuss the basics of condominium document drafting and negotiation. The panelists will discuss the process of drafting and reviewing condominium declarations, by-laws, and floor plans, working with third-party reviewers to address clients’ deal-specific needs. They will elaborate on how different jurisdictions review condominium forms and ‘big picture’ items that mortgagees and investors are particularly concerned with.

Moderator: Niki Tsismenakis
Goldstein Hall, New York, NY
Panelists: Christine Coletta
Hirschen Singer & Epstein, New York, NY
Kathleen Furey
Holland & Knight, New York, NY
Andrea Sato
Kantor Taylor, Seattle, WA

WORKSHOP 5C: COSTS OF LAWYERING IN AFFORDABLE HOUSING TRANSACTIONS - ETHICS
How do you bend the cost curve in transactions? A consideration of the ethical implications of the high cost of transactions, focusing on lawyer costs. The discussion will focus on how law firms create efficiencies to bring costs down while at the same time maintaining or improving profitability. The panelists will explore different ways of service delivery, alternative fee arrangements, and will discuss as an industry what housing practitioners can do to improve the efficiency of the documentation and closing process.

Moderator: Ben Applegate
Applegate & Thorne-Thomsen, Chicago, IL
Panelists: Rochelle Lento
Dykema LLP, Detroit, MI
Kelly Rushin Lewis
Jones Walker, Birmingham, AL

WORKSHOP 5D: HISTORIC CREDITS IN A LIHTC TRANSACTION
This panel will discuss the unique issues that arise when pairing federal historic rehabilitation tax credits with federal low-income housing tax credits to rehabilitate an existing building. Topics to be discussed will include the key rules that must be met when qualifying for historic credits, due diligence items to look for, how historic credits are allocated and their impact on LIHTC basis, fees, distributions and other provisions of the partnership agreement, and common issues that arise and how to address them.

Moderator: Hilary Jaffe
Applegate & Thorne-Thomsen, Chicago, IL
Panelists: Amy Curry
Frost Brown & Todd, Louisville, KY
Amberlee Cook
Dentons, Chicago IL
1. ADVANCE REGISTRATION: We request that all registrations be made in advance by completing the attached registration form and mailing it with your check (payable to Forum on Affordable Housing – AH1905) to the American Bar Association, 19th Floor, 321 North Clark St., Chicago, IL 60654 or fax your form with your credit card payment to 312-988-5850. You may also register online.

In order to be included in the list of conference attendees, you must register by May 3, 2019. 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.

2. REGISTRATION INFORMATION:
Registration includes admission to the sessions, workshops, breakfasts, coffee breaks, lunch, reception and access to the on-line course materials. The luncheon, reception and breakfasts are limited to paid registrants only.

3. 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 call David Israel at 312-988-5655 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, American Express or Discover.

4. CANCELLATION POLICY:
Registrants who must cancel will receive a refund less a $100 administrative fee if a written cancellation is received by May 3, 2019, cancellations may be emailed david.israel@americanbar.org. No refunds will be granted after May 3, 2019. 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.

5. HOTEL INFORMATION:
The conference will be held at the Mandarin Oriental Hotel, 1330 Maryland Avenue, SW, Washington, DC 20024.

6. AIRTRAVEL:
ABA Airfare and car rental discounts and more information is available at http://www.americanbar.org/membership/aba_advantage_discounts/egencia.html.

7. CLE CREDIT:
The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, GU, HI, IA, IL, IN, KS, 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 12 CLE credit hours in 60-minute states, and 10.0 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 http://www.americanbar.org/cle/mandatory_cle/mcle_by_format/in-person_events.html.

8. AMERICANS WITH DISABILITIES ACT:
If special arrangements are required for individuals with disabilities to attend this program, please contact Dawn R. Holiday at the American Bar Association, MS 18.2, 321 North Clark St., Chicago, Illinois 60654, by May 3, 2019.

9. CONFERENCE MATERIALS:
Materials will be provided to attendees via email and on the Forum web-site. Attendees can download the materials before or during the conference, materials will be available for purchase 3–4 weeks after the conclusion of the conference. Please contact David Israel at 312-988-5655 or email david.israel@americanbar.org to place your order.

10. JOIN THE EMAIL DISCUSSION LIST:
Would you like to get the latest information on get feedback from colleagues? Join the Forum on Affordable Housing Email Discussion List? (FREE OF CHARGE) Visit our web-site at 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.

11. FINANCIAL HARDSHIP:
A limited number of scholarships to defray tuition expenses are available for qualifying attorneys at a 50% reduction in the course fees over $500. Please note that all scholarship applications must be received no later than 30 days prior to the program presentation. To request an application or receive additional information, please contact Dawn R. Holiday via email: dawn.holiday@americanbar.org.

12. QUESTIONS:
Call Dawn Holiday at 312-988-5660 or email dawn.holiday@americanbar.org.

13. PRIVACY NOTICE:
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REGISTRATION FORM
THREE WAYS TO REGISTER!
Forum on Affordable Housing and Community Development Law
28TH ANNUAL MEETING AND CONFERENCE
MAY 22-24, 2019

NAME

FIRM/COMPANY/AGENCY

ADDRESS

CITY STATE ZIP

(AREA CODE) PHONE FAX

EMAIL

REGISTRATION FEES:
Early Bird Discount before May 3, 2019

____ $645 Forum Members
____ $750 Non-Forum Member
____ $875 Non ABA Member
____ $250 Academic (identify school)
____ $245 Speaker/Moderator
____ $200 Government/Non-profit
____ $175 Young Lawyer Member*
____ $75 Student*

AMOUNT DUE: ___________

Registration received May 3, 2019

____ $695 Forum Members
____ $800 Non-Forum Members
____ $925 Non ABA Member
____ $300 Academic (identify school)
____ $295 Speaker/Moderator
____ $250 Government/Non-profit
____ $225 Young Lawyer Member*
____ $75 Student*

AMOUNT DUE: ___________

SELECT PROGRAMS:
(check the session you wish to attend)

Pre-registration is required for HUD/IRS. Registrations received after May 3, 2019, are not guaranteed admission to the HUD or IRS Programs, due to security restrictions

HUD Program: I will attend: ________
IRS Program: I will attend: ________

EVENTS:
(check the ones you wish to attend)

YLC/1st Timers Reception (Wed) I will attend: ________
Luncheon (Thurs) I will attend: ________
Reception (Thurs) I will attend: ________

I want to join the Forum on Affordable Housing and Community Development Law

_____________________________________________________________________
Bill me $50 for joining the Forum on Affordable Housing _____ (initial).
* Must be a Member of the ABA.

I am involved with or wish to become involved with the following Forum Practice Committees and plan to attend the meetings for these Committees at the Conference (please identify up to two Committees below):

_____ Community Economic Development Practice Committee
_____ Fair Housing Practice Committee
_____ HUD (Multi-Family, Public Housing) Practice Committee
_____ Legal Educators Practice Committee
_____ Tax Credits (NMTC, LIHTC and HTC)

Food Allergies:

METHOD OF PAYMENT

____ Check Enclosed (make payable to the ABA, Forum on Affordable Housing)
____ DISCOVER ____ VISA ____ AMEX ____ MC (Check One)

Credit Card Number: Exp. Date ______________________________

Cardholders Name:

Signature:

Return all registrations to American Bar Association
321 N. Clark St., Chicago, IL 60654, 19th Floor – AH1905
DO NOT EMAIL CREDIT CARD INFORMATION
<table>
<thead>
<tr>
<th>Wednesday</th>
<th>May 22, 2019</th>
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<tbody>
<tr>
<td>HUD SESSIONS WILL BE HELD AT THE HUD BUILDING – 451 SEVENTH STREET ~ BROOKE MONDALE AUDITORIUM (NORTHWEST LOBBY ENTRANCE)</td>
<td>1:30-3:00 PM HUD 1 ______ CAN HUD HELP YOU AGE IN PLACE?</td>
</tr>
<tr>
<td>3:15 – 4:45PM: HUD 2 ______ FHA CLOSING ROUNDTABLE: WHAT IS WORKING WELL, WHAT NEEDS WORK? (Government Id required for entry to the HUD Building.)</td>
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<tr>
<td>TAX/IRS (AT THE MANDARIN ORIENTAL)</td>
<td>1:30 PM IRS/TREASURY DISCUSSION OPPORTUNITY ZONES ______</td>
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<tr>
<td>3:15 PM IRS/TREASURY DISCUSSION ON LIHTC AND HISTORIC TAX CREDITS AND REFORM ISSUES</td>
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<thead>
<tr>
<th>May 23, 2019</th>
<th>Thursday Plenary</th>
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<tbody>
<tr>
<td>COMMON STRUCTURING PITFALLS IN RAD TRANSACTIONS</td>
<td>IDEAS WORTH WRITING HOME ABOUT, A RUNDOWN OF CURRENT LEGISLATIVE INITIATIVES AND AN ASPIRATIONAL LOOK AT WHAT MIGHT BE NEEDED TO ADDRESS THE HOUSING CRISIS</td>
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<tr>
<td>LIHTC COMPLIANCE AND INCOME AVERAGING</td>
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<tr>
<td>COMMUNITY REINVESTMENT ACT: HOW RECENT UPDATES AFFECT AFFORDABLE HOUSING AND COMMUNITY ECONOMIC DEVELOPMENT</td>
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<tr>
<td>CAPITAL ACCOUNTS AND PROJECTIONS WORKSHOP: PART I</td>
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<td>GOING LOCAL: BOLD STRATEGIES TRIED BY LOCAL GOVERNMENTS</td>
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<tr>
<th>Thursday</th>
<th>Session 2 11:30 AM</th>
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<tbody>
<tr>
<td>HOT TOPICS IN HUD MULTIFAMILY</td>
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<tr>
<td>ANATOMY OF A LEGAL OPINION AND THE ETHICAL IMPLICATIONS INVOLVED</td>
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<tr>
<td>REBUILDING AFTER NATURAL DISASTERS</td>
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<tr>
<td>CAPITAL ACCOUNTS AND PROJECTIONS WORKSHOP: PART II</td>
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<tr>
<td>PUBLIC HOUSING UPDATE - DISPOSITIONS, PBV, LIFE POST-RAD</td>
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<tr>
<th>Thursday</th>
<th>Session 3 3:45 PM</th>
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<tbody>
<tr>
<td>NAVIGATING TRANSFERS OF SECTION 8 PROJECT BASED RENTAL ASSISTANCE</td>
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<tr>
<td>NEGOTIATIONS AND DISPUTES IN LIHTC PRESERVATION</td>
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<tr>
<td>RESIDENTIAL PREFERENCES IN AFFORDABLE HOUSING DEVELOPMENTS</td>
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<tr>
<td>USING OPPORTUNITY ZONE INCENTIVES IN LIHTC TRANSACTIONS</td>
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<td>INTO THE GSE FANNIE /FREDDIE</td>
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<tr>
<th>May 24, 2019</th>
<th>Friday Plenary</th>
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<tbody>
<tr>
<td>FRIDAY PLENARY: HOUSING AND HEALTH CARE</td>
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<tr>
<th>Friday</th>
<th>Session 4 10:00 AM</th>
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<tbody>
<tr>
<td>ELDERLY HOUSING: PART I REFINANCING SECTION 202 PROJECTS</td>
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<tr>
<td>LIHTC HOT TOPICS</td>
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<tr>
<td>BEYOND LIHTC: OPPORTUNITY ZONES AND OTHER CREATIVE HOUSING AND COMMUNITY DEVELOPMENT FINANCING TOOLS</td>
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<tr>
<td>APPRAISALS: WHY DO THEY MATTER?</td>
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<td>CUTTING EDGE DEBT AND BOND MARKET PRODUCTS</td>
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<tr>
<th>Friday</th>
<th>Session 5 11:30 AM</th>
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<tbody>
<tr>
<td>ELDERLY HOUSING PART II: RAD FOR PRAC</td>
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<tr>
<td>CONDOMINIUM DOCUMENT DRAFTING AND NEGOTIATION IN AFFORDABLE HOUSING TRANSACTIONS</td>
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<tr>
<td>COSTS OF LAWYERING IN AFFORDABLE HOUSING TRANSACTIONS - ETHICS</td>
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<tr>
<td>HISTORIC CREDITS IN A LIHTC TRANSACTION</td>
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