

18TH ANNUAL NY STATE SUPPORTIVE HOUSING CONFERENCE

COST CONTAINMENT IN SUPPORTIVE HOUSING DEVELOPMENT

MASSACHUSETTS INNOVATION: MASSDOCS

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MA SIMPLIFICATION INNOVATIONS

- ◆ One-Stop application (early 1990s) converted to on-line system in 2014 (One-Stop+)
- ◆ OneSource Loan Program
 - Combined construction/permanent loan documents
 - Construction loan documents with “Buy-Sell Agreement” between construction and permanent lenders
 - Conditions for assignment to permanent lender built into documents
 - Mini “assignment closing” upon completion of construction and stabilization





The easy, efficient way to make
affordable housing a reality



Home

Funding
Programs

Participating
Communities

Resources

Loan closing sample documents

To see how MassDocs works, below are sample documents. All are in [Adobe Acrobat](#) format. To view assumptions used in preparing these documents, [click here](#).

LOAN DOCUMENTS

- [Affordable Housing Restriction](#)
- [Loan Agreement](#)
- [Mortgage, Security Agreement and Conditional Assignment of Leases & Rents](#)
- [Promissory Note - Affordable Housing Trust Fund](#)
- [Promissory Note - CBH](#)
- [Promissory Note - DHCD HOME](#)
- [Promissory Note - HIF](#)
- [Promissory Note - Springfield HOME](#)

ANCILLARY DOCUMENTS

- [Architect's Certificate](#)
- [Closing Agenda](#)
- [Closing Escrow Letter](#)
- [Davis-Bacon Wage Certification](#)
- [Disbursing Agent Agreement](#)
- [Ground Lessor Estoppel and Agreement](#)
- [Lender Advisor Agreement](#)
- [Master Subordination Agreement](#)
- [Site Assessment Reliance Letter](#)

TAX CREDIT DOCUMENTS

- [TCAP Written Agreement](#)
- [Tax Credit Exchange Written Agreement](#)
- [Tax Credit Regulatory Agreement \(4% credits\)](#)
- [Tax Credit Regulatory Agreement \(9% credits and state credits\)](#)
- [Tax Credit Release and Indemnification Agreement](#)

About MassDocs

MassDocs makes affordable housing development more efficient by providing a common set of loan documents for projects using a variety of state and local funds. For more information, email [massdocs](#).

If you have been involved with a MassDocs closing and have suggestions on how to make it more efficient, email [massdocs](#).

Attorney login

MassDocs closing attorneys preparing loan documents on behalf of MassDocs participating lenders that wish to log in, please click the button below.

[Click Here](#)

Participating public agencies:



MASSDOCS

- ◆ Combined subordinate loan program delivers multiple funding sources for affordable rental developments
- ◆ Single set of streamlined documents automatically generated using web-based system
- ◆ Single loan agreement, mortgage, affordable housing restriction
- ◆ Separate promissory note for each program; all notes of equal priority
- ◆ Global Participation Agreement establishes relationship between participating lenders
- ◆ “Agent Lender” holds collateral as agent for all participating lenders



MASSDOCS

- ◆ Single joint counsel for all participating lenders
- ◆ Municipalities become party to Global Participation Agreement by executing a “Joinder”
- ◆ 94 municipalities participating directly or through a consortium
- ◆ 20+ funding programs including state bond programs, locally-administered federal programs (HOME & CDBG), local programs
- ◆ Finalist in 2008 Harvard Kennedy School Innovations in American Government competition
- ◆ 488 closings to date (representing 25,552 units); estimated cost savings of \$12.2 –\$18 million over 12 years



- Introduction
- Property Location
- Project Description
- Borrower
- Development Team
- Closing Date
- City Lender
- MassDocs Programs
- Additional Project Informat
- Buildings & Units
- Environmental Consultant
- 40B Comprehensive Permit
- Lender Advisor
- Choose Documents

Introduction



COMBINED SUBORDINATE LENDING PROGRAM

May 23, 2018 System

Welcome to the MassDocs system!

Please enter your name here (name of MassDocs attorney):

Enter your law firm name here (MassDocs attorney firm name):

Please use full names for all individuals asked to be identified in the interview and full legal names for all entities

VERY IMPORTANT: DO *NOT* USE THE BROWSER BACK OR FORWARD BUTTONS WHILE ANSWERING QUESTIONS OR YOU WILL LOSE ANY UNSAVED ANSWERS; INSTEAD USE THE PREVIOUS OR NEXT BUTTONS BELOW.

TO SAVE YOUR ANSWERS AT ANY TIME, CLICK THE SAVE ICON TOP RIGHT NEXT TO THE (?). YOU WILL BE ABLE TO RELOAD YOUR SAVED ANSWERS AND CONTINUE NOW OR AT A LATER TIME.

Click [Next](#) (below center) or choose from the Outline (left) to proceed . . .

First



Previous

Next



Last

Finish



MassDocs Mortgage System

[A1](#) [Help](#)

Interview Outline

- Introduction
- Property Location
- Project Description
- Borrower
- Development Team
- Closing Date
- City Lender
- MassDocs Programs
 - 1: AHT
- Additional Project Information
- Buildings & Units
- Environmental Consultant
- 40B Comprehensive Permit
- Lender Advisor
- Choose Documents

1: AHT

[Click here for instructions on using this screen](#)

To delete a loan from the system, navigate to the loan in question, click on the inverted triangle on the upper right and click "Delete Repetition".

MassDocs Program

AHT

Cash flow required for this loan

☐ Yes ☐ No

Amount of this note

\$

Will any portion of the funds **not** be available in the current fiscal year?

☐ Yes ☐ No

Interest will be charged on note

☐ Yes ☐ No

Term for affordability restrictions for this note

☐ Perpetual
☒ Specified length

Term in years (after construction period)

30

	Unit size	High moderate (110%)	Moderate (80%)	Low (60%)	Very low (50%)	Extreme
1	SRO					
2	Studio					
3	1-BR			4		
4	2-BR				4	
5	3-BR					
6	4-BR					

[Click here for instructions on using this screen](#)

[Add another program](#)

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[Last](#)

[Finish](#)



MassDocs Mortgage System

Help

Interview Outline

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- 408 Comprehensive Permit
- Lender Advisor
- Choose Documents

Additional Project Information

Please click here first to set the appropriate choices below

Check all that apply

- ☐ Other non-MassDocs lenders
- ☐ Ground lease
- ☐ Tax credit allocation
- ☐ SRO housing has NOT been de-leaded
- ☐ Assisted living
- ☐ Grantor shall maintain a social service program
- ☐ Project will convert to condos
- ☐ Property will be acquired at closing

What percent of the cost savings will be shared by the lenders (50% is the default; change if appropriate)

Developer fee

\$

Maximum interest rate on deferred developer fee (If nothing is filled in the maximum rate will be two percentage points above the applicable federal rate)

First

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Finish



MassDocs Mortgage System



Interview Outline

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- ☐ 408 Comprehensive Permit
- ☐ Lender Advisor
- ☒ Choose Documents

Choose Documents

Congratulations! You have finished the MassDocs interview.

Please select the documents you'd like to generate:

- ☒ Mortgage
- ☒ Loan Agreement
- ☒ Affordable Housing Restriction
- ☒ Environmental Reliance Letter
- ☒ Architect's Certificate
- ☒ Lender Advisor Agreement
- ☒ Closing Agenda

On the next screen, be sure to save your answer file so you can reload it later and make any necessary changes.

When ready, click "[Finish](#)", below right to start the document generation process.

NOTE: Depending on the number of documents you are generating, the next screen may not appear for up to **one full minute** . . .

WARNING RE: CROSS-REFERENCES. Some MassDocs documents contain automated Word cross-references to other sections of the same document. HotDocs automatically updates the references when the documents first assemble. If you edit the documents to add or remove numbered sections, the references may not be correct. To be sure that the references are correct after a manual edit, do following *in each Word document* you generate:

- Click **Ctrl-A** to select the entire Word document
- Click **F9** to update fields
- **Save your document** to retain the cross-reference updates

In addition, some MassDocs documents contain external cross references to other documents. Some of these references are hard-coded and others are variable, based on logic. If you leave questions unanswered or manually edit the target documents, however, you may need to correct those references. Click the link below for more details.

[More details about external cross references](#)

First



Previous

Next



Last

Finish



Warning: One or more variables necessary to complete your document were left unanswered in your interview. Before downloading the document, you may wish to return to the interview to fully complete the required answers.


Return to Interview

If you want to keep your answers so you can reuse them later, you can save them on the server or download them to your PC.

Save Answers

Download Answers

You can also download the assembled documents listed below.

	Title
Download	 Affordable Housing Restriction
Download	 Zip archive containing all of the above



AFFORDABLE HOUSING RESTRICTION

DATE: As of _____

GRANTOR: _____

PROPERTY NAME: _____

TOTAL NUMBER OF UNITS: 0

TOTAL NUMBER OF RESTRICTED UNITS: 8

NUMBER OF HIGH MODERATE INCOME UNITS (110% AMI):¹ 0

NUMBER OF MODERATE INCOME UNITS (80% AMI): 0

NUMBER OF LOW INCOME UNITS (60% AMI): 4

NUMBER OF VERY LOW INCOME UNITS (50% AMI): 4

NUMBER OF EXTREMELY LOW INCOME UNITS (30% AMI): 0

PROPERTY ADDRESS: _____, Massachusetts

TERM: 30 years (subject to extension for any extension of the construction period and/or extension of one or more of the Loans to which this Restriction relates, as set forth below)

This Affordable Housing Restriction (this "Restriction") is granted by the undersigned Grantor, a Massachusetts _____ having a mailing address of _____, for the benefit of The Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development having a mailing address of 100 Cambridge Street, Suite 300, Boston, Massachusetts 02114-2524 ("DHCD").

BACKGROUND

¹Numbers in parentheses are the percentage of median income for the Area (AMI, as defined below), adjusted for family size, as determined from time to time by HUD (as defined below) pursuant to Section 8 of the United States Housing Act, as amended.

QUESTIONS?

For more information:

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