

EXECUTIVE ORDER 90-07

Allocation of Federal Low-Income Housing Tax Credit

The Internal Revenue Code of 1986 (the "Code"), as amended, provides for the allocation by states of low-income housing tax credits for the purpose of facilitating the development of rental housing for low-income individuals and families. The Code and regulations interpreting the Code require that a state agency allocating low-income housing tax credits on behalf of a state be specifically authorized by gubernatorial act or state statute to make housing credit allocations and to carry out the related provisions of Section 42(h) of the Code. The Washington State Housing Finance Commission, in accordance with and pursuant to RCW 43.180 at. seq., and Executive Orders [87-10](#) and [90-01](#), has made allocations of the low-income housing tax credit and use of the provisions of the Code for the benefit of the citizens of the State of Washington. Executive Orders 87-10 and 90-01 authorized the Washington State Housing Finance Commission to make the allocation of low-income housing tax credits for calendar years 1987, 1988, 1989, and 1990. The low-income tax credits for 1991 are now available.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby order that:

1. The Washington State Housing Finance Commission (the "Commission") is hereby specifically authorized to make all low-income housing tax credit allocations under Section 42 of the Code on behalf of the State of Washington and to carry out the provisions of Section 42(h) of the Code for low-income credits made available by the federal government for calendar year 1991.
2. The Commission shall be authorized to allocate all of the State of Washington's low-income housing tax credit coiling under Section 42 of the Code, subject to the following limitations and conditions:
 - a. The Commission shall allocate low-income housing tax credits subject to its general polilcies and Tax Credit Allocation Plan governing allocation of the low-income housing tax credit.
 - b. The Commission shall allocate low-income housing tax credits in accordance with the provisions of the Omnibus Budget Reconciliation Act of 1990.
 - c. The Commission shall report to the Governor and the Legislature on or before February 15, 1992, on the use of the low-income housing tax credits and include the following information as it relates to the availability and use of such tax credits In the State of Washington: low-income housing tax credits used; the general geographic pattern of use; the use of sub-allocations; the percentage of dollar value of credit allocated to specific users; the use by type of financing; and the relationship between the use of low-income housing tax credits and state low-income housing needs and priorities.
3. The Department of Community Development shall complete an evaluation of the administration of the low-income housing tax credit program, Including the appropriate location,

and recommend to the Governor the location for the administration of the low-income housing tax credit program for 1992 and the following years. The evaluation will be completed by February 1, 1991. If a change in the allocating agency is required, the Commission will be provided with ninety (90) days advance notice, and commitments for low-income housing credits made by the Commission will be honored.

4. Effective January 1, 1991, this Executive Order supersedes Executive Order [90-01](#) dated January 4, 1990, designating the Commission to administer the low-income housing tax credits under the federal law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 24th day of December A.D., Nineteen hundred and ninety.

Booth Gardner
Governor of Washington

BY THE GOVERNOR:

Assistant Secretary of State
