

Low-Income Communities Bonus Credit Program – Category 3 Eligible Housing

The Treasury Department and the IRS, in consultation with other Federal agencies, developed an illustrative list of Federal housing programs and policies that meet the requirements in section 48(e)(2)(B)(i) of the Internal Revenue Code.¹

Covered housing programs and policies (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)(3))) with active affordability covenants tied to the following:

- Department of Housing and Urban Development's (HUD) Section 202 Supportive Housing for the Elderly, including the direct loan program under Section 202;
- HUD's Section 811 Supportive Housing for Persons with Disabilities;
- HUD's Housing Opportunities for Persons With AIDS (HOPWA) program;
- HUD's homeless programs under title IV of the McKinney-Vento Homeless Assistance Act, including the Emergency Solutions Grants program, the Continuum of Care program, and the Rural Housing Stability Assistance program;
- HUD's HOME Investment Partnerships (HOME) program;
- Federal Housing Administration (FHA) mortgage insurance under Section 221(d)(3) subsidized with a below-market interest rate (BMIR) prescribed in the proviso of Section 221(d)(5) of the National Housing Act;
- HUD's Section 236 interest rate reduction payments;
- HUD Public Housing assisted under section 9 of the United States Housing Act of 1937;
- HUD tenant-based and project-based rental assistance under section 8 of the United States Housing Act of 1937;
- HUD Section 8 Moderate Rehabilitation Program;
- HUD Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals;
- USDA Section 515 Rural Rental Housing;
- USDA Section 514/516 Farm Labor Housing;
- USDA Section 538 Guaranteed Rural Rental Housing;
- USDA Section 533 Housing Preservation Grant Program;
- Treasury/IRS Low-Income Housing Credit under section 42 of the Code;
- HUD's National Housing Trust Fund;
- Veterans Administration's (VA) Comprehensive Service Programs for Homeless Veterans;
- VA's grant program for homeless veterans with special needs;
- VA's financial assistance for supportive services for very low-income veteran families in permanent housing; and/or
- Department of Justice transitional housing assistance grants for victims of

¹ Please refer to section 48(e)(2)(B)(i) of the Internal Revenue Code for the statutorily prescribed housing programs. The applicable Federal agency may have more information on any program not listed above.

domestic violence, dating violence, sexual assault, or stalking.

Section 48(e)(2)(B)(i) also includes the following Federal housing programs:

- Housing assistance programs administered by the USDA under title V of the Housing Act of 1949; and/or
- Housing programs administered by an Indian Tribe or a Tribally designated housing entity (as defined in section 4(22) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(22)).