

**ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 2-44-050 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**2-44-050 Commissioner of Housing – Powers and duties.**

(a) The Commissioner is authorized to:

*(Omitted text is unaffected by this ordinance)*

(7) ~~Either Subject to an in accordance with Section 2-44-170, either~~ personally or through a designee, administer and/or allocate low-income housing tax credits pursuant to Section 42 of the Internal Revenue Code of 1986 (for purposes of this section, "Section 42") in connection with qualified low-income housing projects.

(8) ~~Enter Subject to an in accordance with Section 2-44-170, enter~~ into, negotiate, and execute such agreements or documents and to promulgate and amend such rules as are necessary to maximize the use of low-income housing tax credits administered and/or allocated by the City in connection with qualified low-income housing projects for expanding affordable housing within the City, all consistent with the requirements of Section 42 and any regulations promulgated thereunder.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Chapter 2-44 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-44-170, as follows:

**2-44-170 Low Income Housing Tax Credit Allocations.**

(a) Each Qualified Allocation Plan adopted by the Department, and any related rules or standards promulgated by the Commissioner, shall conform to the minimum standards required under this section. The Commissioner shall not enter into any agreements or documents or promulgate any rule containing provisions contrary to the provisions of this section.

(b) The Qualified Allocation Plan shall not require any project to meet or comply with architectural or design standards other than those specifically required under this Code, or as required under applicable State or federal law.

(c) The applicable rules and procedures for contingencies and change orders shall provide that: (1) any change order for unforeseen or concealed conditions or for construction costs increases shall be reviewed and approved by the Department within 10 days of receiving a completed change order request; (2) change orders for upgrades or betterments may or may


not be subject to such 10 days review deadline; (3) change orders for errors and omissions may be capped at 20% of the applicable contingency amount; and (4) the Department may require that then-realized cost savings be applied to any change order before applying any applicable contingency.

(d) The Department shall ensure that all application, submission, review, and approval deadlines and processes are designed to minimize the need for: (1) carryover allocations; (2) routine or repeated reservations or allocations for subsequent tax years; or (3) the exchange of reservations or allocations for a project that has received a conditional reservation or allocation to a subsequent year.

(e) The Commissioner shall take all necessary actions to amend, revise, modify, or repeal any portion of the City's current Qualified Allocation Plan, including any related rules or standards, in accordance with this section. The Commissioner shall submit any such amendments, revisions, modifications, or repeals to the Committee on Housing and Real Estate within 90 days of the effective date of this section.

(f) Until such time as the Commissioner issues such amendments, revisions, modifications, or repeals under subsection (e) of this section, any applicant for a reservation or allocation of Low Income Housing Tax Credits shall follow the requirements of the then-applicable Qualified Allocation Plan, including any related rules or standards.

**SECTION 3.** This ordinance takes effect upon passage and publication.

  
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MATTHEW J. MARTIN  
Alderman, 47th Ward