



Housing Advisory Group



Late yesterday, the House Ways and Means Committee considered and approved H.R. 4849, the Small Business and Infrastructure Jobs Tax Act of 2010.

Although there are a number of areas of concern with the proposal, we are pleased to report that H.R. 4849 includes a provision providing similar treatment for low-income housing financed with private activity bonds to that provided in the section 1602 exchange program enacted in the American Recovery and Reinvestment Act of 2009. The 4% Exchange proposal in H.R. 4849 is effective for buildings placed in service after the date of enactment. Of specific concern to us is that the program will expire after December 31, 2010, meaning buildings taking advantage of this proposal would have to be placed in service no later than December 31, 2010. Please click [here](#) to read a description of the legislation (beginning on page 21).

H.R. 4849 is another in a series of job-related bills that the House of Representatives intends to consider this year. The bill was reported on a party line vote of 25-15, primarily because of objections by the Republicans to revenue raisers used to pay for the overall bill.

The schedule for floor consideration of H.R. 4849 has not been announced at this time. We understand, however, that there may be floor time available later this week while the House waits to consider the health care reform bill. Currently, the House hopes to vote on the health bill over the weekend.

We have had preliminary conversations with Senate staff regarding the 4% Exchange proposal and are pleased to report they are at a minimum open to the concept. The proposal is not inexpensive, scoring at just over \$2.3 billion over 10 years.

As for the extension of the 9% Exchange program, now that both the House and Senate have passed legislation that includes the extension of the Section 1602 LIHTC Exchange program, the debate has now moved to how they reconcile how to pay for the varying versions of the larger legislative vehicles. We do expect there to be an agreement on this but it will push final passage of an extenders package until sometime in April.

We will keep you posted on these and other developments.

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