

ORDER CERTIFYING THE CHANGES TO REGULATIONS  
OF ALASKA HOUSING FINANCE CORPORATION

The attached 6 pages of regulations, dealing with the Closing Cost Assistance Program, are certified to be a correct copy of the regulation changes that the Alaska Housing Finance Corporation board adopted at its January 9, 2013 meeting under the authority of AS 18.56.088.

The attached regulations are exempt from the adoption procedures of the Administrative Procedure Act and took effect January 9, 2013.

DATE: 1/22/13  
Anchorage, Alaska

Michael Buller  
Michael Buller, Deputy Director for AHFC

FILING CERTIFICATION

✓ Scott Meriwether for Byron Mallott

I, ~~Mead Treadwell~~, Lieutenant Governor for the State of Alaska, certify that on

December 18, 2014, at 2:15 p..m., I filed the attached regulations.

Scott Meriwether for  
Lieutenant Governor Byron Mallott

Effective: January 9, 2013

Register: 213, April 2015

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, BYRON MALLOTT, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Scott Meriwether, Special Assistant**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on December 2nd, 2014.**



A handwritten signature in blue ink, appearing to read "Byron Mallott", is written over a horizontal dotted line.

**BYRON MALLOTT  
LIEUTENANT GOVERNOR**

15 AAC 151 is amended by adding new sections to read:

9. **Closing Cost Assistance Program**

**Section**

850. Closing Cost Assistance program

855. Borrower eligibility

860. Loan terms

865. Interest rate

870. Commitment periods

**15 AAC 151.850. Closing cost assistance program.** The corporation may facilitate the making of mortgage loans for the purpose of the acquisition of housing under the following conditions:

(1) any funds provided by the corporation for transactional costs associated with the acquisition of the housing is used only for

(A) closing cost assistance;

(B) minimum cash investment; and

(C) reduction of principal;

(2) the loan is for the purchase of a completed, owner-occupied primary residence;

(3) the loan is secured by a single-family, duplex, tri-plex, or four-plex residential housing; and

Final Regulat.  
adopted  
1/9/13

(4) the residence meets the minimum construction standards set out in 15 AAC 150.030 and the building energy efficiency standards set out in 15 AAC 150.040. (Eff. 1 / 9 /2013, Register 213)

**Authority:** AS 18.56.088 AS 18.56.099 AS 18.56.300

AS 18.56.090

**15 AAC 151.855. Borrower eligibility.** (a) A person is eligible to participate in the closing cost assistance program if the person

- (1) is a resident of the state; and
- (2) does not owe past due child support.

(b) For purposes of this section, “resident of the state” means a person who maintains a primary residence in Alaska with the intention of continuing that residency indefinitely. (Eff. 1 / 9 /2013, Register 213)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

**15 AAC 151.860. Loan terms.** (a) Each loan facilitated by the corporation under 15 AAC 151.850 – 15 AAC 151.865 must

- (1) be initially serviced by a servicer approved by the corporation;
- (2) constitute a first lien on real estate in fee simple or on a leasehold estate and be subject only to permitted encumbrances;
- (3) if the loan to value ratio exceeds 80 percent, be the subject of private mortgage insurance, federal insurance, or a federal guarantee; and

(4) be insured by a mortgagee's policy of title insurance, issued by a title insurance company qualified to do business in the state and acceptable to the corporation, insuring the enforceable mortgage, subject only to permitted encumbrances.

(b) The loan-to-value ratio and the loan amounts on loans under 15 AAC 151.850 – 15 AAC 151.865 shall be as follows:

(1) other than as provided in paragraphs (2), (3), and (4) of this subsection, the loan-to-value ratio on a mortgage loan for the purchase of

(A) a single family residence shall not exceed 95 percent;

(B) a duplex residence shall not exceed 90 percent; and

(C) a triplex or four-plex residence shall not exceed 80 percent;

(2) the amount of the guarantee plus the down payment on a mortgage loan guaranteed by the Veterans Administration must equal 25 percent of the value of the residence based on the lesser of the sales price or appraisal; and the VA guarantee must equal the maximum guarantee possible under the VA program;

(3) the down payment and loan-to-value ratios of mortgage loans insured or guaranteed by FHA, HUD, or RD shall be as required by FHA, HUD, or RD;

(4) the loan-to-value ratio of a mortgage loan made under 15 AAC 151.850 – 15 AAC 151.865 to an education professional or a health care professional for owner occupied, single family housing, shall not exceed 100 percent;



(5) the loan amount on a mortgage loan made under 15 AAC 151.850 – 15 AAC 151.865 for a residence shall not exceed the applicable FNMA or FHLMC maximum loan amount for the same type of property by more than 10 percent;

(6) the loan amount on a mortgage loan insured or guaranteed by FHA, HUD, or RD for a residence shall not exceed the applicable limits established by FHA, HUD, or RD;

(c) A residential mortgage loan under 15 AAC 151.850 – 15 AAC 151.865 to finance a unit in a condominium project or in a planned community project shall be subject to the following terms and conditions:

(1) the living units of the condominium or planned community project must be within the same structure or a reasonably contiguous structure, and the common elements of the project must have been completed before the loan is purchased; and

(2) prior acceptance procedures, warranties, and provisions relating to the sale and occupancy of units which are reasonable and customary in mortgage lending shall apply as prescribed in the Common Interest Communities guide.

(d) The corporation will facilitate a loan under 15 AAC 151.850 – 15 AAC 151.865 to finance a residence for members of the Alaska delegation to Congress only if the residence is located in the District of Columbia or within 50 miles of the District of Columbia. (Eff. 1/9/2013, Register 213)

**Authority:** AS 18.56.088      AS 18.56.090      AS 18.56.099

**15 AAC 151.865. Interest rate.** A loan under 15 AAC 151.850 – 15 AAC 151.870 shall bear interest at the rate established by the corporation. (Eff. 1/9/2013, Register 213)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

**15 AAC 151.870. Commitment periods.** The corporation will enter into a commitment agreement to facilitate the making of a loan under 15 AAC 151.850 – 15 AAC 151.865. The maximum commitment period, including any extensions that the corporation will permit in a commitment agreement under this section will be 180 days. The corporation will not charge a commitment fee. (Eff. 1/9/2013, Register 213)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

The lead in language of 15 AAC 151.950(e) is amended to read:

(e) In addition to the definitions provided at 15 AAC 150.900 and at (a) of this section, the following terms have the following meanings for purposes of **15 AAC 151.710 – 15 AAC 151.840** [15 AAC 151.710 – 15 AAC 151.850]:

(Eff. 5/7/93; am 4/22/94, Register 130; am 9/23/97, Register 145; am 10/21/98, Register 148; am 2/24/99, Register 149; am 9/22/99, Register 152; am 4/4/2007, Register 182; am 1/9/2013, Register 213)

**Authority:** AS 18.55.100 AS 18.55.420 AS 18.56.099

AS 18.55.110 AS 18.56.088 AS 18.56.100

Register 213, April <sup>2015</sup>~~2013~~ REVENUE

AS 18.55.240

AS 18.56.090

AS 18.56.730

**Editor's note:** Before Register 130, July, 1994, the substance of 15 AAC 151.950 was contained in 15 AAC 118.342, 3 AAC 98.490 and 19 AAC 89.900. The history notes for 15 AAC 151.950 does not reflect the history of the sections under those numbers.





**Headquarters**  
4300 Boniface Parkway  
Anchorage, Alaska  
907-338-6100

**Mailing Address**  
PO Box 101020  
Anchorage, Alaska 99510-1020

**Internet Web Site**  
<http://www.ahfc.us>

January 22, 2013

The Honorable Lieutenant Governor Mead Treadwell  
Lieutenant Governor  
Alaska State Capitol Building  
Third Floor  
Juneau, AK 99801

Lieutenant Governor Mead Treadwell:

Enclosed please find a copy of Resolution Number **13-04** which was approved by the Board of Directors of Alaska Housing Finance Corporation on **January 9, 2013**. This resolution authorizes amending 15 AAC 151.850 – 15 AAC 151.870 Amending and renumbering existing Article 9 GENERAL PROVISIONS; Appeals to Article 10 GENERAL PROVISIONS; Appeals and amending 15 AAC 151.950 DEFINITIONS.

If you have any questions, please feel free to contact me at 1-907-330-8452.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Mathias", written over a horizontal line.

Willy Mathias  
Executive Assistant

Enclosures:      Affidavit of Board Action  
                     Affidavit of notice of Proposed Adoption  
                     Orders Certifying the Change of Regulations  
                     Board of Directors Meeting Excerpt  
                     Affidavit of Oral Hearing  
                     Resolution Numbers 12-38 and 13-04  
                     Regulations (6 pages)  
                     Proof of publications



STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Willy Mathias, Executive Assistant, of Alaska Housing Finance Corporation, being sworn, state the following:

As required by AS 18.56.088, notice of the proposed adoption of changes to Title 15, Final Adoption of amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850- 151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS, and make conforming changes, has been given by being

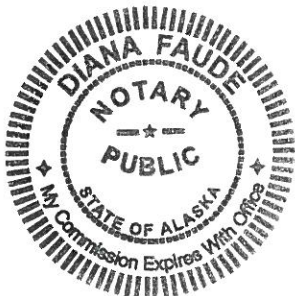
- (1) published in 3 newspapers or trade publication;
- (2) furnished to interested persons;
- (3) posted on the Alaska Online Public Notice System;

DATE: January 22, 2013  
Anchorage, Alaska

  
Willy Mathias, Executive Assistant

SUBSCRIBED AND SWORN TO before me this 22nd day of January, 2013.

Diana Tande  
Notary Public in and for the  
State of Alaska  
My commission expires: w/office



)

) SS.

THIRD JUDICIAL DISTRICT

)

## AFFIDAVIT OF BOARD ACTION

I, Willy Mathias, Executive Assistant, for the Alaska Housing Finance Corporation, being duly sworn, state the following:

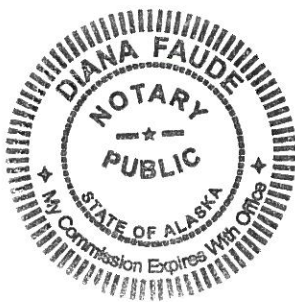
The attached motion dealing with regulation changes to the Closing Cost Assistance Program authorization was passed by the Alaska Housing Finance Corporation board of directors during its January 9, 2013 meeting.

Date: January 22, 2013  
Anchorage, Alaska

  
Willy Mathias, Executive Assistant

SUBSCRIBED AND SWORN TO before me this 2nd day of January, 2013.

Diana Faudé  
Notary Public in and for the State of Alaska  
My commission expires: w/office



# Alaska Housing Finance Corporation Board Meeting

January 9, 2013

## Excerpt From Approved Minutes

Board member Clai Porter moved to adopt staff's recommendation for approval of Resolution 2013-04 adopting the amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850-151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS, as written in the draft regulations. The motion was seconded by Board member Brent LeValley. By roll call vote, all members present voted Aye. The motion carried.



ALAS191  
#178634  
\$172.64

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath  
deposes and says that he/she is  
a representative of the  
Anchorage Daily News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on 0-

December 25, 2012

and that such newspaper was  
regularly distributed to its,  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed

Subscribed and sworn to before

me this 26 day of DEC

20

Britney Thompson  
Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

**NOTICE OF MEETING**  
**ALASKA HOUSING FINANCE CORPORATION**  
**BOARD OF DIRECTORS REGULAR MEETING**

THE AHFC BOARD OF DIRECTORS will meet at 9:30 a.m. on January 9, 2013 at the Alaska Housing Finance Corporation ("AHFC"), 4300 Boniface Parkway, Anchorage, Alaska. Please note that the complete agenda will be published as a legal notice on January 2, 2013 in the Anchorage Daily News, Fairbanks News Miner, Juneau Empire and at [www.ahfc.us](http://www.ahfc.us).

THE AGENDA will include: A. Final Adoption of amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850-151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS; B. Request for authorization to hold public hearings to consider changes to Chapter 155 AHFC ENERGY EFFICIENCY PROGRAMS: 15 AAC 155.010, 15 AAC 155.240, 15 AAC 155.320, 15 AAC 155.330, 15 AAC 155.990, and the repeal of 15 AAC 155.260; C. Any other matters to properly come before the board.

ONE OR MORE BOARD MEMBERS may participate in the meeting by conference call pursuant to AS 18.56.040(b).

THE PUBLIC is invited to participate by teleconference from the following locations: the Legislative Information Office, 1292 Sadler Way, Suite 308, Fairbanks, AK and the Department of Revenue, State Office Building, Juneau, AK. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.

Published: December 25, 2012

12 DEC 31 AM 11:01:19





# Affidavit of Publication

United States of America  
State of Alaska  
First Division

Account: 11100176  
Ad : 151427

**NOTICE OF MEETING  
ALASKA HOUSING FINANCE  
CORPORATION  
BOARD OF DIRECTORS REGULAR  
MEETING**

THE AHFC BOARD OF DIRECTORS will meet at 9:30 a.m. on January 9, 2013 at the Alaska Housing Finance Corporation ("AHFC"), 4300 Boniface Parkway, Anchorage, Alaska. Please note that the complete agenda will be published as a legal notice on January 2, 2013 in the Anchorage Daily News, Fairbanks News Miner Juneau Empire and at [www.ahfc.us](http://www.ahfc.us).

THE AGENDA will include: A. Final Adoption of amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850- 151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS; B. Request for authorization to hold public hearings to consider changes to Chapter 155 AHFC ENERGY EFFICIENCY PROGRAMS: 15 AAC 155.010, 15 AAC 155.240, 15 AAC 155.320, 15 AAC 155.330, 15 AAC 155.990, and the repeal of 15 AAC 155.260; C. Any other matters to properly come before the board.

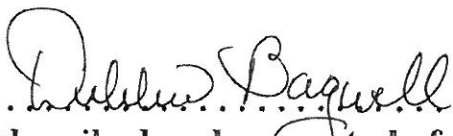
ONE OR MORE BOARD MEMBERS may participate in the meeting by conference call pursuant to AS 18.56.040(b).

THE PUBLIC is invited to participate by teleconference from the following locations: the Legislative Information Office, 1292 Sadler Way, Suite 308, Fairbanks, AK and the Department of Revenue, State Office Building, Juneau, AK. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.

Published Dec 28, 2012 #151427 1200-016

I, Debbie Bagwell, being first duly sworn, oath, depose, and say that I am the Principle Clerk of the JUNEAU EMPIRE, a newspaper of general circulation, published in the city of Juneau, State of Alaska; that the publication was published in said newspaper on December 28th , 2012.

  
.....  
Subscribed and sworn to before me this  
7<sup>th</sup> day of January, 2013.

.....  
Notary Public in and for the State of Alaska.

'13 JAN 07 AM 11:48:17

ALAS1971  
#170450  
\$199.20

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Kayla Lavea  
being first duly sworn on oath  
deposes and says that he/she is  
a representative of the  
Anchorage Daily News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

November 21, 2012

and that such newspaper was  
regularly distributed to its03,  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed

*Kayla Lavea*

Subscribed and sworn to before

me this 21 day of NOV

20

*Britney Thompson*

Notary Public in and for  
The State of Alaska.

Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

05/18/15

**NOTICE OF MEETING**  
**ALASKA HOUSING FINANCE CORPORATION**  
**BOARD OF DIRECTORS - REGULAR MEETING**

THE AHFC BOARD OF DIRECTORS' AUDIT COMMITTEE will meet at 8:30 a.m. on November 28, 2012 at 4300 Boniface Parkway, Anchorage, AK.

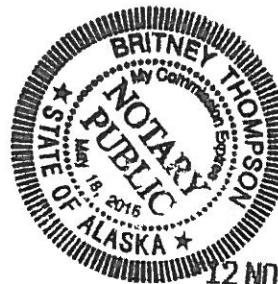
THE AGENDA will include: A. Presentation and discussion of the following AHFC Subsidiary FY12 Financials Statements and Letters to Management; B. Review and discussion of External Audit Reports and AHFC Responses; C. Review and approval of the following Internal Audit Reports: 1.) PHD Central Office, Audit Report 12-19; 2.) Sourcing Contract Compliance, Audit Report 12-20; 3.) Juneau AMP 277, Audit Report 12-22; 4.) Bethel AMP 257, Audit Report 12-23; 5.) Anchorage HCV/MTW, Audit Report 12-24; 6.) Anchorage AMP 271, Audit Report 12-25; 7.) ARIBA P2P, Audit Report 12-26; 8.) Valdez AMP 263, Audit Report 12-27; 9.) Valdez HCV/MTW, Audit Report 12-28; 10.) Nome AMP 260, Audit Report 13-02; 11.) GRPA 13-03, Audit Report; 12.) Spirit of AK FCU, Audit Report 13-04; 13.) Glacier View SBN, Audit Report 13-05; D. Review and discussion of Internal Audit Follow-up Activity for FY11, FY12, and FY13 Open Audit Status Reports; E. Presentation and discussion of FY13 Internal Audit Activity; F. Presentation and discussion Compliance Activities for FY12 Fourth Quarter and FY13 First Quarter; G. Any other matters to properly come before the Audit Committee.

ONE OR MORE MEMBERS of the Committee may participate in the meeting by utilizing telephonic communications (conference telephone) pursuant to AS 18.56.040(b).

THE PUBLIC is invited to attend the meeting, but should be aware that portions of the meeting may be held in Executive Session. Committee meetings and work sessions do not provide for public testimony. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.

Published: November 21, 2012



12 NOV 29 AM 10:03:41

# Affidavit of Publication

United States of America  
State of Alaska  
First Division

Account: 11100176  
Ad : 151499

**NOTICE OF MEETING  
ALASKA HOUSING FINANCE CORPORATION  
BOARD OF DIRECTORS - REGULAR MEETING**

THE AHFC BOARD OF DIRECTORS will meet at 9:30 a.m. on January 9, 2013 at the Alaska Housing Finance Corporation ("AHFC"), 4300 Boniface Parkway, Anchorage, Alaska.

**THE AGENDA will include:**

- A. Consideration of a modification to existing term financing including additional advances of \$1,600,000 for energy efficiency improvements to various buildings located at Alaska Pacific University;
- B. Consideration of term financing in the amount of \$2,101,950 for energy efficiency improvements to various public buildings located within the city of Kenai;
- C. Consideration of a term loan request for long term funding in the amount of \$575,000 for the acquisition of a five bed assisted living home located in Anchorage, Alaska;
- D. Final Adoption of amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850- 151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS;
- E. Request for authorization to hold public hearings to consider changes to chapter 155 AHFC ENERGY EFFICIENCY PROGRAMS: 15 AAC 155.010, 15 AAC 155.240, 15 AAC 155.320, 15 AAC 155.330, 15 AAC 155.990, and the repeal of 15 AAC 155.260;
- F. Any other matters to properly come before the board.

ONE OR MORE BOARD MEMBERS may participate in the meeting by conference call pursuant to AS 18.56.040(b).

**THE PUBLIC is invited to participate by teleconference  
from the following locations:**

the Legislative Information Office, 1292 Sadler Way, Suite 308, Fairbanks, AK and the Department of Revenue, State Office Building, Juneau, AK. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

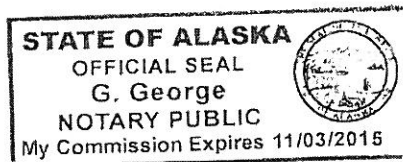
AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.

Published January 2, 2013 #151499 1000-002

I, Debbie Bagwell, being first duly sworn, oath, depose, and say that I am the Principle Clerk of the JUNEAU EMPIRE, a newspaper of general circulation, published in the city of Juneau, State of Alaska; that the publication was published in said newspaper on January 2<sup>nd</sup>, 2013.

.....  
Subscribed and sworn to before me this  
30<sup>th</sup> day of January, 2013.

.....  
Notary Public in and for the State of Alaska.



13 JAN 30 PM 02:46:41



ad 3172

# AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA }  
STATE OF ALASKA } SS.  
FOURTH DISTRICT }

3172  
**NOTICE OF  
MEETING  
ALASKA  
HOUSING  
FINANCE  
CORPORATION  
BOARD OF  
DIRECTORS  
REGULAR  
MEETING**

THE AHFC BOARD OF DIRECTORS will meet at 9:30 a.m. on January 9, 2013 at the Alaska Housing Finance Corporation ("AHFC"), 4300 Boniface Parkway, Anchorage, Alaska.

THE AGENDA will include: A. Consideration of a modification to existing term financing including additional advances of \$1,600,000 for energy efficiency improvements to various buildings located at Alaska Pacific University; B. Consideration of term financing in the amount of \$2,101,950 for energy efficiency improvements to various public buildings located within the city of Kenai; C.

Consideration of a term loan request for long term funding in the amount of \$575,000 for the acquisition of a five bed assisted living home located in Anchorage, Alaska; D. Final Adoption of amendments to regulations 15 AAC Chapter 151 to add a new section Article 9 CLOSING COST ASSISTANCE PROGRAM (15 AAC 151.850-151.870); amending and renumbering existing Article 9 GENERAL PROVISIONS; APPEALS to Article 10 GENERAL PROVISIONS; APPEALS and amending 15 AAC 151.950 DEFINITIONS; E. Request for authorization to hold public hearings to consider changes to chapter 155 AHFC ENERGY EFFICIENCY PROGRAMS: 15 AAC 155.010, 15 AAC 155.240, 15 AAC 155.320, 15 AAC 155.330, 15 AAC 155.990, and the repeal of 15 AAC 155.260; F.

Any other matters to properly come before the board.

ONE OR MORE BOARD MEMBERS may participate in the meeting by conference call pursuant to 18.56.040(b).

THE PUBLIC is invited to participate by teleconference from the following locations: the Legislative Information Office, 1292 Sadler Way, Suite 308, Fairbanks, AK and the Department of Revenue, State Office Building, Juneau, AK. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.  
Publish: 1/2/13

Before me, the undersigned, a notary public, this day personally appeared Bonnie Keenan, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper (i) published in newspaper format, (ii) distributed daily more than 50 weeks per year, (iii) with a total circulation of more than 500 and more than 10% of the population of the Fourth Judicial District, (iv) holding a second class mailing permit from the United States Postal Service, (v) not published primarily to distribute advertising, and (vi) not intended for a particular professional or occupational group. The advertisement which is attached is a true copy of the advertisement published in said paper on the following day(s):

Jan. 2, 2013

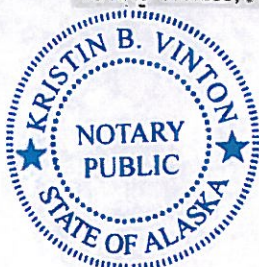
and that the rate charged thereon is not excess of the rate charged private individuals, with the usual discounts.

Bonnie Keenan

Subscribed and sworn to before me on this 17 day of Jan, 2013

Kristin B. Vinton  
Notary Public in and for the State Alaska.

My commission expires 9/1/16





**ALASKA HOUSING FINANCE CORPORATION  
RESOLUTION NO. 2013-04**

**RESOLUTION ADOPTING AMENDMENTS TO REGULATIONS 15 AAC  
CHAPTER 151 TO ADD A NEW SECTION ARTICLE 9 CLOSING COST  
ASSISTANCE PROGRAM (15 AAC 151.850- 151.870); AMENDING  
AND RENUMBERING EXISTING ARTICLE 9 GENERAL PROVISIONS;  
APPEALS TO ARTICLE 10 GENERAL PROVISIONS; APPEALS AND  
AMENDING 15 AAC 151.950 DEFINITIONS**

WHEREAS, the Corporation has implemented a Mortgage Action Plan for the purpose of increasing AHFC's loan activity;

WHEREAS, it has been determined that a proposed program may benefit Alaska borrowers and increase AHFC loan activity;

WHEREAS, it has been determined that regulations for the new program are needed and can be added by amending 15 AAC 151 to add a new Section Article 9 and by amending and renumbering existing Article 9, and amending 15 AAC 151.950 definitions;

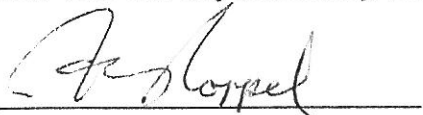
WHEREAS, a copy of the draft of the proposed amendments were presented to the Board of Directors at the November 28, 2012 meeting;

WHEREAS, the Board of Directors authorized staff to conduct a public hearing for the purpose of obtain public comment on the proposed changes to regulations, and staff conducted the hearing on December 6, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Alaska Housing Finance Corporation as follows:

- A. That the amending of ; 15 AAC Chapter 151 to add a new section Article 9 Closing Cost Assistance Program (15 AAC 151.850-151.870); amending and renumbering existing Article 9 general provisions; appeals to Article 10 general provisions; appeals and amending 15 AAC 151.950 definitions; and;
- B. This resolution shall take effect immediately.

DATED THIS 9th day of January, 2013



Frank Roppel  
Chair



THIRD JUDICIAL DISTRICT

## AFFIDAVIT OF ORAL HEARING

I, Dianna Erwin, Officer of Alaska Housing Finance Corporation (AHFC),  
being sworn, state the following:

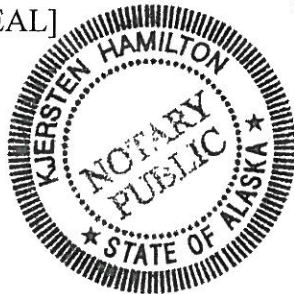
On December 6, 2012, at 5:00 o'clock p.m., at the offices of AHFC, 4300 Boniface Parkway, Anchorage, Alaska, I presided over a public hearing held under AS 18.56.088 for the purpose of taking testimony in connection with the adoption of changes to regulations dealing with Amendment to Regulations to add Article 8A 15 AAC 151.850-870 and Amend 15 AAC 151.950 Definitions.

DATE: 12-10-12  
Anchorage, Alaska

Dianna Erwin  
Dianna Erwin, Officer

SUBSCRIBED AND SWORN TO before me this 10<sup>th</sup> day of December, 2012.

[NOTARY SEAL]



*Kjester Hamilton*  
Notary Public in and for the State of Alaska  
My commission expires: with office.

# Alaska Housing Finance Corporation Board Meeting

November 28, 2012

## Excerpt From Approved Minutes

Board member Brent LeValley moved to adopt staff's recommendation for approval of Resolution 2012-38 for authorization to hold public hearings on proposed regulations 15 AAC 151.850 Mortgage Facilitator Program, as written in the draft regulations. The motion was seconded by Board member Clai Porter. By roll call vote, all members present voted Aye. The motion carried.

ALAS1971  
#170448  
\$175.96

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Kayla Lavea  
being first duly sworn on oath  
deposes and says that he/she is  
a representative of the  
Anchorage Daily News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

November 21, 2012

and that such newspaper was  
regularly distributed to its03,  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed

*Kayla Lavea*

Subscribed and sworn to before

me this 21 day of NOV

20

*Britney Thompson*

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

05/18/15

**NOTICE OF MEETING  
ALASKA HOUSING FINANCE CORPORATION  
BOARD OF DIRECTORS - REGULAR MEETING**

THE AHFC BOARD OF DIRECTORS will meet at 10:00 a.m. on November 28, 2012 at the Alaska Housing Finance Corporation ("AHFC"), 4300 Boniface Parkway, Anchorage, Alaska.

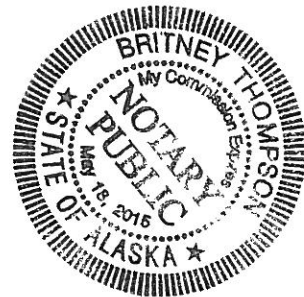
THE AGENDA will include: A. Consideration of additional financing in the amount of \$625,000 under the Loans to Sponsors Program for Habitat for Humanity Anchorage; B. Consideration of a term financing request in the amount of \$3,404,800 for the long term funding of a proposed 32 unit multifamily project to be known as "Bella Vista Townhomes" located in Palmer, Alaska; C. Consideration of a term financing request in the amount of \$9,900,000 for the long term funding of an affordable housing project known as "Jewel Lake Villa Apartments" located in Anchorage, Alaska; D. Consideration of a request for authorization to hold public hearings on proposed regulations 15 AAC 151.850, Mortgage Facilitator Program; E. Any other matters to properly come before the board.

ONE OR MORE BOARD MEMBERS may participate in the meeting by conference call pursuant to as 18.56.040(b).

THE PUBLIC is invited to participate by teleconference from the following locations: the Legislative Information Office, 1292 Sadler Way, Suite 308, Fairbanks, AK and the Department of Revenue, State Office Building, Juneau, AK. Pertinent reference materials, if used, will be made available to those members of the public who wish to participate in the meeting.

AHFC COMPLIES with Title II of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Individuals with disabilities who may need auxiliary aids or services or special modifications to participate in this public meeting should contact Willy Mathias at 338-6100 three business days prior to the scheduled meeting date so that arrangements may be made.

Published: November 21, 2012



12 NOV 29 AM 10:03:35

**ALASKA HOUSING FINANCE CORPORATION  
RESOLUTION NO. 2012-38**

**RESOLUTION AUTHORIZING PUBLIC HEARINGS TO AMEND  
REGULATIONS 15 AAC CHAPTER 151 TO ADD A NEW SECTION  
ARTICLE 8A MORTGAGE FACILITATOR PROGRAM (15 AAC  
151.850-870) AND AMEND 15 AAC 151.950 (E) DEFINITIONS**

WHEREAS, the Corporation has implemented a Mortgage Action Plan for the purpose of increasing AHFC's loan activity;

WHEREAS, it has been determined that a proposed program may benefit Alaska borrowers and increase AHFC loan activity;

WHEREAS, it has been determined that regulations for the new program are needed and can be added by amending 15 AAC 151 to add a new Section 8A and by amending 15 AAC 151.950(e);

WHEREAS, the provisions of AS 18.56.088 mandate that public hearings must be conducted prior to amendment of regulations; and

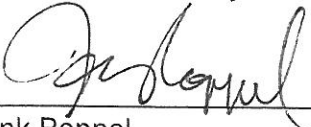
WHEREAS, staff has presented, to the Board of Directors, a draft of the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Alaska Housing Finance Corporation as follows:

A. Staff is directed to hold public hearings pursuant to the provisions of AS 18.56.088 for consideration of amendments to regulations as prepared and attached in support of this resolution; and

B. This resolution shall take effect immediately.

DATED THIS 28th day of November, 2012

  
\_\_\_\_\_  
Frank Roppel  
Chair

**NOTICE:** Under AS 18.56.088(d), the agency's final regulations, or amendments of regulations, may vary in content from this proposal as long as the subject matter remains the same. If your interests could be affected by agency action on the subject of this proposal, you should make public comment to the agency during the time allowed.

**HOW TO READ THESE PROPOSED REGULATIONS:**

The introduction to each section will show whether it is an existing regulation being amended, an existing regulation being repealed and readopted, or a new regulation.

**In amendments to existing regulations:**

**Underlined and bold language is new.**

**[UPPERCASE LANGUAGE WITHIN BRACKETS IS DELETED]**

**A proposed new regulation or replacement of an existing regulation will not be underlined.**

---

15 AAC 151 is amended by adding new sections to read:

**8A. Mortgage Facilitator Program**

**Section**

850. Mortgage facilitator program

855. Borrower eligibility

860. Loan terms

865. Interest rate

870. Commitment periods

**15 AAC 151.850. Mortgage facilitator program.** The corporation may facilitate the making of mortgage loans for the purpose of the acquisition of housing, which may include closing cost assistance, under the following conditions:

Draft  
Request for  
Public Hearings



- (1) the loan is for the purchase of a completed, owner-occupied primary residence;
- (2) the loan is secured by a single-family, duplex, tri-plex, or four-plex residential housing; and
- (3) the residence meets the minimum construction standards set out in 15 AAC 150.030 and the building energy efficiency standards set out in 15 AAC 150.040. (Eff. \_\_\_\_/\_\_\_\_/2012, Register \_\_\_\_)

**Authority:** AS 18.56.088 AS 18.56.099 AS 18.56.300

AS 18.56.090

**15 AAC 151.855. Borrower eligibility.** (a) A person is eligible to participate in the mortgage facilitator program if the person

- (1) is a resident of the state; and
- (2) does not owe past due child support.

(b) For purposes of this section, “resident of the state” means a person who maintains a primary residence in Alaska with the intention of continuing that residency indefinitely. (Eff. \_\_\_\_/\_\_\_\_/2012, Register \_\_\_\_)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

**15 AAC 151.860. Loan terms.** (a) Each loan facilitated by the corporation under 15 AAC 151.850 – 15 AAC 151.865 must

- (1) be initially serviced by a servicer approved by the corporation;

(2) constitute a first lien on real estate in fee simple or on a leasehold estate and be subject only to permitted encumbrances;

(3) if the loan to value ratio exceeds 80 percent, be the subject of private mortgage insurance, federal insurance, or a federal guarantee; and

(4) be insured by a mortgagee's policy of title insurance, issued by a title insurance company qualified to do business in the state and acceptable to the corporation, insuring the enforceable mortgage, subject only to permitted encumbrances.

(b) The loan-to-value ratio and the loan amounts on loans under 15 AAC 151.850 – 15 AAC 151.865 shall be as follows:

(1) other than as provided in paragraphs (2), (3), and (4) of this subsection, the loan-to-value ratio on a mortgage loan for the purchase of

(A) a single family residence shall not exceed 95 percent;

(B) a duplex residence shall not exceed 90 percent; and

(C) a triplex or four-plex residence shall not exceed 80 percent;

(2) the amount of the guarantee plus the down payment on a mortgage loan guaranteed by the Veterans Administration must equal 25 percent of the value of the residence based on the lesser of the sales price or appraisal; and the VA guarantee must equal the maximum guarantee possible under the VA program;

(3) the down payment and loan-to-value ratios of mortgage loans insured or guaranteed by FHA, HUD, or RD shall be as required by FHA, HUD, or RD;

(4) the loan-to-value ratio of a mortgage loan made under 15 AAC 151.850 – 15 AAC 151.865 to an education professional or a health care professional for owner occupied, single family housing, shall not exceed 100 percent;

(5) the loan amount on a mortgage loan made under 15 AAC 151.850 – 15 AAC 151.865 for a residence shall not exceed the applicable FNMA or FHLMC maximum loan amount for the same type of property by more than 10 percent;

(6) the loan amount on a mortgage loan insured or guaranteed by FHA, HUD, or RD for a residence shall not exceed the applicable limits established by FHA, HUD, or RD;

(c) A residential mortgage loan under 15 AAC 151.850 – 15 AAC 151.865 to finance a unit in a condominium project or in a planned community project shall be subject to the following terms and conditions:

(1) the living units of the condominium or planned community project must be within the same structure or a reasonably contiguous structure, and the common elements of the project must have been completed before the loan is purchased; and

(2) prior acceptance procedures, warranties, and provisions relating to the sale and occupancy of units which are reasonable and customary in mortgage lending shall apply as prescribed in the Common Interest Communities guide.

Register \_\_\_, \_\_\_\_\_ 2013 REVENUE

(d) The corporation will facilitate a loan under 15 AAC 151.850 – 15 AAC 151.865 to finance a residence for members of the Alaska delegation to Congress only if the residence is located in the District of Columbia or within 50 miles of the District of Columbia. (Eff. \_\_\_/\_\_\_/2013, Register \_\_\_)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

**15 AAC 151.865. Interest rate.** A loan under 15 AAC 151.850 – 15 AAC 151.870 shall bear interest at the rate established by the corporation. (Eff. \_\_\_/\_\_\_/2013, Register \_\_\_)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

**15 AAC 151.870. Commitment periods.** The corporation will enter into a commitment agreement to facilitate the making of a loan under 15 AAC 151.850 – 15 AAC 151.865. The maximum commitment period, including any extensions, that the corporation will permit in a commitment agreement under this section will be 180 days. The corporation will not charge a commitment fee. (Eff. \_\_\_/\_\_\_/2013, Register \_\_\_)

**Authority:** AS 18.56.088 AS 18.56.090 AS 18.56.099

The lead in language of 15 AAC 151.950(e) is amended to read:

(e) In addition to the definitions provided at 15 AAC 150.900 and at (a) of this section, the following terms have the following meanings for purposes of **15 AAC 151.710 – 15 AAC 151.840** [15 AAC 151.710 – 15 AAC 151.850]:

Register \_\_\_, \_\_\_\_\_ 2013 REVENUE

(Eff. 5/7/93; am 4/22/94, Register 130; am 9/23/97, Register 145; am 10/21/98, Register 148; am 2/24/99, Register 149; am 9/22/99, Register 152; am 4/4/2007, Register 182; am \_\_\_/\_\_\_/2013, Register \_\_)

**Authority:** AS 18.55.100 AS 18.55.420 AS 18.56.099

AS 18.55.110 AS 18.56.088 AS 18.56.100

AS 18.55.240 AS 18.56.090 AS 18.56.730

**Editor's note:** Before Register 130, July, 1994, the substance of 15 AAC 151.950 was contained in 15 AAC 118.342, 3 AAC 98.490 and 19 AAC 89.900. The history note for 15 AAC 151.950 does not reflect the history of the sections under those numbers.