LAW OFFICES

MM&C FOUNDED 1946

MILLER, MILLER & CANBY

CHARTERED

PATRICK C. McKEEVER (DC)
JAMES L. THOMPSON (DC)
LEWIS R. SCHUMANN
JODY S. KLINE
ELLEN S. WALKER
MAURY S. EPNER (DC)
JOSEPH P. SUNTUM

200-B MONROE STREET
ROCKVILLE, MARYLAND 20850
(301) 762-5212
FAX (301) 424-9673
WWW.MILLERMILLERCANBY.COM

SUSAN W. CARTER
ROBERT E. GOUGH
DONNA E. McBRIDE (DC)
GLENN M. ANDERSON (FL)
MICHAEL G. CAMPBELL (DC, VA)
SOO LEE CHO (CA)
AMY C. GRASSO

** All attorneys admitted in Maryland and where indicated*

SLCHO@MMCANBY.COM

January 21, 2010

Honorable Phyllis Marcuccio, Mayor
and Members of the City Council
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

RE: Request for Letter of Support for Victory Housing, Inc.'s Application for State Tax Credit Financing re the Victory Court Senior Housing Project

Dear Mayor Marcuccio and Members of the Rockville City Council:

We are writing on behalf of Victory Housing, Inc. to request that the Mayor and Council provide a letter of support for its application to receive tax credit financing from the Maryland Department of Housing and Community Development (MDHCD) for the Victory Court Senior Housing Project.

Background

Victory Housing, Inc. (VHI) is the charitable housing development arm of the Catholic Archdiocese of Washington and the operator of more than 1,400 dwelling units for frail and independent seniors in the Washington Metropolitan Area, including 46 such units within the City of Rockville (Mary's House, Raphael House) and 954 units within other parts of Montgomery County. In joint partnership with Montgomery County, VHI is currently in the Site Plan review/approval phase with the City for the Victory Court Senior Housing Project, which was granted Special Exception approval by the City's Board of Appeals to construct and operate up to 86 dwelling units for low and moderate income seniors on the site commonly known as the "Fleet Street Property". You were previously made aware of this proposed new community when, in a related matter, the Mayor and Council approved the permanent closure and abandonment of the paper street known as Mount Vernon Place on October 26, 2009, which served to revert one-half of the originally dedicated land area back to Montgomery County for inclusion into the Victory Court Project (with the other one-half reverting to the Courthouse Walk townhouse community).

J:\V\VICTORY\18096 - Fleet Street Property\Ltr to M&C re tax credit application.doc
1/21/2010 12:51:00 PM

Local Government Support Letter and Contribution

VHI has been in discussions with MDHCD on various aspects of the tax credit application process. There are two (2) threshold application requirements that involve the City. The first is evidence of a "local contribution" to the project which can be anything from a waiver of development fees to a contribution of capital funds by the City. To satisfy this requirement, VHI intends to submit evidence of the Mayor and Council's approval of the abandonment of Mount Vernon Place (Ordinance No. 30-09), which contributed land area to the project and which served to preserve/enhance the project's forested buffer area.

The second threshold requirement is a letter (requested herein) from "the highest elected official of the local jurisdiction" (which in the case of the City of Rockville is the Mayor and Council) in support of VHI's tax credit application for Victory Court. This letter is required in order to simply submit an application in the current funding round (the deadline for which is February 23, 2010). The language contained in the draft letter attached is what MDHCD has indicated must be included to meet said threshold requirements, including a statement of intent to submit the project for a "local resolution of support". However, the Mayor and Council will not be asked to consider or generate such a "local resolution of support" until all City development approvals required to construct and operate the Victory Court community have been granted.

Thank you for your consideration of this request. We will be available at your February 1, 2010 meeting to answer any questions with regard to the above.

Sincerely yours,

MILLER, MILLER & CANBY

JODY KLINE

Jody S. Kline

Soo Lee-Cho

Soo Lee-Cho

cc: Scott Ullery
Ed Duffy
Susan Swift
Jim Wasilak
Joe Giloley
Alisa Wilson
Jim Brown
Jeff Blackwell