

## Unified Funding 2011 Capital Project Online Application Instructions

These instructions should be used for applications seeking capital program funding under the Unified Funding (UF) 2011 Request for Proposals (RFP).

If you are seeking funds for standalone State Low Income Housing Credits (SLIHC), seed money, or for HFA funding, please use the Open Window Capital Project Instructions prepared specifically for those project types.

WARNING: APPLICATIONS, IN THEIR ENTIRETY, MAY BE MADE AVAILABLE FOR PUBLIC REVIEW ON THE HCR WEB SITE. APPLICATIONS SHOULD NOT INCLUDE PERSONAL OR PROPRIETARY INFORMATION.

This document consists of the following sections:

- A. General Instructions for submitting a capital project application using the Community Development Online (CDOL) System;
- B. Instructions for beginning a CDOL capital project application;
- C. Capital Project CDOL Application Exhibit Instructions;
- D. Capital Project Attachment Instructions.

### **A. General Instructions for Submitting a UF 2011 Capital Project Application using the Community Development Online (CDOL) System**

#### **1. Online Application Submission**

**UF 2011 will have two capital project application deadlines. The first deadline will be for Early Award Projects, which meet criteria set forth in the UF 2011 Request for Proposals (RFP). The second deadline is for all other capital projects. The application for Early Award Projects must be completed (all required exhibits and attachments submitted) by 5:00 PM, EST, Wednesday, January 12, 2011. All other UF 2011 capital applications must be submitted by 5:00 PM, EST, on Wednesday, February 9, 2011.** Any application exhibits or attachments received after the stated deadlines will be considered to be late submissions and will be returned to the applicant.

The submission of an application via CDOL consists of three steps:

- 1) Completing the online application exhibits;
- 2) Certifying and submitting the application exhibits; and,
- 3) Uploading, certifying, and submitting all required application attachments.

When your application exhibits are complete and validated by the CDOL, the person who is authorized to electronically certify the application must log in to the CDOL and certify and submit the application exhibits. Once submitted, the CDOL will assign your application a SHARS ID number. **The application is not complete until all required attachments are certified and submitted. The required attachments are listed in Section 8 below.**

**Please carefully review the following steps which are necessary to complete and submit your application via the CDOL.**

#### **2. Registering Your Organization's Security Manager**

Please review the following to make sure that your organization is prepared to use the CDOL, and that you have

someone with the authority to certify the application set up as a registered CDOL user for your organization.

In order to use the CDOL, applicants must be registered in HCR's Statewide Housing Activity Reporting System (SHARS), and have designated a Security Manager for their organization. The Security Manager will serve as the individual who authorizes and monitors access to the CDOL for the applicant's organization, including which people have the ability to update the organization's applications. Security Managers may go into the CDOL system, and add or remove users for their organization.

If you are a registered SHARS applicant, but you have not registered to use the CDOL, you may submit a **Security Manager Registration Form** to HCR, which will allow you access to the CDOL. Complete and return the Security Manager Registration Form with an original authorized signature to the address specified on the form and you will be e-mailed a User ID and temporary password with which to access the CDOL.

If your organization has not previously applied to HCR for funding, you must complete and submit an **Applicant Registration Form** so that you may be registered as a SHARS Applicant. The form contains a section where you may designate a Security Manager for your organization. HCR staff will register your organization and Security Manager and you will be e-mailed a USER ID and password to access the CDOL.

Applicants who used the CDOL in the past will still be registered, and may use the CDOL with the user ID and password previously assigned to them. If you have forgotten your password, you may go the CDOL and enter your USER ID and e-mail address and you will be e-mailed a new password. If you have changed your e-mail address since you first registered as a CDOL user, and you cannot remember your password, or if you have forgotten your USER ID, please either call the MSR Unit at (518) 473-2525, or e-mail us at: [msr@nyshcr.org](mailto:msr@nyshcr.org) for assistance.

### **3. Registering your Organization's Electronic Signatory**

All application exhibits and attachments submitted through the CDOL must be electronically certified by an authorized representative of the applicant's organization. The person who will certify the application must be set up in the CDOL as a user for your organization. The Security Manager may add the certifier by following these steps:

- a. Log into the CDOL and click on the User Administration link at the top of the page. The organization name will be displayed with a list of CDOL users.
- b. To add your organization's authorized signatory, click 'add new user', and enter their first and last name, and e-mail address.
- c. Select their access level from the drop-down box. Applicant inquiry allows the user to view but not change the application. Applicant update allows the user to make changes to the application.
- d. Click the box that reads 'Authorized to Sign Certification'.
- e. Click the box next to the organization name. Then click 'Submit'.
- f. The CDOL will generate an e-mail providing the user with their User ID and temporary password. When the application exhibits are complete, validated and ready to be submitted, the certifier must log-in to the CDOL, complete the certification, and submit the application exhibits. Required application attachments must also be certified prior to submission.

#### **4. Completing and Validating the Application Exhibits**

The UF 2011 capital project application consists of ten exhibits (and 43 attachments), which are listed in Section 8 below. After completing the exhibits, you must validate the application. Validation is essentially an editing process performed by the CDOL that notifies the user of incomplete, missing, or inconsistent data in the application. The application may not be submitted until all problems found during validation are corrected. To validate, return to the main menu, and click the 'Validate' link to the right of the Application name. Click 'Validate' again and the CDOL will check to ensure all required data is complete and consistent. If errors or inconsistencies are found, the CDOL will provide a list of the items that need to be completed or corrected before the Exhibits can be submitted. Once your application is successfully validated, it is recommended that you print and review the entire application before taking the next step, certifying and submitting the application exhibits. Once the application exhibits have been certified, they can no longer be changed.

#### **5. Certifying and Submitting the Application Exhibits**

When your application exhibits are complete and validated, and you are ready to submit them, your organization's authorized signatory must log into the CDOL to certify and submit the application Exhibits. To certify, click the 'Validate' link to the right of the application name. Click 'Certify'. The certifier should read the certification, enter their CDOL password and title, then click 'Submit'. The CDOL will display a message acknowledging successful submission of the exhibits, and providing you with the application's SHARS ID number, which will be used to identify your application. An e-mail message will also be delivered to you confirming successful submission of the application exhibits.

**Remember that your application is not complete until all required application exhibits and attachments have been submitted. Any portion of the required application exhibits or attachments which have not been submitted by the deadline specified above will not be accepted.**

#### **6. Uploading Required Attachments**

When you are ready to upload attachments, click on the 'Attachments' link to the right of the application name. The page will be redisplayed with a list of capital project application attachments. If you have completed the exhibits for multiple applications, be sure to select the correct application for which you want to upload attachments.

Click on the 'add' link to the right of the attachment that you want to upload. The page will be redisplayed with the option to 'select a file'. Click the 'browse' button to locate up to three files on your computer. To add the files, double click on them. When you have selected the file(s), click 'Upload'. The CDOL will return a message informing you as to the successful upload of the files. You may add additional files, by clicking the 'add' link to the right of the attachment name. You may upload multiple files for each attachment, and each file name uploaded will be listed below the attachment. Please limit the uploaded files to contain documents specifically requested in the Attachment Instructions. Whenever possible, combine multiple files into one.

Once uploaded, the Attachment Upload page will display two new buttons to the right of the attachment file name – 'view' and 'delete'. The view function allows you to view and print the file so that you can verify that it is complete and satisfactory. The delete function allows you to delete the file prior to submission.

You must select the 'omit' button for all attachments which you will not be submitting. This is required as an acknowledgement that you are intentionally omitting the attachment(s).

All required attachments must be uploaded before the group can be submitted.

#### **7. Certifying and Submitting Application Attachments**

When all required application attachments have been uploaded, the organization's authorized signatory

should log-in and click ‘Submit’ on the Attachment Upload page. The CDOL will display a Certification which must be completed in order to complete the submission. Once the attachments have been submitted, the application is complete and may not be changed.

### **8. Required Exhibits and Attachments**

UF 2011 Capital Project Application Exhibits & Application Certification
The Capital Project Application consists of the following ten Exhibits and an electronic certification:
Exhibit 1 – Application Summary (Required)
Exhibit 2 – Community Impact/Revitalization (Required)
Exhibit 3 – Development Budget/Funding Sources (Required)
Exhibit 4 – Unit Rents/Maintenance Fees & Affordability (Required)
Exhibit 5 – Project Operating Budget (Required)
Exhibit 6 – Development Timetable (Required)
Exhibit 7 – Development Team’s Relevant Experience (Required)
Exhibit 8 – Site & Building Information (Required)
Exhibit 9 – LIHC/SLIHC Qualified Building Information (Required if requesting LIHC and/or SLIHC)
Exhibit 10 – LIHC/SLIHC Project Summary (Required if requesting LIHC and/or SLIHC)
Electronic Application Certification (Required)

After completing, certifying and submitting your application, you must upload all required application attachments, as set forth below.

Capital Project Application Attachments
Please refer to the application attachment instructions in Section F of this document to determine which attachments you may be required to submit. LIHC or SLIHC standalone refers to an application where the only DHCR/HTFC funding requested is tax credits.
<b>A. Project Readiness Attachments</b>
Attachment A1 – Evidence of Site Control (Required)
Attachment A2 – Zoning Compliance (Required)
Attachment A3 – Public Approvals (Required if any referenced public approvals are necessary)
Attachment A4 – State Historic Preservation Office Submissions (Required except for LIHC/SLIHC standalones)
Attachment A5 – State Environmental Quality Review (SEQR) Submissions (Required except for LIHC/SLIHC)
Attachment A6 – Environmental Approvals (Required if any referenced environmental approvals are necessary)
<b>B. Project Design/Construction &amp; Site Suitability Attachments</b>
Attachment B1 – Outline Specifications (Required)
Attachment B2 – Construction Cost Estimate (Required)
Attachment B3 – Preliminary Plans (Required)
Attachment B4 – Site Photographs (Required)
Attachment B5 – Map of Primary Service Area (Required)
Attachment B6 – Physical Needs Assessment (Required for LIHC/SLIHC standalone applications involving rehabilitation of an existing structure)
Attachment B7 – Energy Efficiency Documentation (Required for applications seeking funding under the Energy Efficiency Initiative under HTF or HOME and/or scoring points under LIHC or SLIHC)
Attachment B8 – Energy Efficient Construction Costs (Required for applications seeking funding under the Green Building or Energy Efficiency Initiative under HTF and HOME and/or scoring points under LIHC or SLIHC)
Attachment B9 – Green Building Criteria Checklist (Required for applications seeking funding under the Green Building Initiative and/or scoring points under HTF, HOME, LIHC or SLIHC. Not required for applications submitted under Green Plus, Attachment H-5.)
Attachment B10 – Visitable, Accessible and Fully Adapted Units (Required)
Attachment B13 – Physical Needs Assessment/Life Cycle Analysis Form/Replacement Reserve Cash Flow Analysis (Required for HTF-funded preservation projects)

<b>C. Community Need/Market Demand Attachments</b>
C1 – Community Needs Support Documentation (Required)
C2 – Market Demand (Required)
C3 – Public Housing/Section 8 Waiting List/Referral Documentation (Optional and advisable for applications seeking potential LIHC scoring points under Section 2040.3(f)(10) of the QAP, or SLIHC scoring points under Section (d)(1 1) of the SLIHC Regulations)
<b>D. Project Underwriting Attachments</b>
D1 – Appraisal (Required only if the project includes an individual site with acquisition costs of \$100,000 or more, or where there is an identity of interest between project participants and the seller)
D2 – Operating Budget Documentation (Required)
D3 – Funding Commitments (Required for any application that requires funding from non-DHCR/HTFC sources)
D5 – Preservation Project Information (Required for any HTF-funded preservation project)
<b>E. Special Needs/ Elderly/Supportive Housing</b>
E1 – Support Services for Persons who are Elderly, Tenants who are Persons with Special Needs and Tenants of Supportive Housing (Required for applications proposing to serve an elderly population, tenants who are persons with special needs, or tenants of supportive housing. Also required when a portion of the project will be used for a program of health or social services).
<b>F. Miscellaneous Attachments</b>
F1 – Chief Executive Officer Notification Letter for LIHC/SLIHC Applicants (Required for applications requesting LIHC or SLIHC)
F2 – Credit Fee Transmittal/Deferral Letter (Required for applications requesting LIHC or SLIHC)
F3 – Non-Profit Participation as Applicant or Owner (Required for all applications submitted by a non-profit applicant)
F4 – HOME Program CHDO Determination Letter (Required only if the application is requesting HOME funds and seeks review as a CHDO application)
F5 – Request for Waiver from HTFC Standards (Required for any application seeking a waiver from HTFC standards).
F6 – Existing Occupant Info./Relocation Plan (Required if application proposes an occupied project)
F7 – Tenant Buy-Out Plan (Required for any application which proposes a project which will be purchased by tenants at the end of the program compliance period)
F8 – LIHC/SLIHC Right of First Refusal (Required for LIHC/SLIHC applications proposing that a non-profit entity will acquire the project at the end of the compliance period).
F9 – Proposal Summary (Required)
F13 – Application Certification Attachments (Required for all projects when any Certification responses in Section E (Capital Project Application Certification) required the provision of additional information).
G1 – OMH Proposal Summary (Required for all NYC projects requesting funding under Section IV F4 of the UF 2011 RFP)
G2 – OMH Reference Form (Required for all NYC projects requesting funding under Section IV F4 of the UF 2011 RFP)
G3 – OMH Operating Budget (Required for all NYC projects requesting funding under Section IV F4 of the UF 2011 RFP)
H1 – Supplemental Information for Early Award Transit-Oriented Development Projects (Required for all applications seeking funding under the Early Award Transit-Oriented Development priority)
H2 – Supplemental Information for Early Award Housing Opportunity Projects (Required for all applications seeking funding under the Early Award Housing Opportunity priority)
H3 – Supplemental Information for Early Award Lead Abatement Projects (Required for all applications seeking funding under the Early Award Lead Abatement priority)
H4 – Supplemental Information for Early Award Mixed-Income/Mixed-Use Revitalization Projects (Required for all applications seeking funding under the Early Award Mixed-Income/Mixed-Use Revitalization priority)
H5 – Supplemental Information for Early Award Green Plus Projects (Required for all applications seeking funding under the Early Award Green Plus priority)

## **B. Instructions for Beginning a New Capital Project Application**

### **1. Verifying your Organization Information Before Beginning a New Application**

Before you begin a new application using the CDOL system, you should verify and edit or update your organization information if necessary. To do so, log-in, and from the CDOL Main Menu, select the 'view' button to the right of the organization's name under the heading 'Organization'. A pop-up window will appear with the organization information HCR has on file. If any of the information displayed is incorrect or needs updating, close the pop-up window, and select the 'edit' button to the right of the organization name.

You may update your organization information in CDOL at any time, but you may not change the organization information on your application once it has been submitted.

Verify and if necessary, edit the following fields in this section:

#### **A. General Applicant Information**

- if applicable, the applicant's Department of State (DOS) Charities Registration Number.
- the month and day of the applicant's fiscal year end date (for example: 12/31).
- any aliases or acronyms the organization is known as.

#### **B. Type of Applicant**

Verify and edit this section as necessary:

- select **each** applicable applicant type.
- if applicable, add or correct the date of the non-profit applicant's legal incorporation.

#### **C. Phone and Internet Data**

If necessary, edit the applicant's telephone and fax numbers, e-mail address and URL.

#### **D. Mailing Address(es)**

If necessary, edit the applicant's primary mailing address in D1. If the mailing address for correspondence related to this application is other than your primary address, add the address in Section D2. You will be able to select the address to which you would like correspondence mailed once you begin the application.

#### **E. Primary Contact**

If necessary, edit the name, title, phone number, extension, and e-mail address of the person who is the primary contact for the organization. This person must have the authority to legally represent the applicant.

#### **F. Other Principals**

If necessary, edit or add principal organizations or employees of the applicant organization; for example, the Executive Director, CEO, Board President, or general partner.

## **2. Beginning a New Application**

After verifying and editing your organization information, you are ready to begin a new application. Return to the menu and under the 'Applications' heading, to the right of the text 'Start a New Application', enter a unique name for the project, next select 'Capital Project' from the 'Application Type' drop-down menu, then select either 'Capital Application – Unified Funding' or 'Capital Application – Early Award' from the 'Capital Application Type' menu and click 'Submit'. A table of contents will be displayed with a list of all Application Exhibits broken down by individual screens within CDOL.

Instructions for completing each screen follow.

### **C. Capital Project CDOL Application Exhibit Instructions**

#### **Exhibit 1 – Application Summary**

##### **1A. Applicant Information**

If you have already verified your organization information as suggested above, you need only complete a few fields on this screen.

5b. If the applicant is a charitable or non-profit organization, select the applicant's IRS tax-exempt category. If you select 'other', specify the type in the space provided.

5c. If the applicant is a charitable or non-profit organization, indicate whether or not all required periodic or annual written reports have been filed in a timely manner.

5e. If the applicant is a Minority- and/or Women-Owned Business Enterprise (M/WBE) which has been certified by the NYS Department of Economic Development's Division of Minority and Women's Business Development, select the applicable type of M/WBE. Select Not Applicable if not a M/WBE.

5f. If applicable, enter the applicant's DUNS number (a nine-digit number issued by Dun & Bradstreet and assigned to businesses for the purpose of identifying them). This is not required unless you are seeking HOME funds.

5g. If the applicant is a limited liability corporation (LLC) or a limited partnership (LP), provide the names of each member or general partner. For any managing member or general partner that is another LLC or LP, provide the names of its members or general partners. Continue to add the names of all managing member or general partner LLCs or LPs until all members or general partners have been identified.

6. If you have multiple mailing addresses on file, select the address to which correspondence related to this application should be mailed.

7. Complete this section for the individual who will be the primary contact person for correspondence related to this application. If this person is not authorized to sign documents on behalf of the applicant, complete Section 8.

8. If applicable (see Section 7), provide the requested information for an employee or officer of the applicant who is authorized to sign documents on behalf of the applicant.

##### **1B. Owner Information**

1. Indicate whether or not the applicant will transfer title to another entity upon completion. If you select 'yes', complete the rest of Section B. If you select 'no', click 'Submit' and go on to the next screen.

2. If known, enter the legal name of the eventual project owner, or check 'Unknown'. Indicate whether the entity is proposed or existing (incorporated).
3. If the owner is an existing entity, enter the owner's federal employer identification number.
4. If the owner is an existing entity, enter the month and day (mm/dd) of the owner's fiscal year end date.
- 5a. Select each applicable organization type.
- 5b. Indicate whether or not the owner is a 501 (c)(3) corporation (non-profit IRS tax-exempt category).
- 5c. If the owner is a limited liability corporation (LLC) or a limited partnership (LP), provide the names of each member or general partner. For any managing member or general partner that is another LLC or LP, provide the names of its members or general partners. Continue to add the names of all managing member or general partner LLCs or LPs until all members or general partners have been identified.
6. Enter the owner's mailing address, phone and fax numbers, and primary contact person's name and title. At a minimum, you must enter the owner's city, state, zip code and phone number.

**C. General Project Information**

- 1a. Indicate whether or not **this project** has previously received any capital funding from HCR, including seed money.
- 1b. If you answer yes to Question 1a, enter the DHCR-issued SHARS ID number assigned to the project.
- 1c. Indicate whether or not the proposed project is or has previously been under supervision by HCR Housing Operations.
- 1d. Please provide additional information on the project's original name, the address, dates under supervision, HCR representative contact information and project sponsor contact information
2. The project name that was entered on the main menu when you began the new application will be displayed. You may change it here if you wish.
3. Select the name of the county in which the project is to be located from the drop-down list.
4. Select the municipality in which the project is to be located from the drop-down list. Be sure to select the correct municipality when there are both a town and village with the same name.
5. Enter the requested information for the chief elected official of the municipality in which the project is to be located.

**D. Program Funding**

**1a Answer 'No'. Seed money may not be requested through the UF process.** If you are seeking seed money, refer to the Open Window Capital Application Instructions.

**IMPORTANT:** Once you select 'yes' or 'no' to this question, you cannot change it. If you select the wrong choice, you will have to begin a new application. Please verify that your selection is correct before clicking the 'submit' button.

2a. Not applicable. Seed money may not be requested through the UF process.

3a. Program Funds Requested

For each program from which you are requesting funds, enter the total amount of funds requested in the corresponding space provided.

1. If applicable, enter the amount of Housing Trust Fund (HTF) Program funds requested.

2. If applicable, enter the amount of HOME Program funds requested.

3. HWF may not be requested on UF 2011 Capital Applications.

4. If applicable, enter the amount of State Low Income Housing Credit (SLIHC) requested. Enter the **annual amount** of credit requested. **Do not enter the ten-year amount of credit. Please note that if you are applying for standalone SLIHC funds, you should use the Open-Window Capital Application Instructions.**

5. **If applicable, enter the annual amount of 9% Low Income Housing Credit requested. Do not enter the ten-year amount of credit.**

6. Urban Initiatives (UI) Program funds may only be requested if this is an Early Award Mixed Income/Mixed Use Revitalization project. .

7. Rural Area Revitalization Program (RARP) funds may only be requested if this is an Early Award Mixed Income/Mixed Use Revitalization project.

8. If applicable, enter the amount of Housing Development Fund (HDF) Program funds requested. Please note that you must also request NYS HOME Program funds (line 2) to request HDF Program funds. HDF Program funds may only be used for construction financing.

9. As-of-Right 4% LIHC credit may not be requested on UF 2011 Capital Applications.

10. HFA Low-Interest Second Mortgage on You may not request HFA Low-Interest Second Mortgage financing on the UF2011 application.

11. This question is not applicable to UF 2011 applications.

3b. If you have entered funding requests from both the HTF and HOME Program, indicate whether the request is for **EITHER** HTF or HOME, or if you are requesting funds from **BOTH** Programs.

3c. This question is not applicable to UF 2011 applications.

3d. This question is not applicable to UF 2011 applications.

**E. Project Initiatives and Program-Specific Application Designations**

For detailed information on all special project initiatives, LIHC project set-aside and other designations, and non-profit application designations, please refer to the Unified Funding 2011 Request For Proposals, the Capital Programs Manual (CPM), and the DHCR Qualified Allocation Plan (QAP).

1. Funding Initiatives

Select each type of initiative that you are requesting that this application be reviewed as. If you are not choosing any of the Initiatives, select 'Not Applicable'.

- In order to select the Green Building Initiative, you must have requested funds from either the HOME or HTF Program Section D, 3a of this Exhibit.

- The Housing Choice Voucher Project-Based Assistance Initiative may be selected if you have requested funds from any of the programs listed in Section D, 3a above.

- The Energy Efficiency Initiative may be selected if you are requesting HTF and/or HOME funds in Section D3a above and the proposed project demonstrates participation in the appropriate program referenced in the RFP.

## 2. Policy Priorities (Early Award Project Types)

Please refer to the UF 2011 RFP and the CDOL Attachment Instructions for Attachment H1-H5 for more information on Early Award Policy Priorities. Select each type of policy priority that you are requesting this application be reviewed as. If you are not choosing any of the Early Award Policy Priorities, select 'Not Applicable'.

**Please note**, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of seven State housing goals outlined below. Early award applicants must meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions. **All Early Award applicants are required to schedule a technical assistance meeting with the appropriate regional office prior to submitting an application.**

**Mitchell-Lama Preservation Early Award Projects:** Applicants seeking funds under this priority must propose projects that preserve HCR-supervised Mitchell-Lama housing by extending its useful life and/or by averting its conversion to market-rate house. Applicants under this priority must request a site visit from HCR prior to the Application submission. Mitchell-Lama Preservation projects must also meet the preservation project definition as set forth in Section 2040.2(r) of DHCR's QAP.

**Mixed-Income/Mixed-Use Revitalization Early Award Projects:** Applicants seeking funding under this priority must propose projects that include both mixed-use and mixed-income units. Applications must demonstrate that the project is an integral part of a local community revitalization/development plan, and that it has local support. These projects must demonstrate the commitment of local resources, and explain how federal, State and local investment will be coordinated to achieve the area's revitalization. The commercial portion of the project must have appropriate and adequate financing sources to cover its development cost, and sufficient lease income to support the real-estate operating costs of the space. At least 30% of the residential units must serve households with incomes above 60% of the area median income. Applicants under this priority must submit Attachment H4 with this Application.

**Transit-Oriented Development (TOD) Early Award Projects:** Applicants seeking funding under this priority must propose projects that will provide workforce housing for families. These projects must be in close proximity to MTA rail stations outside the City of New York, or in communities that have completed and are implementing TOD Plans. Projects must be within ½ mile of the transit station, and must be connected to the station by contiguous pedestrian facilities/sidewalks. Applicants under this priority must submit Attachment H1 with this Application.

**Housing Opportunity Projects:** Applicants seeking funding under this priority must propose projects that provide workforce housing for families in areas experiencing economic and population growth, and that are served by high-performing schools. The project community must have a stable or growing tax base, low rental vacancy rates, and a high renter cost burden. Necessary services such as public transportation, child and health care, grocery stores and employment opportunities must be in close proximity to the project. Applicants under this priority must submit Attachment H2 with this Application.

**Lead Abatement Projects:** Applicants seeking funding under this priority must propose projects that involve the rehabilitation and lead abatement of existing rental units in zip codes identified by the NYS Department of Health as having significant concentrations of children with elevated blood levels. At least 75% of the total project units assisted must be existing rental units. Applicants under this priority must submit Attachment H3 with this Application.

**Green Plus Projects:** Applicants seeking funding under this priority need to receive all available Green Building scoring points for each funding program requested and exceed normal Green Building standards. Prior to selecting this option, review RFP Section VII, paragraph 4, Fundamentals, Leveraging & Outcome Rating Criteria, and the Green Building Criteria Reference Manual for mandatory standards to ensure the project is eligible for this option.

**Supportive Housing Projects:** Applicants seeking funding under this priority must propose Supportive Housing Projects as defined in Section 2040.2(v) of the DHCR QAP and which evidence a coordinated State investment. Applications must clearly document a firm commitment of service, operating, and development financing from State funding partners. Projects will be evaluated on the extent to which funding commitments contribute to meeting the financial needs of the proposed project.

### 3. Occupied Rehabilitation

All projects requesting HTFC funding which will engage in the rehabilitation of an occupied project should answer this question. If the project involves the rehabilitation of a vacant building into affordable housing please select “no”. If your project is a new construction project, please select as “Not Applicable”. Projects which are occupied and will be preserved as affordable housing should select “Yes” and complete Attachment D5 – Preservation Project Information.

### 4. New York/New York III (NY/NY III) Supportive Housing Agreement

The NY/NY III Agreement between the State and City of New York is a commitment to increase the City’s supportive housing capacity for homeless persons. The Agreement defines supportive housing as the pairing of rental assistance and supportive services in buildings constructed or renovated for this purpose (congregate housing) or in scattered-site apartments acquired for the purpose of housing.

If your project is not within one of the boroughs of New York City, select ‘Not Applicable’ from the drop-down list. If your project is located in one of the five boroughs of New York City, indicate whether or not the project will include units which will serve one or more of the following NY/NY III special populations:

#### NY/NY III Special Populations

\*Persons who are chronically homeless or at serious risk of become chronically homeless and who suffer from serious and persistent mental illness

\* Single adults with substance abuse disorder who are chronically homeless or at serious risk of become chronically homeless

\* Persons who are chronically homeless or at serious risk of become chronically homeless and who are living with HIV/AIDS

\* Families in which the head of household suffers from substance abuse disorder, a disabling medical condition or HIV/AIDS and who are chronically homeless or at serious risk of become chronically homeless.

### 5. 9% LIHC Program Set-Aside Designations

If applicable, select the type(s) of LIHC set-aside designation that you are requesting that the application be reviewed as. **These designations are applicable to 9% LIHC only.**

▪ Preservation projects, supportive housing projects and high acquisition cost projects will be ranked, reviewed and selected on a Statewide basis as a separate LIHC sub-group pursuant to a LIHC set-aside as set forth in the LIHC NOCA and the UF 2011 RFP. (See the DHCR QAP and the UF 2011 RFP for project descriptions).

## 6. 9% LIHC Project Amenities

If applicable, indicate whether the project will provide any or all of the amenities listed. (Note: this is a scored item in the DHCR QAP.)

## 7. Non-Profit Application Designations

If applicable, select each non-profit designation that you are requesting that this application be reviewed as. If you are not seeking a non-profit application designation, select 'Not Applicable'. Carefully review the information below before selecting any of the designations. If a designation is not selected, the application will not be considered in the competition for the non-profit set aside of funds.

### CHDO Applicant

Check this box **only** if the applicant is a certified CHDO which acts as an owner, developer or sponsor as set forth below AND the CHDO certification is valid and CURRENT. If the HTFC-issued CHDO Determination letter is more than one year old but less than three years old, the CHDO president or chairperson will be required to provide a written statement certifying that no organizational changes have been made which would affect the CHDO determination. If the CHDO Determination Letter is more than three years old, the CHDO MUST BE RECERTIFIED BY THE REGIONAL OFFICE in order to be considered a CHDO applicant. See Section 2.05.02.B.2 of the CPM for the CHDO requirements.

- **The CHDO is an 'owner'** when it holds valid legal title to or has a long-term (99-year minimum) leasehold interest in a rental property. CHDO may be an owner with one or more individuals, corporations, partnerships or other legal entities.
- **The CHDO is 'developer'** when it either owns a property and develops a project, or has a contractual obligation to a property owner to develop a project.
- **The CHDO is 'sponsor'** when it develops a project that it solely or partially owns and agrees to convey ownership to a second non-profit organization at a predetermined time. Conveyance may take place prior to, during or upon completion of the development phase.
- **Do not check the CHDO Application Review box if the applicant is a CHDO, but is not proposing one of the activities listed above.**

### 9% LIHC Non-Profit Set-Aside Application Review

Select this set-aside if the non-profit 501 (c)(3),501 (c)(4) or its wholly-owned subsidiary will own an interest in the project and materially participate in the development and operation of the project throughout the compliance period, meeting the State ceiling set-aside for 'projects involving qualified nonprofit organizations' according to Section 42(h)(5)(B) of the Internal Revenue Code (IRC).

### HTF Non-Profit Application Review

To be considered a non-profit project under the HTF Program requirements, a non-profit or its wholly owned subsidiary must have an ownership interest in the project ownership entity and have a defined role in project management, evidenced by an equal say in the selection, hiring and firing of the management agent for the project, and in other decisions regarding the management of the project. The non-profit must also have an equal say in the management of the partnership as demonstrated by the partnership agreement. The ownership interest of the not-for-profit entity or its wholly-owned subsidiary must be at least 50% of the controlling interest in the ownership entity as directed by Article XVIII of the NYS Private Housing Finance law. Applicants who do not check non-profit set-aside designation will not be given the scoring preference

## F. Project Political Districts

Locate and click on the name(s) of the Assembly member who represents the locality in which the project will be located. Click on the top arrow to move the name into the box on the right. (You may remove a name by clicking on the bottom arrow). Repeat this as necessary for each Assembly, Senate and Congressional Representative who serves the project municipality.

## G. Tenure & Construction Type

1a. Residential Tenure Type of Project: Select the applicable residential tenure type for this project. If the project is non-residential only, select 'not applicable'.

1b. Indicate whether or not the project will include a community room or separate community building which is for the exclusive use of the tenants, and is therefore, considered to be residential space.

2a. Indicate whether or not the project involves residential construction only. If you check no, complete

2b. Non-Residential Construction Types

Check **each** type of non-residential construction included in the project.

1. Commercial: If the project includes commercial space, select box 1.

2. Civic: If the project includes civic space, select box 2. Civic space includes non-residential, non-commercial space used for activities engaged in by the local community for conducting municipal affairs or for general public use. **A community room or separate community building that is for the exclusive use of the tenants should be included as part of the residential budget.** Construction costs for civic space is not an eligible cost under the HTF, HOME or LIHC Programs. The operating costs of civic space must be paid from sources other than residential rental income or tenant fees.

3a. Community Service Facility (CSF): This term applies only to projects requesting HTF funds or LIHC and/or SLIHC from DHCR, the New York State Housing Finance Agency (HFA), the New York City Department of Housing Preservation & Development (HPD), or the Development Authority of the North Country (DANC). A CSF is a facility that is intended for use by members of the community-at-large with incomes at or below 60% of area median for civic gatherings such as Head Start Programs, child care, job training, or senior centers. It is **NOT** for the exclusive use of the project tenants. **A community room or separate community building that is for the exclusive use of the tenants should be included as a community room unit in question G1b. above.**

HTF CSF: HTF funds for a CSF are limited to an amount no greater than 10% of the total HTF request. If the project includes a HTF-funded CSF, select box 3a; do not complete questions 3b, 3c and 3d, as these questions are applicable only to CSF units funded with tax credits.

LIHC/SLIHC CSF: The CSF portion of the project is eligible for Credit up to an amount not greater than ten percent of the total eligible basis in the project. In addition, to be eligible as a LIHC/SLIHC CSF, the subject project must be located in a Qualified Census Tract (QCT).

If the project meets all of the conditions specified in the paragraph above for a LIHC/SLIHC CSF:

- select box 3a;
- enter the QCT (county and tract number) in which the project is located in 3b. (You may use the link to HUD's QCT Table Generator to locate the QCT);
- in 3c, select the agency from which you are requesting credit (DHCR, HFA, HPD or DANC). **Please be aware that DHCR does not accept LIHC applications requesting credit from NYS HFA, NYC HPD or DANC;** and,

- indicate in 3d whether or not, you will include a portion of the expenses associated with the CSF as eligible basis for the purpose of calculating tax credits.

## H. Units Assisted

### 1. Total Units in Project - All Sources

Complete this section by entering the total units of each type which will exist upon completion of the project, including those units which will not be financed by DHCR/HTFC programs. See the definitions for community service facility (CSF) and civic units in Section G, 2b above, before completing this Table.

After you complete and save this information, the data will be redisplayed with two grids at the bottom: 1. Total Units in Project – All Sources, and the following grid:

### 2. Units in Project - by Permanent Funding Source

Grid 2 will show each DHCR/HTFC program from which you have requested funding in Exhibit 1. To add a non-DHCR/HTFC permanent funding source to the grid, return to the top of the page, enter the funding source name and the number of units of each type which will be assisted by that source, and save the page. Repeat this for each non-DHCR/HTFC funding source that you will list as a permanent funding source in the Development Budget (Exhibit 3). After adding all non-DHCR/HTFC permanent funding sources, you will add DHCR/HTFC program units as follows:

Click the 'edit' button to the right of the DHCR/HTFC program name in Grid 2. When you click 'edit', the program name will be displayed in the 'DHCR Source Name' box. Complete the unit information for that source and save. Repeat for each DHCR/HTFC funding source in the project.

## I. Income Targets

**Please Note:** If this project is funded by HTFC/DHCR, the income target groups that you enter in this section will be used as the basis for the project's Regulatory Agreement and will establish the maximum income levels for occupants of the completed project.

1. Indicate whether or not the proposed project will include a **non-rent bearing** unit for a resident manager/superintendent. **Please note** that this unit will not be counted as an HTF/HOME-assisted unit unless it will remain affordable to income-eligible households. Projects receiving LIHC and/or SLIHC may elect to have the resident manager's unit be considered as common space for the project.

### 2. Income Targets

In the 'Units – All Sources' column, list the total number of units in the project, including those not being funded by DHCR/HTFC, which are targeted to each income-range category. In the 'Units - DHCR/HTFC' column, list only those units that are to be funded by DHCR/HTFC. If the project will include a **rent-bearing** unit for a resident manager/superintendent, include that unit in the appropriate income-category range. If the project contains a non-rent-bearing unit for an employee, enter the unit on the line: 'non- rent-bearing unit for resident manager/superintendent. See the following example:

**Example:** A 20-unit project is proposed. Only 15 of the units are to be funded by DHCR/HTFC programs. Ten units will be occupied by those at 50% of median income, five units will be occupied by those at 60% of median income, four units will be occupied by those with incomes more than 90% of median – and one unit will be occupied rent-free by a building superintendent.

Income Target Group	Units – All Sources	Units – DHCR/HTFC
Public Assistance Households (<=30% Median)		
30% through 50% of Median Income	10	10
50% through 60% of Median Income	5	4
60% through 80% of Median Income	4	1
>90% of Median Income	1	
Non Rent-Bearing Unit for Resident Mgr/Super		
Totals:	20	15

## **J. Project Occupants**

Section J1 is used to record the project units that will be occupied by any of the special needs population household categories listed below, including NY/NY III Supportive Housing Agreement Special Populations. Section J2 is used to record those project units which will be occupied by households that are not included in any of the special population categories listed in J1, including non-frail elderly households.

The total units entered for J1 and J2 in the column entitled 'Units – All Sources' must equal the total number of residential units entered in section H1 of this exhibit. The total units entered for J1 and J2 in the column entitled 'Units – DHCR/HTFC' must equal the greatest number of DHCR/HTFC Program units entered in section H2 of this exhibit. See the example below for guidance in completing this section.

### **1. Persons with Special Needs**

Projects which commit to set aside at least 15% of the project units for occupancy by any of the following special populations AND which will be served by supportive services as evidenced by a comprehensive service plan and an agreement or commitment in writing with an experienced service provider will be considered a Persons with Special Needs Project. In addition, proposed projects applying under the 9% LIHC Supportive Housing Project Set-Aside must give preference in tenant selection to persons with special needs for at least 30% of the LIHC-assisted units, and meet the additional standards set forth in the RFP. **(NOTE: If you want to include multiple categories of special needs populations in a "pool", for example, families who are homeless, persons who are homeless and persons who are victims of domestic violence, without a target number for each category, complete section J1 as instructed, and then clearly describe how you will meet the 15% set-aside in Attachment E1.**

### **Special Population Categories**

Persons/Families in Long-Term Recovery from Alcohol Abuse  
 Persons who are Frail Elderly\*  
 Families who are Homeless  
 Persons who are Homeless  
 Persons with Mentally Retardation / Developmental Disabilities  
 Persons with AIDS/H IV-Related Illness  
 Persons w/ Physical Disabilities  
 Persons w/ Psychiatric Disabilities  
 Persons/Families in Long-Term Recovery from Substance Abuse  
 Persons who are Victims of Domestic Violence

**\* DHCR/HTFC encourages the targeting of units for occupancy by persons who are frail elderly only in those projects where all occupants are elderly.**

### NY/NY III Special Population Categories

These categories apply only to projects located in the following counties: Bronx, Kings, New York, Queens and Richmond. See the instructions for E2 of this Exhibit for more information on the NY/NY III Supportive Housing Agreement.

- Persons who are chronically homeless or at serious risk of becoming chronically homeless and who suffer from serious and persistent mental illness
- Single adults with substance abuse disorder who are chronically homeless or at serious risk of becoming chronically homeless
- Persons who are chronically homeless or at serious risk of becoming chronically homeless and who are living with HIV/AIDS
- Families in which the head of household suffers from substance abuse disorder, a disabling medical condition or HIV/AIDS and who are chronically homeless or at serious risk of becoming chronically homeless

For each special population category that you are proposing to target for project occupancy, including special populations as defined by the NY/NY III Supportive Housing Agreement, enter the total number of units in the project that are being targeted for occupancy by that population in the column entitled 'Units- All Sources'. Under the column entitled 'Units DHCR/HTFC', enter the total number of **DHCR/HTFC-assisted** units that are targeted to each special population. **Please Note: Households to be occupied by non-frail elderly persons should be recorded in section J2 (Other Households). Only frail elderly households can be recorded in section J1 (Special Population Households).**

See the example below.

#### J2 - Other Households

In the column entitled 'Units – All Sources', enter the total number of units in the project that will be occupied by non-frail elderly households and/or by households without special needs. In the column entitled 'Units – DHCR/HTFC', enter the total number of **DHCR/HTFC-assisted** units for each applicable category.

#### Example:

**Your 20-unit project will be targeted for occupancy as follows: Six units will be occupied by families who are homeless. Four units will be occupied by persons who are non-frail elderly. Ten units, including a unit to be occupied by a resident manager, will be occupied by households without special needs DHCR/HTFC programs will fund only 15 of the units; the other five will be funded by other sources. Record the units as follows:**

#### 1. Households with Special Needs

	Units – All Sources	Units - DHCR/HTFC
Families who are Homeless	6	6

#### 2. Other Households

	Units – All Sources	Units - DHCR/HTFC
Non-Frail Elderly Households	4	4
Households without Special Needs	10	5
<b>Total Households (J1 &amp; J2):</b>	<b>20</b>	<b>15</b>

All units must be identified. If all or any of the units in the project will not be targeted for occupancy by a special population or non-frail elderly household, you must identify these units in Section J2 as households without special needs.

### 3. Elderly Population Targeted

If applicable, select the age structure of the targeted elderly project occupants. If no elderly tenants are targeted, select 'Not Applicable'.

- Aged 55 or older (At least 80% of the units will be occupied by at least one person aged 55 or older).
- Aged 62 or older (All units will be occupied by persons aged 62 or older).
- Aged 62 or older and/or physically or mentally handicapped persons or any age and the project is to be jointly financed by the US Department of Agriculture Rural Housing Services and HTFC.

#### **K. Development Team Members**

This Section must be completed for the project's developer, owner and architect. Additionally, if you have identified a management agent, general contractor, housing consultant or syndicator, complete this Section for them as well. If there are team members who will perform duties not listed (e.g. Green Design Expert) click 'other' and provide a short description of their activities.

1. Enter the name of the development team member's employer.
2. Enter the team member's first name, last name, title, e-mail address, and phone and fax numbers.
3. Next, click each applicable role that the team member will assume in the project's development. Click 'submit' and the page will be redisplayed as a grid. Click the 'add' button to add another team member.
4. If the team member has no experience in the proposed role, please select "no".

#### **L. Disclosure of Identities of Interest**

**In this section, you must identify all project principals and any identity of interest between project principals as defined below:**

A project principal is defined as follows: any person or public or private entity that will participate in the proposed project as an applicant, owner or developer. Architects, attorneys, builders, management agents, consultants or others who have an interest in the project, other than an "arms-length" fee arrangement for professional services, are also considered principals. All general partners in a partnership or managing members in a limited liability company are considered principals. Principals of public or private corporations include the president, vice president, secretary, treasurer, and all executive officers who are directly responsible to the board of directors or equivalent governing body, as well as each director or stockholder having a ten percent or more interest in the corporation. Any person or entity with an identify of interest to any of the above is also considered a principal.

If any of the project principals has an identity of interest, this must be disclosed in this section. Disclose and describe any identities of interest between the members of the development team and members of the development team and the seller of the property on which the project will be developed. This disclosure must include the nature of their fiduciary and financial relationships, past present and future, to the project and to each other. It must include any financial, familial or business ownership relationship between the applicant or any general partner and any participant in the project's development. This includes, but is not limited to, existence of a reimbursement arrangement or exchange of funds; common financial interests; common officers, directors or stockholders; or family relationship between officers, directors, or stockholders.

To complete this section: each team member entered in Exhibit 1K of this application will be displayed. Click on each team member's name, enter their title, and organization name. If the team member does not have an identity of interest, select 'Project Principal' from the 'Type' drop-down menu and click 'Submit.' If a team member has an identity

of interest, select 'Identity of Interest' from the 'Type' drop-down menu, disclose the identity of interest in the space provided, then click 'Submit'.

To add a principal not listed in Exhibit 1K, click the 'add' button and follow the instructions in the paragraph above.

## **Exhibit 2 - Community Impact/Revitalization**

### **A. Documentation of Community/Housing Needs**

In this section, you will reference all existing planning documents that identify community renewal and/or housing needs for the locality in which the proposed project is located.

#### **1. New York State Consolidated Plan Objectives/Priorities**

This section must be completed by all applicants requesting New York State HOME Program funds. Applicants with projects located in areas where no other documents identifying community renewal and/or housing needs exist must also complete this section. All other applicants may choose to complete this section, but are not required to.

##### **1 a. NYS Consolidated Plan Objectives Addressed by this Project**

Select each objective that the project addresses.

##### **1b. Table 1b - NYS Consolidated Plan Priority Need Level by Household Type & Income Group**

For each Household Category listed which will be served by the project, locate the Income Range(s) that will be served, and select the corresponding Project Target Population box. The Priority Need Level (H-high, M-medium, L-low) for each category of housing identified in the NYS Consolidated Plan is displayed for informational purposes.

#### **2a. Existing Documentation of Local Need**

Complete section 2a for each existing planning document that addresses the community renewal and/or housing needs of the project locality. See the following instructions for guidance in completing this section. **IF THE PROJECT IS IN A MUNICIPALITY WITH A LOCAL CONSOLIDATED PLAN, YOU MUST REFERENCE IT IN THIS SECTION.**

A. Local Needs Document – Select the type of local needs document from the dropdown list. Enter the name of the document, the name of the entity for which it was prepared, the geography referenced (statewide, county, city, town, village, neighborhood), and the date the document was published. If the type of document is not specifically listed, select 'other' and specify the type in the space provided.

B. Needs Identified – Answer each of the three questions pertaining to the needs identified in the document.

1. Indicate whether or not the document identifies the proposed project as the type needed for community revitalization. If you answer yes, reference the page numbers where this is stated. If the document states the level of priority for this type of project, enter the priority level and reference the page numbers. If no priority level is stated in the document, enter 'N/A'.

2. Indicate whether or not the document identifies the project's targeted income groups and household types as those with specific needs. If you answer yes, reference the page numbers where this is stated. If the document states the level of priority for this type of project, enter the priority level and reference the page numbers. If no priority level is stated in the document, enter 'N/A'.

3. Indicate whether the document specifically mentions need for the proposed project. If you answer 'yes', reference the page numbers where this is stated. If the document states the level of priority for this project, enter the priority level and reference the page numbers. If no priority level is stated in the document, enter 'N/A'.

If additional needs documents exist, repeat the steps above to add another.

## 2b. House-NY

Indicate whether or not the project has received a HOUSE-NY award from the NYS DHCR.

## 3. Local Housing Needs for Proposed Households to be Assisted

This section is intended to demonstrate that the proposed project meets identified local housing needs. The source of data may be one of the planning documents cited in section 2a of this Exhibit, the market study for this project, or housing needs data from HUD's Comprehensive Housing Assistance Strategy (CHAS) Housing Needs Table, available online at: <http://socds.huduser.org/chas/index.html>. HUD defines housing need as households with "any housing problem" which includes households with cost burden greater than 30% of income and/or overcrowding and/or without complete kitchen or plumbing facilities. Housing needs data is provided by special Census 2000 tabulations specifically designed for HUD and includes all NYS localities. Towns and cities are included under the category of "Minor Civil Divisions." Villages and hamlets are under "Census Designated Places".

Identify the data source and the date the data was prepared. Enter the municipalities covered by the data, and select the type(s) of project proposed. If you check 'other', specify the type of housing proposed in the space provided.

For each Proposed Income Range to be served by the project, enter the total number of households in the locality at that income range in the column entitled #HHs at Income Range for Project Type Proposed, and in the column entitled, #HHs at Income Range in Need of Affordable Housing, enter the total number of households in the locality at that income range who are in need of affordable housing. CDOL will calculate the percentage of households in need by dividing the number of households in need by the total number of households for each income category.

## **B. Evidence of Local Approvals/Support**

### 1. Evidence of Local Support

Complete this section by identifying each source of local support for the proposed project. Select the local support category from the dropdown list, and enter the name of the source of local support, a description of the type of support offered, the approximate value of the support (or N/A if not applicable), and whether the status is committed, proposed, or N/A. Click 'Submit' to save.

Repeat the steps above to add additional evidence of support for the project.

## **C. Special Project Locality Designations**

If the project is located within any publicly- or locally-designated area which is eligible for special benefits or attention, select the special designation category from the dropdown list, enter the name and/or location of the designation, and the year the designation was initiated. If the project locality does not have any of the listed designations, select 'Not Applicable' and click 'Submit' to save.

To add another designation, repeat the above steps.

**D. Community Needs Narrative**

1. Provide information on the amount of subsidized housing which has been built in the primary market area of the proposed location of the project within the past ten years, and the extent of unmet demand for affordable housing for the income group(s) which are proposed to be served by the proposed project. In your response, include the sources for the data and other information provided, and any additional information regarding past inability of the current market to adequately provide adequate affordable housing.
2. Provide information on the general housing market in the primary market area of the proposed project. Include the current vacancy rates for units in the primary market area which are comparable to the proposed units.
3. Describe how the proposed project is part of a comprehensive community revitalization strategy which includes the use or reuse of existing buildings, including the historic rehabilitation of existing buildings, and which addresses employment, educational, cultural and recreational opportunities within the community in which the proposed project will be located. Refer to the information provided elsewhere in this Exhibit, including the New York State Consolidated Plan, documents listed in Table 2A of this Exhibit and the information provided in Attachment C1, Community Needs Support Documentation.

**E. Communities Under Court-Order/Court Decision**

1. Indicate whether or not the project locality is under a court order/decision or if a court-ordered plan to address desegregation or remedy a violation of law has been issued. If you check yes, complete the following.
2. Indicate whether a court monitor has been appointed and has issued a written approval for the project. If a court monitor has not been appointed, check N/A.
3. Summarize the order, decision or plan, and describe how the proposed project is consistent with the goals of the ruling or plan.

**Exhibit 3 – Development Budgets/Funding Sources**

**A. Construction Cost Basis**

1. Indicate whether or not the total construction cost is based upon a guaranteed price contract.
2. Select the wage rate that the total construction cost is based on. Projects with 9 or more units utilizing project-based vouchers, or projects with 12 or more HOME-assisted units must choose the appropriate Davis-Bacon wage rate.

**B. Funding Sources**

On this page, you will add each source of construction and permanent financing for each of the project construction type(s) indicated in Exhibit 1, Section G of this Application (residential, commercial, civic and/or CSF). As you add a source and update the page, the source will be added to the appropriate funding source grid at the bottom of the page. Construction sources must be equal to permanent sources, and both construction and permanent sources must be equal to the Total Project Cost (line 54) for all sources. If the project involves more than one type of construction, the CDOL will produce a Summary Budget for the project upon completion of all individual budgets.

1. Under the section of the page labeled Source, select the financing type from the drop-down list (either permanent or construction);
2. Select the funding source name from the drop down list. Sources are listed according to source category (DHCR/HTFC, Federal Government, Local Government, Non-DHCR State Government, and Private). Each non-DHCR

category has one or more “generic” source (federal program, local government, state program, private source, non-profit lender, etc.) If the specific program or funding source is not listed, use the generic source that best describes the source, and specify the program or source name in the space provided.

**PLEASE NOTE:**

- If you are receiving HOME funds from a Participating Jurisdiction, please use HUD – HOME Participating Jurisdiction as the source code rather than County Government. Specify the PJ name in the space provided.
- If you have requested **either HOME or** HTF funds on this application, choose the funding source ‘NYS HOME or Housing Trust Fund’. If you are requesting separate HOME and HTF funding, use the individual program source names. If you have requested tax credits from DHCR or another source, use the Equity – Tax Credit source.
- If your project financing includes funds from a DHCR/HTFC program which is not requested on the application (ROA), for example, previously awarded funds, please use the source ‘Non-ROA DHCR/HTFC Program’.

Sources are listed below:

**DHCR/HTFC Funding Sources**

DHCR Office of Community Renewal  
HOUSE NY  
HTFC Public Housing Modernization Program  
Homes for Working Families  
Housing Development Fund  
Housing Trust Fund (HTF)  
NYS Home Program  
NYS Home or Housing Trust Fund  
NY Main Street Program (NYMS)  
Non-ROA DHCR/HTFC Program (specify)  
Rural Area Revitalization Program (RARP)  
Urban Initiatives Program (UI)

**FEDERAL GOVERNMENT FUNDING SOURCES**

FHA Insured Mortgage Loan (specify below)  
Federal Program – Other (specify below)  
HUD - HOME Participating Jurisdiction (specify)  
HUD – McKinney  
HUD 202  
HUD CDBG Entitlement Community (specify)  
HUD HOPE VI  
Rural Development – Other (specify)  
USDA 538 Insured Mortgage Loan (specify)  
USDA Rural Development 515

**LOCAL GOVERNMENT FUNDING SOURCES**

County Government (specify)  
Industrial Development Agency (IDA) (specify)  
Local Government (specify)  
NYC HDC Program (specify)  
NYC HPD Program (specify)  
Permanent Housing for the Homeless NYC

Public Housing Authority (PHA) (specify)

**NON-DHCR STATE GOVERNMENT FUNDING SOURCES**

HFA Bond Financing  
HFA Low-Interest Second Mortgage  
NYS Energy Research Development Authority (NYSERDA)  
HFA Bond Financing  
OMRDD Capital  
OMH Capital  
SONYMA Insured Mortgage Loan (specify)  
State Program – Other (specify)

**PRIVATE FUNDING SOURCES**

Deferred Capitalized Reserves/Working Capital  
Deferred Developer Fees  
Down Payments (condos/coops)  
Equity – 421A Certificates  
Equity – DHCR Tax Credit  
Equity – HFA Tax Credit  
Equity – HPD or DANC Tax Credit (specify)  
Equity – Non-DHCR Tax Credit  
Equity – Other (specify)  
Federal Home Loan Bank Affordable Housing Program  
Lending Institution (specify)  
Non-Profit Lender (specify)  
Private Source (specify)  
Private Subsidy (specify)

3. Under the section of the page labeled 'Amount of Funds' are listed the four types of construction. Enter the amount of funds that the source will provide for the appropriate type of construction. For example, if Jones National Bank is providing \$1,000,000 in construction financing for residential construction, and \$500,000 in construction financing for CSF construction, be sure to enter both the residential and CFS financing amounts. If the source's financing and assistance types are the same, you may enter both at once. Otherwise, you will need to enter the source's contributions separately.

4. Select one of the following Assistance Types for the source from the drop-down menu:

- Loan
- Grant
- Other - This is used to record financing types which are not loans or grants. For example, equity realized from the syndication of tax credits, owner equity, equity from historic tax credits, deferred developer fees, deferred capitalized reserves/working capital, or down payments from owners of condominium/cooperative units.

5. If applicable, enter the source's financing term through cost certification, and indicate whether the term is in years or months. Select 'N/A' if not applicable.

6. Enter the applicable interest rate, or 'N/A' if not applicable.

7. Interim Interest – For each construction loan, enter the anticipated total interim interest. The CDOL will edit the development budget to ensure that the total interim interest for all construction loans will be accounted for on

line 16 of the development budget.

8. Lien Position: Enter the proposed lien position for the funding source in the event of a default on a mortgage and note. Select 'N/A' if not applicable.

9. Regulatory Term: Enter the number of years for the source's regulatory term. Select 'N/A' if not applicable.

**C. Development Budget**

If you have only one type of construction, when you arrive at this screen, a list of permanent funding sources added on the previous screen will be displayed. If you have multiple construction types, when you arrive at this screen, a drop-down menu will be available for you to choose the type of development budget you want to work on. Select the budget type, and a list of permanent funding sources added for this type of construction will be displayed.

Select the 'add' button to the right of the source you wish you to work on. The source will then be highlighted in yellow, and a list of development costs associated with a typical project will be displayed. For each applicable line item, enter the amount of funds to be contributed by the highlighted source. To change any of the figures added for a source, select the 'edit' button to the right of the source name – this appears after a source has been added. Totals will be calculated by CDOL.

The CDOL will produce a summary development budget for projects with multiple construction types.

To view the development budget(s) with all sources, select the 'Print' function at the top of the page. A pop-up window will display that can be printed for verification.

Line Items: Where line items are self-explanatory, instructions are not included. Where clarification is helpful, instructions are provided below.

A. Acquisition (lines 1 – 3):

1. Land: the acquisition cost of the land **only**.
2. Structures: the acquisition cost of any buildings on the land.
3. Total Acquisition: This will be calculated by the CDOL.

B. Soft Costs (lines 4 – 24):

See Section 5.00 of the CPM (Development Requirements) before completing this section for definitions and information regarding allowable fees and interim costs to be charged for DHCR/HTFC construction loans to private developers on tax credit projects. If applicable, remember to pro-rate soft costs attributable to non-residential space in the project.

4. Appraisals: See Section 5:03.03 of the CPM.

5. Housing Consultant: This may be up to one percent of Line 43 (Total Development Cost), not to exceed \$20,000. **For Tax Credit projects**, the maximum allowable developer's fee is calculated inclusive of payments to a consultant (see Section 5.05 (vii) of the CPM, Professional Fees).

9. Architecture/Engineering Fees: General guidelines for this line item are as follows: Up to 15% of total construction costs (TCC) (line 40) will be allowed for small-scale, highly complex, historic preservation projects, while larger, new construction projects are generally limited to 5% of TCC.

10. Construction Manager Fees: This may be up to 5% of TCC (line 40). This fee may only be attributed to projects without a general contractor. If you enter an amount in this line item, you may not also enter amounts in Builder's Overhead (line 38) or Builder's Profit (line 39). See the CPM (Section 5.05) and the Design Handbook for more.

11. Legal Fees: Generally limited to one percent of the TDC, depending on the attorney's specific responsibilities.

12. Non-Profit Developer's Allowance (NPDA): This may be paid only when the developer is a non-profit organization, and the project will be owned and operated on a non-profit basis. You may not claim this fee and also claim the LIHC/SLIHC Developer's Fee in line 42. (See Section 5.05 of the CPM and the Design Handbook for more on the NPDA).

16. Interim Interest: The CDOL will edit the total of this line item to ensure that it is equal to the total interim interest for all construction loans entered in Section B of this Exhibit.

20. LIHC/SLIHC Application Fee: The CDOL will calculate this field by entering a \$3,000 fee for **each** tax credit program requested on the Application.

21. LIHC/SLIHC Credit Allocation Fees:

- 9% LIHC and/or SLIHC Applicants: The CDOL will calculate this field by entering an 8% of first year's allocation fee for each request (calculated pursuant to Section 2040.3(c) of DHCR's Qualified Allocation Plan (QAP).

22. Other DHCR/HTFC Fees:

- Applicants requesting DHCR/HTFC construction financing should refer to Section 5.12 of the CPM for guidance on construction financing fees.

23. Other Soft Costs: If you enter an amount for other soft costs in this line, such as costs for preparing a Phase I Environmental Site Assessment or other environmental study, specify the cost(s) in the space(s) provided. Click the 'add' button to add more lines if necessary.

24. Total Soft Costs: This line will be calculated by the CDOL.

C. Construction Costs (lines 25 – 43):

Enter the projected cost for each applicable construction line item. "Lump sum" totals are not allowed. Items such as off-site work, demolition, builder's profit, overhead, general requirements, etc. must be specified. Appliances, if part of the construction contract, should be included in the line item of the space in which they will be installed - for example, the cost of stoves for individual residential units would be placed in line 31 - Residential.

25. Site Work: the cost of site preparation.

26. Off-Site Work: DHCR/HTFC Programs will only fund off-site costs directly associated with the project. Contact your regional office in advance of application submission if you have questions regarding this line item.

27. Demolition: Only demolition that takes place on the project site is an eligible cost.

28. Environmental Remediation: Include asbestos removal; lead-based paint hazard control and other environmental remediation costs in this line.

29. Other Construction Costs: Specify any costs entered on this line item in the space(s) provided. Click the 'add' button if more lines are required.

30. Subtotal – Site Preparation: CDOL will calculate this line.

31 – 33. Residential, Community Service Facility or Civic Space, Commercial Construction: Only one of these lines will be open for data entry, depending on which budget you are completing.

35. Performance Bond Premium: Generally between one and two percent of Line 36 (Subtotal Contractor's Costs).

36. Subtotal Contractor's Costs will be calculated by the CDOL.

37. General Requirements: A maximum of six percent of line 36.

38. Builder's Overhead: A maximum of four percent of line 36.

39. Builder's Profit: A maximum of ten percent of Line 36

40. Total Construction Costs: CDOL will calculate this line.

41. Project Contingency: The amount to be set-aside for all construction-related costs and estimates that represent an amount which is up to five percent (for new construction projects), or ten percent (for rehab or small projects) of the sum of lines 24 (Total Soft Costs) and 36 (Subtotal Contractor's Costs).

42. LIHC/SLIHC Developer's Fee: This fee can only be claimed if the project includes tax credits, and only on residential or community service facility construction. It is limited to a maximum of ten percent of the sum of line 3 (total acquisition) plus a maximum of 15% of the sum of lines 24 (Total Soft Costs), 40 (Total Construction Cost) and 41 (Project Contingency). Be aware that if the project is being developed jointly by a non-profit and a for-profit developer, **the budget may not reflect both this fee and the NPDA on line 12.** A single developer's fee may be claimed for any given project, and division of the fee is subject to negotiation between the parties. (See Section 5.05 (vii) of the CPM for more on the NPDA).

43. Total Development Cost (TDC). This line will be calculated by CDOL.

D. Working Capital (lines 44 – 48):

Enter all operating costs from the time of substantial completion through the first six months of project operation, including, but not limited to: real property taxes, insurance, utility fees, management fees, advertising and marketing.

**HTF Applicants:** This program may establish a working capital fund for itemized and approved costs of up to two percent of the project's Total Development Costs (line 43).

**HOME Applicants:** Eligible costs for projects that are new construction/substantial rehabilitation include the cost of funding an initial operating deficit (working capital) to meet any shortfall in project income during the period of rent-up, which may not exceed 18 months.

44. Initial Operating Deficit: Enter the estimated shortfall between operating expenses and operating income from the time of initial rent-up through full rent-up for a period not to exceed 18 months. Expenses should include all applicable debt service.

45. Supplemental Management Fee and Marketing: Enter the costs for management and marketing fees from initial rent-up through full rent-up for a period not to exceed 18 months.

46. Purchase of Maintenance and Other Equipment: Enter any estimated amounts necessary to purchase needed and appropriate maintenance and other equipment. Provide an itemized list in the space(s) provided. Click the 'add' button if more lines are needed.

47. Other Working Capital: specify costs in the space provided. Click the 'add' button if more lines are needed.

48. Total Working Capital: This line will be calculated by the CDOL.

E. Project Reserves: (lines 49 through 53):

49. Capitalization of Operating Reserve: Capitalization of the operating reserve may be from LIHC proceeds equity only unless the reserve is capitalized by a non-DHCR/HTFC source. HTF/HOME projects with LIHC and/or SLIHC must fund an operating reserve based upon a minimum investment of the lesser of one percent of the project's TDC (line 43), or 50% of gross rents.

50. Capitalization of Replacement Reserve: A replacement reserve is used to replace major items and systems over the life expectancy of the building, including but not limited to: flooring, appliances, plumbing fixtures, heating equipment, roof systems, windows, doors, cabinetry and site apparatus. Applicants may request HTF, LIHC and SLIHC funds to capitalize, or partially capitalize a replacement reserve only if it is not economically feasible for the project to support the "standard" annual contribution to the replacement reserve from operating income.

51. Reserve for Adapting Units: DHCR/HTFC will recognize the capitalization of up to \$4,000 per unit to be set aside to cover the post-construction cost to fully adapt an accessible residential unit to meet the specific needs of a prospective handicapped household. See Section 5.05 of the CPM for further information.

52. Enter the amount of capitalized reserves other than those in lines 49 – 51 above.

53. Total Project Reserves: this line will be calculated by the CDOL.

54. Total Project Costs: This line will be calculated by the CDOL.

**Exhibit 4 – Rents/Maintenance Fees & Affordability**

This Exhibit must be completed for all projects which include residential units. All residential units in the project must be recorded on this Exhibit, including those which are being financed by sources other than DHCR/HTFC, and units set aside for occupancy by a building superintendent/resident manager. This Exhibit will be used to rate the affordability of the proposed project. It is not used to set income served limits for the regulatory period.

The tables that you will be required to complete in this Exhibit are dependent on the type of project residential tenure you selected in Exhibit 1, Section G of this Application, and on whether or not you expect the project to receive rental subsidies, as indicated in Question A1 below. Tables will be populated by CDOL based upon the data you enter for each unit size/monthly housing cost mix in the project. Section A is for rental units, and Section B is for owner-occupied condominium/cooperative units. Specifically:

- If the project includes rental units with rental subsidies, Tables A1 and A2 will be populated;
- If the project includes rental units without subsidies, Tables A3 and A4 will be populated; and,
- If the project includes owner-occupied condominium/cooperative units, Tables B1 and B2 will be populated.

**A. Tenant Affordability Plan: This section applies to rental units only.**

1. Indicate whether or not you anticipate that any of the units in the project will receive a rental subsidy.

2. If you answered yes to the preceding question, enter the total number of units expected to receive each type of subsidy listed in a through d. If the rental subsidy source is not listed in a through e, enter the number of units to receive rental subsidies from another source in f. 'Other Subsidy Source', and specify the subsidy source in the space provided. The total number of units that you enter for this question must match the total units specified to receive a rental subsidy in Table A1 below.

**3. Non-Rent Bearing Unit for Occupancy by Building Superintendent/Resident Manager.**

Indicate whether or not the project includes a non rent-bearing unit to be occupied by a building superintendent/resident manager. If you answer yes, enter the anticipated number of occupants in the unit, and the total monthly utility cost to be paid by the building super/resident manager. The CDOL will calculate 3d.

4. Indicate whether or not the comparable rents that you will reference in the following section (A1 and A3) include each of the utilities listed.

5. If the Operating Budget (Exhibit 5) will include non-residential income, explain the source of the income in the space provided.

### **A1 through A4 - Monthly Housing Cost for Rental Units**

This section requires you to enter information for each unit size/monthly basic rent/rental subsidy combination in the project. If there are multiple monthly basic rents anticipated for units of the same size, you must record them separately. If there are units of the same (unit) size, some of which will receive rental subsidies and some which will not, you must also record them separately. After saving the information for each unit size/rent category, the units will be displayed in the appropriate grids at the bottom of the page:

**Table A1 (Monthly Housing Cost for Rental Units with Subsidies) and Table A2 (Affordability for Rental Units with Subsidies) will display units with rental subsidies; and,**

**Table A3 (Monthly Housing Cost for Rental Units without Subsidies) and Table A4 (Affordability for Rental Units without Subsidies) will display units without rental subsidies.**

If you indicated in question 3 of this Exhibit that the project includes a non-rent bearing unit for a building superintendent/resident manager, do not include that unit in this section.

#### **Enter the following data for each unit size/rent combination:**

Rental Subsidy: Indicate whether or not these units will receive a rental subsidy. If you choose 'yes' for this field, these units will be displayed in Tables A1 and A2 below. If you choose 'no' for this field, these units will be displayed in Tables A3 and A4 below.

Unit Size: Select the number of bedrooms in the units.

Number of Units: Enter the number of units of this size with the same monthly basic rent and rental subsidy status.

Comparable Market Rent: Enter the median contract rent paid in the primary market area for a comparable unit. (Evidence of comparable rents must be included in the Market Study).

Monthly Basic Rent: Enter the applicable shelter rent allowance or proposed basic rent or carrying charge for the units in this category.

Tenant-Paid Utilities: Enter the anticipated cost of utilities to be paid directly by the tenants in this unit category.

Area Median Income: Enter the appropriate area median income for the proposed unit size. Refer to the "Median Income Adjusted by Bedroom Count" in the Reference Materials for more information.

Percentage of Area Median Income (AMI) that Unit will be Targeted to: Enter the percentage of AMI of the households that you will be targeting for occupancy of the units. The data entered in this field must be consistent with the data entered in Exhibit 1, Section I, 2 (Income Targets), and will be used as the basis for the project's Regulatory Agreement should the project be selected for funding.

After you have entered and saved the data for a unit size/rent/subsidy combination, it will be displayed in the appropriate Tables below, and the CDOL will perform some calculations based on the data entered.

**In addition to the data entered above, the following columns will be displayed and/or calculated by CDOL:**

**Tables A1 and A3 (Monthly Housing Cost):**

No. of Occupants Per Unit: For projects that do not include a LIHC or SLIHC request, the CDOL will update this column based on two (2) persons per bedroom. If LIHC and/or SLIHC have been requested on the Application, the CDOL will use 1.5 persons per bedroom.

Total Monthly Housing Cost: This will be calculated by the CDOL by adding together the Monthly Basic Rent and the Tenant Paid Utilities. (Please note that in some areas the maximum rents calculated under the LIHC program may exceed the maximum low HOME rents permitted under the HOME Program).

**Tables A3 and A4 (Affordability):**

Total Annual Cost: This will be calculated by the CDOL by multiplying the Total Monthly Housing Cost by 12 for each of the unit size/monthly cost categories displayed in Table A3. This field is not applicable to Table A2 (units with rental subsidies).

Minimum Annual Income Needed to Afford Unit: This field will be calculated by the CDOL for Table A3 by dividing Total Annual Cost by **.30**. This field is not applicable to Table A2 (units with rental subsidies).

Percentage of Area Median Income that Unit is Affordable to: This field will be calculated by the CDOL for each unit category in Table A3 by dividing the Annual Income Needed to Afford Unit by the Area Median Income (AMI). The result will be the income group that the unit is affordable to. For Table A2 (units with rental subsidies), the CDOL will display 30% of AMI.

Maximum Rent at 60% LIHC/SLIHC Eligibility: The CDOL will calculate this field using the following formula: The Adjusted AMI for each Unit Size x 0.6 x 0.3 / 12.

**B. Condominium/Cooperative Affordability Plan:**

**This section applies to projects involving homeownership of condominium/cooperative units only.**

1. Specify what percentage of the purchase price will be required as a down-payment by purchasers of the units. This percentage will be used by the CDOL to calculate the down payment in Table B1.
2. Select the applicable tenure type for the units.

**Table B1 - Total Monthly Housing Cost for Owner-Occupied Units**

This page requires you to categorize all condominium/cooperative units in the project by number of bedrooms (unit size), and then by the monthly payment for a unit of that size. If there are varying monthly payments anticipated for units of the same size, you must enter them separately. The total number of units should equal the total number of units entered in Exhibit 1, Section H, Table 1. (If you indicated that this project included a mixture of owner-occupied and rental units, the total of units in Tables A1, A3 and B1 of this Exhibit must equal the total number of units entered in Exhibit 1, Section H, Table 1). After saving the information for each unit size/monthly housing cost category, the units will be displayed in the grids at the bottom of the page.

**Enter the following data for each unit size/monthly payment combination:**

Unit Size: Unit size refers to the number of bedrooms in the unit. Select the unit size from the drop-down

menu.

No. of Units: Enter the number of units of this size which will be available at the same monthly payment.

Purchase Price: Enter the purchase price for the unit. Include the value of any sweat equity contributions in the purchase price as the down payment.

Monthly Payment: Enter the total of monthly principal and interest payments on the mortgage loan for the unit(s).

Monthly Taxes and Insurance: Compute and enter the monthly total property taxes and homeowner's insurance (including flood insurance if necessary) for the unit(s).

Monthly Maintenance and Carrying Costs: Enter the monthly costs of maintaining and amortizing the buildings and grounds for the unit(s).

Area Median Income (AMI): Enter the appropriate AMI for the proposed unit size. Refer to the "Median Income Adjusted by Bedroom Count" in the Reference Materials for more information.

Percent of Area Median Income Unit will be Targeted to: Enter the percentage of AMI of the households that you will be targeting for occupancy of the unit(s). The data entered here must be consistent with the data entered in Exhibit 1, Section I, 2 (Income Targets), and will be the basis for the project's Regulatory Agreement should the project be selected for funding.

**In addition to the data entered above, the following fields will be displayed and/or calculated by the CDOL.**

Down Payment: The CDOL will calculate and display the down payment based on the percentage entered above.

Amount Financed: The CDOL will calculate this by subtracting the down payment from the purchase price.

Total Monthly Cost: This will be calculated by the CDOL by adding together the Monthly Payment, Monthly Taxes and Insurance, and Monthly Maintenance and Carrying Costs for the unit(s).

Total Annual Housing Cost: This will be calculated by the CDOL by multiplying the Total Monthly Housing Cost by 12 for each of the unit size/monthly cost categories.

Minimum Annual Income Needed to Afford Unit: This will be calculated by the CDOL by dividing the Total Annual Cost by .30 for each unit size/monthly cost category.

Percent of Area Median Income Unit (AMI) is Affordable to: This will be calculated by the CDOL by dividing the Minimum Annual Income Needed to Afford Unit by the AMI. The result will be the income group that the unit is affordable to. For example, if the annual income needed to afford the unit is \$16,000, and the AMI is \$28,000, the income group that the unit is affordable to would be households at 57% of the AMI.

### **Exhibit 5 – Operating Budget**

If the project involves both residential and non-residential units, you must complete two budgets – one for the residential and one for the non-residential units.

## **A1 – Total Effective Income:**

This Table calculates the project's income and vacancy arrears to produce total effective income. Section A is for the residential portion of the project and Section B is for the non- residential portion of the project.

### **A. Effective Residential Income**

If the project does not involve residential space, this section will be blocked.

1. **Total Residential Monthly Income/Maintenance Fees:** The CDOL will calculate the project's total residential monthly income, by multiplying the total number of units for each unit size/monthly cost category in Exhibit 4 Tables A1 and A3 by the basic rents for those units, and adding the results. If this is a condominium/cooperative project, the number of units for each size/monthly cost category will be multiplied by the Monthly Maintenance cost in Exhibit 4, Table B1. If it is a combination of rental and condominium/cooperative units, Tables A1, A3 and B1 of Exhibit 4 will be used in the calculation.

2. **Annual Gross Residential Income:** The CDOL will calculate this by multiplying line 1 (Total Monthly Income/Maintenance Fees) by 12.

3. **Estimated Percentage of Vacancy & Arrears:** Enter a 5% estimated percentage of vacancy and arrears for the residential portion of the project in the space provided. The CDOL will then multiply Line 2 (Annual Gross Residential Income) by this percentage to arrive at the total annual income expected to be lost from residential vacancies and arrears.

4. **Net Residential Income:** The CDOL will calculate this by subtracting Line 3a (Total Residential Vacancy and Arrears) from Line 2 (Annual Gross Residential Income).

5a. **Ancillary Income - Laundry:** If applicable, enter the anticipated income from residential laundry facilities.

5b. **Ancillary Income – Parking:** If applicable, enter the anticipated income from residential parking facilities.

5c. **Ancillary Income – Other:** If applicable, enter the anticipated income from other residential sources, for example, dedicated project operating subsidies from public agencies, fully capitalized operating reserves, or a homesteader's contribution to the operating budget. Do not include interest from operating or replacement reserves. Specify the source(s) of any "Other" Ancillary Income in the space provided.

6. **Total Ancillary Residential Income:** The CDOL will calculate this by adding together lines 5a, 5b and 5c.

7. **Total Effective Residential Income:** The CDOL will calculate this by adding together lines 4 and 6. This figure will be transferred to line 1 (Total Effective Income) of the residential operating budget.

### **B. Effective Non-Residential Income**

If the project does not involve non-residential space, this section will be blocked.

8. **Gross Commercial/Civic Income:** Enter the estimated amount of revenue to be generated from commercial and/or civic rents.

9. **Commercial/Civic Vacancy and Arrears:** Enter the estimated percentage of vacancy and arrears for the commercial/civic portion of the project. The CDOL will multiply Line 8 (Gross Commercial/Civic Income) by this percentage to arrive at the total annual income expected to be lost from commercial or civic vacancies and arrears.

10. Net Commercial/Civic Income: The CDOL will calculate this by subtracting line 9a (Total Commercial/Civic Vacancy and Arrears) from line 8. This figure will be transferred to line 1 Total Effective Income for the non-residential portion of this project.

10a. Indicate whether or not income for this portion of the project will be guaranteed through a master lease and/or developer guarantee.

11. Total Effective Income: This line will be blocked to CDOL Users. The CDOL will calculate this when it produces a Summary Table 1 for projects with both residential and non-residential space by adding together lines 7 & 10.

## **A2 – Basis for Projection of Operating Budget:**

This section serves two purposes:

1. Data entered here will enable the CDOL to do many of the calculations required in A3 of this Exhibit – Operating Budget; and,

2. It provides a rationale for operating expenses during the project’s first fifteen years of operation.

If the project involves both residential and non-residential space, click on the ‘add’ button for the type of budget you wish to update. If the project only includes one type of construction, only one budget type will be displayed. Click the ‘add’ button to the right to update. When you click ‘add’, the page will redisplay with the first year’s total effective income shown under the year one cost, as well as a list of typical operating expenses.

Beginning with Total Effective Income (line 1), click the ‘edit’ button for each applicable line item listed. Clicking ‘edit’ will result in the screen being redisplayed with fields to provide line item details:

A. Income/Expense: Displays the name of the line item that you are working on (Income for Total Effective Income (line 1); Expense for all other line items).

B. Year 1 Income/Cost: If you are working on Total Effective Income (line 1), the applicable amount derived from Section A1 of this Exhibit will be displayed (line 7, or line 10). For all other line items (costs), enter the anticipated first year’s operating cost for the expense listed in A. Year one should represent the first complete year of occupancy.

C. Type & % Increase/Decrease: From the drop-down list, select one of the following three expense types for each line item:

Fixed: The cost (or income) will remain constant from year to year. The CDOL will update the operating budget for these line items, based on the amount entered in B – Year 1 Cost (or Income).

Variable: These costs (or income) are expected to either rise or fall from one year to the next. If you select this type, there must also be a percentage of increase or decrease. The CDOL defaults to a 3% increase which you may change for any variable line item. The CDOL will update the operating budget for these line items.

Other: These costs (or income) cannot be termed either fixed or variable. For these line items, you must manually complete the operating budget Exhibit 5, A3) for years 1 through 15.

D. Rationale for Estimates: Provide the rationale for the estimated expense (or income). For example: “\$80 a unit,” or, “\$3/square foot.”

E. Source: Enter the source of the rationale, for example, “based on actuals from similar project, Hampshire Senior Housing,” or “quote from insurance broker – Smith Insurance”.

**Please note the following regarding certain line items:**

1. Total Effective Income: CDOL will update the total effective income for the first year based on either line 7 or line 10 from Section A1 of this Exhibit. Complete this line for the following years.

8. LIHC/SLIHC Monitoring Fee: If Exhibit 1, H2 shows all units in the project except a non-rent bearing unit for a resident manager will be assisted with 9% LIHC or SLIHC, the CDOL will calculate the monitoring fee using the following formula: For each line in Exhibit 4 - Tables A1 and A3: number of units x Maximum Rent at 60% LIHC Eligibility (Exhibit 4 - Tables A2 and A4) x 12 x 0.005. If all units except the resident manager's unit will be assisted by SLIHC, the CDOL will perform the above calculation except that the Maximum Rent at 90% SLIHC Eligibility will be used.

38 – 39. Reserves: Refer to the CPM, Section 5.06 before completing these lines.

42. Debt Service: The CDOL will produce a line for each permanent loan entered in Exhibit 3, displaying the funding source name, loan amount, interest rate and term from the information provided in Exhibit 3. Provide the expense information for each loan. If the project has debt that is not reflected in the operating budget, click the 'add' button to record this expense.

44. Cash Flow: For projects utilizing HTF/HOME and LIHC or SLIHC programs, owners are limited on assisted units to the greater of a nominal return on equity (not to exceed \$35/unit/month), or an amount equal to debt service coverage required by another participating permanent lender.

45. Repayment of Deferred Developer's Fee: If the project's permanent funding sources as set forth in the Development Budget (Exhibit 3, Section A2) include Deferred Developer's Fees, you must enter an amount that will ensure that the fee is repaid within 15 years of the placed-in-service date (See Section 5.05 of the CPM).

**A3 – Operating Budget**

For each line item in A2 (Basis for Projection of Operating Budget) that was specified as "Fixed" or "Variable with a Percentage Rate", the CDOL will calculate project operating costs for the first 15 years of project operation. Complete the 15-year cost projections for any costs that you specified as type "Other" in Section A2 of this Exhibit by clicking the 'edit' button to the right of the line item and completing the 15-year projection.

Lines 10, 24, 30, 37, 40, 41, 43 and 44 will be calculated by the CDOL.

**Deferred Developer's Fee**

A. **Total Deferred Developer's Fee**: If applicable, the CDOL will display the amount of the deferred developer's fee entered as a permanent funding source in Exhibit 3, A2 (Development Budget Funding Sources). This calculation is applicable only to the residential operating budget.

B. **Total Repaid in 15 Years**: The CDOL will add the total amount of deferred developer's fee repaid during the 15-years projected in line 45 of the Operating Budget.

C. **Discrepancy**: If there is a discrepancy between the figures in A and B, the discrepancy will be displayed. The Deferred Developers Fee must be repaid in 15 years or the CDOL will return an error message.

**Exhibit 6 – Development Timetable**

A1. **Development Track Indication**: Select the development track that the project will follow from the drop-down menu. If you select "construction financing with competitive bidding," you will be required to submit bid documents to DHCR/HTFC.

**A2. Additional Approvals:** Select each type of approval that the project requires in addition to the standard approvals listed in A3 of this Exhibit. If no additional approvals are necessary, select 'N/A'. If you select 'Other', specify the required approval in the space provided. Each approval that you select will be added to A3 of this Exhibit – the Development Timetable.

**A3. Development Timetable:** Please read all of the instructions below before completing this Table.

**Activity/Approval:** Under this column is a list of activities and approvals typically required for DHCR/HTFC-financed projects, as well as any additional approvals selected in A2 of this Exhibit. Click on the 'edit' button to the right of each required approval and provide the requested information.

**Status:** Select 'approved' or 'pending' or 'not applicable' from the drop-down list to indicate the current status of the activity/approval.

**Contact Person/Phone #:** Enter the name and phone number of a person from the applicable organization who can verify the status of the approval.

**Completion Date:** Enter the month and year (mm/yyyy) that you anticipate the action or approval to be completed/approved, or that the approval was issued.

Please review the following guidelines regarding several of these activities/approvals:

1. HTFC Board Approval – The CDOL will display a completion date of June 2011, which may be changed if necessary.
2. HTFC Funding Commitment – You should enter a completion date for this approval which is approximately 45-60 days after the HTFC Board Approval date.
16. Contract Document Submission – Allow a minimum of 45 business days for review and approval of bid documents. All applicants must submit contract documents prior to loan closing.
20. Rent-Up Conference – The rent-up conference is to be held between the project owner/manager and DHCR Office of Housing Management staff. 90-100 days prior to construction completion.
22. Construction Completion/Certificate of Occupancy (C of O) – For LIHC/SLIHC projects, this is the placed-in-service date. For all others, this is the anticipated construction completion and c of o date.
24. Cost Certification/Audit/Close-Out Document Submission – Must occur within 60 days of the permanent financing closing. (NOTE: For projects anticipating combining this step with permanent financing closing, documents must be received 30 days prior to the closing date).
25. Permanent Financing Closing – Must occur within 60 day after construction completion/c of o date.

### **Exhibit 7 – Development Team's Relevant Experience**

This Exhibit must be completed by the project developer, owner, and management agent. If the applicant is a not-for-profit organization, this Exhibit must also be completed by the housing consultant, the general contractor and the architect, if identified. Provide the required information for each similar project that the developer has participated in during the past ten years, or until the applicant (developer) has reached the maximum obtainable score (See RFP for information on scoring). Include only those that are similar in construction type, size, scope, population served, financing and tenure.

If the Applicant has used the CDOL before, this page will display similar projects that were entered on previous CDOL applications. You may choose to 'include' a project by clicking on that option. The CDOL will return the

project details. Verify the information, then scroll down and select the team member and their role(s) in the project, and click 'Submit'.

To add similar projects for development team members, click 'add'. Provide the requested information.

### Similar Project Details

1. Project Name: Enter the name of the similar project.

2. Total Project Cost: Enter the total project cost of the similar project.

3. SHARS ID: If the project was funded by DHCR/HTFC, enter the eight-digit SHARS ID Number assigned to the project.

If the project was funded by DHCR/HTFC, and you have entered a SHARS ID for line 3, do not complete the remaining items (4 – 9) on this page. Instead, go on to complete the Development Team Members section, and click 'submit'. The page will be redisplayed in a grid. To add another similar project, click 'add'.

If the similar project did not receive DHCR/HTFC funding, complete items 4-9.

4. Project Use: Select from the drop-down list the similar project's use:

- a. Condominium/Cooperative
- b. Multi-Family Residential
- c. Multi-Family Residential/Civic
- d. Multi-Family Residential/Commercial
- e. Multi-Family Residential/Civic/Commercial
- f. Commercial
- g. Civic/CSF

5. Project Type: Select the type of construction involved in the similar project (new construction or rehabilitation).

6. Role: Select the role(s) that the team member played in the similar project.

7. Construction Start Date: Enter the month and year of construction start for the similar project.

8. Percent Completed: Enter the estimated percentage of construction completion.

9. Number of Units: Enter the number of units in the similar project.

10. Population Served: Provide a brief description of the type of population served, for example: frail elderly or large families.

Select the Development Team member who participated on this similar project, and select the role(s) that member played.

When all required fields have been entered, click 'submit'. The page will be redisplayed as a grid. Click the 'add' button to add another similar project.

## Exhibit 8 – Site and Building Information

**General Instructions:** Please read the following before completing this Exhibit.

1. Section A must be completed for each site in the project.
2. Section B must be completed for each building which will exist upon completion of the project.

### **A. Site Information**

Complete this section for each site in the project.

#### 1. Site Basics

- a. Indicate whether or not the site is vacant land.
  - b1. If you answered no to 1a, enter the number of buildings on the site.
  - b2. If applicable, enter the number of non-accessory buildings on the site which will be demolished.

c. Tax Parcel Data for Vacant Land or Land which will be Vacant After Demolition: If the site is vacant land or it will be vacant land after demolition of existing buildings, provide the site's tax parcel(s) in the space provided. For sites located in one of the five boroughs of New York City, enter the Block, Lot and Easement Code (B/L/E) assigned by the City. For other locations in New York State, enter the Section, Block and Lot Number(s) (S/B/L) for the site assigned by the County.

d. Site Address: Enter the street address, municipality and zip code for the site.

#### 2. Site Area and Zoning

- a. Enter the total site area and indicate whether the area is in acres or square feet.
- b. Enter the current zoning classification.
- c. Enter the minimum site area for proposed project to meet local zoning regulations, and indicate whether the area is in acres or square feet.

#### 3. Special Site Locations/Designations

Select each box corresponding to a correct statement about the site. Select 'i. Not Applicable', if none of the statements apply.

**NOTE:** If the 'flood plain' box is not checked, the applicant is representing that it can demonstrate through the submission of maps or other documents that the site for the proposed project is not in a flood plain.

#### 4. Site Utilities

Complete the Table for each utility listed.

Source: Choose either public or commercial.

On-or Off-Site: Choose either on-site or off-site.

Distance from Site: If applicable, enter the utility's distance from the site in feet.

5. Unusual Site Features

Select each unusual site feature present on the site. If no unusual features are present, select 'j. Not Applicable.'

6. Existing Structures/ Facilities/ Parking

a. Describe any accessory structures on the site, including their size. If there are none, select 'N/A.'

b. Describe any recreational facilities on the site. If there are none, select 'N/A.' (Family projects must have adequate space to accommodate an on-site play area).

c. Site Parking: Select each applicable statement. Enter the number of spaces and the total parking square footage, if applicable.

7. Site Suitability

a. Indicate whether or not the area is free of hazardous materials, and is not in proximity to incompatible adjacent uses, or facilities which may present problems with noise or aesthetics, such as an airport, railroad tracks, or a landfill.

b. If you answer no to 7a, provide a description of the hazardous materials, and/or incompatible uses or facilities in the space provided.

c. Indicate whether or not the site is directly accessible from a public road.

8. Proximity of Support Services

a. Indicate whether the site is in an urban or non-urban area. (See the CPM Glossary for the definition of 'urban').

b. Select the primary project occupants. If you choose other, specify the type of occupants.

c. Distance to Support Service: For each service listed, select the option which best describes its proximity to the site.

Upon completing this page, the page will redisplay with the site numbered and listed at the top. If you have more than one site, complete the page again for the additional sites.

**A1. Buildings to be Demolished**

This section is applicable only if you indicated in the previous section that there were non-accessory buildings on the site(s) that were to be demolished.

1. Click on the 'add' button to the right of the applicable site.

2. Current Tenure: Select the applicable tenure type of the building: residential, non-residential, or mixed residential/ non-residential.

3. Enter the number of occupied residential and/or non-residential units in the building.

4. Repeat for each building to be demolished.

## **B1. Building Characteristics**

Select the site you want to work on from the drop-down list. **Complete this section for each building which will exist upon project completion.**

### 1. Type of Activity Proposed

Select the type of activity proposed for the building.

### 2. Existing Building Characteristics

Complete this **ONLY** if the activity proposed is rehabilitation or acquisition of an existing building.

- a. Enter the street address, including municipality and zip code.
- b. Enter the approximate date the building was constructed.
- c. Enter the tax parcels for the building (NYC – block/lot/easement; elsewhere in NYS, S/B/L)
- d. Select the option which describes building's most recent use. If you select 'Other', specify the use in the space provided.
- e. Enter the number of current residential units.
- f. Enter the number of current non-residential units.

### 3. Occupied Units

- a. Indicate whether any of the units in the building are occupied.
- b. Enter the number of occupied residential units, if applicable.
- c. Enter the number of occupied non-residential units, if applicable.
- d. Indicate whether relocation of residential and/or non-residential tenants will be required, and enter the number of tenants of each type who must be relocated.

### 4. Building Use Upon Completion

Complete this Section to describe the building **upon completion**.

- a. Building Use: Select each applicable box which describes how the building will be used upon completion. If choices 1 – 4 do not describe the use, select 'other', and describe the proposed use.
- b. Residential Tenure Type: Select the option which describes the building's residential tenure type upon completion. If choices 1 – 4 do not describe the use, select 'Other', and describe the proposed tenure type. If there are no residential units in the building, select 'N/A.'

### 5. Building Units Assisted by HTFC/DHCR

1. Indicate the number and sq. footage of all residential and non-residential units in the building.
2. Repeat, but only for those units which will be funded by DHCR/HTFC.

## 6. Building Details

- a. Enter the number of floors which will exist upon completion of the building.
- b. Select the building's structure type upon completion. If 'Other' is selected, describe the type in the space provided.

## 7. Items in Rent/Carrying Charge

- a. Equipment: Select each item which is included in the rent or carrying charge. If there is an item not listed, select 'Other' and specify the item.
- b. Services: Select all services which will be included in the rent or carrying charge. If applicable, specify the type of heat and hot water to be provided. If there is an item not listed, select 'Other' and specify the item.
- c. Parking: If parking is to be included in the rent or carrying charge, select the applicable type(s). If 'Other' is selected, describe in the space provided.

## 8. Tenant-Paid Utilities

Select each item that will **not** be included in the rent or carrying charge. If 'Other' is selected, describe in the space provided.

## **B2. Building Space Breakdown**

Select the site and the building that you wish to work on

### **A. Dwelling Units:**

Click the 'add new dwelling unit' button. If the project includes units with the same number of bedrooms but varying square footages, be sure to enter each of those sized units separately. Select the unit size (number of bedrooms) from the drop-down menu, and enter the square footage of these units, and the number of units at this size, and with the same square footage. Repeat this step for all residential units in the building. As you update each building, the CDOL will calculate the total square footage for each unit size/square footage combination, as well as the total square footage of all residential units in the building.

### **B. Common Area Space Breakdown**

Click on the 'edit' button to the right of each category of common space that will be included in the building. Enter the total square footage for that space. CDOL will calculate the total common area space.

### **C. Non-Residential Space Breakdown**

Click on the 'edit' button to the right of each category of non-residential space that will be included in the building. Enter the total square footage for that space. CDOL will calculate the total non-residential space.

As sections are completed, the CDOL will display a running total of the total gross floor area for the building.

## **Exhibit 9 – LIHC/SLIHC Qualified Building Information**

This Exhibit must be completed by all applicants requesting LIHC and/or SLIHC. If you are requesting both LIHC and SLIHC, you must complete the Exhibit separately for each Program.

Before completing this Exhibit, please refer to the following resources:

- DHCR’s Qualified Allocation Plan (QAP);
- Article 2-A of the Public Housing Law (SLIHC);
- DHCR’s New York State Low Income Housing Tax Credit Regulations (SLIHC);
- Section 42 of the Internal Revenue Code and related regulations for definitions and information on program eligibility; and,
- Professional guidance from a tax consultant, attorney, or accountant in preparing this Exhibit and related documentation which may affect tax liability status through the LIHC and/or SLIHC Program.

**A. General Project Information**

Select the Program you want to work on, and click the ‘add’ button to the right of the Program.

1a. Indicate whether this project involves the rehabilitation of occupied buildings with varying levels of occupancy.

1 b. If you answered ‘yes’ to question 1 a, enter the number of buildings.

2a. Indicate whether this project involves multiple buildings of which, some but not all, are eligible for high-cost treatment as set forth in Section 42 of the IRC.

2b. If you answered ‘yes’ to question 2a, enter the number of buildings.

If you answered yes to questions 1 or 2 above, you must complete this entire Exhibit for each LIHC/SLIHC-assisted building which will exist upon project completion. If you answered no to questions 1 and 2 above, you are only required to complete Sections B, C and D once for all LIHC/SLIHC-assisted buildings that will exist upon project completion. Section E (Declaration of Public Subsidies) must be completed for **each** LIHC/SLIHC-assisted building that will exist upon project completion with no exceptions.

3a. Indicate whether the project will be located in a Qualified Census Tract (QCT).

3b. If you answered ‘yes’ to question 3a, enter the QCT.

4a. Indicate whether the project will be located in a Difficult Development Area (DDA).

4b. If you answered yes to question 4a, select the applicable DDA County.

5. Indicate whether the applicant is willing to enter into a regulatory agreement with DHCR and/or HFA for extended low-income use of the project with a minimum extended use period ending no earlier than 30 years after the project is placed in service that is in conformance with the requirements of Section 42.

6. For each building listed, indicate whether or not it will be assisted with LIHC and/or SLIHC, as applicable.

**B. Acquisition Information**

Select the Program you want to work on, then click the ‘add’ button to the right of the ‘Summary for all buildings’, or to the right of a particular building (if you answered ‘yes’ to Section A1 or A2).

1. Indicate whether the site(s)/building(s) is being acquired from a related or unrelated party.

2. If the project involves the acquisition of buildings with Buyer's Basis, indicate whether or not the basis will be determined with reference to seller's basis. If applicable, enter the amount of Seller's Basis in the space provided. If the project does not involve the acquisition of buildings with Buyer's Basis, select 'Not Applicable.'

3. If applicable, indicate whether or not the buildings have been owned by the seller for at least ten years. If yes, enter the date the building was placed in service by the owner in 3a, and enter the anticipated date of acquisition by the applicant in 3b.

4. If the building(s) have been owned by the seller for less than ten years, select all applicable acquisition options.

### **C. Determination of Qualified Basis Worksheet**

This worksheet is used to determine how the qualified basis of the building(s) is derived from actual **residential** expenditures. **It should reflect expenses only for the residential portion of the building(s).**

If there are multiple qualified low-income buildings in the project, an appropriate means should be used to distribute expenditures for eligible common facilities between buildings (e.g., proportion of the eligible residential floor space attributable to each building).

If the project involves both LIHC and SLIHC, this worksheet must be completed for both Programs. Select the Program you want to work on, then click the 'add' button to the right of the 'Summary for all buildings', or to the right of a particular building (if you answered 'yes' to question 1a or 2a in Section A of this Exhibit).

Project Costs and Adjustments: lines 1 through 24 list project costs and adjustments, both reductions and increases.

Click on the edit button for each applicable line representing a project cost and/or adjustment. Actual Costs:

Enter the actual or expected costs for the line item.

Adjustments to Eligible Basis: Enter all applicable adjustments to the eligible basis for the line item.

Eligible Basis by Credit Rate Type: Enter the dollar amounts of eligible basis for the building(s) under 30% Present Value(PV) and/or 70% Present Value.

Month Year/Used: This is applicable only to Line 23, Credit Rate.

After filling in the required fields, click on 'Submit' to update the line item. Line Items:

Acquisition: This section will calculate the actual costs, reduction in eligible basis, and eligible basis for the costs of acquisition, excluding land.

1. Acquisition Costs of Land Only: Enter the actual or anticipated costs for land only. The CDOL will automatically enter this figure into Adjustments to Eligible Basis.

2. Acquisition Costs (excluding land): Enter the actual or anticipated costs for buildings excluding the cost of land. Enter any adjustments to the eligible basis. The CDOL will subtract the adjustments from the actual cost and place the difference in the Lower Rate (30% PV). (Acquisition may not be claimed at the 70% PV basis).

Reductions in Eligible Basis for Acquisition of Buildings: This section will calculate any reductions in eligible basis for acquisition.

3 - 5: Enter any reductions in eligible basis for each applicable line item.

6. Total Building Acquisition Actual Costs, Adjustments and Eligible Basis: The CDOL will calculate this line as follows: the actual costs will be the sum of actual costs from lines 1 and 2. Adjustments to eligible basis will be the sum of adjustments to eligible basis from lines 1 through 5. Lower Rate (30% PV) will be the sum of actual costs from line 6 minus the Adjustments to Eligible Basis from line 6.

Construction Improvements – Actual Costs, Adjustments & Eligible Basis: This section will calculate actual costs, reductions in eligible basis and eligible basis for construction/rehabilitation improvements.

7 - 11: Enter the actual or anticipated costs for each applicable line item. Enter any reductions to eligible basis for these costs. Enter the adjusted eligible basis for each line item in Lower Rate (30% PV) and/or Higher Rate (70% PV), as applicable. The total eligible basis must be equal to the difference between Actual Cost and Adjustments to Eligible Basis for each line item.

**Please Note: Do not include LIHC fees in line 7. Costs for the developer's fee should be entered on line 10, and not on line 7. If there are additional construction improvement costs not listed, enter them in Line 11 (Other) and specify the costs in the space provided.**

Reductions to Eligible Basis of Construction/Rehabilitation Improvements Prior to High Cost Increase: This section will calculate any additional reductions in eligible basis for construction/rehabilitation.

12 – 16: Enter any reduction in eligible basis for each applicable line item.

17. Total Construction/Rehabilitation Actual Costs, Reductions to Eligible Basis and Eligible Basis: This line will be calculated as follows:

Actual Cost: the CDOL will add together the actual costs from lines 7 through 11.

Adjustments to Eligible Basis: the CDOL will add together the adjustments to eligible basis from lines 7 – 16 to derive the total adjustments to eligible basis prior to high cost increase.

Lower Rate (30% PV) and Higher Rate (70% PV) Eligible Basis: The difference between actual costs and adjusted eligible basis for line 17 is the adjusted eligible basis prior to high cost increase. That amount must be entered by the applicant into Lower Rate and/or Higher Rate Eligible Basis for line 17 as appropriate.

Increase in Eligible Basis of Construction/Rehab for High Cost: This section will calculate the increase to eligible basis for projects located in Qualified Census Tracts (QCTs) and Difficult Development Areas (DDAs) only.

18. Increase in Eligible Basis for High Costs: The CDOL will calculate this line by multiplying the amount(s) in line 17 for lower rate (30% PV) and/or higher rate (70% PV) by .30 **ONLY IF YOU INDICATED IN SECTION A OF THIS EXHIBIT THAT YOUR PROJECT IS LOCATED IN A QCT OR DDA.**

19. Adjusted Eligible Basis – Construction/Rehab Improvements: For each eligible basis category (lower rate or higher rate), the CDOL will add together lines 17 and 18, and place result on line 19.

20. Total Eligible Basis of Acquisition & Construction/Rehab Improvements: The CDOL will update this line as follows:

Lower Rate (30% PV) – will be the sum of lines 6 and 19 for this column. Higher

Rate (70%) – will be the amount entered in line 19 for this column.

Determination of Qualified Basis: This Section will calculate the amount of credit from qualified basis.

21. Applicable Fraction: Enter the Applicable Fraction (also known as low-income occupancy percentage) for Lower Rate and/or Higher Rate Eligible Basis. The Applicable Fraction is the lesser of:

- a. the ratio of the number of low-income units to the total number of units in the building(s); or,
- b. the ratio of the total floor space of the low-income units to the total floor space of all units in the building(s).

22. Qualified Basis by Credit Rate: This line will be calculated by the CDOL by multiplying line 20 by line 21 for Lower Rate and/or Higher Rate Eligible Basis, as applicable.

23. Credit Rate: Enter the applicable tax credit percentage, and the month and year used.

24. Credit Amount from Qualified Basis: The CDOL will calculate this line by multiplying line 22 by line 23 for Lower Rate and/or Higher Rate Eligible Basis, as applicable.

#### **D. Unit Information**

If the project involves both LIHC and SLIHC, this section must be completed for both programs. Select the program you want to work on, then click the 'add' button to the right of the program name.

This section requires you to categorize all units in the building(s) by type (LIHC/SLIHC rent-restricted or non-LIHC/SLIHC rent restricted), number of bedrooms, unit square footage, and then by the monthly rent for a unit of that size. If there are multiple monthly rents anticipated for units of the same size, you must record them separately.

Type: Choose LIHC/SLIHC rent-restricted or Non-LIHC/SLIHC rent-restricted Residential Unit Distribution, LIHC/SLIHC Community Room Only Building, or LIHC/SLIHC CSF Only Building.

Unit Size: For residential units, enter the number of bedrooms in the unit. Leave blank for Community Room or CSF buildings.

Number of Units: Enter the number of units of this size which will be charged the rent you will enter below.

Rentable Floor Area of Unit in Square Feet: Enter the total rentable floor area of each unit in square feet for residential units. Leave blank for Community Room or CSF buildings.

Total Rentable Floor Area: This field will be completed by the CDOL by multiplying the number of units by the rentable floor area for these units.

Monthly Rent: Enter the total monthly rent for the residential units. Leave blank for Community Room or CSF buildings.

Tenant Paid Utilities: Enter the cost of utilities to be paid by the tenant for the residential units. Leave blank for Community Room or CSF buildings.

When you have entered the data into all required fields, click 'Submit'. The CDOL will redisplay the data in a grid format with the units you have just entered placed under the appropriate table (LIHC/SLIHC Rent-Restricted Unit Distribution or Non-LIHC/SLIHC Rent-Restricted Unit Distribution). To add another unit size/rent configuration, click the 'add' button and repeat the steps above. Do this for all residential units in the project.

If you are requesting both LIHC and SLIHC, be sure to complete this section for both Programs. To add unit information for another program, return to Exhibit 9D and select the Program you want to update.

3. Percentage of LIHC/SLIHC units in building(s): This will be calculated by the CDOL.

4. Percentage of LIHC/SLIHC Rentable Floor Area in building(s): This will be calculated by the CDOL.

**E. Declaration of Public Subsidies**

This Section must be completed for **every** LIHC and/or SLIHC-assisted building that will exist upon project completion, and for both LIHC and SLIHC if you are requesting both. In this section, you will identify all Federal, State and local government subsidies, including LIHC and/or SLIHC which will be applied to the project buildings.

Select the Program you want to work on. The CDOL will display a list of buildings that were entered in Exhibit 8 (Site and Building Information). Click the 'add' button for the first building on the list, and provide the following information.

Enter the total number of LIHC/SLIHC-assisted buildings in the project.

Street Address: Enter the building's street address, municipality, and zip code.

Source: Enter the name of the governmental agency administering the program subsidy, for example: HUD or DHCR.

Program: Enter the name of the program that will supply the subsidy, for example, HTF or CDBG.

Type: Enter the type of subsidy to be provided, for example: grant, loan, tax exempt bonds, mortgage insurance, negotiable development rights or tax certificates, or rental assistance.

Value: Enter the estimated dollar value or units, then indicate in the box to the right whether the value is in dollars or unit.

Interest Rate: If the subsidy is in the form of a loan, enter the interest rate. Otherwise, click 'Not Applicable'.

Monthly Debt Service: If the subsidy is a loan, enter the monthly debt service. Otherwise, click 'Not Applicable'.

Term: If the subsidy is a loan, enter the loan term. Otherwise, click 'Not Applicable'.

Click the 'Submit' button, and the CDOL will redisplay the information in a grid format. To add another public subsidy, click the 'add' button at the bottom of the page.

When you have added all public subsidies for the building, and if there are multiple buildings, click the 'Display Building List' link on the top right of the page to enter data for another building.

After completing the information for all LIHC/SLIHC-assisted buildings, click the 'Display Building List' link at the top right of the page, and complete the certification for each building by entering your CDOL password and your title. Repeat for each building. An asterisk will appear next to a certified building. This certification must be completed and submitted at each stage of LIHC/SLIHC processing, including application, allocation, and project completion when applying for issuance of IRS Form 8609 and/or an eligibility statement (SLIHC).

If you have requested both LIHC and SLIHC, return to the Exhibit 9E screen, and make any necessary edits for the program. If the information that was entered for the first program is correct for the second program, then you will only need to certify the building(s). If edits are necessary, complete the edits, and certify the buildings.

If you make changes to any of the building information in Exhibit 9, you will be required to recertify the buildings.

## **Exhibit 10 – LIHC/SLIHC Project Summary**

In instances where both LIHC and SLIHC are being requested in the same project, complete a separate Exhibit 10 for both Programs.

Before completing this Exhibit, please refer to the following resources:

- DHCR’s Qualified Allocation Plan (QAP);
- Article 2-A of the Public Housing Law (SLIHC);
- Proposed New York State Low Income Housing Tax Credit Regulations (SLIHC);
- Section 42 of the Internal Revenue Code and related regulations for definitions and information on program eligibility; and,
- Professional guidance from a tax consultant, attorney, or accountant in preparing this Exhibit and related documentation which may affect tax liability status through the LIHC and/or SLIHC Program.

To begin, click the ‘add’ button to the right of the Program you want to work on.

### **A. Project Details**

1. Enter the number of non-contiguous sites in the project.
2. Enter the number of qualified low-income buildings in the project. (Buildings which have at least one LIHC/SLIHC-eligible unit).
3. The number of residential units in the project will be updated by the CDOL from data previously supplied in the Application.
4. Enter the number of tax credit rent-restricted units in the project. (These are units which are income-eligible under the LIHC and/or SLIHC Programs). You must complete this Exhibit twice when a project includes both LIHC and SLIHC. If so, be sure to enter only the number of rent-restricted units for the specific program.
5. Amount of Qualified Basis (30% PV): This line will be updated by the CDOL using the figure from Exhibit 9C, line 24.
6. Amount of Qualified Basis (70% of PV). This line will be updated by the CDOL using the figure from Exhibit 9C, line 24.
7. The CDOL will update this based on the amount of credit requested in Exhibit 1.
8. The CDOL will update this by dividing Line 7 by Line 4 to arrive at the annual amount of credit per unit.
9. Enter the anticipated per-dollar credit equity price.
10. Enter the anticipated total amount raised from syndication.
11. Enter the net amount from syndication to be provided to the project.

**B. Minimum Set-Aside Election**

Check the applicable minimum set-aside election.

**C. Use of Credit Proceeds**

**Select the program you want to update.**

1. Indicate if the syndication will be public or private.
2. Enter the percentage of ownership to be retained by the developer.
- 3 - 5. Enter the syndicator's name, contact person, and contact person's phone number.
6. Enter the total amount anticipated from syndication.
7. Enter the net amount of the anticipated investor pay-in.
8. Enter the total project syndication costs.
9. Enter the total project partnership expenses.
10. If the investor (equity provider) will provide construction, bridge and/or permanent loans to the project, complete this section by detailing the terms and length of loan for each loan.

**D. Investor Pay-In Schedule**

Select the program you want to update. The screen will be redisplayed. Click the 'add' button.

1. Event: Enter a brief description of the threshold event which must occur to receive each pay-in, for example, 50% construction completion or issuance of a temporary certificate of occupancy.
2. Enter the amount of the pay-in.
3. Enter the projected month and year of the pay-in
4. Enter a brief description of the use of the pay-in (developer fees, construction costs, etc.)

Click 'Submit' and the pay-in information will be displayed in the pay-in schedule at the bottom of the page.

Continue adding pay-in events as needed, using the 'add' button.

If there are multiple tax credit program requests in this Application, click the 'Select Program' link and complete this section for the additional program.

#### **D. Capital Project Attachment Instructions**

Listed below are the instructions for completing the Application Attachments. The applicant should refer to the **Unified Funding Capital Project Application Attachments Checklist** to determine which attachments are required for each program.

The applicant should title each attachment, and use letters to label them, as indicated in the **Application Attachments Checklist**. If an Attachment is not applicable, include a title page and the words "Not Applicable". Any attachments which are too large to be bound into the application submission may be left unbound but must be submitted with the application. All attachments must be titled, dated, and have the applicant's and project's name and site address located at the top right corner of every first page.

**Please note**: the only attachments required for seed money applications are:

Attachment A1 – Evidence of Site Control

Attachment C1 – Community Impact/Revitalization Support Documentation; and,

Attachment F3 – Non-Profit Applicant's Certificate of Incorporation, if applicable.

#### **Attachments A1 – A6 – Project Readiness**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

#### **Attachment A1 – Evidence of Site Control**

In order for a project to be considered eligible, all applicants must provide evidence of site control for all sites/buildings in the project. Any site control documentation which includes an offer and acceptance, such as a contract of sale, option or lease must be in the name of the Applicant, be legally binding at time of application and must include signatures of all required parties in order to be considered acceptable documentation of site control. **Any application that does not include proof of site control in one of the following forms will be considered incomplete and will not be reviewed further.** Acceptable forms of site control, in order of preference, are:

- A deed evidencing ownership by the applicant;
- A title report not more than 90 days old at the time of application submission showing that the applicant holds title;
- A signed contract of sale between the applicant and the property owner which describes the terms and conditions for the conveyance of the title at a designated price during a specific period which is renewable or with a term expiring no less than six months from the date of the application deadline for the funding round;
- A signed option to purchase between the applicant and the property owner which is renewable or which contains a term that continues the option at least six months beyond the funding round application deadline date. For HOME projects, purchase options must be conditioned on completion of HUD environmental review prior to closing;
- A local Land Disposition Agreement between the project municipality and the applicant;
- A letter from a public agency offering the site(s) to the applicant under specified conditions within a timeframe that is consistent with the information provided in the proposed Development Timetable (Exhibit 6);
- A letter from the New York City Department of Housing Preservation & Development (NYC HPD) to the

applicant which specifies an expiration date at least six months beyond the date of the application deadline for the funding round and which clearly matches the property(ies) identified in Exhibit 8 (Site & Building Information) and the project plans. (Please see the NYC HPD Site-Control Guidelines below for more information regarding the use of HPD-owned sites); or,

- A signed lease with a term that is equal to the regulatory period for the applicable program(s) having the applicant as lessee.

### **NYC HPD Site-Control Guidelines**

The NYC HPD has provided the following guidelines regarding the use of City-owned sites/buildings by applicants to DHCR/HTFC.

- Site control for City-owned sites must be secured by submitting a request to the NYC HPD through its Request for Proposals/Request for Qualifications (RFP/RFQ) process. Applicants will be required to identify all sources of proposed project financing. Further information on the RFP/RFQ process, including current deadlines, is available at HPD's website:

<http://www.nyc.gov/html/hpd/html/developers/developers.shtml>.

- Successful RFP/RFQ applicants will receive a Negotiations Letter from HPD stating HPD's intent to commence negotiations with the applicant, and setting forth information on programs and procedures. HPD will notify DHCR/HTFC of the successful applicants.
- NYC HPD Negotiations Letters which are received before the application deadline for the current funding round should be included as Attachment A1. Otherwise, HTFC/DHCR will rely on HPD for information on site control of City-owned properties.

### **Attachment A2 – Zoning Compliance**

**Zoning Compliance:** All applicants must submit documentation from officials of the municipality in which the project is located confirming that the project site is zoned to permit construction of the project as proposed in this application, or that action to receive the required zoning change/variance/approval is in progress and the project is eligible for all necessary zoning changes/variances/approvals. If there is no zoning in the project municipality, submit a statement from the municipality, the project attorney, or the project architect stating this.

### **Attachment A3 – Public Approvals**

#### **Local Approvals:**

Submit documentation that action to receive all applicable public approvals listed below, as well as any other necessary approvals not listed, is in progress and the project is eligible for all pertinent approvals (if the approval(s) was not already obtained). See also, Attachment A6 - Environmental Approvals, for additional attachment requirements.

**Uniform Land Use Review Procedure (ULURP) – NYC Projects Only:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project must undergo ULURP provide documentation and/or an explanation of steps taken to receive all necessary approvals and documentation that project is eligible to receive such approval(s).

**Site Plan Approval:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires approval of the site plan, submit evidence and/or an explanation of steps taken to receive all necessary approvals.

**Urban Development Action Area Program (UDAAP) – NYC Projects Only:** If you indicated in Exhibit 6

(Development Timetable) of this application that the project is seeking a UDAAP designation, submit evidence and/or an explanation of steps taken to achieve this designation.

**Subdivision Approval:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires approval of a subdivision submit evidence and/or an explanation of steps taken to receive all necessary approvals and documentation that project is eligible to receive such approval(s).

**Community Board/Planning Board Approval:** If approvals are required from the community board or local planning board submit evidence and/or an explanation of steps taken to receive such approvals and documentation that project is eligible to receive such approval(s).

**Village/Town/City Council Approvals:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires approval by a village, city or town council, submit evidence and/or an explanation of steps taken to receive all necessary approvals and documentation that project is eligible to receive such approval(s).

**Payment In Lieu of Taxes (PILOT) or Tax Abatement:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project is seeking a PILOT and/or tax abatement submit evidence and/or an explanation of steps taken to obtain the PILOT or tax abatement and documentation that project is eligible to receive the PILOT and/or tax abatement.

**Utility Hook-Ups:** If the project needs local approvals for utility hook-ups submit evidence and/or an explanation of the steps taken to obtain such approvals and documentation that project is eligible to receive such approval(s).

#### **Other**

**Redevelopment/Restructuring of State or Federally-Assisted Existing Public Housing:** If the project involves redevelopment or restructuring of existing state-assisted public housing units, or Federally-assisted units under the HUD HOPE VI Program, include documentation of any approvals which have been secured from supervisory agencies regarding the restructuring and redevelopment plans. Evidence that a state-assisted project has received all approvals required under the State Public Housing Law will be required by DHCR prior to issuing a carryover allocation, binding agreement or binding commitment for LIHC.

Provide documentation of any other known required public approvals.

#### **Attachment A4 - State Historic Preservation Office (SHPO) Submissions**

All applicants, except those seeking LIHC or SLIHC standalone or seed money funding must complete the SHPO Project Review Cover Form found at:

<http://nysparks.state.ny.us/shpo/environmental-review/documents/ProjectReviewSubmissionCoverForm.pdf>

Submit the complete form to the State Office of Parks, Recreation and Historic Preservation for eligibility review prior to submitting this application to DHCR/HTFC.

Applicants proposing projects on sites with existing structures which will be rehabilitated or removed must also complete and submit to the State Office of Parks, Recreation and Historic Preservation a completed Historic Resource Inventory Form for each existing structure prior to submission of this application to DHCR/HTFC. The Form can be found at: <http://nysparks.state.ny.us/shpo/national-register/documents/NRApplicationInventoryForm.pdf>

Both of the forms referenced above should be submitted to SHPO accompanied by the SHPO Transmittal Letter (Section III, Attachment A4) provided by DHCR.

Submit a completed SHPO Transmittal Letter, SHPO Project Review Cover Form, and, if applicable, Historic Resource Inventory Form(s) as Attachment A4. If you have already received a response from SHPO prior to the submission of this application, also include a copy of that document with this attachment.

#### **Attachment A5 – State Environmental Quality Review (SEQR) Submissions**

With the exception of LIHC/SLIHC standalone projects, all applicants **must** attach a copy of the **signed** Short Environmental Assessment Form (EAF) in order to comply with SEQR procedures. A version of this form can be filled out online and then printed for signature. The form can be located at:

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/shorteaf.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/shorteaf.pdf).

If another organization/agency has assumed the lead agency designation for coordinated review, submit a copy of the Executive Summary of the EAF, and attach a letter from the lead agency which identifies HTFC as an involved agency. The full EAF can be found online at:

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/longeaf.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/longeaf.pdf).

If any Phase 1 Environmental Site Assessments (ESA)/reports were completed in the past year, submit a copy of the Executive Summary of these documents. DHCR reserves the right to request full copies of the ESA/reports.

#### **Attachment A6 - Environmental Approvals**

If your project involves any of the following, you must include documentation that approvals are being sought, or have been obtained:

**Archaeological Survey:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires performance of an archaeological survey, submit evidence and/or an explanation of steps taken to have the survey completed.

**Flood Plain/Waterfront/Coastal Zone Approval:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires approvals related to flood plains, waterfronts, or coastal zones, submit evidence and/or an explanation of steps taken to receive all necessary approvals.

**State Pollutant Discharge Elimination System (SPDES) Permit/SPDES General Stormwater Permit:** If you indicated in Exhibit 6 (Development Timetable) of this application that the project requires a SPDES Permit or a SPDES General Stormwater Permit, submit evidence and/or an explanation of steps taken to obtain the permit. Information and forms can be found at: <http://www.dec.ny.gov/permits/6054.html>

#### **Attachments B1 – B13 – Project Design/Construction & Site Suitability**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

#### **Attachment B1- Outline Specifications**

The applicant must submit written preliminary specifications based on the HUD Contractor Outline Specifications (HUD Form 5087) or the Construction Specification Institute's (CSI) format division of work items, and must list and describe all work to be performed and the type of materials to be provided. When completing this attachment, applicants applying under the Green Building Initiative or seeking points for Energy Efficiency, should clearly identify the use of Energy Star appliances and/or fixtures, Energy Star HVAC, air conditioning or other energy modifications that produce the same or comparable energy efficiency or savings. Refer to the Green Building Reference Manual for requirements under the Green Building Initiative.

Section 2040.3(e)(18) of the QAP contains mandatory threshold Green Building Measures. These items must be addressed when completing this Outline Specifications Form.

Specifications for projects requesting funding from all DHCR/HTFC Programs except UI and RARP must be prepared by an architect or an engineer licensed to practice in New York State. UI and RARP specifications may be prepared by a non-licensed building professional and must identify the current condition of the proposed building and/or site, and must address the construction items required to perform all necessary work.

See Section III, Attachments, Attachment B1, for a fillable form in an approved format.

### **Attachment B2 – Construction Cost Estimates**

The applicant must attach a construction cost estimate by major trade items, including estimated costs for general requirements, builder's overhead, and builder's profit. The estimate must be prepared by a construction cost estimator or builder.

If the project is made up of multiple buildings and/or sites with variable scopes of work, a separate construction cost estimate for each building/site must be submitted.

If the consultant's cost estimates are five percent above or below those submitted by the applicant, the consultant's estimates will be used in scoring the project and reviewing its feasibility. In some instances, DHCR/HTFC may engage a consultant cost estimator.

Only those off-site costs directly associated with the project will be considered eligible for DHCR/HTFC funding. Projects with 12 or more NYS HOME-funded units are reminded that they are subject to the Federal Labor Standards regulatory requirements (Davis-Bacon Related Acts).

See Section III, Attachments, Attachment B2, for a fillable form in an approved format.

### **Attachment B3 – Preliminary Plans**

All applicants must submit the following preliminary design documents. If the project is made up of multiple buildings and/or sites with variable scopes of work, separate preliminary plans for each building/site **must** be submitted. You may submit a CD Rom of the preliminary design documents in AutoCAD or similar format in lieu of **one** of the two required sets of preliminary design documents.

All projects, except for projects requesting UI and RARP funding only, must provide preliminary plans prepared by an architect or engineer licensed to practice in New York State. Projects requesting UI or RARP funding only may provide preliminary plans prepared by a non-licensed building professional (e.g. rehab specialist). For all projects, the following documents must be submitted:

- A. Site Plan:
  - 1. use scale 1 inch = 20 feet or larger;
  - 2. use a North arrow;
  - 3. show locations of all existing building(s), roadway(s), parking area(s), utilities, plantings, etc.;
  - 4. show existing site restrictions, including set-backs, rights of way, boundary lines, etc.;
  - 5. show all proposed changes to building(s), roadway(s), parking, utilities, plantings, etc.;
  - 6. show zoning classification;
  - 7. show notations of all new and existing materials;
  - 8. show boundaries of any unusual site features, e.g., 100-year flood plain, wetlands, bedrock outcroppings, etc.; and,
  - 9. show existing and proposed site slopes and approximate grade elevations.

B. Floor Plan(s):

1. use scale 1/8 inch = 1 foot or larger;
2. use a north arrow;
3. show all proposed changes to building components identifying removals and new construction;
4. show room/space designation;
5. show occupancy classification;
6. show building construction classification;
7. show fire area allowances;
8. New York City projects must include zoning calculations;
9. New York City projects must indicate which code and chapter the project is designed under;
10. show gross building square footage and gross dwelling unit square footage;
11. show general notes identifying all new and existing materials; and,
12. show any deviations that were allowed by an official code variance.

C. Elevations:

1. use scale 1/8 inch = 1 foot or larger;
2. show existing elevations of buildings (if applicable);
3. show all new conditions of building exteriors;
4. show general notes identifying all existing and new materials;
5. show overall building height dimensions; and;
6. show finished floor height dimensions.

D. Wall Sections:

1. use scale 3/4 inch = 1 foot or larger;
2. show construction system;
3. show ceiling heights; and,
4. show window dimensions.

**Please Note:**

HOME-funded projects must comply with Section 504 of the Rehabilitation Act of 1973.

LHIC/SLIHC standalone projects: DHCR/HTFC will review the preliminary design documents, together with outline specifications and construction cost estimates for cost reasonableness.

**Attachment B4 – Site Photographs**

Provide six color photographs of the site and a site plan with arrows that indicate where the photographer was standing as follows:

1. facing the front of the site;
2. facing the rear of the site;
3. a view from the site looking east;
4. a view from the site looking west;
5. a view from the site looking north; and,
6. a view from the site looking south.

## **Attachment B5 – Map of Primary Service Area**

This attachment is required for all applications, with the exception of seed money applications. Attach a map of the project neighborhood. Identify the project site as well as necessary services located within one-half mile of the site, such as: retail stores, schools, bus/subway lines, municipal services, libraries, pharmacies, and health facilities. In addition, identify the locations of any nearby recent capital investments and other low-income housing projects.

Site suitability is primary threshold criterion and is an important factor in considering project feasibility. At a minimum, the site must meet the following requirements:

### **Requirements for Low-Income Housing Project Sites in Urban Neighborhoods:**

1. The site must be free of hazardous materials and incompatible adjacent uses. There must be no environmental conditions that would significantly impair the intended residential purpose;
2. The site must have adequate space to accommodate local off-street parking;
3. The site must be relatively level and of **no greater size than is necessary to accommodate the proposed project**;
4. The site must have power, telephone, water and sewer connections adjacent to the site; and,
5. The site must be accessible to local public transportation, or be within walking distance of community services, retail establishments, and a grocery store.

**Requirements for Low-Income Housing Project Sites in Non-Urban Areas:** In addition to the requirements set forth in items 1 through 3 above, the following requirements apply:

1. The site must have the capacity to provide a cost-effective on-site water and/or septic system if public utilities are not in place;
2. If the project is targeted for occupancy by families, the site must be located within five miles of a municipality that provides community services, retail establishments, and a grocery store;
3. If the project is targeted for occupancy by families, the site must have adequate space for an on-site play area for children;
4. If the project is targeted for occupancy by elderly households, the site must be located within a community, and the community must have local public transportation or be within one-half mile of essential services, including a grocery store; and,
5. The site must be directly accessible from a public road.

## **Attachment B6 – Physical Needs Assessment**

Applicants requesting standalone LIHC or SLIHC funding to rehabilitate an existing structure must complete and submit the Physical Needs Assessment. **This document does not apply to new construction projects.** This attachment is comprised of two Sections: Part A – Project Information/Credit Recipient Certification and Part B – Architect/Engineering Firm Certification.

### **Part A – Project Information/Credit Recipient Certification:**

This certification must be completed, signed, dated and submitted at each of the following stages:

at application;  
at allocation (binding commitment and/or carryover); and,  
at project completion, when applying for an IRS 8609 issuance and/or SLIHC eligibility statement.

Part B – Architect/Engineering Firm Certification:

This form and certification must be completed and submitted at the following stages:

at application; and,  
at project completion, when applying for an IRS 8609 issuance and/or SLIHC eligibility statement.

See Section III, Attachments, Attachment B6, for these forms.

**Attachment B7 – Energy Efficiency Initiative Documentation**

If applying under the Energy Efficiency Initiative (under HTF and HOME or seeking scoring points under LIHC and SLIHC) provide the document(s) as indicated in the RFP verifying participation in the program and submit as Attachment B7.

**Attachment B8 - Energy Efficient Construction Costs**

If applying under the Green Building Initiative and/or the Energy Efficiency Initiative, complete the Energy Efficient Construction Costs Worksheet. Please note this is for informational purposes only.

See Section III, Attachments, Attachment B8 for this fillable worksheet.

**Attachment B9 – Green Building Criteria Checklist**

Applicants must complete Green Building Criteria Checklist if applying for the Green Building Initiative. All documents required under this checklist are to be included as part of this attachment. (Note: This attachment is not required for applications submitted under the Green Plus Early Award initiative.)

See Section III, Attachments, Attachment B9 for this fillable checklist.

**Attachment B10 - VISIBLE, ACCESSIBLE AND FULLY ADAPTED UNITS**

Applicants must submit the Visible, Accessible and Fully Adapted Units questionnaire for each project building. If **all** buildings in the project have the same number of units, unit configuration and elevator status, a summary sheet showing the **project totals** may be submitted in lieu of separate questionnaires.

See Section III, Attachments, Attachment B10 for this fillable questionnaire.

**Attachment B11 – Soils Boring Report**

**THIS ATTACHMENT IS NOT APPLICABLE FOR THIS APPLICATION**

**Attachment B12- Evidence of Architect's/Engineer's Insurance**

**THIS ATTACHMENT IS NOT APPLICABLE FOR THIS APPLICATION**

**Attachment B13 – HTFC Physical Needs Assessment/Life Cycle Analysis/  
Replacement Reserve Cash Flow Analysis**

The instructions for this attachment are located on the applicable forms. See Section III, Attachments, Attachment B13 for the fillable forms.

### **Attachment C1-C3 – Community Impact/Revitalization and Market Demand**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

### **Attachment C1 – Community Impact/Revitalization Support Documentation**

**Local Planning Documents Identifying Need in the Community:** For each planning document identified in Exhibit 2, Table 2A (Community Needs Strategy, Existing Documentation of Local Need) of this application, submit only those document pages which are relevant to the existence of community needs, and/or which demonstrate a direct relationship to the project's impact on those needs. Clearly identify each planning document submitted.

**DO NOT attach the New York State Consolidated Plan.**

**Evidence of Local Support:** Submit documentation that demonstrates local support for the project, such as copies of letters from local officials explaining the project's relationship to the community's affordable housing needs, or detailing local actions that have been taken or will be taken in support of the project.

**Additional Requirements for UI and RARP Standalone Applicants:** Please attach a document summarizing community needs in the project location, and which includes the information listed below. Use data from the US Census and/or other verifiable data sources, and be sure to reference all data sources in the narrative.

1. Describe existing business and housing conditions in the neighborhood/rural region in which the project is located. Include such items as:

- The condition, tenure type (owners/renters), vacancy rate, affordability, and market conditions of residential units in the area. Use the 2000 US Census Data to provide the current poverty level and vacancy rate for existing housing in the targeted blocks or census tracts in which the project is located;
- The condition, ownership, turnover, market conditions, and vacancy rate of local commercial businesses;
- For projects involving community or civic facilities, provide information on the unmet demand for social or community services, and the need for additional facilities and services;
- Detail current land uses (commercial, residential, civic, parking, open space, etc.) in the neighborhood or rural region and in areas immediately adjacent;
- Discuss any external factors that may impact the neighborhood or rural region within the next five years, such as regional economic trends and institutional investments; and,
- Describe the assets of the neighborhood or rural region, such as, historic buildings, local businesses and market potential in the region.

2. Summarize the strengths and weaknesses of the project neighborhood or rural region. Explain why the investment of public dollars through either the UI or RARP Program is needed to improve the area in which the project is located, and the impact of UI and RARP funds on community revitalization efforts. Be sure to address both residential and commercial aspects of the project locale.

## Attachment C2 – Market Demand

Applicants must provide a market analysis or a professional market study. **Applications that do not include a market study or market analysis as described below will be deemed incomplete and will not be reviewed further. Please see the HTFC/DHCR Market Study Content Guidelines, particularly regarding the definitions of Primary and Secondary Market Areas, in Section 5.06 of the Capital Programs Manual (CPM) for specific market analysis and market study requirements.** Professional market studies must be prepared by a market analyst which has been pre-qualified by DHCR in accordance with the guidelines detailed in the CPM. A listing of pre-qualified market analysts can be found on the DHCR website at:  
<http://nysdhcr.gov/Funding/UnifiedFundingMaterials/2011/PreQualifiedMarketAnalystsList.pdf>

### LIHC/SLIHC Projects

**All** applications for projects requesting LIHC or SLIHC must include a professional market study prepared by a DHCR pre-qualified market analyst or, in the case of projects located in the City of New York, a market analysis utilizing data from the New York City Rent Guidelines Board Report “Housing NYC: Rents, Markets and Trends.” Professional market studies must be accompanied by a signed statement from the preparer certifying that the study complies with the CPM requirements, and that no identity of interest exists between the preparer and the developer or owner of the project.

### Projects over 15 units:

Any new construction project of over 15 units will require the submission of a **professional market study** or in the case of projects in the City of New York, a market analysis utilizing data from the New York City Rent Guidelines Board Report.

HTF and/or HOME stand-alone preservation projects located outside of the City of New York involving the rehabilitation of existing, occupied housing may submit a **market analysis** rather than a professional market study, if the project’s average occupancy for the twelve months prior to application submission is **90%** or greater. (Such projects located in the City of New York may submit a market analysis regardless of the occupancy level.) HTF/HOME preservation project applications must include documentation of the project’s most current monthly rent roll, two year project occupancy history, and income-qualified waitlist in the application Attachment D-5, “Preservation Project Information.” If the project’s average occupancy for the twelve months prior to application is below 90% a professional market study is required.

## Projects of 15 units or less

All projects of 15 units or less may submit a **market analysis**. For projects involving the preservation of existing, occupied housing, the application must **include** documentation of the project's most current monthly rent roll, two year project occupancy history, and income-qualified wait list in the application Attachment D-5, "Preservation Project Information." If the project occupancy rate is below 90%, the analysis must address the probable cause(s) of the vacancy problem, and how the proposed rehabilitation will improve occupancy levels.

## Co-operative and Condominium Projects

All projects proposing the construction of a co-operative or a condominium will require the submission of a professional market study demonstrating that a market exists for the proposed project.

### **Attachment C3 – Public Housing/Section 8 Waiting List/Referral Documentation**

Applicants seeking potential LIHC scoring points under Section 2040.3(F)(10) of the QAP, or SLIHC scoring points under Section D(11) of the SLIHC Regulations, and who have an agreement to market the completed units to a public housing authority or any other entity that maintains a Public Housing or Section 8 waiting list for subsidized housing, should submit the agreement as Attachment C3. Submission is optional, but advisable.

### **Attachments D1-D4– Project Underwriting**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

### **Attachment D1 – Appraisal**

Appraisals are required for any individual site with acquisition costs of more than \$100,000. If the acquisition costs of a site exceed \$250,000, two appraisals may be required. An appraisal will also be required regardless of the acquisition costs if there is an identity of interest between project participants and the seller.

Refer to Section 5.03 of the CPM for more information on appraisals.

### **Attachment D2 – Operating Budget Documentation**

The following items must be submitted as Attachment D2:

1. documentation of expected utility expenses from either the local utility company or the project architect;
2. documentation for any tenant-paid utilities;
3. a quotation from an insurance agent/company for all required insurance items; and,
4. evidence of any tax abatement or payment-in-lieu-of-taxes (PILOT) agreement proposed or approved by the municipality having jurisdiction over the project. Evidence must include a letter from the municipality's tax assessment office, indicating the nature and duration of the proposed tax relief, the method used for determining valuation, the estimated full taxes on the completed project, the estimated percentage of relief, and the status of the relief (under review, approval pending, approved, as-of-right, etc.)

If no tax abatement/exemption is to be granted, submit an estimate of the taxes from the local tax assessor's office. If supporting documentation for this attachment exists elsewhere in the application, cite that location.

Applicants for projects in New York City must submit evidence that their proposals are eligible for consideration under an applicable New York City tax abatement program.

Section 581A of the New York State Real Property Tax Law requires assessors to assess affordable housing projects under the income approach method, excluding tax credits, subsidized mortgage financing and project grants. This law was intended to benefit applicants and owners outside of New York City. Applicants with projects which could benefit from this statute should review the documentation on the DHCR website which provides additional details on the provisions of the law and the process which applicants can follow to seek benefits under this law.

Refer to Section 5.06 of the CPM for further information on expense documentation.

### **Attachment D3 – Funding Commitments**

If funding from sources other than DHCR/HTFC is necessary, you must submit evidence that each source is interested in providing construction and/or permanent funding or rental assistance for the project. Be sure to submit letters from funding sources for each type of development budget included in the project (residential, community service facility, commercial and/or community space). Applicants proposing mixed-use buildings should refer to Section 5.08 of the CPM for additional information.

Early Award applications must provide documentation of firm financing commitments to the greatest extent possible in order to demonstrate the project's ability to proceed to construction within 120 days of award. At a minimum the Early Award application must provide evidence that in the case of governmental funding sources, including Federal Home Loan Bank awards, the funds have been applied for, and there is reasonable expectation that the funding will be in place by March 31, 2011. In the case of conventional financing sources, the Early Award application will be evaluated based upon the documented level of commitment with preference for firm commitments.

In the case of non-Early Award applications, firm commitments are best, but you may submit letters of interest. Also provide documentation of any funding applications already submitted. If a construction lender is willing to enter into a loan participation agreement for the purposes of administering the construction financing, the commitment letter should indicate that. If the application contains supporting information for this attachment, cite the location.

### **Attachment D4 – Preservation Project Information**

The instructions for this attachment are located on the applicable forms. See Section III, Attachment D4 for the fillable forms.

### **Attachment E – Support Services for Tenants who are Persons with Special Needs, Persons who are Elderly and/or Tenants of Supportive Housing**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

#### **1. Plan for Serving Tenants who are Persons with Special Needs**

If the project will serve one or more tenants who are persons with special needs, submit a narrative which describes or identifies the following:

- a summary description of how the need/market were established for housing for persons with special needs including references to and data from any studies or analyses of the need for the proposed housing;
- the name of all support agencies that were contacted, and the number of their eligible consumers in the service area who need housing and can afford project rents; and,

- if the need for housing for persons with special needs in the service area is supported by research, provide evidence, such as a signed Housing/Service Agreement or letter from at least one local service provider stating that they will refer potential tenants to the project at the time of rent-up and/or will provide on or off-site support services for such tenants, and/or a State agency will provide capital funds for the construction/rehabilitation of such housing units.

Please note that all of the above provisions are included in the model Housing/Services Agreement that is located on the DHCR web site under Forms-Persons with Special Needs. A signed copy of this agreement plus a complete Exhibit A consisting of a full description of the services provided and the name of the provider, the indicated research, and a listing of the service provider's relevant experience with the designated population will address the requirement for this section of the application.

## 2. Plan for Aging in Place of Elderly Tenants

Applications proposing to serve persons who are elderly must submit a plan to address the aging in place of elderly tenants. An elderly project is defined as one that excludes non-elderly persons based on age, and as prescribed by the Federal Fair Housing Act and the New York State Human Rights Law, Section 296 of the Executive Law.

To meet the Aging in Place requirements of this attachment, submit a plan that identifies the following:

- project staff functions related to tenant requests for information and/or assistance;
- what services are anticipated to be requested and/or required by elderly tenants;
- the means for helping tenants to access services they may request and/or require;
- any community organizations that will address the service needs of the tenants, and a description of the existing or anticipated working relationships the owner has with these organizations; and,
- the project design features that will address and accommodate the tenants' aging-related changes in physical and mental abilities.

The following list provides examples of services which may be considered in an elderly housing project. The list was compiled by DHCR based on guidance from industry professionals and the New York State Office for the Aging:

- information and referral;
- service coordination/facilitation;
- social and educational activities
- health/wellness activities
- meals;
- housekeeping/chores;
- transportation;
- informal counseling;
- legal and financial assistance; and,

- forms completion/counseling

### 3. Plan for Supportive Housing

Supportive housing shall mean projects which give preference in tenant selection to persons with special needs for at least **30 percent** of the DHCR/HTFC assisted units. For the proposed project to qualify as supportive housing:

(a) Document the need for housing for the targeted population within the primary market area by:

- providing a summary description of how the need/market was established for housing for tenants of supportive housing;
- providing the name of all support agencies that were contacted, and the number of their eligible consumers in the service area who need housing and can afford project rents; and,
- if the need for supportive housing units in the service area is supported by research, provide a summary of the research and provide evidence through submission of a signed Housing/Service Agreement or a letter from at least one local service provider stating that they will refer potential tenants to the project at the time of rent-up and/or will provide on or off-site support services for such tenants, and/or a State agency will provide capital funds for the construction/rehabilitation of such housing units.

(b) The applicant must ensure the delivery of appropriate services, for which a documented need exists, to the targeted population as evidenced in a comprehensive service plan and an agreement in writing with an experienced service provider. One element of a comprehensive service plan is a source of funding for appropriate services as described in (d) below. Another required component is an agreement in writing with an experienced service provider. The requirement for the agreement may be satisfied by utilizing the model Housing/Services Agreement which can be found on the DHCR web site at <http://nysdhcr.gov/Forms/SpecialNeeds/> Select Housing/Services Agreement. The written agreement requirement may also be satisfied using a document which incorporates all of the terms of the model Housing/Services Agreement.

(c) The applicant must include a transportation plan to ensure access to necessary services.

(d) The applicant must have funding in place or identify a viable plan for the funding of appropriate services. If funding is in place, provide a copy of the signed funding commitment.

(e) The applicant must include provisions for an ongoing rental subsidy or other form of subsidy will be available to ensure that rents paid by the targeted population remain affordable.

(f) The applicant must identify, and have a written agreement with, a public agency or experienced service provider that will refer eligible persons and families for the targeted units.

### **Attachments F1 – F13 - Miscellaneous Attachments**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

## **Attachment F1 – Chief Executive Officer Notification Letter for LIHC/SLIHC Applicants**

Section 42(m)(A)(ii) of the Internal Revenue Code (IRC), requires that any applicant for LIHC and/or SLIHC must notify the Chief Executive Officer (CEO) of the project locality about the proposed project, and allow the CEO time to comment on it. Specifically, the IRC states:

“(A) IN GENERAL – Notwithstanding any other provision of this section, the housing credit dollar amount with respect to any buildings shall be zero unless – (i) such amount was allocated pursuant to a qualified allocation plan..., and (ii) such agency notifies the chief executive officer (or the equivalent) of the local jurisdiction within which the building is located of such project and provides such individual a reasonable opportunity to comment on the project.”

To comply with these requirements, all LIHC and/or SLIHC applicants must transmit a copy of their application, together with the appropriate transmittal letter (outlined below), **via certified mail, return receipt requested**, to the CEO of the locality in which the proposed project is located. **Include evidence that the Notification Letter was received by the CEO of the project locality as part of this attachment if available at the time of application submission to DHCR.**

### Transmittal Letters:

LIHC Projects located **outside** of New York City, use the LIHC CEO Notification Letter for Projects Outside of NYC;

SLIHC Projects located **outside** of New York City, use the SLIHC CEO Notification Letter for Projects Outside of NYC;

LIHC Projects **located in one of the five boroughs of New York City**, use the LIHC CEO Notification Letter for Projects Within NYC. Be sure to send the package to the addressee/address specified on the Notification Letter Form. **Do Not send NYC Applications to the Mayor’s Office;**

SLIHC Projects **located in one of the five boroughs of New York City**, use the SLIHC CEO Notification Letter for Projects Within NYC. Be sure to send the package to the addressee/address specified on the Notification Letter Form. **Do Not send NYC Applications to the Mayor’s Office.**

To demonstrate compliance with the IRC, attach the following as Attachment F1:

- A signed copy of each appropriate transmittal letter;
- A copy of each required certified mail receipt stamped with the date of the mailing, and addressed to the CEO of the project locality; and,
- Evidence that the CEO has received the Notification Letter. Acceptable forms of evidence are: the signed return receipt (green card), a copy of the signed return receipt card, a copy of an on-line report of delivery used by a number of overnight services, or a hand stamped/signed receipt acknowledging receipt by the CEO. If not available at the time of application submission to HCR, the signed return receipt must be submitted to HCR within 45 days to the Program Manager, Arnon Adler, at the following address:

NYS Homes and Community Renewal (HCR)  
Office of Finance and Development  
38-40 State St., 6<sup>th</sup> Floor  
Albany, NY 12207

See Section III, Attachments, Attachment F1, for these forms.

## **Attachment F2 – Credit Fee Transmittal/Deferral Letter**

A \$3,000 application fee is required for all LIHC and SLIHC applications; Applications requesting both LIHC and SLIHC must submit \$6,000 – one fee for each program. Non-profit applicants or their wholly-owned subsidiaries which will be the sole general partner of the partnership/project owner or sole managing member of the limited liability company/project owner may instead submit a request for deferral of the fee until the time of credit allocation.

Applicants applying for LIHC and/or SLIHC consideration must submit fee payments to the DHCR Finance and Budget Unit with the applicant name and project name referenced on the check. The check must be accompanied by the Credit Fee Transmittal Letter.

To demonstrate compliance with this requirement:

Non-profit applicants as described above, who wish to defer payment of the application fee must submit a completed Credit Program Fee Deferral Request as Attachment F2; or,

All other applicants must submit copies of the check and the Credit Fee Transmittal Letter sent to the DHCR Finance and Budget Unit as Attachment F2.

**Failure to meet the fee requirements will result in the Application being deemed incomplete.**

See Section III, Attachments, Attachment F2, for these forms.

## **Attachment F3 – Non-Profit Participation as Applicant or Owner**

Non-profit applicants, other than HCR-funded Neighborhood and Rural Preservation Companies, must submit a copy of a certified Certificate of Incorporation, a copy of the filing receipt, and complete the provided questionnaire as Attachment F3. HCR-funded Neighborhood and Rural Preservation Companies must complete and submit the questionnaire only.

See Section III, Attachments, Attachment F3, for the questionnaire.

## **Attachment F4 – HOME Program Community Housing Development Organization (CHDO) Determination Letter**

Applicants applying for NYS Home Program funds as a CHDO must attach a copy of a CHDO Determination Letter stating that the applicant is a qualified CHDO. The letter must have been issued by the HCR Regional Office whose territory includes the municipality in which the project is to be located. If the CHDO Determination Letter is more than one-year old but less than 3 years old, you must also include in this attachment, a letter from the applicant's authorized signatory stating that no organizational changes have occurred that would affect the CHDO certification. If the HTFC-issued CHDO Determination Letter is more than three years old the organization needs to be re-certified. Contact the HCR Regional Office that issued the original letter for additional information.

## **Attachment F5 – Request for Waiver from HTFC Standards**

If applicable, waiver requests from HTFC Standards are included as Attachment F5.

All waiver requests must be prepared and submitted in accordance with Section 1.04, Waivers, of the Capital Programs Manual. Documentation of any approved waiver(s) are included in this Attachment.

## **Attachment F6 – Existing Occupant Documentation/Relocation Plan**

Complete and submit the Existing Occupant Information Form for each tenant/unit in occupied residential buildings. The last column, “Subsidy Source”, refers to any rental assistance or mortgage interest subsidy received by an occupant.

If any of the proposed buildings in the project are occupied by either residential or non-residential tenants at the time of application, and work will be performed in or adjacent to the occupied units, you **must also** submit a tenant relocation plan as part of this attachment even if the anticipated duration of the relocation is brief.

The plan should include details of the relocation, such as the number of tenants to be relocated, the date relocation will commence and how long it will last, identification of any third parties involved, and their role in the relocation, a description of the facilities tenants will be relocated to, and disclosure of any costs (including storage) that tenants will incur as a result of the relocation.

If NYS HOME funds are being requested to assist an occupied rental property, the applicant must also submit as part of this attachment copies of advisory notices given or to be given to tenants of each building that will be assisted (pursuant to 49 CFR 24.101). Sample notices are contained in HUD Handbook 1378, Tenant Assistance, Relocation, and Real Property Acquisition.

If NYS HOME funds are being requested to acquire a property, the applicant must also submit as part of this attachment copies of notices provided to owners (sellers) informing them that the property is not being acquired by an agency with the power of eminent domain, and setting forth an estimate of the fair market value of the property (pursuant to 49 CFR 24.101). The seller must be allowed the opportunity to withdraw from an existing option or contract if it wishes after this information is provided.

Please Note: Only temporary relocation expenses are eligible costs under the HTF Program.

See Section III, Attachments, Attachment F6, for this form.

## **Attachment F7 – Tenant Buy-Out Plan**

Applicants proposing projects which will be purchased by tenants at the end of the program(s) compliance period (particularly LIHC/SLIHC) must submit a tenant buy-out plan as Attachment F7. The plan must include the following:

- a rationale for the inclusion of a tenant buy-out in the project scenario;
- a detailed description of the tasks involved in the buy-out plan, and the identification of all parties involved and their roles and responsibilities;
- a timeline of the transactions for implementation of the plan;
- the manner in which any reserve or escrows used to finance the buy-out will be established and financed;
- the costs and necessary financing to implement the plan, including financing sources, terms, timing and length;
- a description of any capital improvements that will be made prior to the tenant buy-out; and
- if applicable, a description of the project equity investor’s role in the buy-out.

## **Attachment F8 – LIHC/SLIHC Right of First Refusal**

Applicants for LIHC or SLIHC that have negotiated a right of first refusal with a qualified non-profit organization to acquire the project at the end of the initial 15-year credit compliance period should attach a copy of any relevant agreements as Attachment F8. If an agreement has not yet been negotiated, but there are plans to offer a right of first refusal to a qualified non-profit organization, summarize the plans in this attachment.

## **Attachment F9 – Proposal Summary**

The Proposal Summary is intended to highlight the various aspects of the proposed project. It should briefly (3 pages or less) communicate the applicant's understanding of the components of the proposed project and how the applicant intends implement and manage these components. Please use the guidelines below in preparing the summary. Be sure to adhere to the following definition when doing so:

A project is a building, a set of buildings, or an infrastructure enhancement. It may have multiple sites and multiple buildings.

### **Project Information:**

- The location of the project (street, municipality, county, zip code).
- Type of project – multifamily, seniors (identify age group), mixed use, mixed income.
- The public purpose(s) served, the beneficiaries, and any economic development linkage;
- The positive and negative aspects of the location relative to the target population and market;
- Description of the building – how many buildings, floors, square footage, elevators, number or units, unit type, superintendent unit, total residential square footage.
- Amenities – laundry facilities, community rooms, storage facilities, other services.
- Types of utilities provided, access to municipal facilities.
- Type of parking available and whether it's open to the public or for tenants only.
- Description of commercial space, square footage, and its intended use.
- For a Community Service Facility, describe the facility operator and the service(s) provided.

### **Development Team/Ownership Information:**

- A description of the Development Team member(s) responsible for completing key project tasks, particularly acquisition, construction supervision, loan closings, organizational filings, marketing, rent-up and management. Identify the entity responsible for all aspects of the tax credit syndication.
- The full identification of all members of the ownership entity, including all limited partnerships (LP) or limited liability corporations (LLC) listed as a general partner/managing member.
- The percentage of ownership held by each member of the ownership entity, any ownership structure issues, to include identities of interest between members of the ownership entity, and which of the participants in the ownership entity will have effective project control.
- Explanation of any project management requirements or special matters of operational control.

### **Project Design and Use Information:**

- Description of the proposed improvements to the property and/or existing building(s).
- Design of building(s), shape, type of building material, (i.e.: brick, wood frame, etc.).
- Description of any special design features including: handicap accessible and adaptable units, design modifications for special needs projects, features which promote efficiency in operating and management costs, including energy efficiency improvements (green elements, Energy Star appliances), and solutions to mixed uses and shared spaces for mixed use/mixed income projects.
- Description of the grounds, seating areas, open space.

**Land Information:**

- Description of current use of land, existing buildings on site.
- Description of current ownership of land.
- Description of site control.
- Description of fee simple or lease, (i.e.: Ground Lease), and any possible effect on DHCR's/HFA's regulatory interest.
- Description of land issues, (i.e.: easements).
- Description of source of funds to pay for land acquisition/or lease.
- Description of environmental issues.
- Description of zoning requirements and status of local approvals.

**Project Location and Market Information:**

- Description of project area, (i.e.: major services, transportation, health care facilities, etc.).
- The positive and negative aspects of the location relative to the target population and market.
- If housing is for the elderly or handicapped, provide a brief description of outside services available to this population.
- Provide a brief overview of market conditions, as it pertains to the project, (i.e.: public housing, existing affordable housing, Section 8, etc.).

**Project Financing Information:**

- Description and status of subsidy financing, (i.e.: grants, loans, providers).
- Type of bond request; tax-exempt and/or taxable, 501(3)(c).
- Description and status of real estate tax abatement, PILOT Agreement and/or exemption.
- Description and status of any rental assistance that is anticipated or committed.
- Description of how development cost risks will be minimized, how any operating expense issues will be addressed and, the source and duration of any tax relief or rental assistance that is anticipated or committed;
- Description of the timing or sequence through which the funding required to complete the project will be made available, clarification of construction and/or permanent financing sources and uses.

**Attachment F10 – Release Forms**

**THIS ATTACHMENT IS NOT APPLICABLE FOR THIS APPLICATION**

**Attachment F11 – Borrower Organizational Structure**

**THIS ATTACHMENT IS NOT APPLICABLE FOR THIS APPLICATION**

**Attachment F12 – Management Agent Information/Submissions**

**THIS ATTACHMENT IS NOT APPLICABLE FOR THIS APPLICATION**

**Attachment F13 – Application Certification Attachments**

Attach any statements submitted as explanation for questions answered “NO” under Exhibit 1, Section M, Applicant/Owner Certification, as Attachment F13.

## Attachments G1–G3 – Office of Mental Health Supported Housing

Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.

### Supported Housing for Adults with Serious Mental Illness

#### 1. Funding Availability

The New York State Office of Mental Health (OMH) announces the availability of funds for the operation of 200 units of supported housing for persons with serious mental illness in New York City. Funding is available to provide start-up, rental assistance, and support services. Applicants may request this funding in conjunction with a request for funding from one of the Unified Funding Programs. No more than 30% of units in a proposed project, or 30 units, (whichever is less) will be approved for any one project. **Applicants requesting funding under this scenario must submit Attachments G1-G3.**

#### 2. Target Population

- A. Persons with serious mental illness who are ready to move from State-operated Psychiatric Centers or State-operated Community Residential Housing. Individuals from this target population may be placed directly into Supported Housing, or sponsoring agencies may use this new Supported housing capacity for persons currently residing in more service-intensive OMH-funded residential programs. The vacated units in the service intensive programs are filled with the targeted population. Such plans are referred to as “backfill” arrangements.
- B. Persons with serious mental illness who are ready to move from Adult Homes. Individuals from this target population must be placed directly into the Supported Housing units, (no “backfill”) in accordance with a Remedial Order and Judgment from the United States District Court for the Eastern District. That Order sets requirements for housing services for the persons referred from Adult Homes.

#### 3. Eligible Applicants

Agencies eligible to apply for Supported housing are: not-for-profit agencies with 501(c)(3) incorporation that have experience providing housing and mental health support services to individuals with serious mental illness in New York City. OMH funding is paid via a contract between OMH or a county, and a not-for-profit service provider. To use OMH Supported Housing funding in a project, a for-profit developer would have to enter into a written agreement with a not-for-profit service provider that is experienced with the development and operation of supportive housing for persons with mental illness. The not-for-profit entity must be the applicant and recipient for the OMH funding.

#### 4. Disqualification Factors

Agencies operating OMH-certified programs in Tier 3 status at time of application are not eligible.

#### 5. Administrative Information

Contracts will be written for a total period of five (5) years, with an initial period of one year and four annual reviews. OMH reserves the right to change the contract term for the first year in order to align the contract date with timeframes for housing project development or completion.

## 6. Description of Supported Housing

Supported Housing provides access to affordable, independent housing and support services based on the needs and desires of the tenants. Supported housing tenants are able to live in the community with a minimum of staff intervention from the sponsoring agency.

Supported housing funding includes rental assistance, provided to tenants through a rent stipend mechanism which is administered by the sponsor. Tenants contribute 30% of their income toward rent plus utilities. The difference between the tenants cost of housing and the actual cost of housing is paid directly to the landlord, on behalf of the tenant.

Supported housing funding also includes funding for services to assist individuals in locating and securing housing, and in accessing the supports needed to live successfully in the community. Services include financial assistance with furniture and apartment/utility deposits; assistance with using community services; help with budgeting and money management; and linking tenants to a comprehensive community support system of case management, mental health, and other supports.

Supported Housing's tenant to staffing ratio is generally 20 to 1. Counselors assist tenants in obtaining entitlements, daily living skills, and maintaining their independence. Counselors link tenants to psychiatric services, medical services, vocational services, and other services as needed.

Supported housing sponsors must provide tenants with access to 24 hr. emergency assistance. This generally includes the availability of sponsor staff by phone, and a list of contacts for community emergency services.

Persons who live in Supported Housing are tenants with the same rights and responsibilities as other tenants in New York City. When possible, the tenant should hold his/her own lease; the lease may also be between the landlord and the not-for-profit agency, with the tenant holding a sub-lease.

Over 14,000 tenants are served in OMH funded supported housing. Occupancy in supported housing is consistently more than 90% statewide. Supported Housing is extended stay/permanent housing. Tenants can remain in the housing as long as their clinical and financial circumstances allow them to meet their responsibilities as tenants.

## 7. Operating Funding

Funding for Supported Housing is calculated on a per person basis. Sponsors will receive annual per person funding for units developed under this initiative through a contract between OMH and the not-for-profit sponsor. In New York City, the annual amount per person is \$14,654. This funding is for rent stipends, support services, and contingency funds. In addition, tenants pay 30% of their income (from SSI, SSD, Public Assistance, and/or employment) toward supported housing rent and reasonable utilities.

Supported housing assumes a vacancy/uncollectible factor. Therefore, funds are available to pay rent if a tenant is hospitalized for a moderate time period, or has a temporary loss of benefits.

### **Attachment G1 – OMH Proposal Summary**

Proposals must be brief (no more than 20 pages) and must address each of the following components, in the following order:

**A. Identifying Information:** Provide contact information for your agency. Indicate the number of units proposed for supported housing, and describe the overall project to be developed, including the number of non-OMH units. Indicate whether your agency is the sole developer for the project, or if your agency will be entering into a partnership for development and operation of the project.

**B. Target Population:** State the target population group(s) listed in this RFP you will accept for placement. If current residents of OMH licensed housing will be served, explain how the vacancies created may be back-filled with individuals referred from State Psychiatric Centers or State Operated Residential Housing. Referrals of persons from Adult Homes must be directly into the supported housing units (No back-fill), consistent with the Remedial Order and Judgment from the United States District Court for the Eastern District. That Order sets requirements for housing services for that population.

Describe in narrative form the characteristics of the population to be served. Discuss such population characteristics as likely service history, educational level, job history, community living skills, social supports, and substance abuse history. Describe in narrative form the service needs of the population to be served, specific to characteristics described.

**C. Housing Implementation:**

- Describe how effective in-reach to potential tenants will be provided at Adult Homes, State Psychiatric Centers, or State- operated Residential Housing. Describe the strategies your agency will use during in-reach to engage the potential tenants. Describe strategies to actively involve potential tenants in the in-reach process.
- State admission criteria and procedures; include time frames. State exclusionary criteria, if any. Agencies cannot reject someone for housing based solely on the past history of a potential tenant.
- Describe the services that will be provided directly by the sponsoring agency. Identify community-based resources that will be available to recipients through referrals and /or linkage agreements.
- Supported Housing is considered “long term/permanent housing”. Describe how this key principle will be reflected in the development and on-going operation of these units.
- Include the agency’s policy regarding the tenant’s desire to reunite with children or live with a spouse or significant other while remaining in Supported Housing.
- Provide a staffing plan. Note if these proposed beds will be part of the agency’s current Supported Housing, and if so, explain the impact on staffing ratios. Include a description of the roles and responsibilities of each staff person. Describe how your agency’s staffing promotes peer to peer services. Describe your agency’s staff training.
- Explain the lease arrangement.
- Describe client assessment procedures and the development of a person-centered, strengths-based support plan. Attach copies of any client assessment tools and a sample support plan.
- Describe how your agency insures that services are provided in a way which is culturally and linguistically sensitive.
- Provide the policy and procedure for terminating tenancy. Include a description of the range of interventions that would be used to prevent someone from losing their housing.
- Attach the grievance procedure that will be provided to Supported Housing tenants.
- Explain how tenants are empowered to provide input into Supported Housing practice on a formal and informal basis.
- Explain the process for handling client emergencies after hours and on the weekends.

**D. Agency Performance:** Agencies currently contracting with OMH to provide housing must note their ability to target OMH priority populations. Please describe your agency’s average length of stay for persons in housing, and you ability to transition residents into independent housing. Describe the occupancy levels in the housing your agency currently operates. Base your response using the most recently published Residential Program Indicators (RPI) Report. Please note that agencies will be evaluated on the timeliness of CAIRS reporting, and a review of occupancy rates, and admissions from priority population.

## **Attachment G2 – OMH Reference Form**

Agencies without an OMH housing contract must complete the Reference Form. This form requests information regarding contracts currently monitored by all local, state, and/or federal government agencies. It will be used to rate your agency's experience and performance with other funders.

See Section III, Attachments, Attachment G2, for this form.

## **Attachment G3 – OMH Operating Budget**

Attach a one-and-two year operational budget. Include start-up costs in Year 1 of the budget and assume a full year of operating funds. The start-up should include the amount needed for the establishment of the units. This includes broker fees, security deposits, furniture, moving expenses, and other expenses. The annual budget for Year 2 should include the cost of staffing, rent stipends, and contingency funds. Show sources of income including client rent and OMH funding. Please list staff by position, full time equivalent (FTE), and salary. **(NOTE: Totals must be manually calculated.)**

See Section III, Attachments, Attachment G3, for this form.

## **Attachments H1-H7 - Early Award Initiatives**

**Please note, Early Award applicants will need to demonstrate both readiness to proceed to construction within 120 days from award AND advance one of the seven State housing goals listed in the UF2011 RFP. Early award applicants must also meet higher readiness standards for overall application completeness, funding commitments, local approvals, and other attachment submissions.**

## **Attachment H1 – Transit Oriented Development (TOD)**

**Please note: TOD projects must be located within ½ mile of the nearest transit station and must be connected to the station by contiguous pedestrian facilities/sidewalks.**

The applicant must complete and submit the questionnaire located in Section III under Attachment H1 as follows:

- 1-6. Provide the information requested for each question.
7. In narrative form, provide information about the frequency with which riders will have transportation available to them at the transit station. Include the number of days a week (weekdays vs. weekends) and the frequency with which stops are made, especially during commuting hours. Also include a description of the transit system operating area, especially with regard to access to employment.

## **Attachment H2 – Housing Opportunities Projects**

**Be aware that private schools or those that use a lottery system or student performance measures for admission cannot be used when identifying the schools that will serve the project.**

The applicant must complete and submit the questionnaire located in Section III under Attachment H2 as follows:

### **1. High Performing/Gap Closing Schools**

- a. Enter the name of the school district that will serve the residents of the project.
- b. Indicate whether or not the entire school district that serves the proposed project is on the New York State Department of Education's list of High Performing/Gap Closing Schools for 2008-09. This list is available at: <http://www.p12.nysed.gov/irs/accountability/highPerform/home.html>

- c. If the entire school district is **not** on the list, provide the school name and grade levels taught for each school that will serve the project's residents which is on the New York State Department of Education's list of High Performing/Gap Closing Schools for 2008-09.

## 2. Population, Housing & Economic Data

In this section, you will provide the most recent available data about the project locality. Table 2c must be completed for all Housing Opportunity Projects; Table 2d is only to be completed by those proposing projects outside of the City of New York.

- a. Enter the project municipality and county.
- b. New York City Projects only, enter the Public Use Microdata Area (PUMA) that the project is located in. A PUMA is an approximation of a NYC Community District and is a distinct geography used by the US Census Bureau. To locate the PUMA, go to: [http://www.nyc.gov/html/dcp/pdf/census/puma\\_cd\\_map.pdf](http://www.nyc.gov/html/dcp/pdf/census/puma_cd_map.pdf). Locate the NYC Community District that the project is located in and the corresponding PUMA number.
- c. This table must be completed for all Housing Opportunity Projects. Enter the number or percentage in Column B for each category in Column A. Applicants should use the most recent data available when completing this table. NYC Applicants should use the PUMA data available in the 2009 American Community Survey located on the US Census Bureau's website at: <http://www.census.gov/acs/www/>. In Column C, provide the source and date of the statistics provided for each category.
- d. Full Valuation of Taxable Real Property Per Capita. This table must be completed for all projects located outside of the City of New York. Please see the following instructions for completing each column.

Column B: For each year listed in column A, enter the estimated population for the municipality. (Since the most recent year that population estimates are available is 2008, use that number for the population estimate for the year 2009 in Column A). Population estimates can be obtained from the US Census at: <http://quickfacts.census.gov/qfd/states/36000lk.html>.

Under the heading Population Estimates, click "Places in New York listed alphabetically". An Excel spreadsheet will open with estimates for all incorporated places in New York State.

Column C: For each year listed in Column A, provide the municipality's full valuation. This information is available at: <http://wwe1.osc.state.ny.us/transparency/LocalGov/localgovintro.cfm>.

Click on "Additional Financial Information about Local Governments" at the bottom of the page.

Under Step 1, locate the type of municipality (city, town, or village). Click Level 1, then select the year under Step 2. Next, click 'submit query'. An Excel spreadsheet will open with estimates for all municipalities of the type selected. Find the locality, and enter the amount of Column G – "Full Value" for the appropriate year.

Column D: For each year, divide the amount in Column C by the number in Column B. Enter the result in Column D.

Column E: Enter the percentage of change in Per Capital Full Valuation for each two-year increment.

## 3. Access to Necessary Services/Employment

- a. Provide the address(es) and distance(s) from the project site of the nearest necessary services in each of the following categories: public transit, child care, health care, and full-service grocery stores.
- b. Provide information on the type(s) of public transit available to potential residents of the site, including information on the frequency of routes, such as the number of days and the hours of the day that transit is

regularly available.

- c. Provide information about the local job market, including the latest available unemployment figures, and information on recent or future business openings and expansions. Provide the source and date of the information
- d. Provide the sources and dates of the information entered in 3c above.

### **Attachment H3 – Lead Abatement Projects**

**Please note that projects submitted under this initiative must serve families, involve the rehabilitation and lead abatement of at least 75% of the rental units in the project, and the project must be located in a zip code identified by the NYS Department of Health as having significant concentrations of children with elevated blood lead levels.**

Applicants must submit the following two documents for the project:

- a lead based paint risk assessment; and
- a lead based paint removal and disposal abatement plan.

Assessments, removal/abatement plans and lead based paint abatement shall comply with HCR/HTFC, HUD & EPA requirements as outlined in the current edition of the Design Handbook.

### **Attachment H4 – Mixed Income and Mixed Use Revitalization Projects**

Please answer the following questions and provide any support documentation in the appropriate attachments:

#### **Planning Narrative**

Answer the following questions and provide references to the plan(s) in the narrative. Provide a copy of the plan(s) in Attachment C1-Community Needs Support Documentation.

- Describe the building, scope of work, proposed commercial use and the surrounding neighborhood. Include photos of the project site, the building, and the surrounding neighborhood.
- Describe the income mix and unit configuration of the proposed project. At a minimum, 30% of the units must serve income above 60% AMI. Describe any amenities that will be provided to residents.
- Describe how the proposed project will create or rehabilitate mixed-use buildings with mixed-income housing that are part of a strategic plan for the economic stabilization and revitalization of infrastructure-rich downtown areas or neighborhoods. Applications must clearly demonstrate that the project is an integral part of a local community/revitalization development plan that was developed with significant community input, and that the project is supported by the community.
- Describe how federal, State and local investments are to be coordinated to achieve the plan's revitalization goals and the development needs of the project.

#### **Project Financing Narrative**

Answer the following questions. Include references to the operating budget documentation and funding commitment(s) in the narrative and provide documents in the appropriate attachments, Attachments D2 – Operating Budget Documentation, D3-Funding Commitments, etc.

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- Provide a list of the resources (loans, grants, pilots, donated infrastructure improvements, etc.) anticipated or already committed to the project and include information on the level of commitment (applied for, letter of interest, signed commitment, etc.) obtained for each resource. Include any funds that have been (or will be) applied for (such as New York Main Street, UI/RARP, Federal Home Loan Bank, etc.) and describe the current status of the commitment.
- Explain how the commercial portion of the project will be self-sufficient from both a development and an operating perspective. This narrative must include a detailed description indicating that the project has appropriate and adequate financing sources to cover the commercial space development costs and has sufficient lease income to support the real-estate operating costs of the commercial space. Given the expectation that Early Award projects are expected to have a high level of readiness, it is expected that applicants provide the Market Analysis, Business Plan and Master Lease for the proposed commercial use. Please reference this documentation in the narrative and include this documentation in the appropriate Attachments.

### **Attachment H5 – Green Plus Projects**

**Please note, projects being considered under this initiative must demonstrate a high degree of readiness by receiving all available green building points for all funding programs requested.**

The applicant must submit the following under this attachment:

1. A completed Green Plus Early Award checklist. See Section III, Attachment H5, for this fillable checklist. All documents required under this checklist are to be included as part of this attachment.
2. The Phase 1 Environmental Site Assessment must demonstrate that there are no hazardous substances or petroleum products on the project site.
3. Certification which demonstrates that the project has been designed to meet one of the Energy Efficiency standards listed on pages 31 and 32 of the RFP. Documentation, such as a summary of the building modeling or detailed analysis of the prescriptive requirements from the energy consultant of the proposed project, must be submitted with the application.