**Hawaii Housing Finance and Development Corporation**

**201H Application**

**Table of Contents**

1. Explanation of Process
2. Instructions
3. 201H Application Forms
4. Summary Sheet
5. Application Checklist
6. General Information Form
7. Certifications and Assurances
8. Index of Application Exhibits
9. Environmental Questionnaire
10. Application Worksheets (Microsoft Excel file)

 Exhibit A. Project Cost Budget Worksheet

 Exhibit B. Estimated Project Revenues or Operating Income

1. **Explanation of 201H Process**

Chapter 201H, HRS, authorizes the Hawaii Housing Finance and Development Corporation to develop or assist in the development of housing projects which are exempt from certain statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of units thereon provided that:

* The project primarily or exclusively includes affordable housing units.
* The Corporation finds that the project meets minimum requirements of health and safety; and
* The development of the project does not contravene any safety standards, tariffs, or rates and fees approved by the public utilities commission for public utilities or various Boards of Water Supply.
* The legislative body of the county in which the housing project is to be situated shall have approved the project with or without modification.

The 201H expedited processing tool provides for greater design flexibility and cost savings for affordable housing projects.

The HHFDC establishes its affordability threshold for projects as those projects that are at least 50% plus one additional unit affordable to households with incomes at or below 140% of area median income, as defined by the U.S. Department of Housing and Urban Development (HUD). A schedule of income rents and sales price by county may be found on the HHFDC website .

**Step 1: Initiate Application Process with Respective County Housing Agency**

County governments have similar powers, and county governments establish their own affordability threshold criteria, which may differ from the state’s affordability level of serving households with incomes at or below 140%.

The particular exemptions requested through the 201H process are generally processed through the appropriate county agencies. For most developments, the county agencies will accept and process 201H applications. **Developers are encouraged to begin the 201H process by first contacting the appropriate county:**

* County of Hawaii, Office of Housing and Community Development;
* City and County of Honolulu, Department of Planning and Permitting;
* Kauai County, Office of Community Assistance, Housing Agency; or
* Maui County, Department of Housing and Human Concerns.

Occasionally, a county denies a 201H expedited processing request. If the project meets the state’s eligibility criteria, the developer may apply to HHFDC for 201H expedited processing. HHFDC requires that the developer conduct at least one public meeting to solicit community input on the proposed project.

**Threshold Requirements for Applications to HHFDC**

These are the threshold requirements for HHFDC acceptance of an application for review for 201H expedited processing:

* + 1. Developer has site control.
		2. Developer provides a copy of the letter from the respective county denying the 201H application which should include an explanation as to why the request is not being processed through the county process.
		3. Developer provides description of the project and percent of affordable units. The state currently requires that a 201H expedited processing project primarily or exclusively include housing units affordable to households with incomes at or below one hundred forty per cent of the median family income. The current income limits are available on the HHFDC website, <http://www.hawaii.gov/dbedt/hhfdc>.
		4. Developer acknowledgement that affordable units will be subject to HHFDC buyback and shared appreciation.
		5. Submittal of an approved EA or EIS (or exemption) is a threshold requirement for any one of the following conditions:
			- Use of State or County lands or funds;
			- A project is requesting exemptions from the County General Plan or regional comprehensive plan (i.e. development plan or community plan);
			- A project is located within Waikiki, the State Land Use Conservation district, or proposes use within the shoreline setback area; or,
			- The project will utilize a private wastewater system for more than fifty dwelling units.

Please note that affordable housing projects may be exempt from preparation of an EA if the use of state or county lands or funds, or its location within Waikiki, is the sole trigger for compliance with Chapter 343 HRS, the project conforms with the existing state urban land use classification, the proposed project is consistent with the existing county zoning classification that allows housing, and does not require variances for shoreline setbacks or siting in an environmentally sensitive area. It is suggested that the developer review the Hawaii Adminstrative Rules regarding EA exemptions for affordable housing projects.

**Step 2: Application to HHFDC**

1. Before submitting an application for the 201H expedited process to HHFDC, the developer must discuss the proposed project with HHFDC staff.
2. The developer must conduct or participate in at least one public meeting to solicit community input on the proposed project.
3. If an EA is required, the EA may be completed concurrently with the 201H application.
4. The project must meet federal, state and county health and safety standards as determined by the appropriate governmental agency.
5. Once the developer completes and submits the HHFDC 201H application, documentation, and $2,000 fee to HHFDC, HHFDC staff will review the application.
6. HHFDC may request additional information, if necessary, to determine that the developer is an “eligible developer” and qualified by experience and financial responsibility and support to construct housing of the type described and of the magnitude encompassed by the given project. This information may include but is not limited to credit worthiness, additional years of financial statements, etc.
7. HHFDC may request additional information, if necessary, to determine eligibility and feasibility of the project. This additional information may include, but is not limited to, information to determine credit worthiness, detailed information on operating costs for private sewer and or water systems, traffic studies, etc.

**Step 3: Line Agencies’ Review**

1. The staff will prepare a cover letter for use by the developer to distribute plans and exemptions to all appropriate county, state, and/or federal agencies.
2. The cover letter will request that the agencies complete their review within the county’s standard 201H review time. The developer is responsible for the routing of all documents to the State and County agencies for review and comment.
3. Agencies will review the plans and exemptions requested to ensure that the projects and exemptions requested do not negatively affect public health and safety.
4. The developer and/or the project’s architect/engineer/consultant is responsible for working directly with agencies to address their concerns. The developer’s architect/engineer may have to modify plans to address agency comments.

**Step 4: HHFDC Approval**

1. After all agency concerns are addressed and after HHFDC makes a determination on the developer’s qualification to develop the project, HHFDC shall render its decision on the applicant’s qualification and the proposed housing project at a Board meeting. Board approval may be contingent, such as on completion of an EA or EIS
2. Upon approval by the HHFDC of the proposed housing project and the satisfaction of any contingent requirements, HHFDC will submit the Chapter 201H Exemption Request package for review and approval of the requested exemptions to the appropriate City or County Council or the State Land Use Commission. The package will typically include preliminary plans, outline specifications, and a draft resolution that itemizes each proposed exemption. The developer must provide sets of plans which reflect all amendments agreed upon during the agencies’ review of the project for inclusion in the 201H Exemption Request package.

**Step 5: Review by City/County Council**

1. The Council has 45 days from receipt of the 201H Exemption Request package to act on the resolution The Council may require modifications to the project during the course of its deliberations.
2. The 201H Exemptions Request Package may first be reviewed in a Committee hearing. The developer or representative shall be present at all committee meetings to make a presentation on the project and respond to any questions or concerns regarding the proposed project.
3. If approved at the Committee level, a Committee Report recommending adoption of the 201H resolution is referred to the full Council for formal adoption. The developer or representative shall be present at the full Council meeting to respond to any questions or concerns regarding the proposed project.
4. Council action on the exemption request may take one of the following forms:
	1. The Council may vote to approve the exemption request.
	2. The Council may vote to approve the exemption request with conditions, including a time limit on development.
	3. The Council may vote to deny the exemption requests.
	4. The Council may choose not to act upon the exemption requests. If no action is taken, the exemption requests are deemed to be approved after the 45-day Council review period lapses.

**Step 6: Review by State Land Use Commission**

1. If LUC approval is required, the developer must follow the process as specifically described in the Hawaii Administrative Rules (HAR) for the Land Use Commission, HAR Chapter 15-15. Generally, notices of intent to file must be made to the public, the Land Use Commission, and particular state and county officials not less than sixty days prior to the filing of the petition. Pre-application meetings may be required. The developer must also provide additional information to the Land Use Commission.

**Step 7: Project Development Phase**

1. If the requested council and/or Land Use Commission approvals are obtained, the HHFDC and developer execute a development agreement with the approved exemptions and developer requirements.
2. The approved resolution should be attached to the building permit application.

**STATE OF HAWAII**

**HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION**

1. **INSTRUCTIONS FOR 201H PROGRAM APPLICATION**

Please refer to these instructions as you complete the application. Staff is available for consultation. If you have any questions, please contact a member of the Program Staff at (808) 587-0529.

**NOTE TO ALL APPLICANTS:**

Applications must be fully completed in order to be accepted. Incomplete applications **will not** be processed by the program staff for review and decision making by the Hawaii Housing Finance and Development Corporation Board of Directors (Board).

The 201H Application is prepared in Microsoft Word. The 201H Application may be completed in Microsoft Word or a compatible program. If you are typing this application, please use at least a 10 point font.

Applicants must submit all applicable exhibits as part of this application. Required exhibits pertaining to the section of the application are referenced throughout the application. Please refer to the list of exhibits included as part of the 201H Application for details.

# APPLICATION CHECKLIST

Please complete, sign, and submit the Application Checklist with your application package.

**SUMMARY SHEET**

Please complete each line and check the appropriate boxes on the Summary Sheet.

Section II. Provide information regarding the number of units and the corresponding income and rent restriction which the project will commit to. If this project includes market rate units, please indicate the number of market rate units in this project.

Section III. Provide the number of years that the project will commit to maintain the project as affordable based on the affordability restrictions in Section II. in accordance with applicable program rules.

Section IV. Indicate the number of units allocated to the relevant resident population.

**SECTION I. GENERAL INFORMATION**

**1. APPLICANT INFORMATION**

1. **Applicant**

TYPE OR PRINT CLEARLY the full Name, Address, Telephone & Fax Number, E-mail address, and Tax ID Number of your organization. Provide the name of a contact person whom we may contact with questions about your application. The contact person should be knowledgeable about your proposed project. If the contact person is not affiliated with the applicant’s organization, then please fill in the blanks with the appropriate information.

TYPE OR PRINT CLEARLY the full Name, Address, Telephone & Fax Number and E-mail address of the person or company that completed the application on behalf of the applicant. Provide the name of a contact person whom we may contact with questions about your application. The contact person should be knowledgeable about your proposed project. If the applicant prepared the application, please fill in “Same as Above” in the line designated for Application Preparer Name.

1. **Applicant Organization/Entity**

Check the box next to the category that best identifies the 201H applicant organization. Indicate whether the organization is a Limited Partnership, General Partnership, Limited Liability Company, or Corporation. Provide, **as Exhibit 3**, a certified copy of the organizational documents of the applicant along with evidence of the applicant’s legal authority to incur obligations and to sign and deliver such documents. For State or County applicants, indicate the agency or division making the request. If none of the categories is applicable, check the box labeled "Other" and describe your organization.

1. **Applicant Experience**

Check the appropriate box that describes the applicant’s experience in owning or developing affordable housing. If the Applicant has prior experience developing or owning affordable housing please complete the excel spreadsheet, **Exhibit 5**. Please fill in all the cells in the spreadsheet with the most current information.

1. **Project Team Information**

Provide the name, address, telephone/fax numbers, and E-mail for each member of the project team. Please provide the name of a contact person for each organization. Also summarize the role and responsibilities of each team member as it pertains to the project.

**2. SITE INFORMATION**

1. **Location**

Fill in the blanks with the Address, Island, Tax Map Key Number, and Census Tract for the project. Depending upon where the project is located, indicate the appropriate Legislative District (outer islands) and/or the Neighborhood Board (Oahu) for the project. Identify any special design or management district in which the site is located.

1. **Site Size**

 Indicate the size of your project’s site in acres and square feet.

1. **Present legal owner of project site**

Identify the present legal owner of the project site. If you, the applicant, do not own the site, then enter the Name and Address of the owner of the fee interest. If you, the applicant, own the site, then type in “APPLICANT.”

1. **Site Control Status**

Check the box that best describes your organization’s relationship to the project site. Do you “Own the Site”? Have you “Executed a Ground Lease”? Do you have an “Option to Purchase” the project site? Or do you have an “Option to Lease” the site? For ground leases and options to purchase or options to lease, please provide the expiration date of the agreement.

If none of these categories apply, then check “Other” and please describe the status of site control.

**E) Special Site Classification**

These five (5) classifications are considered for the purposes of this application to be difficult development zones. In most instances, none of the categories will be applicable. If that is the case with your project, then type in “NA” next to each category. However, if one of the categories is applicable, then check the box next to that category and briefly describe what impact being located in that particular zone may have on your project. For the Flood Zone, please indicate the flood zone designation for the site from FEMA. (NOTE - applicants may be required to provide a complete description of the problem and what mitigating measures will be taken to reduce the impact on the project.)

**F) Land Use and Zoning**

 Indicate the State Land Use Classification, Development/Community Plan designation, applicable special design or sustainable community district and zoning designation.

Will your project conform to the existing zoning for the property?

 Based on the current zoning designation, can you complete your proposed project on the site?

If the answer is NO, provide a copy of the letter from the appropriate county that denies your request to them for 201-H processing in **Exhibit 14**. .

**G) Relocation**

Indicate whether the proposed project will relocate any tenants, and if so, what assistance will be provided? Please describe the relocation plan.

**H) Environmental Assessment (EA)**

Existing Environmental Assessment rules may allow an exclusion for affordable housing projects that meet certain criteria under 200.1 HAR. The developer is encouraged to review the updated rules. Submit an approved EA (if an EA is required) or an equivalent document for any of the following conditions:

* + - * Use of State or County lands or funds;
			* A project is requesting exemptions from the County General Plan or regional comprehensive plan (i.e. development plan or community plan);
			* A project is located within Waikiki, the State Land Use Conservation district, or proposes use within the shoreline setback area; or,
			* The project will utilize a private wastewater system for more than fifty dwelling units.

Please check the box that most appropriately describes the status of your project. If an EA is required, please provide the estimated completion date.

**I) Site Feasibility**

 Questions.Please answer all of the questions by checking the appropriate box.

For each of the four (4) categories (Access, Site Improvements, Topography and Soils, and Environmental) describe any particular benefits of your site or disclose any known problems that may be associated with your site. At a minimum, please answer the following with respect to each category:

ACCESS TO SITE. List major access points. Is the access convenient or are there any hazardous conditions limiting access to the site? Are any easements necessary for access?

SITE IMPROVEMENTS. What is currently on the site? List the existing structures, if applicable. If there are any existing structures, will there be any displacement of tenants? How will this displacement be handled? Will existing structures be renovated or demolished?

TOPOGRAPHY AND SOILS. Is the site developable? Is there a soils engineering study available for review? Is there a topographic survey of the site? Will the site require any grading due to the slope?

ENVIRONMENTAL ISSUES. What existing environmental conditions exist at the site? What environmental conditions may affect the development of the site?

FAILURE TO DISCLOSE ANY KNOWN MATERIAL DEFECTS MAY RESULT IN AN IMMEDIATE DISQUALIFICATION FROM FURTHER CONSIDERATION. PLEASE COMPLETE THE ATTACHED ENVIRONMENTAL QUESTIONNAIRE. Please attach additional pages if needed.

**J) Availability of Utilities and Off-Site Improvements**

For each of the seven (7) categories (Water, Sewer, Drainage, Roads, Electrical, Gas, Telephone/ Television/Data) describe the existing improvements and what improvements are being planned.

FAILURE TO DISCLOSE ANY KNOWN MATERIAL DEFECTS MAY RESULT IN AN IMMEDIATE DISQUALIFICATION FROM FURTHER CONSIDERATION. PLEASE COMPLETE THE ATTACHED ENVIRONMENTAL QUESTIONNAIRE. Please attach additional pages if needed.

**3. PROJECT DESCRIPTION**

**A) Project Classification**

Check the box next to the category of project that you are planning. If none of categories are applicable, then check the "Other" box and describe your project. Identify the number of buildings in this project and the description of each building. Describe the type of construction being proposed. Indicate if the buildings are single, two, or three-story, etc.

1. **Project Unit Mix**

 In this section, fill in the table with the information requested. Indicate the following:

 No. of Buildings: Indicate the area in total number of buildings in the project;

 Gross Building Area: Indicate the area in total square feet for each applicable category;

 Total Units: Indicate the total number of units in the project;

 Enter the number of each type of unit by bedroom size;

 Enter the square footage of each unit.

Common Area: Indicate the area attributable to common area in square feet

Commercial Space: Indicate the area attributable to commercial space in square feet

The Total Units are the total number of units in the entire project. Note: If you are contemplating units larger than four-bedroom, then you may cross out one of the smaller categories and type in the exact unit size for your project.

**C) Project Amenities**

Use the space, as indicated, to discuss your proposed project and any amenities that may be offered in the project. This may include meeting facilities, “tot lots,” laundry facilities, or other highlights of your project.

**D) Unit Amenities**

Check the box indicating what amenities will be offered to residents as part of the proposed project.

**E) Parking**

Indicate how many resident, guest, and handicapped parking spaces will be made available in your project and the associated parking per unit ratio. Indicate if residents will be charged to use parking spaces.

**F) Proximity to Services, Schools, Shopping and Recreational Opportunities**

Identify schools, employment opportunities, public transportation, recreational facilities and shopping facilities located in the immediate vicinity of the project site. Please indicate the estimated distance to the facility or service in miles. Describe the surrounding community by its land uses, building heights, etc.

**G) Project Schedule**

Fill in the blanks next to each of the categories with the projected dates for each item. If the tasks have been completed, then enter in the actual dates.

**H) Market Demand**

 Provide justification of market demand. HHFDC, at its discretion, may require a market analysis.

**4. TARGET POPULATION**

**A) Occupancy Type**

Fill in the blanks with the number of units that the project will offer to any specific category of

individuals. Also indicate what measures will be taken to accommodate this group.

**B) Accessible Units**

Identify the number of Handicapped Accessible units and the number Handicap Adaptable units proposed for this project.

**C) Availability**

Will all of the units be available to the general public? If the answer is no, please provide an explanation of which populations the project will be made available to.

**5. SOURCES AND USES**

*If the applicant is requesting additional funding through an HHFDC program, please fill out the following section and provide the applicable Exhibits.*

**A) Sponsor Equity**

Indicate the total dollar amount in the form of cash (or equivalents), land, or “in kind” contributions that your organization will directly contribute to the project.

If land is part of your equity contribution, provide an estimate of the land value and how that number was derived i.e., if the land value is from an appraisal, include a copy of the appraisal.

“In kind” contributions may include, but are not limited to, donated construction materials, or professional services (i.e., pro bono work by architects, engineers, attorneys, etc.).

Attach a detailed list of the “in kind” contributions that your organization is making to the project. If your organization is NOT contributing any cash, land, or “in kind” goods and services to the project, please provide an explanation.

**B) Financing Plan**

 Complete the tables for both construction and permanent financing.

Provide the name of each source and whether there is any financing commitment in place. Include the nature of the loan including identifying the security and the whether the loan is recourse or non-recourse and any relevant terms. If a commitment exists, please provide such evidence and the name and phone number of a contact person.

**C) Operational Subsidies**

Specify if any Operating subsidies are awarded to this project or contemplated for this project. Please fill out the chart as appropriate.

**D) Worksheets**

Please complete Exhibit A, Project Cost Budget Worksheet and Exhibit B - Estimated Project Revenues or Operating Income

**7. EXHIBITS**

Attach the documentation listed under the Index of Application Exhibits.

Submit each item in the order requested and number the documents as indicated. If certain sections are not applicable, then insert a page with the statement “THIS SECTION IS INTENTIONALLY OMITTED” typed on it, along with a brief explanation as to why that exhibit is not applicable.

**Final Comments to Applicants:**

* Attach a cover letter, if you so desire.
* Complete and sign Application Checklist
* Complete and sign summary sheet.
* Please remember to number each question and each page.
* A Table of Contents and a List of Attachments is highly recommended.
* Complete the forms whenever possible.
* If you have any questions about completing the Application, contact the staff.
* Check to ensure the application is completed and all attachments are included.

THE **ORIGINAL, THREE COPIES, AND ONE ELECTRONIC VERSION** (PDF format or compatible) OF THE FINAL APPLICATION AND YOUR CASHIER’S CHECK MUST BE **RECEIVED** BY THE HHFDC.

Send or deliver application materials to:

**Hawaii Housing Finance and Development Corporation**

**Attn: Development Branch**

**677 Queen Street, Suite 300**

**Honolulu, Hawaii 96813**

**State of Hawaii**

1. **Hawaii Housing Finance and Development Corporation**

**201H Application Form**

**Summary Sheet**

**I. INFORMATION:**

|  |  |
| --- | --- |
| **APPLICANT NAME:** |  |
| **PROJECT NAME:** |  |

**II. Income and Affordability Restrictions**

Applicant commits to set-aside units based on the following income and affordability restrictions.

Complete the chart below.

|  |
| --- |
| **Affordable Units** |
| Restricted at % of AMGI\* | Number of units | Percent of total units |
|       % of AMGI |        units |        % |
|       % of AMGI |        units |        % |
|       % of AMGI |        units |        % |
| **Total Affordable Units** |  **units** |  |
|  |
| Market Rate Units |        units |        % |
|  |
| **Total Number of Units** |  **units** |  **%** |

 \*AMGI = Average Median Gross Income

**III. Length of Affordability Commitment**

How long will your project commit to affordability restrictions and program compliance?

Please note that each County may have specific affordability terms that should be adhered to in accordance with the applicable oridnances. The Hawaii Housing Finance and Development Corporation has a standard affordability term of no less than 30 years.

      Years

**IV. Occupancy Type**

 Indicate the number of units allotted for each of the following:

Family       Elderly\*       Homeless

Tenants with Special Housing Needs

(Refer to the definition of Elder or Elderly Households as defined in Act 64, Session Laws of Hawaii 2002. Describe the Special Housing Need of the tenants below)

1. **Financing**

Will the project pursue additional funding through an HHFDC program? If yes, check all that apply.

[ ]  DURF

[ ]  GET EXEMPTION

[ ]  LIHTC

[ ]  HOME

[ ]  RHRF

[ ]  HMMF

[ ]  RARF

[ ]  HTF

[ ]  None

**VI. Anticipated Project Exemptions**

Indicate **all** exemptions, variances and/or conditional or special use permits that the project will likely pursue and reference the applicable ordinance sections. If a particular exemption is not listed below, write in the exemption under the ‘Other’ option. Attached a separate sheet if desired.

**Development Standard**

Subdivision Standards

Building Code

Density

Height

Setback

Parking

Street Width

Open Space

Park Dedication

Special District Zoning

Other (Please Explain)

**Ordinance and Rules**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Application Checklist**

(To be completed and signed by applicant and returned with application.)

|  |  |
| --- | --- |
| **Project Name:** |       |

 **Done/Enclosed**

**Cashier’s check** made payable to the “Hawaii Housing Finance and Development Corporation” [ ]

|  |  |
| --- | --- |
| **Correct Application Fee Amount Enclosed** | **Amount Enclosed:** |
|  |  |  | $      |
|  | **Total Due to HHFDC** |  |  | **$** |

Correct number of copies (1 original, 3 copies. 1 electronic version) [ ]

**Complete Application**

1. Application Checklist (completed and signed) [ ]
2. Summary Sheet [ ]
3. General Information Section [ ]
4. Questions [ ]
5. Certifications and Assurances [ ]
6. Index of Application Exhibits Included [ ]
7. Environmental Questionnaire (completed and signed) [ ]
8. Exhibit Worksheets
	1. Project Cost Budget Worksheet (Exhibit A) [ ]
	2. Estimated Project Revenues or Operating Income (Exhibit B) [ ]
9. All Exhibits attached [ ]

PDF file of completed application including Exhibits shall be submitted on a compact disk or thumb drive with the applicant’s submittal.

**HHFDC’s receipt of this application, consisting of the documents above-referenced, does not constitute acceptance of this application.**

**Applications must be complete in accordance with this checklist.**

**Incomplete applications and applications that fail to meet individual program criteria shall be returned to the applicant without further action.**

|  |  |
| --- | --- |
| Applicant: |  |
| Applicant Representative: |  |
|  | (Signature, Date) |

State of Hawaii

**Hawaii Housing Finance and Development Corporation**

**201H Application Form**

**Section I - General Information**

|  |
| --- |
| Project Name |
|       |

**1. APPLICANT INFORMATION**

**A) Applicant Information**

|  |  |
| --- | --- |
| Applicant Name: |   |
|        |
| Applicant Tax ID Number: |  |
|       |   |
| Applicant Contact Name, Title: | Phone Number: |
|        |   |
| Applicant Address: | Fax Number: |
|        |        |
|        | E-Mail Address: |
|        |        |

Fill in the information below if application was prepared by a person or entity different from the applicant.

|  |  |
| --- | --- |
| Application Preparer Name: |   |
|        |
| Application Preparer Contact Name, Title: | Phone Number: |
|        |        |
| Applicant Address: | Fax Number: |
|        |        |
|        | E-Mail Address: |
|        |        |

**B) Applicant Organization / Entity** (Check the appropriate box)

|  |  |
| --- | --- |
| [ ]  | **Non-profit organization** (Qualified, existing 501(c)(3) or (4) organization, as determined by the Internal Revenue Service) |
|  |
| *If the applicant is a Non-profit organization include Exhibit 1 and Exhibit 2.* |
|  |
| [ ]  | **Private developer** |  |  |
|  | [ ]  | Limited Partnership | [ ]  | General Partnership |
|  | [ ]  | Corporation | [ ]  | Limited Liability Corporation |
|  | [ ]  | Other: |  |
|  |
| [ ]  **Government** | Identify (Level of Government and Department) |
| [ ]  | County Government: |  |
| [ ]  | State Government: |  |
|  | Department: |  |
|  |
| *All applicants must submit Exhibit 3 and Exhibit 4 as applicable.* |

1. **Applicant Experience**

Briefly describe the Applicantʻs experience developing and managing affordable housing projects. Include the names of the properties, type of development, number of units, location, any federal and local subsidy programs, and term of involvement. Please also include any other relevant information regarding the overall experience the Applicant has in developing or owning housing projects. Reference **Exhibit 5: Housing Development Experience**, in this description.

Type Here

1. **Project Team Information (Complete with name, address and phone number)**

*Complete Exhibit 6 for each Project Team member*

|  |  |
| --- | --- |
| **Developer:** |  |
|  Contact: |  |
|  Address: |  |
|  |  |
|  Phone: |  | Fax: |  |
|  E: Mail: |  |
|  Role/ Responsibility: |  |

|  |  |
| --- | --- |
| **Consultant:** |  |
|  Contact: |  |
|  Address: |  |
|  Phone: |  | Fax: |  |
|  E: Mail: |  |
|  Role/ Responsibility: |  |

**2.** **SITE INFORMATION**

**A) Location**

|  |
| --- |
| Address           |
| City      | Tax Map Keys (TMK):      |
| State |
| Island  |
| Zip Code |
|  |       |
| Neighborhood Board (for Oahu)  |
| Special design or management districts |
| *Submit Exhibit 7, Exhibit 8 and Exhibit 9.* |

**B) Site Size**

      Acres      Square Feet

**C) Present legal owner of the project site**

|  |
| --- |
| Name |
| Address |
| City State Zip |

**D) Site Control Status**

|  |  |  |
| --- | --- | --- |
| [ ]  | Own site - fee simple |  |
| [ ]  | Executed ground lease | Expires on: |
| [ ]  | Option to purchase | Expires on: |
| [ ]  | Option to lease | Expires on: |
| [ ]  | Other  | Describe: |
| Expires on: |

*Submit Exhibit 10 and 11. Submit Exhibit 12, if applicable.*

**E) Special Site Classification**

|  |  |  |
| --- | --- | --- |
|  |  | Identify: |
| [ ]  | Flood Zone |  |
| [ ]  | Tsunami (Intertidal Area) |  |
| [ ]  | Special Management Area |  |
| [ ]  | Special or Historic District |  |
| [ ]  | Shoreline Protection Area |  |
| [ ]  | Other (wetlands, volcano, etc.) |  |
|  |
| *Submit Exhibit 13, if applicable.* |

**F) Zoning**

|  |  |
| --- | --- |
| Current Zoning Designation: |  |
| Land Use Classification: |  |
| **Provide a comprehensive and detailed description of the degree to which the plans deviate from the development standards and an explanation for each exemption sought.** Describe your consultation with the surrounding community, particularly in the past six months.  |
| *Submit Exhibit 14 and 15* |

1. **Does this project involve any relocation of tenants or existing homeowners?**

[ ]  Yes [ ]  No

If yes, please describe any proposed relocation assistance:

**H) Environmental Assessment**

Please check the appropriate box below. HRS Chapter 343 requirements must be followed, if applicable. If an Environmental Assessment (EA) or Environmental Impact Statement (EIS) has been published or will be published please identify the date of publication in the Office of Environmental Quality Control (OEQC) Bulletin**.** Please identify the accepting agency.

|  |  |
| --- | --- |
| **Accepting Agency:** |  |
| Check if applicable | **Date of publication or estimated completion date.** |
| [ ]  | No EA or EIS is required |  |
| [ ] [ ]  | EA ExemptEA In Progress | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| [ ]  | EA Published  |  |
| [ ]  | Finding of No Significant Impact Published |  |
| [ ]  | EIS In Progress  |  |
| [ ]  | EIS Published |  |
| [ ]  | Federal EA or EIS Required |  |
|  |  |  |
| *Submit Exhibit 16.* |

**I) Site Feasibility**

Identify the existing use and disclose any potential problems associated with your proposed site. For each of the four (4) categories (Access, Site Improvements, Topography and Soils, and Environmental) describe any particular benefits of your site or disclose any known problems that may be associted with your site.

|  |
| --- |
|  |
| **Access to site:** |
|  |
| **Site improvements and Current Use:** |
|  |
| **Topography and soils** |
|  |
| **Environmental Issues** *(Submit Exhibit 18.)* |
|  |

**J) Availability of Utilities and Off-Site Improvements**

 For each of the seven (7) categories (Water, Sewer, Drainage, Roads, Electrical, Gas, Telephone/ Television/ Data) describe the existing infrastructure capabilities and any planned or potential expansion of infrastructure needed to develop this project.

|  |  |  |
| --- | --- | --- |
| **Availability of Utilities****(Submit Exhibit 17)** | **Yes** | **No** |
| Will the project utilize gas for cooking or water heating?If yes, is gas service currently available to the site? | [ ] [ ]  | [ ] [ ]  |
| Will the project utilize solar water heating? | [ ]  | [ ]  |
| Is electricity service currently available to the site? | [ ]  | [ ]  |
| Sewer/Septic service is currently available to the site for the number and type of units proposed. | [ ]  | [ ]  |
| Water is currently available for the proposed number of units and type of units for this project. | [ ]  | [ ]  |
| Does the site have a hook-up to telephone service? | [ ]  | [ ]  |
| Does the site have a hook-up to cable or internet service? | [ ]  | [ ]  |
| Are there any environmental concerns associated with site? Is the project located on or near a Brownfield?  | [ ] [ ]  | [ ] [ ]  |
|  |

|  |
| --- |
| **Water** |
|  Existing: |  |
|  Planned: |  |
| **Sewer** |
|  Existing: |  |
|  Planned: |  |
| **Drainage** |
|  Existing: |  |
|  Planned: |  |

|  |
| --- |
| **Roads** |
|  Existing: |  |
|  Planned: |  |
| **Electrical** |
|  Existing: |  |
|  Planned: |  |
| **Gas** |
|  Existing: |  |
|  Planned: |  |

|  |
| --- |
| **Telephone, Television and Data** |
|  Existing: |  |
|  Planned: |  |

**K) Additional Questions**

1. How does the project fit into state, regional, and local housing plans? Where does the project fit in relation to community development, land use, and zoning plans?

**3. PROJECT DESCRIPTION**

**A) Project Classification**

 What type of project are you planning? (Check all that apply)

[ ]  Apartment building

[ ]  Garden Style [ ]  Mid-rise [ ]  High-rise

 [ ]  Cluster [ ]  Single-family dwelling units

 [ ]  Townhouse [ ]  Duplex, triplex, fourplex

[ ]  New Construction [ ]  Rehabilitation [ ]  Acquisition

|  |  |
| --- | --- |
| Type of construction? |  |
| Number of Buildings: |  |
| Building Description: |  |

1. **Project Unit Mix**

 Fill in the appropriate number in the table below.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| No. of Buildings      | Studios      | 1 BR      | 2 BR      | 3 BR      | 4 BR      | Total units      |
| Gross Building Area in square feet | SF / unit      | SF / unit      | SF / unit      | SF / unit      | SF / unit      | Gross Residential Area      |
| Common Area (in square feet)  |  |
| Commercial Space (in square feet) |  |
| **Total Area** |  |

*If you need more space, attach a separate sheet with the information requested above.*

**C) Project Amenities**

The Project will include the following amenities:

 [ ]  Playground/Tot lot [ ]  Picnic Area [ ]  Swimming Pool

 [ ]  Community Meeting Room [ ]  Elevator [ ]  Transportation

[ ]  Laundry Room [ ]  Computer with high-speed internet access

 [ ]  Other (describe)

[ ]  Project will utilize solar water heating.

[ ]  Project will install Energy Star certified appliances throughout the project.

[ ]  Project will install low flow plumbing fixtures which conserve water.

**D) Unit Amenities**

What equipment/furnishings will be available in each unit?

[ ]  Range [ ]  Refrigerator [ ]  Air Conditioning [ ]  Disposal

[ ]  Dishwasher [ ]  Washer [ ]  Dryer [ ]  Carpet

[ ]  Drapes [ ]  Furniture [ ]  Heating [ ]  Cable TV

[ ]  High speed internet access [ ]  Other (describe)

**E) Parking**

How many parking spaces will be provided at the project site? Please complete the table below.

|  |  |  |
| --- | --- | --- |
|  | Number of spaces | Ratio of Spaces/Units |
| Tenant |  |  |
| Guest |  |  |
| Handicap Accessible |  |  |
| Commercial |  |  |
| Total |  |  |

Will a fee be charged to tenants for parking in addition to rent? [ ]  Yes [ ]  No

**F) Proximity to Services, Schools, Shopping and Recreational Opportunities**

 Please identify schools, employment opportunities, recreational facilities, and shopping facilities are located in the immediate vicinity of the project site (i.e., within walking distance for occupants or accessible by mass transit).

|  |  |  |
| --- | --- | --- |
|  | **Identify** | **Distance:** |
| **Super Market/ Grocery Store** |  |  |
| **Schools:****(family project)** | Elementary |  |  |
| Middle |  |  |
| High |  |  |
| **Childcare:****(family project)** |  |  |
| **Public Library:** |  |  |
| **Healthcare:** |  |  |
| **Community Center/ Activities:** |  |  |
| **Park/Playground:** |  |  |
| **Bank/Financial Services:** |  |  |
| **Public Transportation:** |  |  |
| **Employment:** |  |  |

1. **Project Schedule**

Indicate the approximate dates for the following:

|  |  |
| --- | --- |
| Milestones: | Date |
| Approval of 201H Variances |  |
| Projected Building Permit Date:  |  |
| Closing of Construction Financing: |  |
| Construction Start Date: |  |
| Projected Occupancy Permit Date: |  |
| Placed in service date[[1]](#footnote-2):  |  |
| Achievement of occupancy for 100% of the units[[2]](#footnote-3) |  |
| Achievement of 95% stabilized occupancy[[3]](#footnote-4) |  |
| *Submit Exhibit 19.* |

**H) Additional Questions**

Please address these questions on a separate page**.**

1. Describe the design features (i.e., larger bedrooms, wider hallways, etc.) you are including in your project. How will these features address the health and safety concerns of the owners/tenants? How will these features enhance the project’s ability to meet the target population’s needs?
2. Describe any associated community facilities or social or special services that will be provided, if applicable.
3. **Market Demand**

Please include a justification of market demand in Exhibit 20. HHFDC may, at its discretion, require a market analysis.

**4. TARGET POPULATION**

**A) Occupancy Type**

 Indicate the number of units allotted for each of the following:

Family       Elderly       Handicapped

Homeless       Mentally Ill

**B) Accessible units**

|  |  |
| --- | --- |
| Number of Accessible units |  |
| Number of Adaptable units |  |

**C) Availability**

 Will all of the residential units be available to the general public? [ ]  Yes [ ]  No

If you answered no, please qualify which populations the units will be made available to.

1. **SOURCES AND USES**

**A) Sponsor Equity**

Indicate the TOTAL AMOUNT of funds that your organization is contributing to the project. Only list project resources that will remain permanently in the project.

|  |  |
| --- | --- |
| $      | Cash, |
| $      | Land, (Please provide an explanation) |
| $      | “In kind,” (Please provide an explanation) |
| $      | Total Sponsor Equity |

**Land Value**

**In Kind**

**B) Financing Plan**

 **Construction Financing**: List sources of construction financing.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Source | Amount | Form (Loan or Equity) | Secured[[4]](#footnote-5)Unsecured | Recourse[[5]](#footnote-6)Non-recourseRelated Party | Committed(Yes or No) | Int. Rate/Term |
| Sponsor Equity |  | Equity |  |  | Yes |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
| Total |  |  |  |  |  |  |

 **Permanent Financing**: List sources of permanent financing.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Source | Amount | Form (Loan or Equity) | Secured[[6]](#footnote-7)Unsecured | Recourse[[7]](#footnote-8)Non-recourseRelated Party | Committed(Yes or No) | Int. Rate/Term |
| Sponsor Equity |  | Equity |  |  | Yes |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
|       |  |       |  |  |       |       |
| Total |  |  |  |  |  |  |

 *Note: Total Permanent Sources must equal Total Development Cost*

*Submit Exhibits 21 and 22, if applicable*

**6. PLANS AND SPECIFICATIONS**

**A) Plans and Specifications**

Provide sets of half-size plans and specifications, as described in Exhibit 23.

**Certifications and Assurances**

 Whereas, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Applicant”) is applying to the State of Hawaii – Hawaii Housing Finance and Development Corporation (the “Corporation”) for assistance in the 201H process.

Whereas, the Applicant understands that it is necessary that certain conditions be satisfied as part of the Application requirements.

 Therefore, the Applicant certifies as follows:

 1. The Applicant is eligible for assistance under state statute and guidelines for the Program.

 2. The Applicant will minimize displacement as a result of activities assisted with the 201H expedited processing and assist persons displaced as a result of such activities.

 3. The Applicant will actively market in an ongoing manner all housing units and services expedited through the Program.

 4. The Applicant is prepared and has the authority within its charter, bylaws, or through statutory regulations to enter into a development agreement with the Corporation for acceptance and use of 201H expedited processing assistance. The Applicant makes this Application and certification with full cognizance of its governing body.

 5. The Applicant agrees that the Corporation will at all times be indemnified and held harmless against all losses, costs, damages, expenses and liabilities whatsoever in nature or kind (including, but not limited to attorney’s fees, litigation and court costs, amounts paid in settlement, and amounts paid to discharge judgment, any loss from judgment from the Internal Revenue Service) directly and indirectly resulting from, arising out of, or related to acceptance, consideration and approval or disapproval of such 201H expedited processing request.

 6. The Applicant understands and agrees that the Corporation retains the right to contact local government officials, representatives of other funding programs, or other individuals to verify or obtain additional information about Applicant’s proposals. The undersigned hereby agrees and allows the release of any and all information to the Corporation in regard to the representations made within this Application. Such information may include credit history and ratings verifications, confirmation of involvement in past developments, and all other information, on the Applicant entity and principals, thereof, as may be required by the Corporation. This information will be used solely by the Corporation to aid in making a determination as to the awarding of financing assistance offered by the Programs to the Applicant and will not be disclosed outside the Corporation, except as required and permitted under law.

 7. The Applicant has received, reviewed and accepts all the documents (e.g., Explanation, Instructions, etc.) that are attached to the Application and made a part hereof.

 8. The Applicant understands and agrees that the Corporation’s receipt of an Application does not constitute acceptance of the Application. The Corporation reserves the right to return an Application at any time without taking further action on the Application due to, but not limited to, the following:

 a. Failure to meet Application submittal requirements (e.g., correct application fee, cashier’s check, correct number of copies).

 b. Failure to meet 201H program criteria (e.g., applicant eligibility and affordability requirements, etc.).

 c. Failure to disclose in the Application any known material defects about the development of the Project, any misrepresentation or fraud.

 9. The Applicant further understands and agrees that:

 a. The Corporation reserves the right to reject any Application submitted and may exercise such right without notice and without liability to any Applicant or other parties for their expenses incurred in the preparation of an Application.

 b. Applications are prepared at the sole risk and expense of the Applicant. The completion, receipt, or acceptance of an Application does not commit the Corporation to pay any costs incurred in preparation of the Application. The Corporation shall not be responsible for any costs incurred by the Applicant due to the rejection of any Application.

 10. The Applicant understands and agrees that the Corporation in no way represents or warrants to any party which may include, but is not limited to, any developer, project owner, investor, or lender that the Project is, in fact, feasible or viable. No director, commissioner, officer, agent, staff or employee shall be personally liable concerning any matters arising out of, or in relation to, the disapproval or the making of awards from the Programs.

 11. The Applicant is responsible to review the applicable federal/state laws to ensure compliance with current regulations.

 12. That the foregoing information and the statements made in this Application are true, complete, accurate and correct to the best of the Applicant’s knowledge, and hereby authorizes the Corporation to obtain further information and to verify any statement made as it deems necessary.

 13. The Applicant understands that the completed and accepted Application is subject to Chapter 92F, Hawaii Revised Statutes, the Uniform Information Practices Act of the State of Hawaii.

In Witness Whereof, the Applicant has caused the document to be executed in its name on the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Its\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Its\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**INDEX OF APPLICATION EXHIBITS**

**DUE AT TIME OF APPLICATION**

 (Excel Worksheets)

Exhibit A. Project Cost Budget Worksheet

Exhibit B. Estimated Project Revenues or Operating Income

Exhibit 1 Copy of a current IRS Tax Exemption Letter, if non-profit

Exhibit 2 Most recent Treasury Form 990 with all supporting documentation, as filed with the IRS, if non-profit.

Exhibit 3 Certified copies of the organizational documents of the applicant, including its articles of incorporation and bylaws, declaration of trust, partnership or limited partnership agreement, including any amendments thereto. Include a signature resolution if not encompassed within corporation bylaws.

Exhibit 4 Copy of an organizational chart for the sponsor and the owner of the project. If the ownership structure will be different at any time during the development process, provide a separate organizational chart representing the ownership structure at such time.

Exhibit 5 Housing Development Experience form provided as part of this application. Please fill in all information requested on the sheet using the most current information.

 (Sample of Exhibit 5 is attached.)

Exhibit 6 Resume for each member of the project team.

Resume for key staff involved in the development ownership of this project from the sponsor and developer.

Exhibit 7 Location map of the project site. The map should identify the site, parks, schools, public transit routes and stops, shopping and business districts, and competitive developments.

Exhibit 8 Photographs or renderings of the project and site.

Exhibit 9 Survey, if available

Exhibit 10 Evidence of site control for the project, e.g., deed, lease, agreement of sale, option agreement.

Exhibit 11 Copy of any existing note, mortgage, or loan agreement encumbering the project site, if available.

Exhibit 12 Preliminary title report.

Exhibit 13 Documentation regarding the applicable Special Site Classification. If you indicated a special site classification under Section I (2E), such as Flood Hazard or Tsunami Evacuation Zone, please provide the applicable site maps and other verifying documentation as needed.

Exhibit 14 Please attach a letter from the appropriate County Planning Office which shows that the County received, reviewed, and denied the initial 201H application.

Exhibit 15 Record of consultation with the surrounding community within the past 6 months.

Exhibit 16 Copy of the most recent Draft Environmental Assessment, Finding of No Significant Impact or Environmental Impact Statement. If not required, provide a copy of the Exemption Declaration from the applicable approving agency along with a brief explanation of the exemption.

Exhibit 17 Water: Attach a copy of Board of Water Supply or Department of Water Supply letter confirming adequacy of existing water system and availability of water.

Sewer: Attach a copy of the sewer application indicating adequacy of existing sewer system capacity.

Electricity: Attach a copy of letter from local electricity provider confirming the availability of electricity to the site.

Exhibit 18 Complete the attached Environmental Questionnaire and attach a copy of Phase 1 Environmental Site Assessment, if available. Attach a copy of Phase 2 Environmental Site Assessment and any mitigation plan, if necessary.

Exhibit 19 Proposed construction timetable.

Exhibit 20 Justification of market demand for the project. HHFDC may, at its discretion, request a market analysis prepared by an independent firm, not affiliated with the developer, as to present and projected demand for the proposed development in the market area.

Exhibit 21 If requesting additional funding through an HHFDC program, please provide the terms and conditions of the proposed financing, including commitment letters, from all financing sources and/or tax credit syndicators.

Exhibit 22 If requesting additional funding through an HHFDC program, please provide commitment letters or executed contracts for operating subsidy.

Exhibit 23 Include one half size set of plans for each original or copy of the application under Exhibit 26 of each application.

Plans and specifications to include a) site plan at a minimum scale of 1” = 40’ which delineates the building types, common elements and parking (including handicapped designations). Project Data must be included on the site plan sheet: zoning and building code information, both allowable and proposed, under which the project was designed (e.g., parking, height limits, floor area ratio, lot coverage, setbacks, type of construction, etc.; b) floor plans of each building type at a minimum scale of 1/8” = 1’0”. Handicapped clear spaces shall be shown dashed on the plans and reference shall be made to the code from which it was derived (e.g., UBC, FFHAA, UFAS, etc.); c) exterior elevations of each building type at a minimum scale of 1/8” = 1’0”. Indicate finish materials; and d) unit plans.

**PRIOR TO DEVELOPMENT AGREEMENT**

The following documents are required prior to execution of the development agreement. These items are not due with this application.

1. State of Hawaii and Federal Tax Clearance Certificate
2. State of Hawaii Certificate of Good Standing
3. Certification of Compliance with Labor and Industrial Relations

HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

ENVIRONMENTAL QUESTIONNAIRE

 (TO BE COMPLETED BY APPLICANT)

The purpose of this questionnaire is to identify environmental issues to the Hawaii Housing Finance and Development Corporation (HHFDC), related to the real estate or related to the operations onsite, either past or present. This information will be considered as part of the application. Please answer all questions. If the site has operations or improvements which are not residential, retail or office uses, additional reports or attachment forms may be required. This questionnaire is a transmittal and informational document and is to be signed by the applicant.

Applicant:

Project:

Project Address:

LAND USE/OWNERSHIP

1. Current property owner, if different from the applicant:

2. Current and past site use(s): (Please check appropriate box)

 [ ]  Multi-family residential [ ]  Office [ ]  Retail

 [ ]  Warehouse [ ]  Restaurant [ ]  Vacant

[ ]  Manufacturing

[ ]  Other

 If manufacturing or other, describe specific business activity:

3. Current zoning of property:

 Are any land use changes intended? Yes [ ]  No [ ]

If yes, to what use?

4. Is site contiguous to any lakes, rivers or a coastal zone, or located on either a former or current wetland area or endangered species habitat? Yes [ ]  No [ ]

If yes, describe:

5. If the site is residential, provide a copy of any standard tenant environmental notification/disclosure. Check box if attached [ ]

6. If the site is not residential and is not entirely owner-occupied, or has tenants, please attach a current tenant list, including a description of the services or operations performed by each. Check box, if attached [ ]

UNDERGROUND STORAGE TANKS

1. Has there ever been or is there currently a gas station or underground storage tanks (USTs) of any sort located on the site?

Yes [ ]  No [ ]

If Yes, when and for how long?

2. If yes, describe ownership and identify the operator of the gas station or USTs:

3. If yes, attach any environmental investigation reports that reflect conditions of the current of former USTs. Check box if attached [ ]

DRY CLEANERS

1. Has any dry cleaner operation been or is one currently located onsite?

 Yes [ ]  No [ ]

If yes, when and for how long?      \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. If yes, what type of dry-cleaning unit is current in use?

Transfer [ ]  Dry to Dry [ ]

Other (please specify):

How old is current equipment?      Years.

Primary cleaning solvent and quantity used?      gallons/mo.

How is the solvent disposed? (Describe the waste handling and disposal procedures):

BUILDING IMPROVEMENTS

1. Were any improvements constructed prior to 1981? Yes [ ]  No [ ]

If yes, describe type of building, square footage, and construction date(s):

2. For any of the buildings constructed prior to 1981, has there been any major internal renovation work performed since 1981?

 Yes [ ]  No [ ]  Do Not Know [ ]

If yes, describe:

3. Are any improvements on the property known to contain asbestos?

 Yes [ ]  No [ ]  Do Not Know [ ]

If yes, attach any available survey or the test result documentation; check box, if attached ¨

4. Are any electrical transformers, capacitors, or other equipment, not owned by a utility, but which may contain PCBs, present on the site?

 Yes [ ]  No [ ]

If yes, attach any survey or test result; check box, if attached [ ]

5. Do any improvements onsite include hydraulic hoists or elevator?

 Yes [ ]  No [ ]

If yes, describe:

6. What is the source of water supply for the site?

Public [ ]  On-site drinking well [ ]  On-site irrigation well [ ]

Other (describe)

7. What are the destinations of wastewater and surface drainage discharge?

 Storm sewer [ ]  Dry well [ ]  Sanitary sewer [ ]  Septic [ ]

 Leach Field [ ]  Above-ground tank [ ]  Underground tank [ ]  Vats [ ]

 Ditches or Bodies of Water [ ]  Sumps [ ]  Clarifiers [ ]

 Trenches [ ]  Ponds [ ]  Wetlands [ ]

Treatment Systems (describe)

 Other (describe)

8. Attach copies of any wastewater treatment and/or wastewater or storm water (non-point source) discharge permits pertaining to the property. Check box, if attached ¨

REGULATORY ACTIONS

1. Have there been any spills, leaks, or other reportable releases of chemicals on the property or migration of chemicals onto the property from an off-site source?

Yes [ ]  No [ ]

If yes, describe the chemicals and quantities released, any cleanup measures taken and the results of any related air, soil, or groundwater investigations:

1. Is the site adjacent to or within 2,000 feet of a governmental agency listed toxic waste treatment or disposal site, landfill, or contaminated drinking water well?

Yes [ ]  No [ ]

If yes, explain:

1. Has any public agency ever investigated or cited the property for violation or possible violation of any environmental law, or any third party including a public agency, commenced enforcement or cleanup action under environmental law with respect to the property?

 Yes [ ]  No [ ]

If yes, describe:

1. Has any public agency ever listed the property as a waste disposal site or a site potentially qualifying for cleanup under any environmental law?

Yes [ ]  No [ ]

If yes, describe:

1. Has the applicant or any of its partners, joint venture(s), corporate officers, or guarantors ever been named in any governmental or private injunctive, preventive or other administrative proceedings, actions, or litigations involving hazardous waste, toxic substances, hazardous materials, or any other environmental issues?

Yes [ ]  No [ ]

If yes, attach an explanation. Check box, if attached [ ] .

INSURANCE/INDEMNIFICATION ARRANGEMENTS

1. Does the property owner have any form of either environmental or pollution insurance or other coverage under an indemnification agreement? Yes [ ]  No [ ]

If yes, describe or attach the indemnification. Check box, if attached [ ] .

2. Does the insurance or indemnification agreement cover environmental damages to the property caused by tenants?

 Yes [ ]  No [ ]  Not applicable [ ] .

3. Do tenants have insurance to cover environmental impairment?

 Yes [ ]  No [ ]  Not applicable [ ] .

If yes, attach a copy of the relevant lease clause and/or binder and describe the conditions and limits of the coverage. Check box, if attached ¨.

4. If petroleum USTs are onsite, is the owner eligible for reimbursement of cleanup costs from a state cleanup fund?

 Yes [ ]  No [ ]

If not eligible, describe the form of financial assurance (cash, bonds, insurance) that is provided to comply with federal regulations

EXISTING ENVIRONMENTAL INVESTIGATION REPORTS

Attach any environmental site assessment(s), audits, investigations, or asbestos/lead surveys, or disclosures that are available to you. Check box, if attached ¨.

If applicant is an individual:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, state to the best of my knowledge, information (print name)

and belief that all of the facts stated in response to the questions and requests for information contained in the foregoing Environmental Questionnaire are true.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If applicant is a corporation, partnership, or limited liability company:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, state that I am the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of

 (Print name) (Title or Position)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Applicant) and that

 (Applicant's name)

I am authorized to execute this document on behalf of Applicant. I further state based in part upon my personal knowledge and in part on the business records of the Applicant, that to the best of my knowledge, information and belief that all of the facts stated in response to the questions and requests for information contained in the foregoing Environmental Questionnaire are true.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Corporate Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Exhibit 5 Housing Development Experience** |  |  |  |  |
|  | Name: |        |   |   |  |  | Page 1 of 1 |  |
|  |  |  |  |  |  |  | *Copy format and add pages as needed* |
|  |  |  |  |  | **Number of Units** |  |   |
|  | **Name of Property, Address** | **Capacity of Applicant/ Developer** | **Type of Project** | **City, State** | **Affordable** | **Market** | **Financing/ Subsidy Program Utilized** | **Status of Project** |
| Ex | XYZ Towers LP fka XYZ Towers 16000 SW XYZ Lane Nowhere, HI | Developer/ General Partner | Family Mixed-use Mixed Income | Nowhere, HI | 50@40% 100@60% | 120 | T/E Bonds LIHTC | Operating for 20 years |
| **1** |        |        |        |        |        |        |        |        |
| **2** |        |        |        |        |        |        |        |        |
| **3** |        |        |        |        |        |        |        |        |
| **4** |        |        |        |        |        |        |        |        |
| **5** |        |        |        |        |        |        |        |        |
| **6** |        |        |        |        |        |        |        |        |
| **7** |        |        |        |        |        |        |        |        |
| **8** |        |        |        |        |        |        |        |        |

1. If project consists of multiple buildings or phases, please include the date on which each building or phase will be placed in service. [↑](#footnote-ref-2)
2. Date at which the project shall have leased 100% of the units in the project at least once. [↑](#footnote-ref-3)
3. Date at which the project shall have 95% of the project occupied for 90 consecutive days. [↑](#footnote-ref-4)
4. If the financing is secured by a mortgage, please indicate the position of the mortgage relative to all financing. [↑](#footnote-ref-5)
5. If the financing is recourse, identify who the guarantor is and the terms of the guaranty. [↑](#footnote-ref-6)
6. If the financing is secured by a mortgage, please indicate the position of the mortgage relative to all financing. [↑](#footnote-ref-7)
7. If the financing is recourse, identify who the guarantor is and the terms of the guaranty. [↑](#footnote-ref-8)