

# NON-COMPETITIVE APPLICATION FORM

**1. Funding Requested:**

- Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) only
- Corporation-issued MMRB and 4 Percent Housing Credits (HC)
- 4 Percent HC only (Non-Competitive HC to be used for Tax-Exempt Bond-Financed Developments where the bonds are issued by a County Housing Finance Authority (HFA) established pursuant to Section 159.604, F.S.)
- 4 Percent HC only (Non-Competitive HC to be used for Tax-Exempt Bond-Financed Developments where the bonds are issued by an entity other than the Corporation or a County HFA)

**2. Applicant:**

- a. Name of Applicant: \_\_\_\_\_
- b. Provide a listing of the Principals for the Applicant, including the percentage of ownership interest of each Principal, as **“Exhibit 1”**.
- c. Federal Employer Identification Number: \_\_\_\_\_

If not yet obtained, provide a copy of the completed, submitted application for the Federal Employer Identification Number as **“Exhibit 2”**.

- d. Is the Applicant applying as a Non-Profit organization?       Yes       No

If “Yes”, the Applicant must respond to questions (1) and (2) below and provide the required information as **“Exhibit 3”**. If “No”, skip Non-Profit status questions and proceed to question 3. below.

(1) Provide the following documentation for each Non-Profit entity:

- (a) attorney opinion letter; and
- (b) IRS determination letter

(2) Answer the following questions:

- (a) Is the Applicant or one of its general partners or managing members incorporated as a Non-Profit entity pursuant to Chapter 617, Florida Statutes, or similar state statute if incorporated outside Florida?
  - Yes       No

If “No”, is the Applicant or one of its general partners or managing members a wholly-owned subsidiary of a Non-Profit entity formed pursuant to Chapter 617, Florida Statutes, or similar state statute if incorporated outside Florida?

- Yes       No

- (b) Is the Applicant or one of its general partners or managing members a 501(c)(3) or 501(c)(4) Non-Profit entity or is the Applicant or one of its general partners or managing members a wholly-owned subsidiary of a 501(c)(3) or 501(c)(4) Non-Profit entity?
  - Yes       No

(c) Does the Non-Profit entity have an ownership interest, either directly or indirectly, in the general partner or general partnership interest or in the managing member or the managing member’s interest in the Applicant?

- Yes  No

If “Yes”, state the percentage owned in the general partnership or managing member interest: \_\_\_\_\_%

(d) Percentage of Developer’s fee that will go to the Non-Profit entity: \_\_\_\_\_%

(e) Provide the description/explanation of the role of the Non-Profit entity.

(f) Provide the names and addresses of the members of the governing board of the Non-Profit entity.

(g) For each Non-Profit entity, provide the articles of incorporation demonstrating that one of the purposes of the Non-Profit entity is to foster low-income housing.

(h) Year Non-Profit entity was incorporated: \_\_\_\_\_ (yyyy)

(i) Is the Non-Profit entity affiliated with or controlled by a for-profit entity within the meaning of Section 42(h), Internal Revenue Code?

- Yes  No

If “Yes”, state name of the for-profit entity: \_\_\_\_\_

**3. Contact Person:**

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_ Relationship to Applicant: \_\_\_\_\_

**4. Developer:**

a. Name of each Developer (include all co-Developers):  
\_\_\_\_\_  
\_\_\_\_\_

b. Provide a listing of the Principals for each Developer as “Exhibit 4”.

**5. Proposed Development Information:**

a. Name of Development: \_\_\_\_\_

b. Location of Development Site:

(1) County: \_\_\_\_\_

(2) Address of Development Site:

Indicate (i) the address number, street name, and name of city and/or (ii) the street name, closest designated intersection, and either name of city or unincorporated area of county:

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

(3) Local Jurisdiction:

(a) Name of local jurisdiction where Development is located: \_\_\_\_\_  
\_\_\_\_\_.

If Development is located within a municipality (incorporated city, town, or village) the municipality must be specified.

(b) Name of Chief elected official: First: \_\_\_\_\_ Middle Initial: \_\_\_\_  
Last: \_\_\_\_\_  
Title: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_  
Telephone No. (including area code): \_\_\_\_\_

c. Number of units:

(1) Total number of units in proposed Development: \_\_\_\_\_

(2) Total number of new construction units: \_\_\_\_\_

(3) Total number of rehabilitation units: \_\_\_\_\_

(4) Indicate the total number of units that will have the following types of rental assistance:

(a) PBRA: \_\_\_\_\_

(b) ACC: \_\_\_\_\_

(c) Other federal assistance: \_\_\_\_\_

d. Total number of buildings in proposed Development: \_\_\_\_\_

e. Indicate which of the following questions apply to the proposed Development and provide the required information:

(1) DDA –

The proposed Development is located in the following HUD-designated DDA:  
\_\_\_\_\_

(2) QCT –

The proposed Development is located in the following QCT: \_\_\_\_\_. A copy of a letter from the local planning office or census bureau which verifies that the proposed Development is located in the referenced QCT is provided as “**Exhibit 5**”.

(3) Multi-phase Development (select (a), (b), (c) or (d) below) –

(a) The proposed Development is located in a HUD-designated DDA and/or QCT as indicated at questions (1) and/or (2) above and the proposed Development is a phase of a multiphase Development as defined in Section 5.e.(3) of the Instructions to this Application form, where no phase has previously been funded.

(b) The proposed Development is located in a HUD-designated DDA and/or QCT as indicated at questions (1) and/or (2) above and the proposed Development is an additional phase of a multi-phase Development where a phase was previously funded. Provide the required information regarding the previously funded phase(s) as “**Exhibit 5**”.

(c) The proposed Development is not located in a HUD-designated DDA or QCT, but it is an additional phase of a multi-phase Development where a phase was previously

funded. Provide the required information regarding the previously funded phase(s) as **“Exhibit 5”**.

(d) Neither (a), (b), nor (c) above applies to the proposed Development.

(4) The Applicant is applying for Housing Credits for eligible acquisition expenses. If this applies to the proposed Development, answer the following questions:

(a) Is/are the building(s) acquired or to be acquired from a related party?

Yes  No

(b) Name of previous owner: \_\_\_\_\_

(c) Relationship to Applicant: \_\_\_\_\_

(d) Date Development originally placed in service: \_\_\_\_\_ (mm/dd/yyyy)

(e) Date (mm/dd/yyyy) and cost of last rehabilitation: \_\_\_\_\_

(f) Describe acquisition facts and circumstances relative to Section 42(d), IRC (“10-year rule”):  
\_\_\_\_\_  
\_\_\_\_\_

(g) Is a waiver of the 10-year rule being sought by the Applicant?

Yes  No

Explain why or why not: \_\_\_\_\_

(5) The proposed Development will receive historic Housing Credits in the amount of \$\_\_\_\_\_.

(6) The Applicant is applying for Housing Credits for eligible Rehabilitation expenses. The estimated qualified basis in Rehabilitation expenses per set-aside unit within one 24-month period for the building(s) being Rehabilitated is \$\_\_\_\_\_.

- f. Development Category:  Rehabilitation  Acquisition and Rehabilitation  
 Redevelopment  Acquisition and Redevelopment  
 Preservation  Acquisition and Preservation  
 New Construction

If Redevelopment, Acquisition and Redevelopment, Preservation or Acquisition and Preservation is selected, provide the required documentation as **“Exhibit 6”**.

g. Development Type: \_\_\_\_\_

h. Demographic Commitment:  Elderly  Homeless  Family  Persons with Special Needs  
 Farmworker/Commercial Fishing Worker

i. Provide the Surveyor Certification of Development Location Point for MMRB and Non-Competitive HC Applications form as **“Exhibit 7”**.

j. Set-Aside Commitment:

- (1) Indicate the minimum set-aside:  20% of units at 50% AMI or less  
 40% of units at 60% AMI or less  
 Deep rent skewing option as defined in Section 42, IRC, as amended

(2) Complete the applicable column(s) of the Set-Aside Breakdown Chart:

Percentage of Residential Units		
Commitment for MMRB	Commitment for Non-Competitive HC	AMI Level
%	%	At or Below 25%
%	%	At or Below 28%
%	%	At or Below 30%
%	%	At or Below 33%
%	%	At or Below 35%
%	%	At or Below 40%
%	%	At or Below 45%
%	%	At or Below 50%
%	%	At or Below 60%
Total Set-Aside Percentage:	%	%

(3) Indicate the total number of years the Applicant commits to set aside units in the proposed Development (minimum is 30 years): \_\_\_\_\_

k. If the work proposed in this Application is not yet complete, what is the anticipated placed-in service date? \_\_\_\_\_ (mm/dd/yyyy)

l. Features and Amenities:

(1) If requesting Corporation-issued MMRB, with or without 4 percent HC, does the Applicant commit to provide features and amenities as outlined in Section 5.1.(1) of the instructions?

Yes  No

(2) If requesting 4 percent HC only to be used with bonds issued by an entity other than the Corporation or a County HFA, does the Applicant commit to provide features and amenities as outlined in Section 5.1.(2) of the instructions?

Yes  No

Note: Applicants requesting 4 percent HC only to be used with County HFA bonds are not required to make a features and amenities commitment.

m. Green Building Features:

(1) If requesting Corporation-issued MMRB, with or without 4 percent HC, does the Applicant commit to provide green building features as outlined in Section 5.m.(1) of the instructions?

Yes  No

(2) If requesting 4 percent HC only to be used with bonds issued by an entity other than the Corporation or a County HFA, does the Applicant commit to provide green building features as outlined in Section 5.m.(2) of the instructions?

Yes  No

Note: Applicants requesting 4 percent HC only to be used with County HFA bonds are not required to make a green building features commitment.

n. Resident Programs:

(1) If requesting Corporation-issued MMRB, with or without 4 percent HC, does the Applicant commit to provide resident programs as outlined in Section 5.n.(1) of the instructions?

Yes  No

(2) If requesting 4 percent HC only to be used with bonds issued by an entity other than the Corporation or a County HFA, does the Applicant commit to provide resident programs as outlined in Section 5.n.(2) of the instructions?

- Yes  No

Note: Applicants requesting 4 percent HC only to be used with County HFA bonds are not required to make a resident programs commitment.

6. Funding:

a. Funding Request:

(1) Corporation-issued MMRB: \$ \_\_\_\_\_

(2) Non-Competitive HC funding request (annual amount): \$ \_\_\_\_\_

b. Finance Documents:

If requesting Corporation-issued MMRB only, provide the information outlined in questions (1), (5) and (6) below.

If requesting Corporation-issued MMRB and 4% HC, provide the information outlined in questions (1), (4), (5) and (6) below.

If requesting 4% HC only to be used with County HFA-issued bonds, provide the information outlined in question (2)(a) or (2)(b) below, as applicable.

If requesting 4% HC only to be used with bonds issued by an entity other than the Corporation or a County HFA, provide the information outlined in questions (3) through (6) below.

(1) If requesting Corporation-issued MMRB, provide the following information:

(a) Credit Enhancer: \_\_\_\_\_

Term: \_\_\_\_\_ Expected Rating: \_\_\_\_\_

or

Private Placement / Name of Purchaser: \_\_\_\_\_

Term: \_\_\_\_\_ Expected Rating: \_\_\_\_\_

Provide the Credit Enhancer’s Commitment or Bond Purchaser’s Letter of Interest as “Exhibit 8”.

and

(b) Provide the completed Development Cost Pro-Forma, the Detail/Explanation Sheet, if applicable, the Construction or Rehab Analysis, and the Permanent Analysis as “Exhibit 8”.

(2) If requesting 4% HC only to be used with County HFA-issued bonds:

(a) If the Credit Underwriting for the bonds is complete and it was prepared by a Credit Underwriter under contract with the Corporation, provide a complete copy of the final Credit Underwriting Report as “Exhibit 9”.

or

(b) If the Credit Underwriting for the bonds has not been completed or has been completed by a credit underwriter not under contract with the Corporation, provide the following information as “Exhibit 9”:

(i) The completed Development Cost Pro-Forma, the Detail/ Explanation Sheet, if applicable, the Construction or Rehab Analysis, and the Permanent Analysis;

- (ii) For the bond financing:
  - State the name of the assigned Credit Underwriter for the bonds: \_\_\_\_\_; and
  - Provide a copy of the inducement resolution or acknowledgement resolution awarding the bonds; and

(iii) Provide the information outlined in questions (4), (5) and (6) below.

(3) If requesting 4% HC only to be used with bonds issued by an entity other than the Corporation or a County HFA:

(a) Provide the following bond information

Tax-Exempt Multifamily bond source	Tax-Exempt multifamily bond amount
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(b) Provide the following information as **“Exhibit 10”**:

- (i) The completed Development Cost Pro-Forma, the Detail/ Explanation Sheet, if applicable, the Construction or Rehab Analysis, and the Permanent Analysis; and
- (ii) The required information for the bond financing.

(4) Housing Credit Equity –

All Applicants requesting HC must provide the following documentation, as applicable, as **“Exhibit 11”**:

- (a) If the equity agreement has closed, provide a copy of the closed limited partnership agreement or limited liability company operating agreement; or
- (b) If the equity agreement has not closed, provide a copy of the equity proposal, executed by both parties.

(5) Other Non-Corporation Financing –

All Applicant must provide a copy of all other funding proposals that will be used as a source of financing for the proposed Development as **“Exhibit 12”**.

(6) Deferred Developer Fee –

All Applicants must complete and attach the Commitment to Defer Developer Fee form, if applicable, as **“Exhibit 13”**.

**7. Applicant Certification:**

By completing, executing and submitting this Application form and all applicable exhibits, the Applicant certifies and acknowledges that:

- a. The proposed Development can be completed and operating within the development schedule and budget (i) outlined in the final Credit Underwriting Report submitted with the Application form, or (ii) submitted to the Corporation as a part of the Application form.
- b. Except for proposed Developments involving county HFA-issued bonds which are exempted from this requirement, the Applicant acknowledges that any funding preliminarily secured by the Applicant is expressly conditioned upon any independent review, analysis and verification of all information contained in this Application that may be conducted by the Corporation, the successful completion of Credit Underwriting, and all necessary approvals by the Board of Directors, Corporation or other legal counsel, Bond Counsel, if applicable, the Credit Underwriter, and Corporation Staff.
- c. The Applicant will promptly furnish such other supporting information, documents, and pay such fees as may be requested or required by the Corporation and/or the Credit Underwriter.
- d. If the Applicant enters Credit Underwriting at its own risk, the Applicant understands and agrees that the Corporation is not responsible or liable for actions taken by the Applicant in reliance on a

conditional Credit Underwriting invitation by the Corporation. If the Applicant elects to enter Credit Underwriting based on a conditional Credit Underwriting invitation, the Applicant understands and agrees that it is doing so at Applicant's sole risk and, by its execution below, accepts such risk as its own, and hereby waives any and all claims and actions for damages or costs against Florida Housing and/or the Credit Underwriter in connection therewith.

- e. The Applicant commits that no qualified residents will be refused occupancy because they have Section 8 vouchers or certificates. The Applicant further commits to actively seek tenants from public housing waiting lists and tenants who are participating in and/or have successfully completed the training provided by welfare to work or self-sufficiency type programs.
- f. The Applicant commits to participate in the statewide housing locator system, as required by Florida Housing.
- g. The Applicant and all Financial Beneficiaries have read all applicable Corporation rules governing this Application form and have read the Instructions for completing this Application form and will abide by the applicable Florida Statutes and administrative rules, including, but not limited to, Rule Chapters 67-21, Florida Administrative Code. The Applicant and all Financial Beneficiaries have read, understand and will comply with Section 42 of the Internal Revenue Code, as amended, and all related federal regulations.
- h. In eliciting information from third parties required or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.
- i. The undersigned understands and agrees that the Applicant must submit IRS Forms 8821 for all Financial Beneficiaries prior to Final Housing Credit Allocation.
- j. The undersigned is authorized to bind the Applicant and all Financial Beneficiaries to this certification and warranty of truthfulness and completeness of the Application form.

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Name (typed or printed)

\_\_\_\_\_  
Title (typed or printed)

This Non-Competitive Application Form will fail threshold if the completed Application Form, reflecting an original signature, is not provided in the copy labeled "Original Hard Copy" or if the Application Form contains corrections or 'white-out' or is scanned, imaged, altered, or retyped. Signatures in blue ink are preferred. The Application Form may be photocopied.