

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
OFFICE OF DEVELOPMENT
100 GOLD STREET, ROOM 5G, NEW YORK, NEW YORK 10038
Inclusionary@hpd.nyc.gov

**AFFORDABLE HOUSING PLAN APPLICATION PURSUANT TO
THE MANDATORY INCLUSIONARY HOUSING PROGRAM**
Please indicate "Not Applicable" or "NA" where appropriate. Do not leave any lines blank.

1.Applicant: _____
Address: _____
Fax: _____
Email: _____
Primary Contact (Name, Phone, Email):

2.Owner (if different): _____
Address: _____
Fax: _____
Email: _____
Primary Contact (Name, Phone, Email):

3.Administering Agent: _____
Address: _____
Fax: _____
Email: _____
Primary Contact (Name, Phone, Email):

4.General Contractor: _____
Address: _____
Fax: _____
Email: _____
Primary Contact (Name, Phone, Email):

5.Architect: _____
Address: _____
Fax: _____
Email: _____
Primary Contact (Name, Phone, Email):

6. Attorney and Firm: _____

Address: _____

Fax: _____

Email: _____

Primary Contact (Name, Phone, Email): _____

7. Location of Affordable Housing Units

Street Address: _____

Borough: _____

Block(s)/Lot(s): _____

Community Board: _____

8. Mandatory Inclusionary Housing Area

(Include Zoning Resolution Appendix F Map Reference):

Special Permit: _____

9. MIH Option for Compliance with Affordable Housing Requirement – ZR 23-154 (d)(3)(i-iv):

Option 1

Option 2

Deep Affordability Option

Workforce Option

10. Unit Count:

Total Units: _____ Total MIH Units: _____ Super's Units: _____

Income Distribution of Affordable Housing Units:

Number of low-income units (equal to or less than 80% AMI): _____

Number of moderate-income units (equal to or less than 125% AMI): _____

Number of middle-income units (equal to or less than 175% AMI): _____

11. If publicly financed, list all sources of governmental assistance, including tax credits, bond financing, and land disposition programs:

Tax Exemption to be requested: _____

12.Type of Project (check all that apply)

Construction type:

- New Construction
- Conversion
- Enlargement

Location of MIH Units:

- On-site (MIH Site is located on the same zoning lot as MIH Development)
- Off-site (MIH Site is located on a different zoning lot to MIH Development)

Tenure of Units:

MIH Units

- Rental
- Homeownership

Non-MIH Units

- Rental
- Homeownership
- Not Applicable/All units are MIH units

13.Tenant-Paid Utilities:

Check all tenant-paid utilities that will apply, or check N/A if owner-paid

Apartment Electricity

- Electricity
- N/A: Apartment electric is paid by owner

Cooking

- Gas Stove
- Electric Stove
- N/A: Cooking is paid by owner

Heating

- Gas Heating
- Electric Heat: Cold Climate Air Source Heat Pump (ccASHP)*
- Electric Heat: other (e.g. Electric Resistance Heating, Electric PTACs, Electric Furnace)
- N/A: Heating is paid by owner

*Product must be listed on the NEEP Cold Climate Air Source Heat Pump (ccASHP) Product List:

<https://ashp.neep.org/#/>

Hot Water

- Gas Hot Water Heater
- Electric Hot Water Heating: Heat Pump Water Heaters (HPWHs)
- Electric Hot Water Heating: Other (e.g. resistance-type Hot Water Heater)
- N/A: Hot water heating is paid by owner

14. If the project will contain a condominium or cooperative structure, please describe the structure and the use of each unit. If not, please indicate N/A:

Authorized Signature of Applicant: _____

Print name: _____

Date: _____



LOUISE CARROLL
Commissioner
ELIZABETH OAKLEY
Deputy Commissioner
PATRICIA ZAFIRIADIS
Associate Commissioner

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AFFORDABLE HOUSING PLAN CHECKLIST PURSUANT TO THE MANDATORY INCLUSIONARY HOUSING PROGRAM

PROJECT NAME:		AS OF:		TARGETED CLOSING DATE:	
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Requirement	Responsible Party	Notes
A. Application		
Inclusionary Housing Application (Original required) LINK	Development Team	
Project description/narrative	Development Team	
MIH Application Submission Fee (\$100) <i>Made payable to NYC Dept. of Finance</i>	Development Team	
HPD Construction Sign Fee (\$100) <i>Made payable to NYC HPD</i>	Development Team	
B. BLDS Processing and Review		
BLDS eSubmit invitation initiated	IH Project Manager	
Drawings & documents submitted to BLDS eSubmit LINK	Project Architect	
BLDS final acceptance received	HPD BLDS	
C. Architectural Submissions		
MIH Architect Affidavit (Original required)	Project Architect	
Stacking charts (Excel format) LINK	Development Team	
Utility verification letter (Original required) LINK	Engineer of Record	
D. Campaign Finance Forms		
Doing Business Data form LINK	Development Team	
E. Community Board Notification		
Notification delivered <i>(at least 45 days prior to closing)</i> LINK	Development Team	
F. Integrity Review		
Disclosure forms for Entity and Individuals LINK	Administering Agent	
Integrity Review final report issued	HPD Integrity Review	
Pre-Transaction Affidavit <i>(at least two weeks prior to closing)</i>	Administering Agent	
G. Tax Memo		
Property list submitted (Excel format) <i>Administering Agent only</i>	Development Team	
Arrears and Violations report run	IH Project Manager	
Report responses submitted (if applicable)	Development Team	
H. Supporting Organizational Documents		
Organizational charts <i>Applicant, Administering Agent and General Contractor required</i>	Development Team	
Employer Identification Numbers (EINs) <i>Applicant, Owner (if applicable), Administering Agent, General Contractor, Architect, Developer, and Attorney required</i>	Development Team	
I. Financing		
Fully executed term sheet	Development Team	
Underwriting (Excel format)	Development Team	
Fully executed commitment letter	Development Team	
J. Legal		
Draft Restrictive Declaration and SNDA circulated	HPD Legal	
Draft Restrictive Declaration exhibits circulated	IH Project Manager	
Restrictive Declaration opinion letter (Original required)	Applicant's Counsel	
Tax exemption opinion letter submitted (Original required)	Applicant's Counsel	
K. Closing		
Closing date assigned	HPD Team	
MIH Application Fee (\$1,100 per IH unit) <i>Made payable to NYC Dept. of Finance.</i>	Development Team	



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AFFORDABLE HOUSING PLAN PROVISIONS PURSUANT TO THE MANDATORY INCLUSIONARY HOUSING PROGRAM

A. Application

Information on the Inclusionary Housing Program can be found here: nyc.gov/HPD - Inclusionary Housing Program

Fees

All fees must be paid in the form of a certified check, bank check, or money order as follows:

- **\$100 Mandatory Inclusionary Housing Application Submission Fee:** *due at application submission, made payable to the NYC Department of Finance (DOF).*
- **\$100 Construction Sign Fee:** *due at application submission, made payable to the NYC Department of Housing Preservation and Development (HPD).*
- **Inclusionary Housing Application Fee:** \$1,100 per IH unit; *due at closing, made payable to DOF.*
- **Mandatory Inclusionary Housing Reserves Fee (for 100% MIH projects):** \$4,000 per IH unit, comparable to 6 months of HDC-approved maintenance and operating expenses, including debt service and taxes; *due prior to HPD's issuance of a Completion Notice, made payable to the NYC Housing Development Corporation (HDC).*

B. BLDS Processing and Review

Once a complete Application package is submitted to the Inclusionary Housing Program, your Project Manager will initiate the intake of the project through the BLDS eSubmit system. A notification will be sent to the development team which will permit the architect to upload the Drawings and Documents.

Submit DOB submission-quality drawings that substantiate or verify the Architect's Affidavit for new construction, substantial rehabilitation, and preservations projects as follows:

Each design submission must comprise two multi-page PDFs, one of which must contain all design drawings ("Drawings"), and the other of which must contain all supporting documents ("Documents"). All files must be submitted through the BLDS eSubmit process, and each file must be less than 50 MB in size.

New Construction Drawings

Note: New construction building plans filed with DOB must be reviewed by a DOB plan examiner. Responses to DOB objections must not be self-certified.

BLDS Design Review Submission Checklist and Guidelines:

- [New Construction Design Review Submission Checklist](#)
- [Supportive Housing Guidelines](#)

Conversions and Enlargements

Submit existing DOB-approved building plans, including

- (1) the site plan of the building to contain Affordable Housing,
- (2) zoning sheets that reflect the total size of the building,
- (3) the size and configuration of the dwelling units to be contained in the building.

If no existing building plans are on record, please submit newly drawn building plans.

- Indicate landmark status of proposed conversion or enlargement building.
- Provide a scope of work indicating the extent of conversion or enlargement work proposed.

C. Architectural Submissions

Mandatory Inclusionary Housing Architect Affidavit

Submit certification from an architect that states:

- (1) the amount of affordable floor area in the project,
- (2) that the affordable housing units comply with §23-154 of the New York City Zoning Resolution ("Zoning Resolution") and §41-15 of the Inclusionary Housing Program Guidelines ("Guidelines"), and
- (3) that the project complies with §504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 part CFR 8.

Access the MIH Architect Affidavit and Exhibit A Stacking Charts here:

- [MIH Architect Affidavit](#)
- [Exhibit A of the Architect Affidavit](#)
 - *Height Distribution (Chart A)*
 - *Horizontal Unit Distribution (Chart B)*
 - *Bedroom Mix (Chart C)*
 - *Floor Area/Unit Size Compliance Worksheet (Chart D)*
 - *Unit Size Comparison (Chart E)*



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Utility Verification Letter

Engineer of record must submit a [letter](#) to Inclusionary Housing Project Manager stating the proposed heating, hot water, and cooking systems for the project.

Utility Allowance Chart: [2021 LIHTC Rent & Income Limits for NYC](#)

D. Campaign Finance Forms

Entities participating in affordable housing transactions with the City must complete and submit Campaign Finance forms with the Application. Please submit a hard copy original and PDF electronic version.

E. Community Board Notification

The [required notification documents](#) must be emailed to the Community Board at least 45 days prior to the execution of a restrictive declaration. Submit an email as proof that the proposed Application was submitted to and received by the Community Board in which the project is located (cc: inclusionary@hpd.nyc.gov).

F. Integrity Review

Submit disclosure forms for Administering Agent. Provide a [hard copy original](#) and an [electronic copy \(PDF\)](#) for the entities and their principals. Entities or individuals may submit only electronic copies after submitting an [Application for Electronic Integrity Review Submission](#) and receiving a personal identification number ("PIN").

Pre-Transaction Affidavits

Submit affidavits two to four weeks before signing a regulatory agreement for Administering Agent.

G. Tax Memo

Submit a list of all NYC properties currently owned, managed, or controlled by the project's Administering Agent all principals. Provide proof of payment for DOF and DEP arrears and Dismissal Requests or Certificate(s) of Correction for outstanding C-violations, as applicable, for the properties listed.

H. Supporting Organizational Documents

Submit organizational charts for Applicant, Administering Agent, and General Contractor.

Submit Employer Identification Numbers (EINs) for Applicant, Owner (if different than Applicant), Administering Agent, General Contractor, Architect, Developer, and Attorney.

I. Financing

Underwriting

Submit the following in Microsoft Excel format with all cells fully linked. Calculations must be shown.

1. **Development budget** - HPD IH reserves and fees must be capitalized in the development budget.
2. **Sources and uses of financing**
3. **Number and bedroom size of units**
4. **Rents and income level of tenants:** Indicate year and AMI level of affordable rents and whether tenants are responsible for gas and/or electric payments.
5. **Maintenance and Operations:** At a minimum, the following should be included as separate line items:
 - o Administrative: legal, accounting, management fee, fire & liability insurance
 - o Utilities: heating, electricity, water & sewer
 - o Maintenance: supplies, cleaning, exterminating, repairs/replacement, super & maintenance salaries, elevator maintenance/repairs, building reserve.
6. **30 year cash flow analysis:** Provide a Cash Flow Analysis sheet.
7. **Sales Prices:** for homeownership projects only.



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J. Legal

HPD Legal will assign an attorney to review closing documents and draft the Mandatory Inclusionary Housing Restrictive Declaration and Subordination and Non-Disturbance Agreement(s).

K. Closing

Permit Notice Availability

Upon execution and recordation of the Restrictive Declaration (or proof that the document was submitted to the Office of the City Register for recordation), HPD will generate a Permit Notice, for delivery to DOB. The Permit Notice will state the amount of affordable floor area in the project and will allow DOB to issue a New Building permit.