Project Based Vouchers

Amended June 6, 2024

PROPOSAL DUE DATE:
July 11, 2024

CITY OF BURBANK
COMMUNITY DEVELOPMENT

CITY OF BURBANK
SECTION 8 PROJECT-BASED VOUCHER PROGRAM (PBV)
MAY 30, 2024

PROPOSAL PACKAGE

PROGRAM DESCRIPTION, PROPOSAL FORMS, ATTACHMENTS FOR OWNER/DEVELOPER SUBMISSION OF PBV PROPOSALS

PROPOSALS DUE
THURSDAY, July 11, 2024
4:00 PM PT

In submitting the project proposal, please ensure the following items are included:
1. Owner/Developer Project-Based Voucher Proposal
2. Required Attachments to Proposal

Submit one (1) hard copy original and one (1) electronic copy to:
BURBANK HOUSING AUTHORITY
150 N. THIRD STREET
BURBANK, CA 91502
Contact Person: Maribel Leyland
mleyland@burbankca.gov or (818) 238-5180

Amended June 6, 2024
(Amendments noted in red font)

CITY OF BURBANK

SECTION 8 PROJECT-BASED VOUCHER PROGRAM (PBV)

May 2024

REQUEST FOR PROPOSALS (RFP)

1. INTRODUCTION

The Burbank Housing Authority is inviting owners and developers of multi-family rental projects in the City of Burbank to submit proposals for participation in the Section 8 Project Based Voucher Program (PBV). **PBV assistance is available for up to 20 units under this RFP**. Applications will be accepted for substantial rehabilitation or new construction units.

A housing unit will be considered a new construction unit if construction has not started at the time of BHA selection and will not start until all post-selection requirements are met. A substantial rehabilitation will be an extensive structural repair or extensive remodeling and requires a building, electrical, plumbing, or mechanical permit for the tenant's dwelling unit at issue All financing of project costs and operating expenses will be the responsibility of the owner.

2. PROGRAM OVERVIEW AND REQUIREMENTS

A. Housing Authority Profile

The Burbank Housing Authority operates the Housing Choice Voucher Program (HCV), also known as Section 8, which is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. The BHA is responsible for over 1,000 Section 8 Vouchers for households whose incomes fall below 50% of the median household income in Los Angeles County.

The Burbank Housing Authority continues to expand the supply of assisted housing, maintaining the quality of assisted housing, promoting self-sufficiency of families and individuals, increasing awareness of housing choices, and working with federal representatives to improve and expand rental and homeownership opportunities for lower income households.

B. Background and Purpose

The PBV Program is a component of the BHA's Section 8 HCV Program. HUD allows a public housing authority to set aside up to approximately 20% of its vouchers for project-based assistance. Unlike tenant-based assistance where the rental subsidy is attached to the tenant, the rental subsidy in a project-based assistance program is attached to the unit or building. The purpose of the PBV Program is to: 1) expand housing and economic opportunities for low and very low-income households; 2) maintain full utilization of allocated vouchers; and 3) prevent the concentration of poverty. (The City of Burbank is experiencing a shortage in affordable housing units with a particular interest in housing opportunities for the homeless.) The BHA desires to secure and preserve affordable rent housing within the City of Burbank.

C. Description of Project-Based Voucher Program
Under the PBV program, the BHA will attach a Housing Assistance Payments (HAP) Contract to the selected housing development after construction is completed. For new construction projects, please note a selected project cannot begin construction until all post-selection requirements (see Section 4.H) are met and the BHA and the owner(s) have executed an Agreement to Enter into Housing Assistance Payments Contract (AHAP). The AHAP stipulates the conditions under which the owner agrees to construct the units to be subsidized and under which the BHA agrees to subsidize the units upon satisfactory completion of construction. All units must meet HUD-established Housing Quality Standards inspection and other requirements before assistance can commence. Upon meeting all requirements, a HAP Contract will be executed between BHA and the owner for the specified units for a term of up to 20 years, as determined by the BHA. Contract renewal after the initial period may occur at the sole option of BHA for such period (not to exceed an additional 20 years) as BHA determines appropriate to expand housing opportunities and to achieve long-term affordability. All HAP Contract renewals are contingent upon the future availability of the appropriated HUD funds for the HCV Program.

The HAP Contract establishes the initial rents for the units and describes the responsibilities of the BHA and the owner. Rental as provided while the units are occupied by eligible households. An eligible household will generally meet HUD established income limits for Very Low Income (50% of Area Median Income) households. Additional income limits may apply for tax credit or otherwise restricted properties.

D. Number of PBV Available
BHA will make up to 20 project-based vouchers available for substantial rehabilitation or new construction projects that will serve the very-low income population (incomes at or below 50% of the area median income) in the City of Burbank.

E. Cap on Number of PBV Units in a Project
BHA may not select a proposal to provide PBV assistance for units or enter into an AHAP contract or a HAP contract if more than 25 percent of the total number of dwelling units in the project or 25 units in a project, whichever is greater would receive PBV assistance (as stated in the adopted Administrative plan).

G. PBV Program Contract Assistance and Term
New Construction Housing Term

Selected projects may not begin new construction until all post-selection requirements (see Section 4.H. below) are met and BHA and the owner have executed an AHAP. Upon satisfactory compliance with all post-selection requirements, satisfactory compliance with provisions of the AHAP, completion of new construction and a successful HQS inspection, the HAP contract will be executed between BHA and the owner for specified units, for an initial term of up to 20 years. The length of the term is at the discretion of the BHA.

H. Contract Assistance
Rental assistance is provided while eligible households occupy the units. An eligible household generally must not exceed the HUD-established very low-income limit (50% AMI) at the time of admission, adjusted for household size. A household who resides in a PBV unit for at least one year may move with continued rental assistance under the tenant-

based Section 8 Program if assistance is available. The PBV unit the household occupied must then be rented to a new eligible household from BHA s wait list. PBV units must be leased to eligible households for the full term of the HAP contract.

I. Rent Limits

The amount of rent will be determined in accordance with HUD Regulations. The rent to owner must generally not exceed the lowest of the following:

- BHA Payment Standards minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

Current BHA Payment Standards -

Effective Date	0-Br	1-Br	2-Br	3-Br	4-Br
October 1, 2023	$1,955	$2,207	$2,799	$3,590	$3960

Certain LIHTC Units

Certain LIHTC units' rent limits are determined differently than for other PBV units. These different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a LIHTC under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract (QCT). A QCT is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50% of households have an income of less than 60% of the Area Median Gross Income or where the poverty rate is at least 25% and where the census tract is designated as a QCT by HUD.
- There are comparable LIHTC units of the same bedroom size as the contract unit in the same building, and the comparable LIHTC units do not have any form of rental assistance other than the LIHTC; and
- The LIHTC rent exceeds the BHA Payment Standards.

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- The LIHTC rent minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

In no event will the rent exceed BHA's payment standard less utility allowances. The current schedule of utility allowances can be found on BHA's website: https://www.burbankca.gov/documents/173607/0/07.01.2023+-+UA+FINAL+-+COMBINED+.pdf/4b64e1d8-5b38-9ab0-83e4-649ab8a7bb17?t=1688165627547

J. Participant Eligibility

BHA will determine eligibility for participation in the project-based assistance program in accordance with HUD requirements and BHA Administrative Plan. All assisted units must be leased to eligible households. Leasing of units to ineligible tenants is a violation of the HAP Contract and will result in the loss of the rental subsidy.

K. Selection from the Waiting List

Tenants who will occupy units with PBVs selected via this RFP must be selected from the BHA waiting list and will be subject to all rules, regulations and priorities established for the wait list in the BHA Administrative Plan.

Owners may not select applicants from their own waiting lists. The owner is responsible for notifying BHA of vacant units and the appropriate household size. Applicants pulled in order from the BHA waiting list, and who are of the appropriate household size and specifications for the unit, will be referred to the owner. If the BHA does not refer a sufficient number of interested families on the BHA's waiting list to the owner within 30 days of the owner's notification to the BHA of a vacancy, the owner may advertise for or solicit applications from eligible, very low-income families. The owner must refer these families to the BHA to determine eligibility. The Burbank Housing Authority and/or owner may also partner with other agencies for referrals for project-based units.

Owners are responsible for the screening and selection of referred applicants. The owner's procedures must be consistent with the purpose of improving housing opportunities for very low-income households, reasonably related to program eligibility and an applicant's ability to perform the lease obligations. Selection must be in accordance with fair housing and other applicable laws and regulations.

3. PROJECT SELECTION

A. Project Eligibility Threshold

In order for an owner/developer to be considered under this RFP, a project must meet all of the following:

1. The proposed project must be located in the City of Burbank.
2. The proposed project must *not* have started at the time of selection for PBV (and cannot start until all post-award conditions are met and an AHAP is signed). Before selecting a new construction project and before an AHAP is signed BHA will make a site inspection to verify this condition.
3. The proposed project must be ready to start construction within 18 months of selection for PBV assistance.
4. Proposed projects must be located in a census tract with a poverty rate no higher than 20% based on 5-year tabulations from the American Community Survey (ACS). (See Section 5.D. of the Factors for Scoring, "Extent to Which Project Furthers BHA's Goal of Deconcentrating Poverty and Expanding Housing Opportunities").
5. Applicant must have site control or submit evidence to indicate that the needed approval/ documentation for site control is likely to be obtained and will not delay the project; and must submit evidence that the proposed new construction is permitted by current zoning ordinances or regulations, or submit evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project.
6. Proposed project must be financially feasible.

B. Ineligible Projects

Ineligible Housing Types (24 CFR 983.53)
BHA may not attach PBV assistance to:

- Shared housing units;
- Units on the grounds of a penal reformatory, medical, mental, or similar public or private institution;
- Nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities);
- Units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution;
- Manufactured homes; or
- Transitional housing.

In addition, BHA may not attach PBV assistance to a unit occupied by an owner and BHA may not select or enter into an AHAP or HAP contract for a unit occupied by a household ineligible for participation in the PBV program. Finally, PBV assistance may not be attached to units for which construction has started after the proposal submission and prior to execution of the AHAP. Please see 24 CFR 983.53 for a complete list of ineligible property types.

Ineligible Subsidized Housing (24 CFR 983.54)
BHA may not attach PBV assistance to any of the following types of subsidized housing:

- A public housing unit;
- A unit subsidized with any other form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (except that BHA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
- A Section 202 project for non-elderly households with disabilities;
- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance; or
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or BHA in accordance with HUD requirements.

C. Site Inspection and Site Selection Standards

Deconcentration of Poverty
BHA may not select a proposal for PBV housing on a site or enter into an AHAP or HAP contract for units on the site unless BHA has determined that PBV assistance for housing at the selected site is consistent with its goal of deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal BHA will limit approval of sites for PBV housing to census tracts that have poverty concentrations of 20 percent or less.

Site and Neighborhood Standards for New Construction (24 CFR 983.57(e))
In order to be selected for PBV assistance, a site for new construction must meet the following HUD-required site and neighborhood standards:

- The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- The site must have adequate utilities and streets available to service the site;
- The site must not be located in an area of minority concentration unless BHA determines that sufficient, comparable opportunities exist for housing for minority households in the income range to be served by the proposed project outside areas of minority concentration or that the project is necessary to meet overriding housing needs that cannot be met in that housing market area;
- The site must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area;
- The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- The neighborhood must not be one that is seriously detrimental to household life or in which substandard dwellings or other undesirable conditions predominate;
- The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Except for housing designed for elderly persons, the housing must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

D. Federal Requirements

Certain other Federal requirements also apply to PBV assistance, including, but not limited to:

1. Fair Housing: Nondiscrimination and equal opportunity. See 24 CFR 5.105(a) and Section 504 of the Rehabilitation Act.
2. Environmental Review: See 24 CFR parts 50 and 58 and 24 CFR part 983.58.
3. Debarment: Prohibition on use of debarred, suspended, or ineligible contractors. See 24 CFR 5.105(c) and 2 CFR part 2424.
4. Uniform Relocation Act: A displaced person must be provided relocation assistance at the levels described in and in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970 (URA) (42 U.S.C. 4201-4655) and implementing regulations at 49 CFR part 24.
5. Labor Standards: For new construction, regulations implementing the Davis-Bacon Act, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708), 29 CFR part 5, and other federal laws and regulations pertaining to labor standards applicable to an AHAP covering nine or more assisted units.

DI. Federal Program Regulations and BHA Program Policies

The information contained in this RFP is a summary overview of the PBV Program. BHA does not warrant that it is exhaustive and bears no responsibility for its completeness. All persons submitting proposals are encouraged to read the HUD regulations on the PBV Program for a full description of Program's requirements. The regulations can be found at: 24 CFR part 983. Further information is available online at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs /hcv/project.

For a complete copy of BHA's PBV program policies, please see Chapter 18 of the BHA's Administrative Plan. The plan is located on BHA's website https://www.burbankca.gov/web/community-development//housing/affordable-housing/section-8.

4. PROPOSAL SUBMITTAL AND PROCESSING

A. Organization of Submitted Materials

All proposals must be legibly typed and neatly organized and presented. Use the forms provided; do not use your own except where the form instructions permit you to do so.

Submittal should include the following:

- A description of the housing to be constructed or rehabilitated, including the number of units by size (square footage), bedroom count, bathroom count, sketches of the proposed new construction or rehabilitation, unit plans, listing of amenities and services, and estimated date of completion. For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation.
- Evidence of site control, and for new construction identification and description of the proposed site, site plan and neighborhood.
- Evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, if applicable.
- Evidence to indicate that the needed re-zoning is likely and will not delay the project, if applicable.
- The proposed contract rent per unit, including an indication of which utilities, services, and equipment are included in the rent. For those utilities that are not included in the rent, an estimate of the average monthly cost for each unit type for the first year of occupancy.

- **A Statement Identifying:**
  - The number of persons (families, individuals, businesses and nonprofit organizations) occupying the property on the date of submission of the application.
  - The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex.
  - The estimated cost of relocation payments and services, and the sources of funding.
  - The organization(s) that will carry out the relocation activities.
  - The identity of the owner, project principals, names of officers, principal members, shareholders, investors and other parties having substantial

interest. Certification showing that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and nonprocurement programs; a disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP Contract; and information on the qualifications and experience of the principal participants. Information concerning any participant who is not known at the time of the owner's submission must be provided to the Burbank Housing Authority as soon as the participant is known.

- The owner's plan for managing and maintaining the units.
- Evidence of financing or lender interest and the proposed terms of financing.
- The proposed term of the HAP Contract; and
- Any other information the Burbank Housing Authority believes necessary.

B. Submittal Deadline

Proposals are due by **4:00 p.m. PT on July 11, 2024.** Submit one (1) original hard copy and one (1) electronic copy to Maribel Leyland at:

BURBANK HOUSING AUTHORITY
150 N. THIRD STREET
BURBANK, CA 91502
mleyland@burbankca.gov

CITY OF BURBANK

Housing Authority
150 N. Third Street
Burbank, CA 91510-6459
Contact Person: Maribel Leyland
mleyland@burbankca.gov or (818) 238-5180

Only proposals submitted in response to this RFP will be accepted for consideration. Proposals must respond to all requirements as outlined in the RFP. Proposals submitted after the deadline will not be accepted. Proposals will not be accepted based on mail postmark. Delays in mail service or other methods of delivery will not excuse late proposal delivery. BHA reserves the right to cancel this RFP, or to re-open this RFP and to solicit additional proposals.

C. Proposal Review and Selection

BHA will review, evaluate, rank, and select the proposals according to this RFP. If a BHA-affiliated project is selected for PBV, the local HUD field office or its authorized designee must review and approve the selection procedures.

Prior to selecting units, BHA will determine that each proposal is responsive to and in compliance with BHA and with HUD program regulations and requirements at 24 CFR part 983.

Proposals that meet the project thresholds outlined in Section 3.A above will be evaluated and ranked according to the factors described in Section 5 of this RFP. A ranking list will be prepared according to points awarded to each proposal.

The proposals scoring the highest points in Section 5 will be awarded project-based vouchers up to the amount requested and in accordance with the specified limits.

BHA may, at its discretion, select one or more or none of the proposals submitted. BHA reserves the right to postpone or cancel the final award of the proposals at BHA's convenience.

BHA will promptly notify the selected owner/s in writing of their selection for the PBV program. BHA will also notify, in writing, all owners that submitted proposals that were not selected, and advise such owners of the name of the selected owner.

Documents regarding BHA's basis of selection for PBV proposals will be made available for public inspection, excluding sensitive owner information such as financial statements and similar information about the owner.

D. Incomplete and Non-Responsive/Non-Compliant Proposals

If BHA determines that a proposal is non-responsive or non-compliant with this RFP, written selection criteria and procedures or HUD program regulations, the proposal will be rejected and returned to the applicant with notification stating the reason for rejection. In cases where the proposal meets the minimum information requirements but is defective through typographical or minor calculation errors the proposal will be processed.

BHA reserves the right to reject a proposal at any time for misinformation, errors or omissions of any kind, no matter how far such proposal has been processed.

E. Withdrawal of Proposal
Applicants may withdraw their proposals before or after the RFP submittal deadline by submitting a written request to BHA.

F. Proposal Cost
All costs incurred in the preparation of the proposal are the responsibility of the applicant. All documents submitted as part of the proposal will become property of BHA. Any material submitted that is confidential must be clearly marked as such.

G. Equal Opportunity
BHA is an Equal Opportunity Business Enterprise which promotes competitive solicitations and does not discriminate on the basis of race, color, religion, creed, national origin, sex, disability, age or sexual orientation.

BHA encourages Minority, Small, Women- and/or Disabled-owned Business Enterprises to respond to this solicitation.

H. Post Award Conditions

New Construction Units

HUD regulations require that new construction units complete the following items before BHA and the owner/developer can execute an AHAP:

1. *Subsidy Layering Review (SLR):* PBV projects that utilize LIHTCs or other governmental housing assistance from federal, state or local agencies are subject to a SLR (see 24 CFR 983.55) to prevent excessive public assistance for the project. Applicants utilizing LIHTCs have the option to have the California Tax Credit Allocation Committee perform the SLR, otherwise, applicants will be required to submit documents to BHA that will then be submitted to HUD or its designee for the SLR approval.
2. *Environmental Review:* PBV activities are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The owner must obtain documentation of environmental clearance from the Responsible Entity (i.e., the city or county) that conducted or approved the environmental review (see 24 CFR 983.58).
3. *Determination of Initial Contract Rent:* BHA will determine the estimated and actual amount of initial rent to the owner according to 24 CFR 983.301. The AHAP states the estimated amount of the initial rent to owner; the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

The following items must be completed before BHA and the owner/developer can execute a HAP contract:

1. BHA has inspected each contract unit in accordance with 24 CFR 983.103(b) and has determined that the unit fully complies with HQS.
2. The owner has provided evidence that certifies that the units have been completed in accordance with the AHAP. Completion of the units by the owner and acceptance of units by BHA are subject to the provisions of the AHAP (see 24 CFR 983.155 and 24 CFR 983.156).

I. Post Award Costs

All costs for the SLR, environmental review, appraisal (if required for establishment of rent), Davis Bacon monitoring and any and all other costs that may be associated with processing and approval of the proposal are the responsibility of the owner and shall not be paid by BHA.

J. Appeals and Remedies

General: It is BHA's policy to resolve all contractual issues informally at the BHA level, without litigation. Disputes shall not be referred to HUD until all administrative remedies have been exhausted at the BHA level. When appropriate, the BHA may consider the use of informal discussions between the parties by individuals who did not participate substantially in the matter in dispute, to help resolve the differences. HUD will only review protests in cases of violations of Federal law or regulations and failure of the BHA to review a complaint or protest.

RFP protests: Any actual or prospective applicant may protest the solicitation or award of a contract. Any protest against the award of a contract must be received within ten (10) calendar days after the contract award, or the protest will not be considered. All RFP protests shall be in writing, submitted to the BHA representative referenced above for application submission, who shall issue a written decision on the matter. The BHA may suspend the selection/award pending resolution of the protest, if warranted by all facts presented.

5. FACTORS FOR SCORING AND RANKING PROPOSALS

Please only submit a proposal if the project meets the threshold criteria mentioned in Section 3A above.

Each category will be accounted for in determining who is selected, please check the box next to the number of points for which the project qualifies and attach any verification requested. Any inaccurate information will result in reduced points.

A. Local Experience / Administrative Capacity **20 Points**

An owner/operator with local ownership/management experience will likely have a streamlined lease-up, lower vacancy rates, and higher tenant retention/satisfaction

B. Need **20 Points**

The extent to which the proposed housing project addresses the housing needs permanent supportive housing intended to serve homeless individuals and families (dwelling unit design and floor plan, accessibility/adaptability, resident services).

C. Mixed Income **20 Points**

Substantial rehabilitation or new construction development proposals that will provide 15-20 PBVs to provide permanent supportive housing intended to serve homeless individuals and families who are the most vulnerable in the community. A fraction of the PBVs may be utilized for lower-income households up to 50% of the Los Angeles County Area Median Income adjusted for household size.

D. Financial/Marketability **20 Points**

Operating budget evidence project financial stability and sustainability. Proposed rents and expenses are reasonable per market standards. Replacement and operating reserves are adequate

E. Community Impact **15 Points**

Consideration is given with respect to: a) the current conditions of the surrounding community (i.e., neighborhood character, appearance, etc.); b) the project's compatibility with and positive impact on the neighborhood (the proposed use, design, and scale of the housing project); and c) the City's policy to disperse affordable housing opportunities throughout the community.

F. Equal Opportunity Employment Practices **5 Points**

Each state department has an obligation to actively prevent unlawful discrimination, and to take immediate and effective action to eliminate it when it is discovered.

For each category, please indicate the number of points for which your project qualifies. Indicate the number of points next to maximum possible points.

FACTORS FOR SCORING AND RANKING PROPOSALS (SUBSTANTIAL REHABILITATION/NEW CONSTRUCTION)	Maximum Possible Points	Your Proposal Points
A. Local Experience/Administrative Capacity	20	
B. Need	20	
C. Mixed Income	20	
D. Financial/Marketability	20	
E. Community Impact	15	
F. Equal Opportunity Employment Practices	5	
Total	**100**	

City of Burbank Housing Authority
May 2024

SECTION 8 PROJECT-BASED VOUCHER PROGRAM (PBV)

OWNER/DEVELOPER PROJECT-BASED VOUCHER PROPOSAL

PROPOSAL SECTION A: APPLICANT STATEMENT AND CERTIFICATIONS

APPLICANT:

PROJECT NAME:

The undersigned applicant hereby submits this proposal to the Burbank Housing Authority (BHA) for a reservation of (# of vouchers requested):

___ Section 8 Project-Based Vouchers (PBV).

I understand that BHA's entering into the Housing Assistance Payments (HAP) contract is contingent on my providing all required documents and compliance with the U.S. Department of Housing and Urban Development (HUD) project-based regulations at 24 CFR part 983.

I agree it is my responsibility to provide BHA with one (1) original hard copy AND one (1) electronic copy of a complete proposal. I agree that it is also my responsibility to provide such other information as BHA requests as necessary to evaluate my proposal. I represent that if an award is made as a result of this proposal, I will furnish promptly such other supporting information and documents as may be requested. I understand that BHA may verify information provided and analyze materials submitted as well as conduct its own investigation to evaluate my proposal. I recognize that I have an affirmative duty to inform BHA when any information in the proposal or supplemental materials is no longer true and to supply BHA with the latest and accurate information.

I acknowledge that the determination of completeness, compliance with all thresholds, and the point total of the proposal shall be based entirely on the documents contained in the proposal as of the date of submission. No additional documents in support of the basic thresholds or points shall be accepted beyond the proposal filing deadline, unless the Executive Director, at his or her sole discretion, determines that the deficiency is a clear reproduction or application assembly error, an obviously transposed number, or other minor error. In such cases, applicants shall be given up to five (5) business days from the date of receipt of staff notification to submit said documents.

I acknowledge that all materials and requirements are subject to change by enactment of federal legislation or promulgation of regulations.

I acknowledge that the information submitted to BHA in this proposal or supplemental thereto, other than financial statements, may be subject to the Public Records Act or other disclosure. I understand that BHA may make such information public.

In carrying out the development and operation of my project, I agree to comply with all applicable federal and state laws regarding unlawful discrimination and will abide by all applicable PBV Program requirements, rules, and regulations.

I agree that BHA in no way warrants the feasibility or viability of the project to anyone for any purpose.

I certify that I believe that the project can be completed within the development budget and the development timetable set forth and can be operated in the manner proposed within the operating budget set forth.

I acknowledge that if I obtain a PBV award, I will be required to enter into a AHAP contract, which will require the construction not commence until all post-award requirements have been met and, among other things, all the federal requirements must be met.

I acknowledge that if I obtain a PBV award, I will be required to enter into a HAP contract, which will contain, among other things, all the conditions under which the rental subsidy payments will be made.

I acknowledge that if a Subsidy Layering Review (SLR) is required that such SLR is performed by HUD or its designee, not BHA, and that BHA has no control over the amount of time HUD takes to perform such SLR.

I agree to hold BHA, its commissioners, members, officers, agents, and employees harmless from any matters arising out of or related to the PBV Program.

I declare under penalty of perjury that the information contained in my proposal, exhibits, attachments, and any further or supplemental documentation is true and correct to the best of my knowledge and belief. I understand that misrepresentation may result in cancellation of my PBV award.

Signature of
Owner/Developer _____

Dated this _____ day of _____, 2024 at

_____Burbank_____, California

CITY OF BURBANK HOUSING AUTHORITY
May 2024

SECTION 8 PROJECT-BASED VOUCHER PROGRAM (PBV)

SECTION 1: GENERAL AND SUMMARY INFORMATION

A. Basic Proposal

1. Number of PBVs requested:

# of PBVs _____ Total units in project _____
PBV % of total units_____

If % is greater than 25%, mark the exemption requested:

☐	Units exclusively for **Elderly**	☐	Units are for households eligible for **Supportive Services ****	☐	Project is located in a **Census Tract with a poverty rate <20%**

** If providing Supportive Services, please include a listing of services to be provided as part of the REQUIRED ATTACHMENTS TO PROPOSAL (DOCUMENTS CHECKLIST).

2. If there are insufficient PBVs to fill your request are you willing to accept fewer?

☐ Yes ☐ No If YES, how many? _____ PBVs

3. Indicate the term you prefer for the Housing Assistance (HAP) contract if your project is selected for funding:

20 years

B. Project Location

Project Name: _____

Site Address: _____

_____

City: **BURBANK**
Zip Code: _____ Census Tract: _____

Assessor's Parcel Number(s) _____ : _____

Project is located in a Qualified Census Tract: ☐ Yes ☐ No

SECTION 2: APPLICANT INFORMATION

A. Identify Applicant

- ☐ Applicant is the current owner and will retain ownership
- ☐ Applicant will be or is a general partner in the to be formed or formed final ownership entity
- ☐ Applicant is the project developer and will be part of the final ownership entity for the project
- ☐ Applicant is the project developer and will not be part of the final ownership entity for the project

B. Applicant Contact Information

Applicant Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Ext.: _____ Fax: _____

Email: _____

C. General Partner(s) Information

General Partner name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____ Contact Person: _____

Phone: _____ Ext.: _____ Fax: _____

Email: _____

Nonprofit/For Profit: _____

General Partner name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____

Phone: _____ Ext.: _____ Fax: _____

Email: _____

Nonprofit/For Profit: _____

D. General Partner(s) or Principal Owner(s) Type

_____

E. Status of Ownership Entity

☐ Exists ☐ To be formed If to be formed, enter date _____

F. Contact Person During Application Process

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Ext.: _____ Fax: _____

Email: _____

Participatory Role: _____

(e.g., General Partner, Consultant, etc.)

SECTION 3 : PROJECT INFORMATION

A. Site Control

(Please check the appropriate response and attach one of the following documents as evidence of site control as Required Attachment B.)

☐ Title report (within last 90 days) ☐ Contract of Sale ☐ Option to Purchase

☐ Development Agreement ☐ Long-term Lease Agreement

☐ Other (Describe): _____

B. Purchase Information, if applicable

Name of Seller: _____ Phone: _____

Purchase Price: _____ Date of Purchase Contract or Option: _____

Purchased from Affiliate: ☐ Yes ☐ No Expiration Date of Option: _____

C. Building Information

Total Number of Buildings: _____ Residential Buildings: _____

Community Buildings: _____ Commercial/Retail Space: _____

If Commercial/Retail Space, explain (include use, size, location, and purpose):

_____

_____

_____

D. Site Information

Current Land Use Designation _____

Proposed Zoning and Maximum Density _____

Does this site have Inclusionary Zoning or occupancy restrictions that run with the land?

☐ Yes ☐ No *(If yes, please explain)*

_____

_____

SECTION 3 : PROJECT INFORMATION (Continued)

D. Site Information (Continued)

Is site in a locally designated redevelopment project area, HUD-designed Enterprise Zone, Economic Community, or Renewal Community?

☐ Yes ☐ No *(If yes, please specify)*

_____

_____

E. Project Unit Numbers

Size of Units in Project	Square Footage	Number of Units in Project	Number of Units for Low-, Very Low-, or Extremely Low-Income	Number for which PBV Assistance is Sought	Target Population (e.g. Elderly, Disabled, Family, etc.)	Number of Accessible Units for which PBV Assistance is Sought	Type of Accessibility Features (e.g. Vision, Hearing, Mobility)
Studio							
1 BR							
2 BR							
3 BR							
4 BR							
Totals							

Number of Buildings in the project	
Please describe the number of units (total units, low/very low income restricted units, **and** PBV units) in each building.	

SECTION 3 : PROJECT INFORMATION (Continued)

F. Supportive Services

1. If the project is requesting an exception to the PBV unit cap, identify all the support services the project will provide to qualify for the supportive service exception to the unit cap In the "service location" box indicate if the service will be located at the project or, if not, the address where it will be located.

Service : _____	
Description:	
Service Provider Name:	Service Location:
Length of Service Contract:	What is the Financial Commitment?
Service : _____	
Description:	
Service Provider Name:	Service Location:
Length of Service Contract:	What is the Financial Commitment?
Service : _____	
Description:	
Service Provider Name:	Service Location:
Length of Service Contract:	What is the Financial Commitment?

**************Attach additional sheets, if necessary.***************

SECTION 4: REQUIRED LOCAL APPROVALS & DEVELOPMENT TIMETABLE

NEW CONSTRUCTION ONLY

NEPA review required for all PBV projects.

Enter "N/A" for any components that do not apply to the proposed project.

A. Local Approvals Required

Local Approval Date (month/year)

	Proposed Submittal	Estimated Approval / Final
CEQA		
NEPA*		
Article 34 of State Constitution		
Site Plan		
Design Review		
Conditional Use Permit		
Variance		
Subdivision Map		
General Plan Amendment		
Rezoning		
Building Permits		
Construction Start		
Construction End		

**NEPA review required for all PBV projects.*

SECTION 4: REQUIRED LOCAL APPROVALS & DEVELOPMENT TIMETABLE (Continued)

NEW CONSTRUCTION ONLY

B. PBV Timing

Describe when you will need the PBVs. Discuss phasing of PBVs, if any. BHA does not receive any extra vouchers for the PBV Program and has to accumulate them as current voucher holders leave the Section 8 program. It is important that we understand when you will need the vouchers, so please be as clear and specific as you can.

SECTION 5: CONSTRUCTION FINANCING

NEW CONSTRUCTION ONLY

A. List Below All Projected Sources Required to Complete Construction

1. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				

2. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				

3. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				

4. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				

5. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				

Total Funds for Construction:	

***********Attach additional sheets, if necessary***********

SECTION 6: PERMANENT FINANCING

NEW CONSTRUCTION ONLY

B. List Below All Projected Permanent Sources

1. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				
Residual Receipts / Deferred Payments		**Annual Debt Service**		

2. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				
Residual Receipts / Deferred Payments		**Annual Debt Service**		

3. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				
Residual Receipts / Deferred Payments		**Annual Debt Service**		

4. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No			**N/A**	
Residual Receipts / Deferred Payments		**Annual Debt Service**		
N/A		**N/A**		

5. Name of Lender/Source		Contact Name	Phone Number	Amount of Funds
Is Lender /Source Committed?	**Type of Financing**	**Terms (months)**	**Interest Rate**	
☐ Yes ☐ No				
Residual Receipts / Deferred Payments		**Annual Debt Service**		

Total Permanent Funds:	

*********Attach additional sheets, if necessary*********

SECTION 6: PERMANENT FINANCING (Continued)

C. Low Income Housing Tax Credits (LIHTC)

Project ☐ will ☐ will not use LIHTC

If yes, complete the following:

Name of Investor: _____

Investor Contact: _____ Phone:

Projected LIHTC Equity: _____ LIHTC Factor: _____

Projected Pay-in Schedule

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

D. Sources and Uses Budget

Include as Required Attachment D-2.

SECTION 7: PROJECT REVENUE

A. Affordable Units

List all affordable units and their proposed rents. Put an asterisk (*) next to the PBV units and show them on a separate line from any market unit.

(a) Bedroom Type(s)	(b) Number of Units	(c) Proposed Monthly Rent (Less Utilities)	(d) Total Monthly rents (b x c)	(e) Monthly Utility Allowance	(f) Monthly Rent Plus Utilities (c + e)	(g) % of Area Median Income
Total All Units:						
Total # of PBV Units:						

SECTION 7: PROJECT REVENUE (Continued)

B. Manager Units

(a) Bedroom Type(s)	(b) Number of Units	(c) Proposed Monthly Rent (Less Utilities)	(d) Total Monthly rents (b x c)
Total # of Units:		**Total:**	

C. Market Rate Units

(a) Bedroom Type(s)	(b) Number of Units	(c) Proposed Monthly Rent (Less Utilities)	(d) Total Monthly rents (b x c)
Total # of Units:	**N/A**	**Total:**	

D.

Other Rental Subsidy Income/Operating Subsidy (not PBV), of applicable	
Number of Units Receiving Assistance:	
Length of Contract (years):	
Expiration Date of Contract:	
Total Annual Rental Subsidy:	

E. Other Income and Expenses

Include as Required Attachment D-1

REQUIRED ATTACHMENTS TO PROPOSAL (DOCUMENTS CHECKLIST)

Please attach all Attachments in the order shown below and tab by categories A through I.

THRESHOLD PROJECT ELIGIBILITY

☐ A. **Census Tract Certification** (form attached)

☐ B. **Evidence of Site Control**

☐ C. **Certification and Evidence of Zoning** (form attached)

☐ D. **Project Financing and Local Government Support**

- ☐ D-1. 15-year proforma with all revenue and expense projections
- ☐ D-2. Permanent Sources and Uses Budget
- ☐ D-3. Evidence of tentative or firm financing commitments including all local government funding
- ☐ D-4. Evidence of fee waivers (if applicable) ☒ **Not Applicable**
- ☐ D-5. Evidence of donated or leased land by a public entity (if applicable) ☐ **Not Applicable**
- ☐ D-6. Evidence of donated land as part of a local inclusionary housing ordinance (if applicable) ☒ **Not Applicable**
- ☐ D-7. Design Architect's Certification of Cost Estimate (form attached)

OTHER PROJECT ELIGIBILITY

☐ E. **Owner / Local Experience/ Management Company Experience**

- ☐ E-1. Current financial statement (form attached)
- ☐ E-2. Local Experience/Administrative Capacity Form(attached)
- ☐ E-3. Management Company Experience Form (attached)
- ☐ E-4. Equal Opportunity Certification (form attached)
- ☐ E-5. Disclosure of Lobbying Activities (link provided)
- ☐ E-6. Certification of Payments to Influence Federal Transactions (link provided)

Continued on next page

REQUIRED ATTACHMENTS TO PROPOSAL (DOCUMENTS CHECKLIST) (Continued)

☐ F. **Tenant Relocation (if applicable)** ☐ **Not Applicable**

- ☐ F-1. Explanation of relocation requirements
- ☐ F-2. Relocation plan along with a budget and identification of the funding source
- ☐ F-3. Certification Regarding Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (form attached)

☐ G. **Site and Project Information**

- ☐ G-1. Legal description
- ☐ G-2. Narrative description of the proposed use of the subject property
- ☐ G-3. Narrative description of the current use of the property, adjacent land uses, surrounding neighborhood identification
- ☐ G-4. Description of any unique features of the site, noting those that may increase project costs or require environmental mitigation
- ☐ G-5. Construction and design description
- ☐ G-6. Site plan, building elevations, and unit floor plans, including square footages
- ☐ G-7. Design Architect's Certification of Building Code Compliance (form attached)
- ☐ G-8. Evidence of NEPA clearance (if claiming points in category E) ☐ **Not Applicable**
- ☐ G-9. Narrative description of populations to be served (homeless, elderly, etc.). Include evidence of cooperation with the local Coordinated Entry System and/or financing awarded for PSH.

☐ H. **Additional Documentation**

- ☐ H-1. Equal Opportunity Certification (form attached)
- ☐ H-2. Applicant's Disclosure Questionnaire (form attached)
- ☐ H-3. Provide a narrative of supportive services to be provided that make the project eligible for the PBV unit cap exemption.

ATTACHMENT A

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Census Tract Certification

Applicant Name:

Project Name:

Project Address:

Please complete the items below. For assistance in determining the census tract and for assistance in determining the poverty rate, please visit https://www.census.gov/topics/income-poverty/poverty/data/data-tools.html

Census Tract: _____

Poverty Rate (Percent below poverty level for all individuals for whom poverty status is determined): _____

I certify that the information entered above is true, complete and accurate to the best of my knowledge.

_____

Signature

_____

Print Name

_____

Title

_____

Date

ATTACHMENT C

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Certification and Evidence of Zoning

Applicant Name:

Project Name:

Project Address:

I certify that the proposed New Construction/Rehabilitation project is permitted by current zoning ordinances and/or regulations. I further certify that should re-zoning be necessary for this proposed New Construction/Substantial Rehabilitation project, it is highly likely to occur and will not result in any material delay of the project.

Signature of Certifying Officer-Planning Dept.

Print Name

Title

Phone

Date

ATTACHMENT D-7

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Project Financing

Design Architect's Certification of Cost Estimate

Applicant Name:

Project Name:

Project Address:

This is to certify that the total project development cost shown in the Permanent Sources and Uses Budget in Section 6.D. of the Owner/Developer PBV Proposal is an accurate estimate of the total project costs for this project. This total project cost estimate reflects construction costs at the projected time of construction.

Signature

Print Name

Title

Date

ATTACHMENT E-1

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Current Financial Statement

Applicant Name:

Project Name:

Project Address:

Include your most recent financial statements for the General Partner(s) in a separate envelope. This information will not be included with any information that is made public unless it is already part of a document that has been distributed to the public.

ATTACHMENT E-2

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Local Experience/Administrative Capacity

Applicant Name:

Project Name:

Project Address:

LOCAL EXPERIENCE/ADMINISTRATIVE CAPACITY

	Project Name & Address	Project Affordability Type (LIHTC, HOME, PBV, etc.)	Number of Units	Month & Year Project was Placed-In-Service	Month & Year Local. Participation Began	Month & Year local. Participation Ended (if applicable)	Number of Full Years of Local. Participation After Project Placed-In-Service*
1.							
2.							
3.							
4.							
5.							
6.							
7.							

Signature (general partner) Date

Organization

*NOTE: Local experience cannot start accumulating until after the project is placed-in-service. In addition, do NOT round up the amount of time/experience. For example, 2 years, 11 months of Local experience is only 2 full years of experience, not 3 years.

ATTACHMENT E-3

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Management Company Experience

Applicant Name:

Project Name:

Project Address:

MANAGEMENT COMPANY EXPERIENCE

	Project Name & Address	Project Affordability Type (LIHTC, HOME, PBV, etc.)	Number of Units	Month & Year Project was Placed-In-Service	Month & Year Management Company Participation Began	Month & Year Management Company Participation Ended (if applicable)	Number of Full Years of Management Company Participation After Project Placed-In-Service*
1.							
2.							
3.							
4.							
5.							
6.							
7.							

Signature (Management Principal) Date

Management Company

*NOTE: Management Company experience cannot start accumulating until after the project is placed-in-service. In addition, do NOT round up the amount of time/experience. For example, 2 years, 11 months of Management Company experience is only 2 full years of experience, not 3 years.

ATTACHMENT E-4

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Equal Opportunity Certification

Applicant Name:

Project Name:

Project Address:

I certify that I, _____ , as the authorized owner for the project named _____ shall comply with the Title VI of the Civil Rights Act of 1996, Title VIII of the Civil Rights Act of 1968, E.O. 11063, E.O. 11246, Section 3 of the Housing and Urban Development Act of 1968 (Equal Opportunity requirements) and all applicable Federal requirements listed in 24 CFR 983.11 including, but not limited to, the payment, if applicable, of not less than the prevailing wages in the locality pursuant to the Davis-Bacon Act to all laborers and mechanics employed in the construction/rehabilitation of the project.

_____

Signature

_____

Print Name

_____

Title

_____

Date

ATTACHMENT E-5

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Disclosure of Lobbying Activities

Applicant Name:

Project Name:

Project Address:

Please attach a completed copy of SF-LLL (07/1997).

https://www.hud.gov/sites/dfiles/CPD/documents/SFLLL_2_0-V2.0.pdf

ATTACHMENT E-6

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Certification of Payments to Influence Federal Transactions

Applicant Name:

Project Name:

Project Address:

Please attach a completed copy of HUD-50071 (01/2014). The form can be found at **https://www.hud.gov/program_offices/administration/hudclips/forms/hud5.**

ATTACHMENT E-3

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Certification Regarding Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (if applicable)

Applicant Name:

Project Name:

Project Address:

Check if the project does require any relocation.
☐ **NOT APPLICABLE**

This is to certify that the above Applicant will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and its implementing regulations at 49 CFR, Part 24.

Signature

Print Name

Title

Date

ATTACHMENT E-7

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Design Architect's Certification of Building Code Compliance
New Construction Only

Applicant Name:

Project Name:

Project Address:

This is to certify that, to the best of my knowledge, the Working Drawings and Specifications for this project comply with the applicable Local, State and Uniform Building codes.

Signature of Architect

Print Name

Title

Date

ATTACHMENT H-1

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Equal Opportunity Certification

Applicant Name:

Project Name:

Project Address:

I certify that I, _____ , as the authorized owner for the project named _____ shall comply with the Title VI of the Civil Rights Act of 1996, Title VIII of the Civil Rights Act of 1968, E.O. 11063, E.O. 11246, Section 3 of the Housing and Urban Development Act of 1968 (Equal Opportunity requirements) and all applicable Federal requirements listed in 24 CFR 983.11 including, but not limited to, the payment, if applicable, of not less than the prevailing wages in the locality pursuant to the Davis-Bacon Act to all laborers and mechanics employed in the construction/rehabilitation of the project.

_____

Signature

_____

Print Name

_____

Title

_____

Date

ATTACHMENT H-2

Burbank Housing Authority

2024 Owner/Developer Proposal for the Section 8 Project-Based Voucher (PBV) Program

Applicant's Disclosure Questionnaire

Applicant Name:

Project Name:

Project Address:

1. Disclose material information relating to any legal or regulatory proceeding or investigation in which the applicant/project sponsor is or has been a party and which might have a material impact on the financial viability of the project or the applicant/project sponsor. Such disclosures should include any parent, subsidiary, or affiliate of the applicant/project sponsor that is involved in the management, operation, or development of the project.

2. Disclose any civil, criminal, or regulatory action in which the applicant/project sponsor, or any current board members, partners, limited liability corporation members, senior officers, or senior management personnel has been named a defendant in such action in the past 10 years involving fraud or corruption, or matters involving health and safety where there are allegations of serious harm to employees, the public, or the environment.

Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome. For a publicly-traded company, the relevant sections of the company's 10K, 8K, and 10Q most recently filed with the Securities and Exchange Commission may be attached in response to question #1. With respect to a response for question #2, previous 10K, 8K, and 10Q filings of the company may be attached if applicable.

☐ See attached disclosure ☐ Nothing to Disclose

Signature (Applicant/Project Sponsor) Date

Printed Name of Signatory

Printed Title of Signatory