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Office of Development
Division of Housing Incentives
Inclusionary Housing
100 Gold Street, 5G
New York, N.Y. 10038

AFFORDABLE HOUSING CHECKLIST PURSUANT TO MANDATORY INCLUSIONARY HOUSING

PROJECT NAME:		AS OF:		TARGETED CLOSING DATE:	
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Requirement	Responsible Party	Notes
Stage 1:		
1-A. Application		
Mandatory Inclusionary Housing Application	Development Team	
Project description / narrative		
Doing Business Data form		
Organizational charts <i>Applicant and General Contractor required</i>		
Application Submission Fee (\$100)		
1-B. Community Board Notification		
Notification delivered upon application	Development Team	
1-C. Building Design Submissions		
Architect Certification (signed and stamped PDF)	Project Architect	
Stacking charts (Excel format)	Development Team	
Utility verification letter	Engineer of Record	
DOB-ready plans and drawings	Project Architect	
Stage 2:		
2. BLDS Processing and Review		
BLDS eSubmit invitation initiated	IH Project Manager	
Drawings & documents submitted to BLDS eSubmit	Project Architect	
BLDS final acceptance (as applicable)	HPD BLDS	
Stage 3:		
3-A. Financing		
Underwriting (Excel format)	Development Team	
Term sheet / Commitment letter		
Checklist to Close without an Institutional Lender (if applicable)		
3-B. Legal		
Draft Restrictive Declaration and SNDA circulated	HPD Legal	
Draft Restrictive Declaration exhibits circulated	IH Project Manager	
Restrictive Declaration opinion letter	Applicant's Counsel	
Tax exemption opinion letter		
3-C. Closing		
Employer Identification Numbers (EINs) <i>Applicant, Owner (if applicable), General Contractor, Architect, and Attorney required</i>	Development Team	
Closing date assigned	HPD Team	
HPD Construction Sign Fee (\$100)	Development Team	
Application Fee (\$1,100 per MIH unit)		

AFFORDABLE HOUSING PROVISIONS PURSUANT TO MANDATORY INCLUSIONARY HOUSING

Stage 1: Submit all items within sections 1-A through 1-C.

Information on Mandatory Inclusionary Housing (MIH) can be found here: [HPD – Mandatory Inclusionary Housing](#)

Once a complete application has been submitted, an HPD Inclusionary Housing Project Manager will be assigned to initiate a project kick-off meeting. The kick-off meeting will require the attendance of the applicant and architect. The architect is expected to present the project plans.

1-A. Application

- Project Narrative

A project narrative must include the development team's experience in New York City for the developer, architect, general contractor and management company (as applicable). A rendering of the new development should be included. The DOB filing and job number shall be included in the application and narrative.

- Doing Business Data Form

Entities participating in affordable housing transactions with the City must complete and submit the Doing Business Data form with the Application.

- Supporting Organizational Documents

Submit organizational charts for Applicant and General Contractor entities, including principal names and share of ownership.

- Fees

HPD will provide invoices for the following with wire instructions:

- **\$100 Affordable Housing Application Submission Fee:** *due immediately after application acceptance via wire to the NYC Department of Finance (DOF).*

1-B. Community Board Notification

Evidence of the Community Board notification must be submitted concurrent with the application. Submit an email as proof with copy to Inclusionary@hpd.nyc.gov that the proposed application was submitted to the Community Board in which the project is located, and the date such application was submitted.

1-C. Building Design Submissions

- Architect Certification and Stacking Charts

The form Architect Certification is located within the stacking charts Excel file, Certification tab. The certification must be signed and sealed. Submit the stacking charts (Excel) with signed and sealed certification (PDF), in which the architect of record confirms the amount of affordable floor area in the project.

- Utility Verification Letter

Engineer of record must submit a letter to the Inclusionary Housing Project Manager stating the proposed heating, hot water, and cooking systems for the project, and whether the tenant or owner is responsible to pay for each utility. Please refer to the latest HPD Utility Allowance Chart.

- DOB Plans and Drawings

Submit DOB submission-quality drawings to your Inclusionary Housing Project Manager separate from the BLDS submission. When changes are made to the DOB drawings prior to approval, and if any PAAs are filed post approval, ensure that HPD receives updated drawings with a description of changes from the architect in a timely manner.

Stage 2: Submit drawings and documents to BLDS eSubmit and respond to BLDS review comments until acceptance is provided (if applicable).

2. BLDS Processing and Review

Following a project kick-off meeting your Inclusionary Housing 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 the Architect Certification. All files must be submitted through the BLDS eSubmit process, and each file must be less than 50 MB in size.

Information on BLDS Design Review for New Construction can be found here: [HPD – Building and Land Development Services](#)

Stage 3: Submit all items within sections 3-A through 3-C (as applicable). Once a Inclusionary Housing Project Manager has reviewed underwriting, all questions have been responded to, and a term sheet or commitment letter has been provided, an HPD attorney will be requested to set up a closing call to proceed to closing.

3-A. Financing

- Underwriting

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

- **Development budget:** Itemized soft and hard costs. Include mortgage financing and amount(s).
 - **Application fees**
 - **Affordable Housing reserves:** For projects where 50% or more units are affordable, 6 months' M&O; *due prior to HPD's issuance of a Completion Notice, payable to the NYC Housing Development Corporation (HDC).*
- **Sources and uses of financing**
- **Number and bedroom size of units**
- **Rents and income level of tenants:** Indicate year and AMI level of affordable rents and whether tenants are responsible for utility payments. Refer to the latest HPD utility allowances.
- **Maintenance and Operations:** At a minimum, the following should be included as separate line items and will be reviewed against the current-year HDC maintenance and operations standards. Any amount lower than the HDC standards will require an explanation or documentation.
 - Administrative: legal, accounting, management fee, fire & liability insurance
 - Utilities: heating, electricity, water & sewer
 - Maintenance: supplies, cleaning, exterminating, repairs / replacement, super & maintenance salaries, elevator maintenance / repairs, building reserve.
- **40-year cash flow analysis:** Provide a cash flow analysis sheet that includes debt service, Income to Expense (I/E) and DSCR.
- **Rent Roll:** If applicable.
- **Sales Prices:** for homeownership projects only.

- Term Sheet / Commitment Letter

Provided by a financing group. The term sheet / commitment letter must include all terms of the loan including but not limited to the intended borrower entity, the size of the loan, interest rate, terms of financing and any fees, covenants and closing deliverables.

- Checklist to Close Without an Institutional Lender

To be submitted for any Mandatory Inclusionary Housing (MIH) project that is requesting to close / obtain a Restrictive Declaration without institutional lender construction financing.



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3-B. Legal

Upon submission of a term sheet, the HPD Inclusionary Housing Project Manager will request an attorney to review closing documents and draft the Mandatory Inclusionary Housing Restrictive Declaration and Subordination and Non-Disturbance Agreement(s), as applicable.

- Closing Call and Closing Date

Once an HPD attorney is assigned, a project closing call may be scheduled. This meeting will require the attendance of the applicant, applicant's counsel, lender and lender's counsel. A tentative project closing date may be assigned during the closing call.

3-C. Closing

- Employer Identification Numbers (EINs)

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

- HPD Construction Sign Fee and Application Fee

HPD will provide invoices for the following fees due at closing via wire to NYC Department of Finance (DOF)

- **\$100 Construction Sign Fee**
- **Affordable Housing Application Fee:** \$1,100 per MIH unit

- Permit Notice

HPD will provide the MIH Permit Notice upon confirmation that documents have been received for recording and collection of fees.

Contact and Disclaimer

Inclusionary@hpd.nyc.gov

The checklist and provisions contain general information about Mandatory Inclusionary Housing adopted in the New York City Zoning Resolution (Zoning Resolution) and are not intended to provide legal advice or to be relied on in any way by any person or entity. It is important to rely only upon the actual text of the Zoning Resolution and to consult with an attorney as to their meaning. This checklist is subject to change based upon the specific rules developed for MIH.

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**
Indicate "Not Applicable" or "NA" where appropriate. No lines may be left blank.

1. Applicant:

Business Address:

Primary Contact Name:

Primary Phone:

Primary Email:

2. Owner (if different):

Business Address:

Primary Contact Name:

Primary Phone:

Primary Email:

3. General Contactor:

Business Address:

Primary Contact Name:

Primary Phone:

Primary Email:

4. Architect Firm:

Business Address:

Primary Contact Name:

Primary Phone:

Primary Email:

5. Legal Counsel:

Business Address:

Primary Contact Name:

Primary Phone:

Primary Email:

6. Location of Affordable Housing Units

Primary House Number:

Street:

Tax Block:

Lot:

Borough:

CB:

7. Mandatory Inclusionary Housing Area

Zoning Resolution Appendix F Map:

Special Permit:

8. MIH Option for Compliance with Affordable Housing Requirement – ZR §27-131 (a)(3):

Option 1

Option 3 ("Deep Affordability Option")

Option 2

Option 4

9. Department of Buildings (DOB)

DOB Job Number:

DOB BIN:

10. Unit Count

Total Units:

MIH Units:

Supers Unit(s):

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

12. If applicable, tax exemption to be requested:

13. Type of Project (select all applicable)

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

Non-MIH Units

Rental

Rental

Homeownership

Homeownership

Not Applicable/All units are MIH units

14. Tenant-Paid Utilities

Check all tenant-paid utilities that will apply. Non-checked are assumed to be owner-paid.

Apartment Electricity

Cooking

Heating

Hot Water

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15. 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 Signatory of Applicant's Signature:

Authorized Signatory Printed name:

Signature dated as of: