



Department of
Housing Preservation
& Development

LOUISE CARROLL
Commissioner
ELIZABETH OAKLEY
Deputy Commissioner
PATRICIA ZAFIRIADIS
Associate Commissioner

Office of Development
Inclusionary Housing
100 Gold Street, 5G
New York, N.Y. 10038
nyc.gov/hpd

AFFORDABLE HOUSING PLAN CHECKLIST PURSUANT TO THE CURE PROGRAM

PROJECT NAME:		AS OF:		TARGETED CLOSING DATE:	
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Requirement	Responsible Party	Notes
A. Application		
Cure Application (Original required)	Development Team	
Project description/narrative	Development Team	
Cure 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		
Cure Architect Affidavit (Original required)	Project Architect	
Cure Unit Chart (Excel format)	Development Team	
Utility verification letter (Original required)	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> LINK	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, Managing 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 Cure Agreement and SNDA circulated	HPD Legal	
Draft Cure Agreement exhibits circulated	IH Project Manager	
Cure Agreement opinion letter (Original required)	Applicant's Counsel	
Tax exemption opinion letter submitted (Original required)	Applicant's Counsel	
K. Closing		
Closing date assigned	HPD Team	
Cure Application Fee (\$1,100 per Cure unit) <i>Made payable to NYC Dept. of Finance.</i>	Development Team	

AFFORDABLE HOUSING PLAN PROVISIONS PURSUANT TO THE CURE PROGRAM

A. Application

Information on the Cure Program can be found here: <https://zr.planning.nyc.gov/article-ix/chapter-6/96-110>

Fees

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

- **\$100 Cure 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).*
- **Cure Application Fee:** \$1,100 per Cure unit; *due at closing, made payable to DOF.*

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

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 §93-90 or 93-110 of the New York City Zoning Resolution ("Zoning Resolution")
- (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 Cure Architect Affidavit and Exhibit A Cure Unit Summary & Size Chart here:

- [Architect Affidavit](#)
- [Exhibit A of the Architect Affidavit](#)
 - [Cure Unit Summary & Size Chart](#)



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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.

Units with the following two heating and hot water systems receive the highest utility allowances:

- Individual unit electric resistance heated PTACs or heat pumps
- Individual unit hot water systems heated by electrically powered boilers
- Electric stoves

Utility Allowance Chart: [2019 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 submission of the Application and again before closing. Please submit a hard copy original and PDF electronic version each time.

E. Community Board Notification

A copy of the full Cure Application along with the [required notification documents](#) must be submitted to the Community Board at least 45 days prior to 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, Managing 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:
 - 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.
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 Cure Agreement and Subordination and Non-Disturbance Agreement(s).

K. Closing

Permit Notice Availability

Upon execution and recordation of the Cure Agreement (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 permanently affordable floor area in the project and will allow DOB to issue a New Building permit.