

# Exhibit H

## Applicant Forms

### Form 1: Applicant's Letter

New York City Housing Authority  
Real Estate Development  
90 Church St, 5<sup>th</sup> floor  
New York, New York 10007  
Attn: PACT Campos Plaza II RFEI  
[pact.partners@nycha.nyc.gov](mailto:pact.partners@nycha.nyc.gov)

Re: Response to the NYCHA PACT Campos Plaza II Request for Expressions of Interest

To Whom It May Concern:

This letter is submitted in connection with the Applicant's Proposal ("Proposal") submitted in response to the Request for Expressions of Interest ("RFEI") issued by the New York City Housing Authority ("NYCHA") for the RAD Site at Campos Plaza II ("NYCHA PACT Campos Plaza II RFEI"). All terms not otherwise defined herein will have the same meaning as set forth in the RFEI. I am authorized to submit this letter for the Applicant.

I have received, read, and understand the provisions of the RFEI. I understand that selection of an Applicant under the RFEI will mean only that NYCHA will commence negotiations with such Applicant regarding the Projects, including, but not limited to disposition of the Properties and the development of the Projects described in the RFEI.

I recognize that all negotiations with NYCHA will be subject to the following terms and conditions:

1. The commencement of negotiations will not represent any obligation or agreement on the part of NYCHA, which may only be incurred or entered into by a ground lease and development agreement pursuant to which the Properties will be leased to the Selected Applicant that have been (i) approved as to form by NYCHA's Law Department; (ii) approved by the NYCHA Board and the U.S. Department of Housing and Urban Development ("HUD"); and (iii) duly executed by the Selected Applicant and NYCHA. A Conditional Designation Letter will be sent to the Selected Applicant, but will only indicate NYCHA's intention to commence negotiations, which may ultimately lead to the execution of such agreements.
2. The Applicant will not have permission to enter upon the Properties, which permission will only be granted, if at all, in the form of a license agreement duly executed by the Applicant and NYCHA. The execution of any such license agreement, if it occurs, will only indicate that NYCHA has granted permission for the Applicant to enter onto the Properties for the limited purposes stated in the scope of work set forth therein, and will not indicate that NYCHA reached any other agreement with the Applicant regarding the Properties or the Project.
3. The following requirements must be satisfied prior to the disposition of the Properties:
  - a. The Selected Applicant, any other potential lessee of the Properties, and their respective Principals must successfully undergo a background check concerning their suitability to do business with NYCHA.
  - b. The Properties will not be leased to any person or entity which, or to any entity with a Principal who: (i) has not fulfilled development responsibilities undertaken in

connection with the City of New York (“City”), NYCHA, or other governmental entities, (ii) is in default on any obligations to NYCHA or the City, (iii) is a former owner of the Properties, or (iv) had real property foreclosed by the City in tax or lien enforcement proceedings.

- c. The price and other terms for the disposition of the Properties and the tax exemption(s) to be provided, if any, will be consistent with applicable NYCHA and City policies.
  - d. The Selected Applicant must execute legal documents in form and substance acceptable to NYCHA, and in form approved by NYCHA’s Law Department.
4. During negotiations, the Applicant must diligently, competently, and expeditiously comply with all requirements communicated to the Applicant by NYCHA.
  5. The design of the Project must comply with any applicable NYCHA development requirements and guidelines.
  6. The Applicant will be solely responsible for ensuring that the proposed Project and associated design and financing of the same shall be physically viable and economically feasible.
  7. NYCHA may terminate negotiations with the Applicant at any time with or without cause. If negotiations are terminated by NYCHA, whether with or without cause, such termination will not give rise to any claim by the Applicant or its affiliates or contractors against NYCHA for damages, including, without limitation, for lost profits.
  8. NYCHA is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Applicant at any time, including, but not limited to, the cost of: (i) any prior actions by the Applicant in order to respond to any selection process, or (ii) any future actions by the Applicant in connection with the negotiations, including, but not limited to, actions to comply with requirements of NYCHA or any applicable laws.

Very truly yours,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant

## Form 2: Applicant Description

### Project Team Information and Questionnaire

Name of Applicant: \_\_\_\_\_

All Applicants must complete this Form.

#### CONTACT INFORMATION:

Name of Contact Person: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_

#### APPLICANT ENTITY:

1. Type of organization (i.e. partnership, corporation, limited liability company, joint venture):
2. Provide the following information about all principals of the applicant. For corporations, provide the names of the officers and any shareholders owning 10% or more; for partnerships, provide the names of all general partners. For joint ventures, provide the information separately for each entity that comprises the joint venture. Also, state the role(s)\* that each principal would play in the development of the sites, using the categories specified below.

**NAME OF ENTITY # 1:** \_\_\_\_\_

Percent Interest in Proposed Project: \_\_\_\_\_

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest in Entity

**NAME OF ENTITY # 2:** \_\_\_\_\_

Percent Interest in Proposed Project: \_\_\_\_\_

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest

			in Entity

**NAME OF ENTITY # 3:** \_\_\_\_\_

Percent Interest in Proposed Project: \_\_\_\_\_

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest in Entity

\*Role Categories: D = Developer; PM = Property Manager;  
O = Other (please specify).

Use additional sheets as necessary

**PROJECT TEAM:**

1. Provide the names, addresses, e-mail addresses, and telephone of members of the Project Team to the extent that these have been decided; if unknown, enter "N/A".

<u>Developer:</u>	<u>Architect:</u>
<u>Property Management Company:</u>	<u>Other:</u>
<u>Other:</u>	<u>Other:</u>

Is there an identity of interest between any principals of the Developer and any other entities that make up the Project Team? Yes [ ] No [ ]

If yes, please explain.

2. Has any principal identified above, or any organization in which the principal is or was a general partner, corporate officer, or owned more than 10% of the shares of the corporation, been the subject of any of the following:
- (a) Conviction of, or charges currently pending for, arson, fraud, bribery, or grand larceny any felony or crime of dishonesty? Yes [ ] No [ ]
  - (b) Noncompliance with fair housing or anti-discrimination laws, any applicable codes or ordinances, labor laws, or construction laws? Yes [ ] No [ ]
  - (c) Had an ownership or management interest in real property that was the subject of a tax lien sale, was or is the subject of tax, mortgage, or lien foreclosure or enforcement proceedings, or is currently in tax or mortgage arrears? Yes [ ] No [ ]
  - (d) Had an ownership or management interest in a property with respect to which HPD commenced an action in the Housing Part of the Civil Court, or with respect to which an administrator was appointed pursuant to Article 7-A of the Real Property Actions and Proceedings Law? Yes [ ] No [ ]

- (e) Denial of a certification of no harassment or any administrative or judicial finding of harassment? Yes [ ] No [ ]
- (f) Default or poor performance rating under any agreement with, or suspension or debarment by, any governmental entity? Yes [ ] No [ ]
- (g) In the last seven years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings? Yes [ ] No [ ]
- (h) In the last five years, failed to file any required tax returns, or failed to pay any applicable Federal, State of New York, or City taxes or other charges? Yes [ ] No [ ]
- (i) Had any negative findings from the City's Department of Investigation? Yes [ ] No [ ]

If the answer to any question is yes, provide the following information about each instance: name of principal(s); name(s) of organization(s) or corporation(s); principal's status in the organization or corporation (e.g. officer), the date of the action, and current status and disposition.

Use additional sheets as necessary

**CERTIFICATION**

[This certification must be signed by one of the principals listed above; if the applicant is a joint venture, it must be signed by a principal of each entity that comprises the joint venture.]

I certify that the information set forth in this application and all attachments and supporting documentation is true and correct. I understand that the City of New York and NYCHA will rely on the information in or attached to this document and that this document is submitted to induce the City of New York and NYCHA to select this proposal for development of a site.

I understand that this statement is part of a continuing application and that until such time that the subject project is finally and unconditionally approved by the City of New York and NYCHA, I will report any changes in or additions to the information herein, and will furnish such further documentation or information as may be requested by the City of New York, NYCHA or any agency thereof.

I understand that if I receive preliminary designation to develop this site, I must submit all additional disclosure forms required.

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name and Title

\_\_\_\_\_  
Name of Organization

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Signature

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Date

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Print or Type Name and Title

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Name of Organization

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Signature

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Date

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Print or Type Name and Title

Use additional sheets as necessary