

David A. Paterson
Governor



Deborah VanAmerongen
Commissioner

New York State Division of Housing and Community Renewal

Hampton Plaza
38-40 State Street
Albany, NY 12207

June 1, 2009

Ms. Marcia Sigal
Director, Program Policy Division
Office of Affordable Housing Programs
Community Planning and Development
U.S. Department of Housing and Urban Development
451 7th Street, S.W.
Room 7164
Washington, D.C. 20410

Dear Ms. Sigal:

Re: Transmittal Letter
New York State Division of Housing and Community Renewal
Tax Credit Assistance Program Submission Packet

As chief operating officer of the New York State Division of Housing and Community Renewal ("DHCR"), I am pleased to transmit to you the enclosed New York State Tax Credit Assistance Program ("TCAP") Submission Packet pursuant to HUD Notice CPD-09-03 issued May 4, 2009.

As the Housing Credit Agency for New York State, DHCR intends to accept the entire amount of its TCAP formula allocation of \$252,659,616.

DHCR intends to sub-grant a portion of the grant to the New York State Housing Finance Agency ("HFA") and the New York City Department of Housing Preservation and Development ("HPD"), two other housing credit agencies operating in New York State. HFA and HPD will separately administer their TCAP sub-grant pursuant to all pertinent federal requirements upon entering into a sub-grant agreement with DHCR. For this reason, DHCR is including in this transmittal the TCAP Submission Packets completed by HFA and HPD for HUD's review.

Ms. Marcia Sigal
June 1, 2009
Page 2

We look forward to receiving HUD's determination that this TCAP submission is complete and the subsequent execution of a HUD grant agreement.

Sincerely,

Brian E. Lawlor
Executive Deputy Commissioner

Enclosures:

1. New York State DHCR TCAP Submission Packet
2. New York State HFA TCAP Submission Packet
3. New York City HPD TCAP Submission Packet

cc: Priscilla Almodovar, President and Chief Executive Officer,
New York State HFA
Rafael E. Cestero, Commissioner
New York City HPD

Enclosure 1

NYS Division of Housing and Community Renewal
TCAP Submission Packet

**NEW YORK STATE DIVISION OF
HOUSING AND COMMUNITY RENEWAL
TAX CREDIT ASSISTANCE PROGRAM (TCAP)
SUBMISSION PACKET**

A. Statement of intent to accept TCAP funds, which must include:

1. A statement indicating whether grantee intends to accept the entire amount of its TCAP formula allocation:

As the Housing Credit Agency for New York State, the New York State Division of Housing and Community Renewal (“DHCR”) intends to accept the entire amount of the TCAP formula grant allocation set forth for New York State - \$252,659,616.

DHCR intends to sub-grant a portion of the grant to the New York State Housing Finance Agency (“HFA”) and the New York City Department of Housing Preservation and Development (“HPD”), two other housing credit agencies operating in New York State. For this reason, DHCR is including for HUD’s review the TCAP Submissions completed by HFA and HPD pursuant to the instructions provided in CPD-09-03.

2. A statement detailing which other federal grant funds the state housing credit agency currently administers

DHCR staff administers HOME, the Small Cities Community Development Block Grant Program, Section 8 Housing Choice Voucher Program, Section 8 Project-Based Contract Administration Program and Weatherization funds. Based on the agency’s experience in administering these federal programs, DHCR has the capacity and expertise to fully comply with all federal "cross-cutting requirements" that will be applicable to TCAP-funded projects, including:

- Fair Housing Act;
- Title VI of the Civil Rights Act of 1964;
- The Age Discrimination Act of 1975;
- Affirmatively Furthering Fair Housing;
- Section 504 of the Rehabilitation Act of 1973;
- National Environmental Policy Act and Related Laws;
- The Lead-Based Paint Poisoning Prevention Act and the Residential Lead-Based Paint Hazard Reduction Act of 1992;
- Davis-Bacon Prevailing Wages;
- “Anti-Lobbying” Restrictions;
- The Drug-Free Workplace Act of 1988; and,
- OMB Regulations and Circulars applicable to HUD grant programs.

3. A statement regarding the status of the HCA's 2009 LIHC allocation process

DHCR is currently reviewing applications for competitive 9% Low-Income Housing Tax Credit ("LIHC") that were submitted in February 2009 pursuant to a Notice of Credit Availability and Request for Proposals issued in November 2008. More than 100 LIHC applications were submitted requesting credit allocations in the aggregate of approximately \$110.3 million. These applications are currently undergoing review for completeness, eligibility and feasibility. In addition, all applications are being scored pursuant to the competitive scoring criteria set forth in DHCR's QAP (as described in Section B1. below). It is anticipated that LIHC awards will be made in June 2009. DHCR is also reviewing 2008 LIHC project applications which were deemed eligible, competitive and feasible but did not receive an award due to a lack of available LIHC or other subsidies.

LIHC DHCR retains a substantial pipeline of projects which were awarded LIHC in 2007 and 2008 which have not begun construction or met the award conditions for an allocation of 2009 LIHC . This pipeline includes more than 45 projects which received awards of LIHC totaling approximately \$34.0 million in 2007 or 2008. DHCR anticipates that some of these pipeline projects will be able to proceed without additional financing. However, a substantial number of these projects have recently experienced a loss in tax credit equity due to current market conditions, creating gaps in the financing which have prevented the commencement or completion of project construction.

4. The name and contact information of the individual designated as the agency contact for TCAP (includes email address, phone, fax number).

Gary Hallock, Deputy Commissioner
Office of Community Development
New York State Division of Housing and Community Renewal
38-40 State Street
Albany, New York 12207
ghallock@nysdhcr.gov
Phone: (518) 474-3022
Fax: (518) 474-7292

B. LIHC Selection Process and Criteria:

A written description of all selection criteria and any weightings assigned that DHCR will use to competitively award its TCAP funds, which includes a definition of “an award of LIHCs.”

Pursuant to a Notice of Credit Availability (“NOCA”) and Request for Proposals (“RFP”), DHCR annually makes 9% LIHC available to applicants seeking to develop affordable housing in New York State. All applicants seeking 9% LIHC must complete and submit an application providing a detailed description of proposed projects by no later than an application submission deadline established in the NOCA. DHCR reviews project applications requesting 9% LIHC to determine whether the proposed project is eligible for funding and whether it is feasible based on specified underwriting and design considerations. As part of this process, DHCR also performs an analysis of the applicant’s plan of financing to determine the minimum amount of credit necessary for the financial feasibility of the proposed project.

Based on applications submitted pursuant to this process, DHCR competitively awards 9% LIHC to projects according to selection criteria and point weightings specified in its Qualified Allocation Plan (“QAP”) (www.nysdhcr.gov/general/ARRA/TCAP/QAP.htm). QAP scoring factors include preferences and selection criteria required by Section 42 of the Internal Revenue Code, such as projects serving the lowest income tenants, projects obligated to serve qualified tenants for the longest periods, sponsor characteristics, project characteristics, projects serving tenant populations with special housing needs, projects utilizing public housing waiting lists and projects serving individuals with children.

Projects to be considered for TCAP financing must have received an award of 9% LIHC during the period of October 1, 2006 through September 30, 2009 (“eligible time period”). DHCR defines an “award of LIHCs” to have occurred as of the date of the letter informing a successful applicant that a specific dollar amount of LIHC will be allocated upon satisfactory completion of that project (“Award Letter”).

Pursuant to the above standards, DHCR will consider the following types of 9% LIHC projects for TCAP awards:

- Projects awarded 9% LIHC in 2007 or 2008: DHCR currently has a pipeline of 49 projects that have received reservations of 9% LIHC totaling more than \$34 million. These projects, which received 9% LIHC awards from DHCR in 2007 and 2008 pursuant to the competitive application process described above, have not yet qualified for a carryover allocation.
- 2008 9% LIHC Waitlist Projects: Competitive applications were submitted in 2008 for these projects, but the projects were not initially selected for an award of 9% LIHC due to insufficient funding availability. Pursuant to the

QAP, DHCR places these projects on a waitlist in the event that funding subsequently becomes available.

- 2009 9% LIHC Applications: Pursuant to a NOCA and RFP issued in November 2008, DHCR received 108 applications requesting, in the aggregate, annual 9% LIHC allocations of more than \$100 million.

In addition, consistent with the QAP, applicants requesting 4% credit that filed applications with DHCR prior to March 1, 2008 may be considered for TCAP funding. Only those projects that submitted a timely application and received an award of 4% LIHC during the period of October 1, 2006 through September 30, 2009 will be considered eligible for TCAP financing. In evaluating applications for 4% LIHC pursuant to the QAP, DHCR considers the operating economics of proposed projects, reviews the financing and development costs for reasonableness, and determines the minimum amount of credit necessary for the financial feasibility of the proposed project.

Tax Credit Assistance Program Selection Process and Criteria

As described above, only projects that have received an “award of LIHCs” during the eligible time period will be considered for TCAP funding.

DHCR will give priority to requests for TCAP funding that demonstrate project readiness, defined as projects that are expected to expend 75% of their TCAP award by February 16, 2011, and 100% by February 16, 2012.

In making such a determination of readiness, the following factors will be considered:

- a. **Funding Commitments**
The extent to which all other funding commitments have been obtained.
- b. **Local Approvals**
The extent to which all approvals necessary to start construction have been obtained, including but not limited to rezoning, the granting of variances, the availability of water and sewer services to the project, subdivision approval, and project tax abatement approval.
- c. **Environmental Approvals**
The extent to which all necessary environmental approvals have been obtained.
- d. **Site Control**
The extent to which site control for the project has been secured.

- e. **Development Team Capacity**
The extent to which the project development team's track record in completing prior LIHC projects demonstrates the capacity necessary to complete the project within the eligible time period.
- f. **Status of Construction Documents**
The extent to which the project has finalized plans and specifications, general contractor's contract and other construction-related documents.

The amount of TCAP to be awarded to these LIHC projects will be determined by DHCR based on a consideration of factors consistent with the agency's existing Equity Loss guidelines, parameters for award increases outlined in the agency's Capital Programs Manual and the project underwriting criteria set forth in the QAP.

C. Commitment and Expenditure Deadlines:

1. A description of the procedures DHCR will use to ensure it will commit and expend TCAP funds to meet Recovery Act deadlines.

To meet the requirement that all projects be completed by February 16, 2012, DHCR has already begun evaluating projects for TCAP funds. TCAP funds will be made available to the pipeline of projects referenced in Section A. above (i.e., 2009 applicants, 2007/2008 projects with a current award of LIHC, and 2008 waitlisted projects) pursuant to our stated selection criteria.

As a condition of selection for an award of TCAP funds, the development teams of such projects will be required to participate in a project development conference with DHCR staff to review the timeframe for closing on construction financing and the construction schedule. Subsequent to this conference, projects will be required to commit in a legally binding written agreement to a mutually agreed upon construction schedule which will satisfy Recovery Act expenditure deadlines. They will also be required to report to DHCR not less than quarterly on their progress in achieving the stated closing and construction schedule and identifying any potential or actual obstacles to meeting that schedule.

Prior to closing, DHCR will execute a legally binding written agreement with the entity receiving TCAP funds. The written agreement will set forth all TCAP and other applicable federal requirements, including expenditure deadlines, as well as fund recapture provisions, which will subsequently be incorporated in the mortgage and other enforcement instruments at project closing. The mortgage and other enforcement documents will be binding on all owners and successors and will run with the land. The requirements set forth in these enforcement instruments will remain in effect for the length of the required low-income occupancy period.

All DHCR-committed and disbursed funds will be entered into HUD's Integrated Disbursement and Information System (IDIS). DHCR will monitor all HUD compliance requirements related to multi-family projects for the duration of the TCAP mortgage, regulatory agreement and other pertinent instruments.

2. A specific description of how DHCR will redistribute funds to more deserving projects from projects not in compliance with deadlines established in the written agreement between DHCR and project owner.

Should any project awarded TCAP funds indicate it will be unable to comply with the expenditures deadlines established in the TCAP written agreement referenced above, especially the requirement that the project be completed by February 16, 2012, or should DHCR in its sole discretion determine that the project will be unable to comply with the written agreement, DHCR will recapture the TCAP funds for this project. DHCR will redistribute all recaptured TCAP funds according to the TCAP selection process and criteria outlined above.

D. Recovery Act Accountability and Transparency Requirements:

- 1. The HCA must submit information about how it is meeting the Recovery Act accountability and transparency requirements, including**
 - a. Each HCA must make its project selection process and criteria available to the public and accept comments from the public for a period of not less than five days. The HCA must submit a description as to how it met the five day comment period.**

DHCR made available its project selection process and criteria for TCAP funding on its website in a prominent section titled "The 2009 American Recovery and Reinvestment Act." Along with the project selection process and criteria, the webpage provided an e-mail address (TCAP@nysdhcr.gov) so that interested parties could submit comments to DHCR on the selection process and criteria. This information was posted on the DHCR website beginning on May 20, 2009.

In addition, potentially interested parties were notified of the availability of the information via e-mail. The list of e-mail recipients was drawn from a list maintained by DHCR of past and present program users and other interested parties.

All comments received through 12 p.m. EST, May 28, 2009 were evaluated. DHCR received two comments during the public comment period. Each comment was evaluated and determined not to be germane to the draft selection process and criteria.

b. Submitting the website address the HCA used to accept public comment during the five day period.

A description of the selection process was posted beginning May 20, 2009 at www.nysdhcr.gov/general/ARRA/TCAPSelectionProcess . Comments were accepted at TCAP@nysdhcr.gov.

c. Describing how the HCA plans to ensure it will remain in compliance with these accountability and transparency requirements for the duration of the TCAP grant.

NYS DHCR will report to HUD 10 days after the end of each calendar quarter starting on June 10, 2009, information such as:

- Total amount of TCAP funds received
- The amount of TCAP funds expended or obligated to projects or activities, including unobligated balances
- A detailed list of all projects or activities for which TCAP funds were expended or obligated, including:
 - o The name of the project
 - o A description of the project
 - o An evaluation of the completion status of the project, and
 - o An estimate of the number of jobs created and the number of jobs retained by the project.

In order to remain in compliance with the accountability and transparency requirements for the duration of the TCAP grant, NYS will maintain the section “The 2009 American Recovery and Reinvestment Act” on the DHCR website, in order to inform the public of activities taking place under TCAP and will continue to accept public comments and questions on the conduct of the program. Comments received will remain on file for the duration of the program.

In addition, the HCA will post notice of projects funded under TCAP at NYWorks, www.recovery.ny.gov. This is a website established under the New York State Economic Recovery and Reinvestment Cabinet, an interagency working group, to inform the public of all activities in New York State being supported under the American Recovery and Reinvestment Act. In both cases the information appearing on the websites will be similar to that reported HUD as described above.

E.Additional Elements for Submission:

- 1. Standard Form 424 (Application for Federal Assistance SF-424) signed by a legally authorized representative of DHCR is attached as Attachment 1.**
- 2. DHCR DUNS (Data Universal Numbering System) number from Dun and Bradstreet is 124122123.**
- 3. DHCR's Standard Form-LLL (Disclosure of Lobbying Activities) is attached as Attachment 2.**
- 4. Evidence of DHCR's registration in the Central Contractor Registration (CCR) is attached as Attachment 3.**

**New York State Division of Housing
And Community Renewal
Tax Credit Assistance Program (TCAP)
Submission Packet**

Attachment 1

Form SF – 424 Application for Federal Assistance

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

***2. Type of Application**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

N/A

5a. Federal Entity Identifier:

N/A

*5b. Federal Award Identifier:

N/A

State Use Only:

6. Date Received by State: May 4, 2009

7. State Application Identifier: N/A

8. APPLICANT INFORMATION:

*a. Legal Name: New York State Division of Housing and Community Renewal

*b. Employer/Taxpayer Identification Number (EIN/TIN):

14-6013200

*c. Organizational DUNS:

124122123

d. Address:

*Street 1: 38-40 State Street

Street 2: Hampton Plaza

*City: Albany

County: Albany

*State: New York

Province: _____

*Country: USA

*Zip / Postal Code 12207

e. Organizational Unit:

Department Name:

New York State Division of Housing and Community
Renewal

Division Name:

Office of Community Development

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr

*First Name: Gary

Middle Name: _____

*Last Name: Hallock

Suffix: _____

Title: Deputy Commissioner for Community Development

Organizational Affiliation:

New York State Agency

*Telephone Number: (518)474-3022

Fax Number: (518)474-7292

*Email: ghallock@nysdhcr.gov

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of Housing and Urban Department (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.258 _____

CFDA Title:

Tax Credit Assistance Program (TCAP) _____

***12 Funding Opportunity Number:**

CPD Notice 09-03 _____

*Title:

Implementation of the Tax Credit Assistance Program (TCAP) _____

13. Competition Identification Number:

N/A _____

Title:

N/A _____

14. Areas Affected by Project (Cities, Counties, States, etc.):

New York State communities

***15. Descriptive Title of Applicant's Project:**

New York State Tax Credit Assistance Program

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:*a. Applicant: All New York State Congressional Districts
Tax Credit Assistance Program

*b. Program/Project:

17. Proposed Project:

*a. Start Date: 06/03/2009

*b. End Date: 02/16/2012

18. Estimated Funding (\$):

*a. Federal	_____	\$253,000,000
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	\$253,000,000

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr *First Name: Brian

Middle Name: _____

*Last Name: Lawlor

Suffix: _____

*Title: Executive Deputy Commissioner

*Telephone Number: (518)473-0632

Fax Number: (518)473-9462

* Email: blawlor@nysdhcr.gov

*Signature of Authorized Representative:

*Date Signed:

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

NA: not applicable for New York State's Division of Housing and Community Renewal.

**New York State Division of Housing
And Community Renewal
Tax Credit Assistance Program (TCAP)
Submission Packet**

Attachment 2

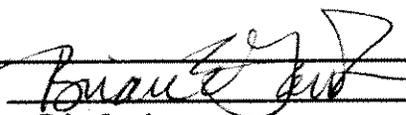
**Standard Form LLL- Disclosure of Lobbying
Activities**

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB
0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 4c 1 through 29	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, NY 12207 Congressional District, if known:	
6. Federal Department/Agency: Department of Housing and Urban Development	7. Federal Program Name/Description: Tax Credit Assistance Program CFDA Number, if applicable: 14.258	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ 252,659,616	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): Not applicable. The State of New York does not use registered lobbyists.	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): Not applicable	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: Brian Lawlor Title: Executive Deputy Commissioner Telephone No.: 518-473-0632 Date: 5/28/09	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

**New York State Division of Housing
And Community Renewal
Tax Credit Assistance Program (TCAP)
Submission Packet**

Attachment 3

Form CCR – Central Contractor Registration



Current Registration Status: Active in CCR; Registration valid until 05/12/2010.

DUNS: 124122123

DUNS PLUS4:

CAGE/NCAGE: 38AR7

Legal Business Name: HOUSING AND COMMUNITY RENEWAL, NEW YORK STATE DIVISION OF

Doing Business As (DBA):

TIN/EIN: 146013200

SSN:

Division Name:

Division Number:

Company URL:

Physical Street Address 1: 38-40 STATE ST

Physical Street Address 2:

Physical City: ALBANY

Physical State: NY

Physical Foreign Province:

Physical Zip/Postal Code: 12207-2837

Physical Country: USA

Mailing Name: NYS DHCR

Mailing Street Address 1: 38-40 STATE ST

Mailing Street Address 2:

Mailing City: ALBANY

Mailing State: NY

Mailing Foreign Province:
 Mailing Zip/Postal Code: 12207-2804
 Mailing Country: USA

 Business Start Date: 04/01/1926
 Fiscal Year End Date: 03/31
 Number of Employees for This Location:
 Number of Employees for All Affiliates: 232,000
 Annual Receipts for This Location:
 Annual Receipts for All Affiliates: \$115,684,000,000
 Company Security Level:
 Highest Employee Security Level:

DUN & BRADSTREET LINKAGE

This information comes from Dun & Bradstreet and is not editable by CCR users.

You may contact D&B Customer Service at 1-866-705-5711 (U.S. only) or govt@dnb.com (US and International) to verify your company name, physical address, or parent information in their system.

DUNS: 124122123
 Linkage Info Date: 12/21/2007

Headquarters Parent POC		Global Ultimate POC	
DUNS:	360739262	DUNS:	041002973
Name:	EXECUTIVE OFFICE OF THE STATE OF NEW YORK	Name:	STATE OF NEW YORK
Address:	EXECUTIVE CHAMBER CAPITOL	Address:	STATE CAPITOL
City:	ALBANY	City:	ALBANY
State:	NY	State:	NY
Zip/Postal Code:	12224	Zip/Postal Code:	12248-0001
Country:	USA	Country:	USA

Phone:

Domestic Ultimate POC

DUNS: 041002973
Name: STATE OF NEW YORK
Address: STATE CAPITOL
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12248-0001
Country: USA

CORPORATE INFORMATION

Type of Organization
U.S. Government Entity

Business Types/Grants

2F - U.S. State Government
8B - Housing Authorities Public/Tribal
VW - Contracts and Grants

DISASTER RESPONSE INFORMATION

Bonding Levels

Construction Bonding Level, Per Contract
(dollars):
Construction Bonding Level, Aggregate (dollars):
Service Bonding Level, Per Contract (dollars):
Service Bonding Level, Aggregate (dollars):

Geographic Areas Served

No geographic areas specified

GOODS / SERVICES

North American Industry Classification System (NAICS)

624229 - Other Community Housing Services

Standard Industrial Classification (SIC)

9531 - HOUSING PROGRAMS

Product Service Codes (PSC)

Federal Supply Classification (FSC)

SMALL BUSINESS TYPES

SDB, 8A and HubZone certifications come from the Small Business Administration and are not editable by CCR vendors.

Business Types Expiration Date

--- ---

North American Industry Classification System (NAICS)

The small business size status is derived from the receipts, number of employees, assets, barrels of oil, and/or megawatt hours entered by the vendor during the registration process.

NAICS Code	Description	Small Business	Emerging Small Business
624229	Other Community Housing Services	No	No

FINANCIAL INFORMATION

Electronic Funds Transfer (EFT)

Automated Clearing House (ACH)

Financial Institution:	BANK OF AMERICA N.A.	U.S. Phone:	518-473-6969
------------------------	----------------------	-------------	--------------

ABA Routing Number:	026009593	Non-U.S. Phone:	
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Account Number:	9428403100	Fax:	
-----------------	------------	------	--

Account Type:	Checking	Email Address:	sdevine@dhcr.state.ny.us
---------------	----------	----------------	--------------------------

Lockbox Number:

Authorization Date: 05/12/2009

Remittance Information

Name: NYS DHCR
Address Line 1: 38-40 STATE ST.
Address Line 2:
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12207-2804
Country: USA

Accounts Receivable POC

Name: SHARON DEVINE
Email Address: sdevine@dhcr.state.ny.us
U.S. Phone: 518-473-6969
Non-U.S. Phone:
Fax:

Accepts credit cards as a method of payment: No

CCR POINTS OF CONTACT

CCR Primary POC (Registrant Name)

Name: SHARON DEVINE
Email Address: sdevine@dhcr.state.ny.us
U.S. Phone: 518-473-6969
Non-U.S. Phone:
Fax: 518-486-3552

CCR Alternate POC

Name: JILL DEMARCO
Email Address: jdemarco@nysdhcr.gov
U.S. Phone: 518-474-1752
Non-U.S. Phone:
Fax: 518-486-3552

Government Business Primary POC

Name: SHARON DEVINE
Email Address: sdevine@dhcr.state.ny.us
Address Line 1: 38 40 STATE ST.
Address Line 2:
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12207-2837
Country: USA
U.S. Phone: 518-473-6969

Government Business Alternate POC

Name: JILL DEMARCO
Email Address: jdemarco@nysdhcr.gov
Address Line 1: 38 40 STATE ST.
Address Line 2:
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12207-2837
Country: USA
U.S. Phone: 518-474-1752

Non-U.S. Phone:

Fax: 518-486-3552

Past Performance Primary POC

Name: SHARON DEVINE
Email Address: sdevine@dhcr.state.ny.us
Address Line 1: 38 40 STATE ST.
Address Line 2:
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12207-2837
Country: USA
U.S. Phone: 518-473-6969
Non-U.S. Phone:
Fax: 518-486-3552

Electronic Business Primary POC

Name: SHARON DEVINE
Email Address: sdevine@dhcr.state.ny.us
Address Line 1: 38 40 STATE ST.
Address Line 2:
City: ALBANY
State: NY
Foreign Province:
Zip/Postal Code: 12207-2837
Country: USA
U.S. Phone: 518-473-6969
Non-U.S. Phone:
Fax: 518-486-3552

Previous Business Name

Name:
Address Line 1:

Non-U.S. Phone:

Fax: 518-486-3552

Past Performance Alternate POC

Name: JILL DEMARCO
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Electronic Business Alternate POC

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Address Line 2:
City: NEW YORK
State: NY
Foreign Province:
Zip/Postal Code: 10004
Country: USA
U.S. Phone: 212-480-7613
Non-U.S. Phone:
Fax:

Government Parent

Name:
Address Line 1:

Address Line 2:
City:
State:
Foreign Province:
Zip/Postal Code:
Country:

Address Line 2:
City:
State:
Foreign Province:
Zip/Postal Code:
Country:

Corporate POC
Name:
Email Address:
U.S. Phone:
Non-U.S. Phone:
Fax:

Marketing Partner Identification Number(MPIN)
MPIN: 5B3840SNY

Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.



Enclosure 2

NYS Housing Finance Agency
TCAP Submission Packet

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 1 of 7

A Statement of Intent to Accept TCAP Funds

1. The New York State Housing Finance Agency (“NYSHFA”) expects to receive a sub-grant of a portion of the Tax Credit Assistance Program Grant Funding (“TCAP Funding”) formula allocation of \$252,659,616 available for New York State.
 - a NYSHFA anticipates that the New York State Division of Housing and Community Renewal (“DHCR”) will sub-grant TCAP Funding in a similar manner to how DHCR sub-allocates Low Income Housing Tax Credits (“LIHTC) in its role as the lead Housing Credit Agency in New York State.
 - b NYSHFA must have its own Qualified Allocation Plan (“QAP”) to receive a sub-allocation of LIHTC from DHCR. Since NYSHFA anticipates receiving a sub-grant of TCAP Funding from DHCR, NYSHFA is submitting its own complete TCAP Funding submission package documenting our compliance with HUD TCAP Guidelines. NYSHFA will separately administer any TCAP funds received pursuant to such subgrant.
2. NYSHFA currently administers the Neighborhood Stabilization Program, several Section 236 Interest Reduction Payment Contracts and five project based Section 8 Contracts.
3. NYSHFA is the New York State Housing Credit Agency (“HCA”) for “as of right” LIHTC generated by the issuance of qualified multifamily housing tax-exempt private activity bonds by NYSHFA and other New York State bond issuers outside New York City. Our process is ongoing rather than tied to an annual deadline. We accept bond financing and tax credit applications throughout the year. As of May 28, 2009, NYSHFA has issued 2009 private activity bonds for three multifamily projects, and approved the attendant tax credits which do not count against the state’s LIHTC per capita cap.
4. NYSHFA’s contact for TCAP is

Mark Flescher
Vice President, Special Projects
New York State Housing Finance Agency
641 Lexington Avenue
New York, NY 10022
212-872-0493
917-274-0493 (Fax)
mflescher@nyhomes.org

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 2 of 7

B Description of Competitive Selection Process

1. The New York State Housing Finance Agency, (“NYSHFA” or the “Agency”), has reviewed, or will review, the suitability for TCAP Funding of all applicants for private activity bond and “as of right” LIHTC which either have already received an award of LIHTC, or which, in NYSHFA’s judgment, could qualify to receive an award of LIHTCs no later than 9/30/2009. The first round of eligible projects will be presented for final approval when NYSHFA is authorized by HUD to make commitments for TCAP Funding. Evaluations will be based on the private activity bond and “as of right” LIHTC applications that have already been submitted. Upon selection by staff of eligible applications, NYSHFA’s governing board, (the “NYSHFA Members”), will authorize such award in connection with their authorization of qualified multifamily housing tax-exempt private activity bond financing and “as of right” LIHTCs. Members meetings occur approximately monthly.
2. An award of LIHTC is defined as the date NYSHFA sends a letter announcing that the project will receive LIHTC.
3. LIHTCs generated from the issuance of qualified multifamily housing tax-exempt private activity bonds do not count against the state’s per capita cap for LIHTC pursuant to §42(h)(4) of the Internal Revenue Code. Pursuant to §42(m) such “as of right” tax credits can only be allowed to a project if the project meets the requirements of the relevant QAP. A project meets the requirements of the NYSHFA’s QAP if it meets the threshold criteria contained in §2188.5 of the QAP.
4. In addition to meeting the LIHTC criteria, to be considered for TCAP Funding, projects must meet the Threshold Criteria below:
 - a In the Agency’s sole judgment, the project is ready to be considered, or has already been authorized, by the NYSHFA Members to receive qualified multifamily housing tax-exempt private activity bond financing.
 - b In the Agency’s sole judgment, the Agency expects to issue a commitment for TCAP Funding to the project before the first anniversary of ARRA, 2/16/2010 or the Agency expects to issue a commitment for TCAP Funding to replace all or part of the TCAP Funding for a project that fails to meet the deadlines for commitment or expenditure of TCAP Funds.
 - c In the Agency’s sole judgment, the project will be able to expend 75% of its TCAP Funding before the second anniversary of ARRA, 2/16/2011.

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 3 of 7

- d In the Agency's sole judgment, the project will be able to expend all of its TCAP Funding before the third anniversary of ARRA, 2/16/2012.
 - e The project has received, or will receive at the same time the TCAP Funding is awarded, an award of LIHTC between 11/1/2006 and 9/30/2009.
 - f In the Agency's sole judgment, the project will not be financially viable without TCAP Funding or an equivalent amount of subsidy from another source.
5. Projects that meet the Threshold Criteria will then be evaluated on the Selection Criteria below.
- a The extent the TCAP Funding will preserve the State's investment in necessary affordable housing by preserving a Mitchell-Lama project.
 - b The extent the TCAP Funding will assist in the creation or preservation of supportive housing units.
 - c The extent the TCAP Funding will assist in creating or preserving affordable housing in the geographic areas most impacted by the changes in the tax credit equity market.
 - d Whether a project was awarded LIHTC after June 1, 2009 and therefore is certain to create additional construction and permanent jobs because it would not have been begun without TCAP financing.
 - e The extent to which the TCAP Funding will efficiently create or preserve needed affordable units; the more units created or preserved per dollar of TCAP, the more a project fits this criterion.
 - f Whether a project has met, or will meet, Federal "cross-cutting" requirements including prevailing wage and Federal environmental requirements without adjustment to the project plan because it is receiving, or will receive, other Federal assistance.
6. At a public meeting, the NYSHFA Members will consider all projects reviewed that have met the Threshold Criteria in the order of their ranking by the Selection Criteria. Notwithstanding the Threshold and Selection Criteria, the Members retain the right to deny any request for an authorization for TCAP Funding irrespective of its ranking if such request is inconsistent with the housing goals reflected in the Agency's Qualified Allocation Plan ("QAP") and shall have the power to authorize TCAP Funding for a project irrespective of its ranking, if such intended authorization is in compliance with the TCAP Notice and the Recovery Act; in furtherance of the State's housing

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 4 of 7

goals reflected in the QAP; and determined by the Members to be in the interests of the citizens of the State.

7. The NYSHFA Members may authorize TCAP Funding for projects until all projects to be considered for TCAP Funding have been considered or until no additional TCAP Funding is available.
8. NYSHFA will ensure that all “cross-cutting” Federal requirements applicable to TCAP are met before any binding written agreement to commit TCAP Funding (“Written Agreement”) is executed including those that may be imposed by prevailing wage laws and regulations, fair housing requirements, Section 504 of the Rehabilitation Act, Lead Safe Housing Rules and Federal environmental requirements contained in the National Environmental Policy Act (“NEPA”) and related laws. No Written Agreement will be executed until NYSHFA has completed all requirements for review in these areas.

C Commitment and Expenditure Deadlines

1. Description of the procedures NYSHFA will use to ensure it will commit and expend TCAP funds to meet Recovery Act deadlines.
 - a NYSHFA has begun accumulating data for its initial review of TCAP candidates and expects to complete its review and submit projects to the NYSHFA Members for authorization to execute Written Agreements soon after NYSHFA is authorized to commit TCAP Funding.
 - b Selected projects will be scheduled for financing closings, including execution of the Written Agreement, prior to February 2010. No TCAP Funding will be advanced until the Written Agreement is executed.
 - c The Written Agreement will be legally binding and will restrict the use of the project for the length of the required low income occupancy period. It will set forth all TCAP and other applicable Federal requirements including the expenditure deadlines contained in the Recovery Act and all “cross-cutting” Federal requirements applicable to TCAP.
 - d Projects which are eligible for TCAP but are ranked below the selected projects will be retained on a “waiting list”, and, if necessary to meet the Recovery Act’s commitment deadline, will be substituted for any selected projects which are not ready to proceed to execute a Written Agreement in a timely manner.

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 5 of 7

- e NYSHFA staff will monitor the progress of all projects receiving TCAP funds on at least a monthly basis. The Agency will take all appropriate action to either ensure that all projects meet the expenditure deadlines in the Recovery Act or to replace projects that may not meet the deadlines with more deserving projects better able to meet the deadlines.
 - f NYSHFA staff will enter all committed and disbursed funds into HUD's Integrated Disbursement and Information System (IDIS) and will monitor the projects for compliance with the Written Agreements for the duration of the agreements.
2. Specific description of how NYSHFA will redistribute funds to more deserving projects better able to meet the deadlines from projects not in compliance with deadlines established in the Written Agreement.
- a If, as part of the Agency's normal monitoring process, NYSHFA staff believes a project is in danger of not meeting any of the commitment or expenditure deadlines in the Recovery Act, the Agency will work with the project to correct the problems and ensure the project will meet the relevant deadline.
 - b If, in the Agency's sole judgment, however, corrective action will not ensure that a project meets the commitment or expenditure deadlines in the Recovery Act, NYSHFA will recapture all or part of the project's TCAP Funding commitment and commit that TCAP Funding to a more deserving project better able to meet the deadlines from the "waiting list" which ranks highest in the Agency's judgment under the Selection Criteria at the time NYSHFA is selecting a project to receive the recaptured TCAP Funding.

D Recovery Act Accountability and Transparency

1. NYSHFA is meeting the Recovery Act accountability and transparency requirements through the following.
- a The Agency's project selection process and criteria was available to the public for comment on www.nyhomes.org between May 20, 2009 and May 27, 2009. The opportunity to comment was highlighted on a Quick Link on the nyhomes homepage. The project selection process and criteria web page was crosslinked with the New York State Division of Housing and Community Renewal ("DHCR") project selection process and criteria web page which was publicized by an e-mail to DHCR's list of parties interested in housing.

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 6 of 7

- b NYSHFA accepted comments on the Agency's project selection process and criteria at <http://www.nyhomes.org/index.aspx?page=876> through a link to an e-mail address reserved for such comments.
 - c NYSHFA will ensure it will remain in compliance with these accountability and transparency requirements for the duration of the TCAP grant by taking the following actions.
 - d The Agency will report to HUD, 10 days after the end of each calendar quarter starting on June 10, 2009, all required information including:
 - a) The total amount of TAP funds received;
 - b) The amount of TCAP funds expended or obligated to projects or activities, including unobligated balances;
 - c) A detailed list of all projects or activities for which TCAP funds were expended or obligated, including:
 - (1) The name of the project,
 - (2) Description of the project,
 - (3) An evaluation of the completion status of the project, and
 - (4) An estimate of the number of jobs created and the number of jobs retained by the project.
2. Consistent with the requirements of HUD Notice CPD-09-03, NYSHFA will identify all projects selected for funding and the amounts awarded and will post that information on its web site, as listed above.
3. The Written Agreement with all TCAP Funding recipients will require the projects to report on the uses of the TCAP Funding as required by the Recovery Act.

June 3, 2009

TAX CREDIT ASSISTANCE PROGRAM (TCAP)
New York State Housing Finance Agency Submission Package
Page 7 of 7

E Requirements Additional Elements for Submission

1. Standard Form 424 (Application for Federal Assistance SF-424) signed by a legally authorized representative of NYSHFA is attached as Exhibit 1.
2. NYSHFA's DUNS (Data Universal Numbering System) number from Dun and Bradstreet is 084004019.
3. Evidence of NYSHFA's registration in the Central Contractor Registration (CCR) is attached as Exhibit 2.
4. NYSHFA's Standard Form-LLL (Disclosure of Lobbying Activities) is attached as Exhibit 3.

June 3, 2009

Exhibit 1

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

***2. Type of Application**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: New York State Housing Finance Agency

*b. Employer/Taxpayer Identification Number (EIN/TIN):
13-6019627

*c. Organizational DUNS:
084004019

d. Address:

*Street 1: 641 Lexington Avenue

Street 2: _____

*City: New York

County: New York

*State: New York

Province: _____

*Country: United States of America

*Zip / Postal Code 10022

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: Mark

Middle Name: _____

*Last Name: Flescher

Suffix: _____

Title: Vice President, Special Projects

Organizational Affiliation:

*Telephone Number: 212-872-0493

Fax Number: 917-274-0493

*Email: mflescher@nyhomes.org

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

L. Public/Indian Housing Authority

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

United States Department of Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.258 _____

CFDA Title:

Tax Credit Assistance Program _____

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

State of New York

***15. Descriptive Title of Applicant's Project:**

Tax Credit Assistance Program

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: NY-All

*b. Program/Project: NY-All

17. Proposed Project:

*a. Start Date:

*b. End Date:

18. Estimated Funding (\$):

*a. Federal _____
*b. Applicant _____
*c. State _____
*d. Local _____
*e. Other _____
*f. Program Income _____
*g. TOTAL _____

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
 b. Program is subject to E.O. 12372 but has not been selected by the State for review.
 c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. _____ *First Name: David _____
Middle Name: _____
*Last Name: Walsh _____
Suffix: _____

*Title: Senior Vice President, Multifamily Housing

*Telephone Number: 212-872-0385

Fax Number: 917-274-0385

* Email: dwalsh@nyhomes.org

*Signature of Authorized Representative:

*Date Signed: May, 28, 2009

Exhibit 2

From: <CCRemail@bpn.gov>
To: <GWeinstock@nyhomes.org>
Date: 5/21/2009 12:47 PM
Subject: CCR Notice of an Administrator User Account Established for 084004019

This email was sent by an automated administrator. Please do not reply to this message.

Dear CCR User:

Congratulations, you have successfully created a CCR user account and you are the administrator of this registration. If you do not wish to add additional users to this registration, no further action is required. However, you can now invite an additional administrator as well as maintenance users.

Administrators can update any of the data within the registration. The CCR Primary or Alternate POC in the CCR registration would be an appropriate person to invite as an administrator. Maintenance users can update all data within the CCR Registration except the CCR Primary and Alternate POCs.

To invite an administrator or maintenance user:

1. Go to www.ccr.gov and click on Update or Renew Registration.
2. Select the appropriate entity and click on "Continue".
3. On the Update/Renew page scroll down to User Account Login and click on "User Account Login".
4. Enter your user ID and password and click on "Log In".
5. On your User Account page within the CCR registrations linked to your account section and under Manage Users, click on "Users".
6. In the Add User area, read the instructions and then select the appropriate Access Level within the drop-down box.
7. Enter the valid email address of the administrator or maintenance user.
8. Confirm the email address and then click on "Add User".
9. The invited user is sent an email with instructions for completing the process.

If you have questions regarding your registration or creating and maintaining user accounts, please access the CCR website at www.ccr.gov and click on Help. You can view the CCR User Guide, Frequently Asked Questions, or the User Account Guide.

Thankyou,
The CCR Group

CC-UMN



[CCR Home](#)

[Search CCR](#)

[Help](#)

- [User Account](#)
- [Edit User Profile](#)
- [Change Password](#)
- [Manage Security Questions](#)
- [Add New Registration](#)
- [Log Out](#)

User Account

Welcome Gary

CCR registrations linked to your account

DUNS	CAGE	Status	Expiration Date	Company Name	State	Last Action	Registration	Manage Users
084004019	5GPZ6	ACTIVE	05/21/2010	NEW YORK STATE HOUSING FINANCE AGENCY	NY	Active in CCR; Registration valid until 05/21/2010...	View Update/Renew	Users

Add an existing registration to your profile

To manually add a registration to your account, enter its DUNS number below. Once added, TPIN authentication will be disabled for that registration.

DUNS:

Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.



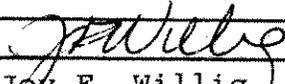
Exhibit 3

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB
0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 5 through 17	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, NY 12207 Congressional District, if known:	
6. Federal Department/Agency: Department of Housing and Urban Development	7. Federal Program Name/Description: Tax Credit Assistance Program CFDA Number, if applicable: 14.258	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): Not Applicable: NYS HFA does not use registered lobbyists. The State's Washington Office represents the Agency's interests in Washington, D.C.	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u></u> Print Name: <u>Joy F. Willig</u> Title: <u>Senior Vice President and Counsel</u> Telephone No.: <u>212-872-0350</u> Date: <u>5/28/09</u>	
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

Enclosure 3

NYS Department of Housing Preservation
and Development

TCAP Submission Packet

**New York City Department of
Housing Preservation and Development (HPD)
Tax Credit Assistance Program (TCAP)
Submission Packet**

A. Statement of intent to accept TCAP funds, which must include:

1) A statement indicating whether the grantee intends to accept the entire amount of its TCAP formula allocation.

The New York City Department of Housing Preservation and Development (“HPD”) expects to receive a sub-allocation of a portion of the TCAP formula grant allocation set forth for New York State - \$252,659,616.

HPD expects the allocation will be sub-allocated in a manner similar to the State Division of Housing and Community Renewal’s (DHCR) sub-allocation of Low-Income Housing Tax Credit (LIHTC) in its capacity as the lead housing credit agency in New York State.

As a requirement for receiving a sub-allocation of LIHTC from DHCR, HPD has its own qualified allocation plan for administering and awarding the credits. Consistent with that approach, and as HPD expects to receive a sub-allocation of TCAP from DHCR, HPD is submitting its own comprehensive, free-standing TCAP application packet documenting our adherence to HUD’s TCAP guidelines (including but not limited to selection criteria, timeframes for commitment and disbursement of funds, reporting and transparency requirements) and pertinent statutory requirements.

2) A statement detailing which, if any, other federal grant funds the HCA currently administers (LIHTCs are not federal grant funds).

HPD administers HOME and Neighborhood Stabilization Program grant funds in addition to Section 8 and Shelter Plus Care funds.

3) A statement regarding the status of the HCA’s 2009 LIHTC allocation process.

HPD anticipates only one 2009 funding round for competitive tax credits. HPD intends to issue a notice of credit availability at the end of May or in early June and require applications by mid- to late-July and award credits by the end of September.

4) The name and contact information of the individual designated as the agency contact for TCAP (includes email address, phone, fax number).

Holly Leicht, Deputy Commissioner

Office of Development
New York City Department of Housing Preservation and Development
100 Gold Street, Room 9-A1
New York, NY 10038
212-863-6400 (phone)
212-863-5045 (fax)
leichth@hpd.nyc.gov

B. Description of Competitive Selection Criteria:

1) A written description of all selection criteria and any weightings assigned that the HCA will use to competitively award its TCAP funds.

a) Description of HPD's Competitive Scoring Process Pursuant to Qualified Allocation Plan Criteria

Since 1988 the New York City Department of Housing Preservation and Development ("HPD" or "Agency") has been making direct allocations of both 4% and 9% Low Income Housing Tax Credits to eligible projects in New York City by mutual agreement with the New York State Division of Housing and Community Renewal (DHCR). Under procedures authorized by federal statute and state law, HPD is officially designated by DHCR as a Local Housing Credit Agency, a designation that is renewed annually.

As a Housing Credit Agency, HPD is required to make allocations according to a "Qualified Allocation Plan" (the Plan), which may be adopted only after providing opportunity for public comment and gaining approval of the Mayor.

The allocation of Low Income Housing Tax Credits is administered by HPD's Tax Credit and Compliance Unit within the Division of Housing Incentives. The Tax Credit and Compliance Unit is responsible for evaluating, underwriting, and scoring applications for tax credits, issuing determinations, reservations and allocations, maintaining the waiting list and monitoring compliance of tax credit recipients with Federal tax credit regulations.

HPD annually publishes in the City Register a Notice of Credit Availability that informs applicants of submission dates and deadlines for future 9% credit funding rounds. One or more funding rounds may be held each year in which credit allocations are awarded on a competitive basis. HPD may establish set-asides of credit for projects that meet qualifications determined by the Agency to be current housing priorities. Specific details regarding set-asides, including amounts and eligibility requirements, are published in the annual Notice of Credit Availability.

For the 2007 and 2008 competitive funding rounds HPD set-aside 25% of its annual credit authority for special needs projects defined as: new construction or substantial rehabilitation of permanent supportive housing projects with HPD approved on-site services that are developed by not-for-profit sponsors where: 100% of units are affordable to persons with incomes at or below 60% area median income, and 60% of units are set-aside for homeless single adults referred by New York City agencies. A similar set-aside will be established for the 2009 competitive funding round.

To receive consideration for a credit allocation, project owners must submit an application on or before the published submission deadline. Applications must be completed in their entirety, and the required supporting documentation must be attached.

HPD may request any and all information it deems necessary for project evaluation. If any submission is incomplete or if documentation is insufficient to complete an evaluation of the proposed project, processing is suspended. In such cases, HPD notifies applicants how the submission is incomplete and provides at least ten business days for the applicant to submit the requested documentation. Applications are disqualified if the applicant fails to submit the requested documentation within the required period.

Tax credit applications are evaluated and underwritten according to the guidelines in place in the qualified allocation plan (QAP) in effect at the time of submission.

Sponsors and developers whose action or inaction materially contributed to the return or recapture of credits previously allocated by HPD are prohibited for three years from the date the credits were returned or recaptured from participation in any project applying for credits. The Commissioner of HPD may waive the prohibition where there is valid cause.

Applications for competitive credits received by the submission deadline are reviewed for completeness and basic eligibility. Those that meet the threshold eligibility criteria are scored to determine competitive ranking and underwritten to determine the maximum amount of credits for which they are eligible. Credit reservations are issued, in rank order, to as many projects as can be covered by the credit authority available in a given funding round. In the event of scoring ties, HPD ranks tied projects according to which require the least number of tax credit dollars per tax credit unit. After that, HPD reserves the right to select the last project or projects to be

funded based on whose credit needs most closely approximate the remaining available credit.

Notwithstanding a project's competitive score, HPD may limit the number of awards to a developer in a given year, or make no awards to a developer if, in HPD's judgment, the developer does not have the current capacity to successfully complete any or all of the projects for which the applications have been submitted. In addition, HPD reserves the right not to commit tax credits to any project if it determines, in its sole discretion, that a reservation for such project does not further the goals set forth in the City's housing plan.

Any complete application which meets the eligibility review criteria but is not selected for a credit reservation may be placed on a waiting list to ensure a continuous flow of quality projects should additional credit authority become available before the next funding round. The waiting list is terminated at the commencement of a new funding round.

HPD's competitive criteria consider: occupancy criteria, financing and development costs, project characteristics, applicant characteristics, length of affordability, project readiness and the extent to which projects meet unique or critical needs. The competitive scoring criteria in place in 2007 and 2008 were largely the same, while substantive changes were made for the criteria that will be used to award credits in the 2009 funding round. The following is a description of the criteria and weightings in place for each of those years.

2007 HPD QAP Selection Criteria:

Project Occupancy - 18 points

Degree to which projects serve: low-income single adults, the homeless and families with children. Preference for projects that are predominately affordable and projects that serve very-low income families. Preference for projects that serve special needs populations and that have support services and experience in that type of housing or service delivery. Preference for projects that have committed to serve households from the public housing waiting list.

Project Financing and Development Costs - 22 points

Projects that rely on local, state or federal subsidies. Projects with low developer fees, total development costs and efficient financing as defined by strong equity pricing and reliance on funding other

than credit generated equity. Projects with firm financing commitments.

Project Characteristics - 15 points

Projects located in designated "special needs" areas, projects acquired through the one of the City's in rem disposition programs, and projects that are part of a community development plan.

Applicant Characteristics - 10 points

Demonstrated success in the development or management of affordable housing, or provision of evidence that projects will receive technical support from a non-profit organization with such experience. Preference for non-profit organizations or community-based organizations. Preference for projects that have no history of tax credit nor HOME non-compliance, nor problems successfully using previously allocated credits.

Extended Low-Income Usage - 10 points

Preference for projects that agree to longer affordability periods.

Project Readiness - 20 points

Preference for projects that have firm equity commitments, that have ownership of the land buildings as evidenced by a deed, that have approved contractor prices, and projects that have started construction.

Special Priority Points - 10 points

Projects the Commissioner of HPD determines to be an important initiative or unique opportunity to meet basic local housing objectives.

2008 HPD QAP Selection Criteria:

Project Occupancy - 20 points

Degree to which projects serve: low-income single adults, the homeless and families with children. Preference for projects that are predominately affordable and projects that serve very-low income families. Preference for projects that serve special needs populations and that have support services and experience in that type of housing or service delivery. Preference for projects that have committed to serve households from the public housing waiting list.

Project Financing and Development Costs - 22 points

Projects that rely on local, state or federal subsidies. Projects with low developer fees, total development costs and efficient financing as defined by strong equity pricing and reliance on funding other

than credit generated equity. Projects with firm financing commitments.

Project Characteristics - 15 points

Projects located in designated "special needs" areas, projects acquired through one of the City's in rem disposition programs, and projects that are part of a community development plan. Projects that commit to tenant ownership. Projects that participate in New York State Energy Research and Development Authority's or Enterprise Community Partner's green housing initiatives.

Applicant Characteristics - 10 points

Demonstrated success in the development or management of affordable housing, or provision of evidence that projects will receive technical support from a non-profit organization with such experience. Preference for non-profit organizations or community-based organizations. Preference for projects that have no history of tax credit nor HOME non-compliance, nor problems successfully using previously allocated credits.

Extended Low-Income Usage - 10 points

Preference for projects that agree to longer affordability periods.

Project Readiness - 20 points

Preference for projects that have firm equity commitments, that have ownership of the land buildings as evidenced by a deed, that have approved contractor prices, and projects that have started construction.

Special Priority Points - 10 points

Projects the Commissioner of HPD determines to be an important initiative or unique opportunity to meet basic local housing objectives.

2009 HPD QAP Selection Criteria:

Project Occupancy - 21 points

Degree to which projects serve: the homeless and families with children. Preference for projects that are predominately affordable and for projects that serve special needs populations that have support services and experience in that type of housing or service delivery. Preference for projects that have committed to serve households from the public housing waiting list.

Project Financing and Development Costs - 24 points

Projects that rely on local, state or federal subsidies. Projects that use HOME subsidy. Projects with low developer fees, total

development costs, that rely on funding other than credit generated equity. Projects with firm financing commitments. Projects that include acquisition costs of at least \$100,000 for land or buildings.

Project Characteristics - 23 points

Projects located in designated "special needs" areas or where the project will have a catalytic effect on other development, projects acquired from the City of New York, and projects that are part of an Urban Renewal Plan. Projects that commit to tenant ownership. Projects that hire a consultant to conduct an energy audit and energy reduction plan, or that participate in New York State Energy Research and Development Authority's or Enterprise Community Partner's green housing initiatives. Projects with at least 30 units per building, that are historic in nature, or that preserve specific types of existing affordable housing.

Applicant Characteristics - 7 points

Demonstrated success in the development or management of LIHTC housing. Preference for applicants that are Community Housing Development Organizations under the HOME program. Preference for projects that have no history of tax credit nor HOME non-compliance, nor problems successfully using previously allocated credits.

Extended Low-Income Usage - 10 points

Preference for projects that agree to longer affordability periods.

Project Readiness - 5 points

Preference for projects that have approved contractor prices and for projects that have started construction as evidenced by building permits.

Special Priority Points - 10 points

Projects the Commissioner of HPD determines to be an important initiative or unique opportunity to meet basic local housing objectives.

b) Description of HPD's Competitive Scoring Process for Tax Credit Assistance Program (TCAP) Funds

Consistent with requirements of the American Recovery and Reinvestment Act of 2009, to receive consideration for TCAP funds, projects will have to be rental projects that have received or will receive an award of either 4% or 9% Low Income Housing Tax Credits (LIHTC) under Section 42(h) of the Internal Revenue Code of 1986, as amended, (IRC) (26 U.S.C. 42), during the period from October 1, 2006 to September 30, 2009 (federal fiscal years 2007,

2008 or 2009), require additional funding to be completed and be placed into service in accordance with the requirements of Section 42 of the IRC.

HPD anticipates it will begin considering projects for TCAP funds immediately upon availability of such funds. The allocation of TCAP funds will be administered by HPD's Tax Credit and Compliance Unit within the Division of Housing Incentives. The Tax Credit and Compliance Unit is responsible for evaluating, underwriting, and scoring applications for LIHTC, issuing determinations, reservations and allocations, maintaining the waiting list and monitoring compliance of tax credit recipients with Federal tax credit regulations.

Projects considered for TCAP funding will be reviewed for basic eligibility as described in HUD Notice CPD-09-03. Both 4% and 9% LIHTC projects are eligible. Those projects that meet basic eligibility criteria will be considered according to the TCAP funding criteria described below.

The main selection criterion used in considering applications for TCAP funds will be HPD's sole judgment that a project has the ability to and will be completed within 3 years from the date of Recovery Act enactment (i.e. by February 16, 2012). Other selection criteria will include: 1) that the project has demonstrated, by the date HPD considers applications for TCAP funding, that the project has the ability to pay Davis-Bacon wages going forward; 2) that the project serves a predominately low-income tenant population; and, 3) that the project meets and will further the City's housing goals.

2) A definition of “an award of LIHTCs” (can be as early as date of public notice of funding decision for a project).

For purposes of this application, HPD defines “an award of LIHTCs” as the written correspondence mailed to or delivered in person to the tax credit project owner or contact in which HPD notifies the project of either an award of competitive credits (9% credits) or the determination of credit eligibility for projects funded with tax-exempt bond financing (4% credits).

C. Commitment and Expenditure Deadlines:

1) A description of the procedures the HCA will use to ensure it will commit and expend TCAP funds to meet Recovery Act deadlines.

To meet the requirement that all projects be completed by February 16, 2012, HPD anticipates it will begin considering projects for TCAP funds immediately upon availability of such funds.

Prior to closing, HPD will execute a legally binding written agreement with the entity receiving TCAP funds. The written agreement will set forth all TCAP and other applicable federal requirements and will be binding on all owners and successors and will be structured as declaration of land use restrictive covenants. The requirements will be enforceable and will remain in effect for the length of the required low-income occupancy period.

As required by HUD Notice CPD-09-03, all projects receiving TCAP funds from HPD will be subject to the following federal requirements: Fair Housing Act; Title VI of the Civil Rights Act of 1964; Age Discrimination Act of 1975; Section 504 of the Rehabilitation Act of 1973; National Environmental Policy Act and Related Laws; Lead-Based Paint Poisoning Prevention Act and Residential Lead-Based Paint Hazard Reduction Act of 1992; federal Anti-Lobbying restrictions; Drug-Free Workplace Act of 1988; and, Davis-Bacon Prevailing Wages. In addition, all projects that receive subsidy from HPD, including projects that will receive TCAP funds, must comply with HPD's process for affirmatively furthering fair housing, as administered by HPD's Marketing Unit.

HPD is accustomed to enforcing requirements associated with federal funding and does so through agency units such as: the Marketing Unit, which monitors the advertising of available units and supervises lotteries conducted to select tenants for projects receiving agency subsidy; the Labor Standards Unit, which monitors projects for compliance with labor and equal opportunity provisions of HPD contracts, including federal (Davis-Bacon Act) and city and state (Labor Law Section of 220, Section 230) prevailing wage requirements; and, the Fair Housing Unit, which develops and implements agency-wide policies and programs to enforce city, state and federal Fair Housing Laws, provides educational, mediation and counseling services, and investigates complaints of and facilitates the resolution of housing discrimination.

All committed and disbursed funds will be entered into HUD's Integrated Disbursement and Information System (IDIS). HPD will monitor all HUD compliance components related to multifamily projects for the duration of HUD financed mortgages.

As a condition of eligibility, projects receiving an award of TCAP funds will be required to commit to a mutually agreed upon construction

schedule and will be required to report to HPD not less than quarterly on progress in and obstacles to meeting that schedule.

2) A specific description of how the HCA will redistribute funds to more deserving projects from projects which are not in compliance with deadlines established in the written agreement between the HCA and project owners.

Should any project awarded TCAP funds indicate it will be unable to comply with the deadlines established in the "TCAP written agreement" including the requirement that all projects be completed by February 16, 2012, or should HPD determine that the project will be unable to comply, HPD will recapture the TCAP funds for that project. HPD will redistribute the recaptured TCAP funds according to established TCAP selection criteria. The main selection criterion used in considering applications for TCAP funds will be HPD's sole judgment that a project has the ability to and will be completed within 3 years from the date of Recovery Act enactment (i.e. by February 16, 2012). Other selection criteria will include: 1) that the project has demonstrated, by the date HPD considers applications for TCAP funding, that the project has the ability to pay Davis-Bacon wages going forward; 2) that the project serves a predominately low-income tenant population; and, 3) that the project meets and will further the City's housing goals.

D. Recovery Act Accountability and Transparency Requirements:

1) The HCA must submit information about how it is meeting the Recovery Act accountability and transparency requirements, including:

a. Each HCA must make its project selection process and criteria available to the public and accept comments from the public for a period of not less than five days. The HCA must submit a description as to how it met the five-day comment period requirement.

HPD made its project selection process and criteria available to the public and accepted comments for a period of five days, from May 21st through May 28th.

HPD will report to HUD 10 days after the end of each calendar quarter starting on June 10, 2009, information similar to the following:

- The total amount of TCAP funds received;
- The amount of TCAP funds expended or obligated to projects or activities, including unobligated balances;
- A detailed list of all projects or activities for which TCAP funds were expended or obligated, including:

- The name of the project,
- A description of the project,
- An evaluation of the completion status of the project, and
- An estimate of the number of jobs created and the number of jobs retained by the project.

b. Submitting the website address the HCA used to accept public comment during the five-day period.

A link to HPD's selection process and criteria was available on HPD's "Low Income Housing Tax Credits" web page at http://www.nyc.gov/html/hpd/html/developers/low_income.shtml.

c. Describing how the HCA plans to ensure it will remain in compliance with these accountability and transparency requirements for the duration of the TCAP grant.

HPD is committed to the accountability, transparency and reporting requirements of the American Recovery and Reinvestment Act (ARRA).

Consistent with the requirements of HUD Notice CPD-09-03, HPD will identify all projects selected for funding and the amounts awarded and will post that information on its "Low Income Housing Tax Credits" web page, as listed above.

E. Additional Elements for Submission:

1) HCA must submit Standard Form 424 (Application for Federal Assistance SF-424) signed by a legally authorized representative of the HCA.

See attachment 1.

2) HCA must provide its DUNS (Data Universal Numbering System) number from Dun and Bradstreet.

HPD's Data Universal Number System number is: 137538489.

3) The HCA must be registered in the Central Contractor Registration (CCR) system.

HPD is registered in the Central Contractor Registration system and has a current, valid user I.D. and password as of the date of submission of this document.

4) The HCA must provide a transmittal letter for the submission packet on HCA letterhead signed by CEO or COO of the HCA.

See cover letter.

5) The HCA must submit Standard Form-LLL (Disclosure of Lobbying Activities)

See attachment 2.

The City of New York does not use registered lobbyists. The New York City Washington Office represents the City's interests in Washington, DC.

**New York City Department of
Housing Preservation and Development (HPD)
Tax Credit Assistance Program (TCAP)
Submission Packet**

Attachment 1

Form SF – 424 Application for Federal Assistance

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

*2. Type of Application

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of New York Department of Housing Preservation and Development

*b. Employer/Taxpayer Identification Number (EIN/TIN):

*c. Organizational DUNS:

137538489

d. Address:

*Street 1: 100 Gold Street

Street 2: _____

*City: New York

County: _____

*State: New York

Province: _____

*Country: USA

*Zip / Postal Code 10038

e. Organizational Unit:

Department Name:

City of New York Department of Housing Preservation and Development

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: _____

*First Name: Holly

Middle Name: _____

*Last Name: Leicht

Suffix: _____

Title: Deputy Commissioner, Office of Development

Organizational Affiliation:

City of New York Department of Housing Preservation and Development

*Telephone Number: 212-863-6400

Fax Number: 212-863-5045

*Email: leichth@hpd.nyc.gov

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Renewal

11. Catalog of Federal Domestic Assistance Number:

14.258 _____

CFDA Title:

Tax Credit Assistance Program _____

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of New York

***15. Descriptive Title of Applicant's Project:**

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: 5 through 17

*b. Program/Project:

17. Proposed Project:

*a. Start Date:

*b. End Date:

18. Estimated Funding (\$):

*a. Federal _____
 *b. Applicant _____
 *c. State _____
 *d. Local _____
 *e. Other _____
 *f. Program Income _____
 *g. TOTAL _____

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: _____ *First Name: Holly _____
 Middle Name: _____
 *Last Name: Leicht _____
 Suffix: _____

*Title: Deputy Commissioner, Office of Development

*Telephone Number: 212-863-6400

Fax Number: 212-863-5045

* Email: leichth@hpd.nyc.gov

*Signature of Authorized Representative:

*Date Signed:

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

**New York City Department of
Housing Preservation and Development (HPD)
Tax Credit Assistance Program (TCAP)
Submission Packet**

Attachment 2

Standard Form LLL - Disclosure of Lobbying Activities

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 5 through 17	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, NY 12207 Congressional District, if known:	
6. Federal Department/Agency: Department of Housing and Urban Development	7. Federal Program Name/Description: CFDA Number, if applicable: 14.258	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): Not Applicable: The City of New York does not use registered lobbyists. The New York City Washington Office represents the City's interests in Washington, DC.	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: Holly Leicht Title: Deputy Commissioner, Office of Development Telephone No.: 212-863-6400 Date: 5/29/09	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)