**City of Chicago**

**Department of Housing**

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**Multi-Family Housing**

**Financial Assistance**

**Application Instructions**

**2019**

**Lori E. Lightfoot Marisa Novara, Commissioner**

**Mayor Department of Housing**

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**Section I: Introduction and Application Instructions**

**A. Introduction**

**City of Chicago Department of Housing**

**Multi-family Project Financial Assistance Application**

The City of Chicago Department of Housing (“DOH,” “Department”) invites applications from developers for public funds and other subsidies which are necessary to pay a portion of project-specific costs of rehabilitating or constructing rental apartments within the City of Chicago. Financing programs currently administered by DOH include low-income housing tax credits; federal, state and local funds (including Tax Increment Financing) awarded in the form of first and second mortgage loans; City land; and private activity and other tax-exempt bonds. Funding under each program is constrained by the availability of resources. At any point in time, DOH may not be in a position to accept applications for financing from one or more sources.

The application is designed to help developers provide information that will enable DOH to assess a project’s economic feasibility, its impact on the surrounding community, and its ability to meet a specific affordable housing need.

This application is to be used by developers who are requesting financing for multi-family properties. Developers should comply with all of the requests for information in the application which are pertinent to the sources of financing for which they are applying. Developers who are awarded partial financing under one program (for example, low-income housing tax credits) need not submit separate applications for financing under other programs (such as mortgage loans). Developers, whose applications are declined, however, will need to resubmit if they wish to be reconsidered for financing at a later date or from a different source.

All applications may remain a part of the permanent records for the Department of Housing (DOH). Applications are to be accompanied by a non-refundable application fee in the amount of $750 for not-for-profit companies and $1,500 for for-profit companies.

**Construction (DOH) and Design Review (DPD)**

It is important that new multi-family developments link the concept of good design with affordability and assist in the overall neighborhood redevelopment effort. Through design review, the Department of Housing has established guiding principles for design that apply to the construction of new multi-family developments. These guiding principles will include: compatibility in scale, materials, and architectural elements of design to the surrounding structures; quality of materials, innovation of design, and amenities which include light and open space. Your application and design are subject to review and will likley change.

**Definition of Affordable Rents**

Federal statutes limit the rents which can be charged by developers employing the various sources of DOH financing. The most flexible of these funding sources allows maximum rents to be established at a level affordable to households earning no more than 80% of the median income for the Chicago Standard Metropolitan Statistical Area (SMSA), adjusted for household size. Other funding sources are governed by more stringent limitations. Notwithstanding the income limits to which various funding sources are subject by law or regulation, the it is the Department’s policy that DOH resources for the financing of rental housing shall be used to assist households earning substantially less than the federal maximum.

**Rent Levels**

The Department employs the concept of "community rent levels" in determining the level of rents to be established by developers in order to be eligible for DOH financing. Community rent levels are defined as those rents which an independent, certified appraiser determines that community residents are willing and able to pay for units of comparable size and quality within the same neighborhood as the proposed developments. Exceptions to community rent levels are approved when buildings are intended to provide housing for special needs populations (individuals and households who are homeless, elderly or disabled), or when a development is to be located in a revitalizing community, in which community rent levels would exceed those affordable by low and moderate income residents.

A portion of a development's rents may be reduced below community rent levels when a development serves residents earning less than a typical community resident could afford to pay. However, in keeping with our desire to promote mixed-income developments (see **Mixed Income Developments**, below), DOH will not approve reductions in rents which would result in a concentration of residents earning less than the community rent level within the same development.

**Mixed-income Developments**

In order to reduce concentrations of poverty, and to stabilize buildings and neighborhoods, the department encourages applications for mixed-income developments where it is feasible to attract mixed-income populations. In many instances, these mixed-income developments will establish tiered rent levels, with the result that all of the units within the development will be eligible for DOH financing. However, the Department encourages applications for projects which encompass a mix of affordable units eligible for DOH financing, and market rate units which may not be eligible for DOH assistance. In those instances, the department's assistance will be applicable only to the eligible units.

**Provision of Social Services**

The Department realizes that many low-income populations dwelling within DOH-assisted developments may benefit, or even require, access to social services. Housing developed for senior citizens is required to provide a social service plan. The social service plan must outline the services provided and list the service providers. We encourage developers serving these populations to present plans for fulfilling these needs, either directly or through relationships with qualified social service providers. Social services do not necessarily have to be available on-site; however, if they are required by a building’s residents, they must be readily available within the community in which the proposed development is to be located. DOH is not able to fund social services within the context of a project development budget. If we have approved a supportive services plan for a specific development, we may be willing to forego a portion of our debt service in order to allow the owner to pay a portion of the costs of providing social services. Please refer to page 52 for more information regarding the supportive services plan.

**Leverage of Private and Other Public Sector Funds**

To conserve and maximize the use of limited public resources, the Department requires that developers make every effort to maximize the amount of project financing which can be obtained from non-DOH funds. DOH will reduce or forego debt service in order that the amount of a private first mortgage can be maximized by private lenders employing underwriting standards which evidence the lenders' commitments to fulfilling their CRA obligations. DOH also expects that those developers who employ federal low-income housing tax credits will seek syndicators who offer competitive pay-in rates which are commensurate with the nature of the proposed development.

The Department also encourages developers to seek additional sources of subsidy, including direct awards from the federal government and funds provided by the Illinois Housing Development Authority and the Federal Home Loan Bank. Some developers may need to engage in additional fund-raising efforts in order to fulfill their minimum equity requirements (see **Equity Requirements**, below) or to supplement their project operating budgets.

**Cost-effective Development**

While the Department recognizes that high-quality construction is costly, DOH expects that developers will make every effort to control their costs so that limited public resources may be employed to facilitate the development of as many units of affordable housing as possible. DOH cannot participate in the financing of projects whose extraordinary demands for public subsidies would detract from the Department’s ability to finance other meritorious and cost-efficient projects.

**Developer Fees**

The Department acknowledges that developers are entitled to earn reasonable fees to cover their costs of project development. In order to assure that these fees are not excessive, DOH imposes limits on the amount of the fees which may be paid to developers of DOH-assisted projects. These limits may change from time to time. It is required that developers who employ the services of consultants will pay consultants’ fees from a portion of the allowable developer's fees or other non-project funds.

**Considerations and Parameters for Mixed Income Housing Proposals That Included CHA Units**

Applicants proposing projects that include CHA units must be separately selected by CHA for the receipt of CHA resources (capital subsidy, operating subsidy, or project-based Section 8 vouchers). Selections for development or acquisition must be approved by the CHA Board of Commissioners.

DOH recognizes that approval timelines for CHA resources can be longer than those for DOH resources, particularly since mixed finance transactions must be approved by the U.S. Department of Housing and Urban Development. DOH will only award resources to those projects that, in the sole discretion of DOH, are likely to receive approval and be able to close during the time period envisioned for utilization of DOH resources.

**Equity Requirements**

DOH requires that a minimum of 10% of total development costs be contributed to a project in the form of equity. The most common form of equity contribution arises from the syndication of low-income housing tax credits. However, those developers who do not access tax credits may fulfill their equity requirement with cash or the current appraised value of the property proposed for development, to which they hold title at the time of application. Funds raised from other sources which are free of debt service requirements (but which may be encumbered by mortgages junior to that of the Department which are required as a means of assuring a grantor's affordability requirements) may be considered as equity. Subject to DOH approval, a limited amount of a development's equity requirement may be met by a developer's willingness to forego a portion of allowable developer fee (see **Developer Fees**, above).

**Off-street Parking**

The redevelopment of affordable housing requires the provision of off-street parking to meet the needs of current residents. The goal is to provide off-street secured parking spaces per the zoning code. Less parking may be required for senior, SRO and other special needs housing developments. Ideally, the parking will be developed adjacent to, or as part, of the development site.

**Plan for Community Input**

In order to assure that stakeholders in the vicinity of a proposed affordable housing development are aware of the intended project, and have the opportunity to voice their comments, questions, and concerns, the Department of Housing requires that each developer submit a Plan for Community Input, and apprise the department of the responses which are received. DOH staff may wish to attend community meetings at which proposed developments are discussed, and ask that they be scheduled and we be notified in sufficient time for us to do so. Refer to page 28 for more information regarding community input.

**Other Resources**

This application is intended to encompass requests for DOH-administered Low-Income Housing Tax Credits, Tax Exempt Bond Financing, Illinois Affordable Housing Tax Credits, Tax Increment Financing, City land, and loan funds. Developers are encouraged to seek additional assistance from the Chicago Low Income Housing Trust Fund to further reduce the rent levels for low income households. In addition, the department may be able to provide assistance in the form of land and buildings suitable for redevelopment. Developers interested in applying for Tax Increment Financing (TIF) assistance should read and complete the supplemental TIF information.

**Other Policies and Procedures**

The foregoing material is intended to serve as a statement of some of the most significant policies employed by the Department of Housing in underwriting applications for multi-family financing. It is not a comprehensive statement of all DOH multi-family underwriting policies and procedures (see page 42 for DOH’s underwriting policies). Questions concerning the manner in which these, and other policies, would apply to specific developments may be addressed to DOH staff by calling the Housing Finance Division of DOH at 312-744-0893.

**B. Application Instructions**

This application requests information from developers in two stages. The information submitted in Stage One will provide the Department with details on the type and economics of the proposed project, the impact and contribution the completed project will provide to the surrounding community, and the capacity of the development team to complete the proposed project.

Stage Two of the application, which should be submitted only when requested by the Department of Housing, requests more detailed information such as architectural plans and environmental audits.

**An application checklist has been provided on the following pages. Please provide all information requested on the Stage One multifamily submissions checklist.**

**To assist in evaluating your application:**

**\* Include a cover letter and a project narrative with your completed application and application fee.**

**\* Return the checklist with the application.**

**\* Complete fill-in application at:** <http://www.cityofchicago.org/city/en/depts/dcd/supp_info/multi-family_assistance.html>

**\* Submit your application only in the order given in the checklist.**

**\* Each section must be separately tabbed as indicated.**

**\* Submit four (4) copies of the application including supplemental TIF information (if applicable) in a 3-ring**

**binder.**

**\* Submit the pro forma (accessed through city website listed above) and application on a flash drive.**

**\* Include one complete electronic copy of the application and all supporting materials on a flash drive.**

**1. Application Checklist - Stage One Submissions**

|  |
| --- |
| **Application Fee: $750 for not-for-profit or $1,500 for for-profit entities payable to the City of Chicago.** |
| Application Schedules |
| 1 | Applicant Information |  |
| 2  | Ownership/Development Team/Org chart |  |
| 3  | Project Information |  |
| 4  | Development Financing Information |  |
| 5  | Evaluation Criteria |  |
| 6.  | Preferences and Selection Criteria |  |
| 7 | Previous Participation with DOH  |  |
| 8 | Supportive Services Plan |  |
| 9. | Compliance Certification  |  |
| A | Authorization and Certification (Form # II-A) |  |
| B | Tax Credit Applicants Authorization and Certification (Form # II-B) |  |
| C | Donations Tax Credit Application |  |
| D | Supplemental TIF Information  |  |
| E | Pro forma and Subsidy Layering Review (submit on flash drive in working excel) |  |
| F | Two years of personal and/or audited corporate financial statements. (Use Personal Financial Statement Form # II-C) |  |
| G  | Scofflaw Information (Form # II-E)  |  |
| H | Economic Disclosure Statement (found on the DOH Multi-Family Assistance webpage) |  |
| I | Ten-year income and expense projections-pro forma including description of assumptions |  |
| J | Neighborhood Map and Ariel map (include main thoroughfares, business areas, parks, schools, hospitals, institutions. Refer to Neighborhood Map Requirements) – also provide a narrative description of the area’s streets, parks, schools, hospitals, transportation lines, proximity to downtown, and other projects in the area. (See Section III-A).  |  |
| K | Front and rear pictures of property and/or rendering of new construction developments. |  |
| L | Letters of interest from all proposed financing sources: amount, rate, term and amortization |  |
| M | Property management plan and résumé. |  |
| N | Plan for Community Input (See Section III B) |  |
| O | General contractor’s cost estimate and narrative description of work. (Separate costs for residential units, non-residential space, and off-site parking space). |  |
| P | Evidence of site control or steps to attain site control for both residential and parking (deed, signed sales contract, option agreement, trust agreement). |  |
| Q | Applicant’s experience in developing, owning, and managing multi-family buildings and a copy of the developer’s license |  |
| R | Three credit references. Credit release letter (Form II-F) |  |
| S | Schematic drawings of units and off-street parking plans |  |
| T | Strategy to minimize displacement of residents |  |
| U | Market study (Section III-L) |  |

**2. Application Checklist - Stage Two Submissions**

Submission of these materials will not be required until you have been notified that the Stage One portion of your application has been reviewed.

|  |  |
| --- | --- |
| **Tab****Letter**  |  |
| A.  | Phase I environmental audit. |  |
| B.  | Architectural plans and specifications.  |  |
| C.  | Building Department accessibility approval.  |  |
| D.  | General contractor's sworn statement. (require bids from three (3) general contractors and analysis of section/comparison of contractor’s bids).  |  |
| E.  | Most recent real estate tax bill.  |  |
| F.  | Copy of class 9 application  |  |
| G.  | Letters of commitment from proposed financing sources, including amount, rate, term and amortization (require bids from three (3) lenders and syndicators and analysis of selection/comparison of bids). |  |
| H.  | Appraisal. |  |
| I.  | Tenant profiles (if occupied). Section II-D  |  |
| J. | Relocation plan (if applicable) & URA Screening From (Section II-G)  |  |
| K. | Heating cost disclosure information receipt (Section III-H & III-I)*.* |  |
| L  | Organizational documents of the applicant and proposed owner (articles of incorporation, by-laws, partnership agreements, etc.) |  |

**Forms: Section II**

**A. Authorization and Certification - All Applicants**

All information contained in this application is true and complete to the best of the applicant’s knowledge and belief. Applicant agrees to comply with all Department of Housing policies and guidelines, City of Chicago ordinances and codes and any applicable federal laws, regulations and guidelines. Application materials remain the sole property of the Department of Housing, including real estate appraisals and architectural drawings, if applicable.

While processing this application the Department of Housing may conduct credit checks, property inspections, verification of information, discussions with lenders and development team members identified herein and have the City of Chicago Department of Buildings release existing code inspection reports cited against the subject property and other property identified as being owned by the applicant. The undersigned hereby acknowledges and authorizes these actions.

The applicant assumes responsibility for selecting and using contractors which conform to the Department of Housing’s standard. The Department does not warrant the performance of any contractor.

Penalty for False or Fraudulent Statement, U.S.C. Title 18, Sec. 1001. Provides: “Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.”

In Witness whereof, the applicant has caused this document to be duly executed by an authorized officer in its name on this day of , 20 .

Name: Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Relationship to Applicant: Relationship to Applicant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Subscribed and Sworn to Before me on

 this day , 20 .

 Notary Public

 My commission Expires:

**B. Authorizations and Certifications - Tax Credit Applicants**

The applicant is responsible for ensuring that the project consists or will consist of a qualified low income building or buildings as defined in the Internal Revenue Code, Section 42, and will satisfy all applicable requirements of federal tax law in the acquisition or construction and operation of the project to receive the low income housing tax credit.

The applicant is responsible for all calculations and figures relating to the determination of eligible and qualified basis for the building(s) and understands and agrees that the amount of the credit is calculated by reference to the figure submitted with this application.

The applicant is responsible for supplying current costs of development to the Department of Housing. These costs must correspond to costs identified on all applications submitted to other funding and investor sources by the applicant.

The undersigned hereby makes application to the City of Chicago for reservations, carryover allocations, or allocation of housing credit dollar amounts as listed in the application. The undersigned agrees that the City of Chicago Department of Housing will at all times be indemnified and held harmless against all losses, costs, damages, expenses and liabilities (including, but not limited to attorney’s fees, litigation and court cost, amounts paid in settlement, amount paid to discharge judgment from the Internal Revenue Service) directly or indirectly resulting from, arising out of, or related to acceptance, consideration and approval or disapproval of such allocation request.

The undersigned hereby acknowledges that, if a tax credit reservation is made, the Department of Housing reserves the tax credits for the project and the applicant. Reservations are not transferable. Any changes require written notice and approval by the Department.

The undersigned, being a duly authorized officer of the applicant, hereby represents and certifies that the foregoing information, to the best of his/her knowledge, is true and complete and accurately depicts the proposed project.

IN WITNESS WHEREOF, the applicant has caused this document to be duly executed by an authorized officer in its name on this day of , 20 .

Name: Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Relationship to Applicant: Relationship to Applicant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Subscribed and Sworn to Before me on

 this day , 20 .

 Notary Public

 My commission Expires:

**C. Personal Financial Statement -**Important: Read these directions before completing this Statement.

 If you are applying for individual credit in your own name and are relying on your own income or assets and not the income or assets of another person as the basis for repayment of the credit requested, complete only Sections 1 and 3.

 If you are applying for joint credit with another person, complete all Sections providing information in Section 2 about the joint applicant.

 If you are applying for individual credit, but are relying on income from alimony, child support or separate maintenance or on the income or assets of another person as a basis for repayment of the credit requested, complete all Sections providing information in Section 2 about the person whose alimony, support or maintenance payments or income or assets you are relying.

 If this statement relates to your guaranty of the indebtedness of other person(s), firm(s) or corporation, complete Sections 1 and 3.

|  |  |
| --- | --- |
| Section 1 - Individual Information Type or Print | Section 2 - Other Party Information Type or Print |
| Name | Name |
| Residence Address | Residence Address |
| City, State & Zip | City, State & Zip |
| Position or Occupation | Position or Occupation |
| Business Name | Business Name |
| City, State & Zip |  |
| Res. Phone Bus. Phone | Res. Phone Bus. Phone |

|  |
| --- |
| Section 3 - Statement of Financial Condition as of 20 ,  |
|  Assets | Dollars | Liabilities | Dollars |
| Cash on hand and in banks |  | Notes payable to banks - secured |  |
| US Gov’t. & Marketable Securities - See Schedule A |  | Notes payable to banks - unsecured |  |
| Non-Marketable Securities - See Schedule B |  | Due to brokers |  |
| Securities held by broker in margin accounts |  | Amounts payable to others - secured |  |
| Restricted or control stocks |  | Amounts payable to others - unsecured |  |
| Partial interest in Real Estate Equities - See Schedule C |  | Accounts and bills due |  |
| Real Estate Owned - See Schedule D |  | Unpaid income tax |  |
| Loans Receivable |  | Other unpaid taxes and interest |  |
| Automobiles and other personal property |  | Real estate mortgages payable - See Schedule D |  |
| Cash valuable insurance - See Schedule E |  | Other debts - itemize |  |
| Other assets - itemize |  |  |  |
|  |  | Total Liabilities |  |
|  |  | Net Worth |  |
| Total Assets |  | Total Liabilities and Net Worth |  |

**Schedule A - US Governments and Marketable Securities**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number of Shares of Face Value (Bonds) | Description | In Name Of | Are These Pledged? | Market Value |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**Schedule B - Non-marketable Securities**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Number of Shares | Description | In Name Of | Are These Pledged? | Source of Value | Value |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Schedule C - Partial Interests in Real Estate Equities**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Address & Type of Property | Title in Name of | % of Ownership | Date Acquired | Cost | Market Value | Mortgage Maturity | Mortgage Amount |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

**Schedule D - Real Estate Owned**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address & Type of Property | Title in Name of | Date Acquired | Cost | Market Value | Mortgage Maturity | Mortgage Amount |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Schedule E - Life Insurance Carried, Including NSLI And Group Insurance**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of Insurance Company | Owner of Policy | Beneficiary | Face Amount | Policy Loans | Cash Surrender Value |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Schedule F - Banks or Finance Companies Where Credit Has Been Obtained**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name & Address of Lender | Credit In The Name Of | Secured Or Unsecured | Original Date | High Credit | Current Balance |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

The information contained in this statement is provided for the purpose of obtaining, or maintaining credit with you on behalf of the undersigned, or persons, firms or corporations in whose behalf the undersigned may either severally or jointly with others, execute a guaranty in your favor. Each undersigned understands that you are relying on the information provided herein (including the designation made as to ownership of property) in deciding to grant or continue credit. Each undersigned represents and warrants that the information provided is true and complete and that you may consider this statement as continuing to be true and correct until a written notice of a change is given to you by the undersigned. You are authorized to make all inquiries you deem necessary to verify the accuracy of the statements made herein, and to determine my/our creditworthiness. You are authorized to answer questions about your credit experience with me/us.

Signature (Individual) Signature (Other Party)

S.S. No. Date of Birth S.S. No. Date of Birth

Date Signed 20 Date Signed 20

**D. Tenant Profile**

**TENANT PROFILE**

Tenant Name (head of Household)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address (Project)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#Bedrooms:\_\_\_\_Studio\_\_\_\_\_1Bdrm\_\_\_\_\_2Bdrms\_\_\_\_\_3Bdrms\_\_\_\_\_4Bdrms\_\_\_\_\_5+Bdrms

How long have you lived at this address? \_\_\_\_\_\_\_\_\_

Phone No. (Home)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Work)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tenant Before? \_\_\_\_Yes \_\_\_\_No Unit# \_\_\_\_\_\_

Tenants Prior Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_# of Yrs/Months\_\_\_\_\_\_\_\_\_\_\_\_

Monthly rent (Including Tenant Paid Utilities):

 Tenants Contribution Subsidy Amount Total Rent

 $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_

 Lease Expiration Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

List name, age, relationship (mother, son, daughter, friend, etc.) & gross annual income of each person

 living in your unit, including yourself:

Name Age Relationship Gross Annual Income

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\*HOH\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Additional “Income Date” Monthly Gross Income? $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Size of household:\_\_\_1Person\_\_\_2 Persons\_\_\_3Persons\_\_\_4 Persons\_\_\_5 Persons\_\_\_6Persons

 \_\_7Persons\_\_\_8 + Persons

 Are there any handicapped persons residing in your apartment? Name(s)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Head of Household:\_\_\_Single/Non Elderly\_\_\_Elderly\_\_\_\*Related/Single Parent\_\_\_\*Related/Parent

 \_\_\_Other

 Have you ever applied for a Section 8 Certificate?\_\_\_Yes\_\_\_No

 Are you presently receiving Rental Assistnce?\_\_\_Yes\_\_\_No \_\_\_Section 8 \_\_\_Other Assistance \_\_\_No Assistance

 Race/Ethnicity of Head of Household: \_\_\_Black\_\_\_Hispanic\_\_\_White\_\_\_Native American \_\_\_Asian?Islander\_\_\_Other

 Female Head of Household?\_\_\_ Yes\_\_\_No Social Security Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TENANT STATUS

16. Remain with Section 8 Assistance? \_\_\_Yes \_\_\_No Remain with Affordable rent? \_\_\_Yes \_\_\_No

 Requires Permanent Relocation? \_\_\_Yes \_\_\_No

I CERTIFY THAT I AM A LAWFUL TENANT AND THE ABOVE INFORMATION IS CORRECT.

 **SIGNATURE DATE**

**\*H.O.H. – HEAD OF HOUSEHOLD**

**\*Related/Single Parents – A single parent household with a dependent child or children (18 years old or younger)**

**\*Related/Two Parents – A two parent household with a dependant child or children (18 years old or younger)**

**E. Scofflaw Form**

**Department of Housing**

**Scofflaw Information**

**Child Support Enforcement Review on Key Individuals**

**Contact Person: Phone#:**

**Project Name: Developer:**

**Submission Date:**

**Prepared by:**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Department** | **Requester** | **Date Received** | **Principal’s Name** | **Principal’s Address** | **Entity** | **Address** | **Driver’s License Number** | **Plate Number** | **Social Security Number** |
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**F. Credit Check Form Letter**

This is an example of a release of information letter. The signed letter of consent is necessary because of the laws concerning the rights to privacy of information act. This letter will only be used to get three questions answered from your bank references:

Is this developer a customer of your establishment?

Are they a customer in good standing?

What type of account do they have with your bank?

Date:

Anthony Simpkins

Managing Deputy Commissioner

Department of Housing

121 N. LaSalle

Chicago, IL 60602

Dear Mr. Simpkins,

I representing (Name of Company) , for the project called (Name of Project) , hereby grant the City of Chicago Department of Housing permission to contact the credit references submitted as part of the New Homes for Chicago Program, City Lots for City Living Program or Multi-Family Project Financial Assistance Application. These references may be contacted with the understanding that information requested is limited to verifying the status of the business relationship with each reference for the purpose of the proposed project submitted in the application

Sincerely,

 **(Your Name)**

**G. Prospective Contractor's Statement of Qualifications**

*The contents of this questionnaire will be considered confidential.*

If the City of Chicago is not satisfied with the answers provided herein, it may reject the placement of the contractor on the list of prospective bidders for construction contracts, disregard the same, or require additional information.

 1. Name of Contracting Firm \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 2. Address of Firm \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Street

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 City State Zip Code

 3. Telephone Number of Firm ( ) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 4. When organized/how long in business? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 5. Where incorporated and when \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 6. How long have you been engaged in the contracting business under the present firm name?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 7. Have you done business under any other names?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 8. Present residential clients or recent remodeling jobs:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name Address Phone

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Name Address Phone

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 Name Address Phone

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 Name Address Phone

 9. General nature of work performed by your firm:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

10. Have you ever failed to complete any work awarded to you?  Yes  No

If yes, attach statement showing when, where and why.

11. Have you ever defaulted on a contract?  Yes  No

If yes, attach statement showing when, where and why.

12. Credit available. Furnish written evidence, preferably from your source of funding.

List you usual suppliers:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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14. List your usual sub-contractors:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

15. Bonding capacity $ Name and address of bonding company:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

16. Name and address of insurance company:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

17. Amount of coverage on your present policy:

Bodily injury $ Property damage $

Other, explain

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Expiration of present policy

The City of Chicago reserves the right to verify any or all of the information given above by the contractor. This includes but is not limited to the listed contractors, firms, references listed above as it deems necessary.

The City requires that a copy of your insurance policy be mailed by your agent to the Department of Housing, 121 N. LaSalle, Room 1000, Chicago, Illinois 60602. The contractor also acknowledges that he/she will have to furnish insurance in at least the minimum coverage as required by the City of Chicago.

Dated this day of 20 .

Name of organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

State of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Being duly sworn, says that he/she is

 Name Title

and that the answers to the foregoing questions and all statements contained therein are true and correct.

Signed:

Subscribed and sworn to before me

this day of 20 .

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**H. Contractor’s Application Package**

**CITY OF CHICAGO - DEPARTMENT OF HOUSING**

**CONSTRUCTION & COMPLIANCE DIVISION**

|  |
| --- |
| **CONTRACTOR’S APPLICATION** **PACKAGE** |

**FIRM/COMPANY**

**NAME:                                                                                                  DATE:**

**ADDRESS:                                                                                           PHONE:**

**CITY & STATE:                                                                                ZIP CODE:**

**TAX ID NUMBER:**

**Incorporated or organized in the year of:**

**How many years have you operated under the above name?              Yrs.**

|  |
| --- |
| **NOTE: A SEPARATE LIST MAY BE ATTACHED IN RESPONSE TO ITEMS** **1, 2, 3, 5, 6, 7, 8 and 9, 10.** |

**List of key personnel and their corporate status:**

**PRESENT POSITION**

**Name your principal suppliers: ACCOUNT CREDIT**

 **NAME ADDRESS PHONE ESTABLISHED LINE**

|  |
| --- |
| **FORM A-1****Group#1** |

**Revised: 5/22/15 1 of 10**

**3. List all banks where your firm maintains an account:**

 **TYPE OF CURRENT**

 **NAME ADDRESS PHONE ACCOUNT BALANCE**

                                                                                                                                                                                    **INSURANCE:**

**Is your firm presently covered by an insurance company for the following coverage?**

**1. - Automobile Liability: Yes:             No:**

**2. - Liability Comprehensive Insurance: Yes:             No:**

**3. - Workmen’s Compensation: Yes:             No:**

|  |
| --- |
| **NOTE: All Certificates of Insurance indicated as being required shall be submitted with this completed**  **application.** |

**5. CONTRACTOR’S HISTORY:**

**Has your firm ever received any contracts from the Department of Housing prior**

**to this application?**

**Yes:              No:**

**If “Yes” the applicant shall submit, a list of all DOH-FUNDED contracts entered into within the**

**last twenty-four (24) months. The list shall include the following:**

 $**Name of Developer. $Contract Value Upon.**

 **$Property Address of Completion. $Number of Dwelling Units.**

 **$Date of Completion of Each Property. $Permit(s) Number.**

**Has your firm ever obtained a Performance Bond or a Letter of Credit?**

 **Yes:              No:**

**If Yes, list highest amount $                           , Name and Address of Bonding Company:**

**Does your firm act as a General Contractor only? Yes:                      No:**

**If no, list the trades which your firm carries on the payroll and the number of people employed in each trade.**

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| **FORM A-1****Group#1** |

**Revised: 5/22/15 2 of 10**

**6. TRADES** **LOCAL UNION NO. & ADDRESS CONTRACT EXPIRES**

**7.** **WORK HISTORY:**

**List your completed contracts during the past twelve months which required permits. The projects**

**will be inspected by the Department for quality of workmanship, contract compliance, budget discipline, timely completion, etc.**

**PROJECT/OWNER** **ADDRESS** **PHONE#** **D.U’S** **CONTRACT   $** **PERMIT#**

**8. CURRENT ACTIVITY:**

**List your projects where work is in progress or under contract.**

**DATE CONST**

**PROJECT/OWNER ADDRESS PHONE#** **D.U.’S** **CONTRACTS INITIATED**

|  |
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| **FORM A-1****Group#1** |

**Revised: 5/22/15**

**3 of 10**

 **9. MINORITY BUSINESS ENTERPRISE/WOMEN’S BUSINESS ENTERPRISE (MBE/WBE)**

**Has your firm been certified by the City of Chicago as an MBE and or WBE Venture?**

**If so, submit copies of all documents attesting to MBE/WBE Certification.**

**10. FINANCIAL INFORMATION**

**List annual amount of billing for the last year $                        A COPY OF YOUR CERTIFIED FINANCIAL STATEMENT, AS REQUIRED SHALL BE ATTACHED.**

**I hereby affirm that all statements and information furnished on this application are, to the best**

**of my knowledge, true and accurate.**

**I further acknowledge that the Department of Housing reserves the right to**

**request and require an updating of all information relevant to business ownership, licensing,**

**financial conditions and insurance and surety coverage as the Department of Housing deems appropriate.**

**FIRM:**

**REPRESENTATIVE:**

**TITLE:**

**SIGNATURE OF THE REPRESENTATIVE**

**SUBSCRIBED AND SWORN TO BEFORE ME. CORPORATE SEAL:**

**This                 Day of                                             200**

**NOTARY PUBLIC**

**Commission Expires:**

|  |
| --- |
| **NOTE: ALL INFORMATION PERTAINING TO THIS APPLICATION WILL BE VERIFIED**  **AND KEPT IN THE STRICTEST CONFIDENCE. FALSIFICATION OF THE**  **INFORMATION REQUESTED AND REQUIRED HEREIN IS CAUSE FOR REJECTION** **AND/OR DISQUALIFICATION FROM PARTICIPATION IN DEPARTMENT OF**  **HOUSING FUNDED PROJECTS.** |

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| **FORM A-1****Group#1** |

**Revised: 5/22/15**

**4 of 10**

**THE CITY OF CHICAGO**

**DEPARTMENT OF HOUSING**

**CONSTRUCTION & COMPLIANCE DIVISION**

|  |
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| **CONTRACTORS APPLICATION PACKAGE** |

**DIRECTIONS AND DOCUMENTATION REQUIREMENTS**

**1. TYPE OR PRINT ALL INFORMATION REQUESTED.**

**2. ANSWER ALL QUESTIONS COMPLETELY. PROVIDE ALL DOCUMENTS SPECIFIED BY THIS DOCUMENT AND THOSE INDICATED BY ITEM 3.**

**3**. **SIGN, NOTARIZE AND DATE THE FOLLOWING DOCUMENTS:**

**Contractor’s Application Form A-1**

**Disclosure of Ownership Form D-1**

|  |
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| **NOTE: IF A CORPORATION, THE CORPORATE SEAL MUST BE AFFIXED TO** **THE ABOVE DOCUMENTS.** |

**4. ALL APPLICATIONS MUST BE ACCOMPANIED BY ONE OF THE FOLLOWING:**

**Certified Financial Statement from the most recently completed fiscal year.**

**Interim Statement from the most recently completed quarterly report.**

|  |
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| **NOTE: ALL CERTIFIED FINANCIAL STATEMENTS SHALL INCLUDE THE**  **FOLLOWING:** |

**Profit and Loss Summary**

**Cash Flow and Balance Sheet**

**Notes and Supplementary Schedules**

**Auditor’s “Statement of Opinion”**

**5. ALL APPLICATIONS MUST BE ACCOMPANIED BY CERTIFICATE(S) OF INSURANCE CONFIRMING:**

**Public Liability Coverage**

**Workman’s Compensation Coverage**

**Auto, Truck, Construction Vehicles, etc. Coverage**

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| **FORM CAP-1****Group#2** |

**Revised: 5/22/15**

**5 of 10**

**All coverage must be in full force and meet coverage minimums as stated in the application package.**

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| **NOTE: Firms and/or individuals providing architectural and/or engineering or other licensed**  **professional services shall provide confirmation of professional liability, errors and**  **omissions coverage.** **Copies of all license(s) and/or professional certifications shall also be submitted.** **General Contractors entering into contracts for DOH Funded projects shall be required** **to provide certificates indicating DOH/City of Chicago as co-insured and/or additionally** **insured as directed.** |

**6. ALL APPLICATIONS SHALL BE ACCOMPANIED BY THE SUBMISSION OF COPIES OF ALL BUSINESS**

**LICENSES AND CERTIFICATIONS REQUIRED BY THE CITY OF CHICAGO/STATE OF ILLINOIS.**

**THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:**

**A. Limited Business License**

**B. Trade License (Plumbing, Heating, Electrical, etc.)**

**C. Architecture/Engineers License**

**D. Roofing License**

**E. Home Repair License**

**F. Certificates of Registration as issued by the Department of Buildings, City of Chicago.**

**G. Minority Business Enterprise/Women’s Business Enterprise (MBE/WBE) Certification.**

**ALL APPLICATIONS SHALL BE ACCOMPANIED BY THE SUBMISSION OF VERIFICATION OF THE APLICANT’S ABILITY TO OBTAIN THE FOLLOWING SURETY**:

**A. Performance and Payment Bonding**

**B. Letter of Credit**

**Written statements affirming the financial institutions and/or other corporate entities preparedness**

**to extend surety in the amounts required will be accepted in the interim.**

**All statements shall be signed, dated and notarized. Any expiration’s dates shall be clearly indicated.**

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| **FORM CAP-1****Group#2** |

**Revised: 5/22/15**

**6 of 10**

**CONTRACTOR WILL BE NOTIFIED IN WRITING OF REJECTIONS AND/OR APPROVAL.**

**9. RETURN THE COMPLETED APPLICATION PACKAGE AND ALL REQUIRED DOCUMENTS TO:**

**City of Chicago**

**Department of Housing**

**Construction & Compliance Division**

**30 North LaSalle Street –  2nd Floor – Suite 200**

**Chicago, Illinois 60602**

**Attn: Jim Horan, Deputy Commissioner**

**Office (312) 742-0141 or Fax (312) 742-1390 or (312) 742-1396**

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| **FORM CAP-1****Group#2** |

**Revised: 5/22/15**

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**THE CITY OF CHICAGO**

**DEPARTMENT OF HOUSING**

**CONSTRUCTION & COMPLIANCE DIVISION**

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| **CONTRACTOR’S APPLICATION PACKAGE** |

**DISCLOSURE OF OWNERSHIP INTERESTS**

**Contractor’s Name:**

**Contractor’s Address:**

**Contractor is: 1. Corporation G 2. Partnership G**

 **3. Sole Owner G 4. Other G**

**SECTION I CORPORATION**

**1a. Incorporated in the State of**

**1b. Authorized to do business in the State of Illinois: YES G NO G**

**1c. Names of Officers and directors of Corporation**

**1d. If the Corporation has fewer than 100 shareholders indicate hereon, or attach hereto,**

 **a list of names and address of all shareholders and the percentage of interest of**

 **each.**

**1e. If the corporation has 100 or more shareholders indicate hereon, or attach hereto, a**

 **list of names and addresses of all shareholders owning shares equal to, or in excess,**

 **of 3% of the proportionate ownership interest and the percentage interest of each.**

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| **FORM D-1****Group# 3** |

**Revised: 5/22/15**

**8 of 10**

**SECTION II PARTNERSHIP**

 **2a. If the applicant is a partnership indicate the name of each such partner and the percentage of interest of each therein.**

**SECTION III SOLE PROPRIETOR**

 **3a. The applicant is a sole owner and is not acting in any representative capacity or in**

**behalf of any beneficiary. YES G NO G If NO, provide the following information:**

 **3b. If the sole proprietorship is held by an agent(s) or a nominee(s) indicate the principals for whom the agent or nominee hold such interest.**

**SECTION IV OTHER**

 **4a. If the applicant is a land trust, business trust, estate or other similar commercial or**

 **legal entity, identify representative person, or entity holding legal title as well as each beneficiary in whose behalf title is held, including the name, address and percentage of interest of each beneficiary.**

**To the best of his or her knowledge the information provided hereon is accurate and current.**

**If a corporation, seal must be affixed.**

 **(Signature of Person Preparing Statement)**

**Title:**

**SUBSCRIBED AND SWORN TO BEFORE ME CORPORATE SEAL:**

**This Day of , 20**

**Notary Public**

**Commission Expires:**

|  |
| --- |
| **FORM D-1****Group# 3** |

**Revised: 5/22/15 9 of 10**

**CITY OF CHICAGO**

**DEPARTMENT OF HOUSING**

**SCHEDULE OF APPLICABLE**

**FEDERAL, STATE AND CITY REGULATIONS**

**CONTRACTORS WHO ENTER INTO DEPARTMENT OF HOUSING CONTRACTS MUST OPERATE IN ACCORDANCE WITH PRINCIPLES ESTABLISHED IN RULES, STATUTES, HANDBOOKS, REGULATIONS, ETC, AS INDICATED BELOW. COPIES OF THESE REQUIREMENTS ARE AVAILABLE UPON WRITTEN REQUEST:**

 **1. Civil Rights Act of 1964.**

 **2. Fair Labor Standards Act of 1938.**

 **3. Equal Employment Act of 1972.**

 **4. Illinois Minimum Wage Law of 1971.**

 **5. Contract Work Hours and Safety Standards Act.**

 **6. Copeland (anti-Kickback) Act.**

 **7. Illinois Child Labor Laws.**

**8. The Illinois Human Rights Act, and the regulation promulgated by The Illinois Department of Human Rights.**

 **9. Executive Order 11246 (Equal Employment Opportunity).**

 **10. Davis-Bacon Act (Federal)**

**11. Minority Business Enterprise/Women’s Business Enterprise (MBE/WBE) Requirements.**

 **12. “City Preference” Employment Requirements. Section 3 of the Housing and Urban**

 **Development Act of 1968.**

 **13. DOH Construction Guidelines.**

**I HEREBY AFFIRM AND ACKNOWLEDGE THE OBLIGATION TO COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, DIRECTIVES AND REQUIREMENTS AS REQUIRED BY THE STATUTES AND DIRECTIVES INDICATED ABOVE.**

**FIRM: (Print)**

**REPRESENTATIVE: (Print)**

**TITLE: (Print)**

**SIGNATURE:                                                                 DATE: Month:                     Day:         Year:**

**NOTARY: Subscribed and Sworn to Corporate Seal:**

**Before Me:**

**Date:**

**Signature**

**My Commission Expires:**

**Date:**

|  |
| --- |
| **FORM D-1****Group# 3** |

**Revised 5/22/15**

**10 of 10**

**Section III: Information and Regulations**

**A. Neighborhood Map Specifications**

**Type of Map:** Structure Base Map with scale of 1" = 100'

(Base map may be obtained from City of Chicago Department of Transportation, Division of Maps and Plats, 30 N. LaSalle, 5th Floor )

**Area of Coverage:** 4 square blocks (1/4 square mile) centered on project site(s)

 (2 block/1/4 mile radius of site)

**Required Information:**

 **Items to be Designated** **Color Code**

 Proposed Site(s) Black (outline w/label inside)

 Public Transportation (El lines and bus routes) Black label

 Main thoroughfares Black label

 Business/commercial areas Yellow

 Parks Green

 Schools Orange

 Hospitals Pink

 Abandoned buildings Red (solid)

 Vacant lots Red (outline w/diagonals)

 Non-DOH Projects Developed by

 Applicant/Sponsor Black (outline w/diagonals)

 Other DOH-Funded Projects

 Developed by Applicant/

 Sponsor Blue (outline w/diagonals)

 DOH-funded Projects by Others

 (if known) Blue (solid)

 Other Residential Investment in Area Purple

***Note:*** If public, institutional, commercial and recreational facilities that will serve the site are located “off the map,” indicate this fact on the map with a label, e.g. “Major Commercial 1/4 mile North.”

**B. Requirements for Plan for Community Input**

The Department of Housing (DOH) invests in housing developments that contribute to the overall vitality and revitalization of the communities in which they are located. In determining where to allocate resources, DOH seeks the input of elected officials, businesses and community residents.

Therefore, as part of an application for funding from DOH, a developer is required to submit a plan for community engagement regarding the project. In order for DOH to approve funding for a housing development, the developer shall present the results of that community engagement, including any support and opposition to the project.

DOH may conduct additional inquiries and/or public meetings if it determines that a proposed development requires additional discussion.

**C. Qualified Census Tracts**

**2019 IRS SECTION 42(d)(5)(B) QUALIFIED CENSUS TRACTS**(2010 Decennial Census and 2010-2014, 2011-2015 and 2012-2016 American Community Survey (ACS) Data; OMB Metropolitan Area Definitions, July 15, 2015)

|  |
| --- |
| **METROPOLITAN AREA: Chicago-Naperville-Elgin, IL-IN-WI MSA** |
| **COUNTY OR COUNTY EQUIVALENT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** | **TRACT** |
| **Cook County, IL** | [101.00](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010100) | [102.01](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010201) | [102.02](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010202) | [105.01](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010501) | [105.02](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010502) | [105.03](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010503) | [107.02](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031010702) | [205.00](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031020500) | [206.01](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031020601) | [206.02](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031020602) | [208.02](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031020802) | [209.01](https://www.huduser.gov/portal/sadda/sadda_qct.html?locate=17031020901) |
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 **D. Relocation under Department of Housing**

It is the policy of the City of Chicago to ensure that tenants who are either temporarily relocated or permanently displaced as a direct result of acquisition, rehabilitation, or demolition of housing units for a project assisted by the City, receive relocation assistance consistent with the Uniform Relocation Assistance and Real Property Acquisition Act, as amended (the "Act"), 49 CFR Part 24. The Act applies to all government-assisted projects or government-owned land where displacement occurs. No person shall be unfairly displaced because of his/her particular race, color, religion, sex, age, handicap or national origin. Nor shall any resident be evicted (except for just cause) subsequent to loan closing.

On a project by project basis, developers will be required, as part of the multi-family application, to include a Relocation Assessment Supplemental Appendix. The information contained in the Relocation Assessment Appendix will help the City determine the possible relocation requirements for the project.

The following is a description of benefits and procedures for projects that are government funded and, thus, subject to the Act. It is important that developers meet with a representative of the Department of Housing’s Monitoring Section and with the DOH URA Coordinator or such designee early in the development process to review this information.

**a. Permanent Displacement**

 With respect to lawful residential tenants (not owner-occupants), business and non-profit organizations that will be permanently relocated as a direct result of a project that is assisted with government funds, the following policies will apply:

 1. Such tenants must be offered relocation assistance and benefits as required under the Act if they are relocated following loan closing; except where their tenancies are terminated under appropriate grounds, or where occupancy is taken after the said closing with written notice from the owner of the pending potential displacement.

 2. Within a reasonable period of time prior to displacement, each tenant to be permanently relocated

 with a reasonable choice of opportunities to move to a suitable replacement dwelling or location

 from a full range of neighborhoods within the total housing or business market.

 3. All affected tenants will be provided with appropriate advisory services necessary to minimize the hardships in adjusting to required permanent or temporary relocation.

 4. No lawful occupant will be required to move from his/her dwelling or to move his/her business without at least 90 days advance written notice of the earliest date by which he/she may be required to move; nor shall any resident be evicted (except for just cause) subsequent to the loan closing.

 5. No tenants displaced by rental rehabilitation activities will be denied information, counseling, referrals or other relocation services.

 6. Any tenant who qualifies as a displaced person is entitled to payment of reasonable and necessary moving expenses.

**b. Temporary Displacement**

A tenant may be required to relocate for a temporary period only if this is necessary to carry out the rehabilitation of the project and he/she is permitted to occupy a dwelling unit in the completed project.

 1. The temporary relocation may not exceed 12 months in duration; a decent, safe, and sanitary dwelling in an area which will not result in unreasonably adverse environmental conditions must be available to the tenant for the period of the temporary relocation; and the tenant must be reimbursed actual, reasonable out-of-pocket expenses, including moving costs to and from the temporary occupied dwelling and any increase in monthly housing costs (rent and reasonable utility costs) incurred in connection with the temporary relocation.

 2. If the new dwelling unit is not ready for occupancy within the 12 month period, the tenant must be notified of the earliest date by which it will be ready, and the tenant in that case will have the right to agree to wait until the extended date or to request that he/she be treated as permanently displaced.

**E. Summary of Section 3** *of the Housing and Urban Development Act of 1968, as amended*

Section 3 is a provision of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992 (24 CFR §135). The legislation requires that economic opportunities (employment, training, and contracting) generated by certain U.S. Department of Housing and Urban Development (HUD) financial assistance for housing and Housing shall, to *the greatest extent feasible*, be given to low- and very low-income persons (section 3 residents).

A project is determined to be covered by section 3 requirements based on the amount of public financial assistance. If the amount of financial assistance to the project exceeds $200,000, the project is subject to section 3 regulations. In addition, if an individual construction contract or subcontract exceeds $100,000, these requirements are passed on for implementation to the contractor or subcontractor. If a developer is acting as a general contractor, the dollar threshold which triggers section 3 requirements is $100,000. Section 3 requirements apply to the entire project or activity that is funded with federal assistance regardless of whether the activity is fully or partially funded from federal resources.

Recipients and covered contractors may demonstrate compliance with the *greatest extent feasible* requirement of section 3 by meeting the numerical goals for providing employment and contracting opportunities to section 3 residents and business concerns. Developers, as recipients of section 3 covered housing assistance, have the responsibility of ensuring compliance in the operations of its contractors and subcontractors. Contractors and subcontractors are required to commit to hiresection 3 residents for 10% of the new hires needed to complete a particular project. Section 3 residents are defined as low- and very low-income individuals (under 80% of median income). New hires are defined as all employees not on an ongoing payroll, hired to complete a project. Also, section 3 business concerns must receive a set percentage (10% for building trades, 3% for non-building trades (e.g. architecture, engineering) of the total amount of all section 3 covered contracts. Section 3 business concerns are defined as a business concern: (1) that is 51% or more owned by section 3 residents; (2) whose permanent, full-time employees includes persons, at least 30% of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (3) that provides evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications of (1) and (2) above.

Section 3 does not require recipients or contractors to create training programs for low- and very low-income persons solely in an effort to comply with the regulations. However, where training opportunities exist in connection with section 3 covered projects, they must in part, be directed to section 3 residents.

The City of Chicago encourages all developers, contractors and subcontractors on DOH-funded projects to surpass the minimum requirements described above, and undertake additional efforts to provide low- and very low-income persons with economic opportunities.

**F. Heating Cost Disclosure Ordinance:**

**CHAPTER 5-16
DISCLOSURE OF UTILITY COSTS TO TENANTS**

[**5-16-010**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-010%27%5d$jumplink_md=target-id=JD_5-16-010)**Lease – Disclosure and acknowledgment required – Exceptions.**

[**5-16-020**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-020%27%5d$jumplink_md=target-id=JD_5-16-020)**Reserved.**

[**5-16-030**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-030%27%5d$jumplink_md=target-id=JD_5-16-030)**Acquisition of information required to be disclosed.**

[**5-16-040**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-040%27%5d$jumplink_md=target-id=JD_5-16-040)**Reserved.**

[**5-16-050**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-050%27%5d$jumplink_md=target-id=JD_5-16-050)**Sale or transfer – Disclosure required – Exceptions.**

[**5-16-060**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-060%27%5d$jumplink_md=target-id=JD_5-16-060)**Administration.**

[**5-16-070**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-070%27%5d$jumplink_md=target-id=JD_5-16-070)**Penalties.**

[**5-16-080**](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-080%27%5d$jumplink_md=target-id=JD_5-16-080)**Severability.**

**5-16-010 Lease – Disclosure and acknowledgment required – Exceptions.**

**5-16-010  Lease – Disclosure and acknowledgment required – Exceptions.**

   (a)   A building or dwelling unit owner, or agent thereof, shall not execute an oral or written lease, contract to lease, or accept any money or other valuable consideration in an application for an oral or written lease for a dwelling unit in which utility service for heat is individually metered to the dwelling unit and the tenant is directly responsible to the utility company for paying the cost of  heating without disclosing to the tenant or applicant in written form:

   (1)   That the cost of heating shall be the responsibility of the tenant; and

   (2)   The annual cost of service from the utility providing the primary source of heat based on energy consumption during the previous twelve months.

   The tenant or applicant shall be required to execute a receipt acknowledging that these written disclosures have been made.

   (b)   Subsection [5-16-010](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-010%27%5d$jumplink_md=target-id=JD_5-16-010)(a) shall not apply to:

      (1)   oral or written leases for rental dwelling units in which the contracting tenant continues his previous occupancy, providing that the tenant, during that previous term, was directly responsible to the utility company for paying the cost of heating; or

      (2)   oral or written leases for condominium, cooperative, or other dwelling units in which the primary source of heat is provided centrally by the  landlord or building management and the costs of energy for heating are shared and indirectly billed on some basis not directly related to individual dwelling unit usage, such as allocation based on floor space.

(Prior code § 193.2-1; Added Coun. J. 10-15-87, p. 5196; Amend Coun. J. 4-10-13, p. 51233, § 1)

**5-16-020 Reserved.**

**5-16-020  Reserved.**

   **Editor's note –** Coun. J. 4-10-13, p. 51233, § 1, repealed § 5-16-020, which pertained to chapter applicability.

**5-16-030 Acquisition of information required to be disclosed.**

**5-16-030  Acquisition of information required to be disclosed.**

   The information required to be disclosed in subsection [5-16-010](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-010%27%5d$jumplink_md=target-id=JD_5-16-010)(a)(2) may be obtained by the building or dwelling unit owner, or agent thereof, from an online website.  Alternatively, the information shall be provided, at no direct cost to the requestor or intended recipient, by the utility company or companies that supply to the dwelling unit upon the written request of the building or dwelling unit owner or his agent.  Every such written request shall contain an affirmative statement that the person or entity making the request possesses title or, in the case of trust, is the owner of the power of direction to the property in which the dwelling unit is located or is the agent of such person or entity.  The utility company receiving such written request shall be entitled to rely on the affirmative representation of such owner or agent and shall not be obligated to do anything further to ascertain or confirm the identity of the owner and/or agent of the property.

   The utility company shall devise forms to be used for requesting and providing this information.  The city shall undertake a program to educate the public and shall make request forms available throughout the city.  Under no circumstances shall the information provided to building or dwelling unit owners, tenants or prospective tenants under this process disclose payment records of or the name to whom the account was formerly billed.  The utility company shall provide such information within two weeks of its receipt of a properly executed written request.

   Once received by the owner or his agent, the information obtained from an online website or provided by the utility shall be considered valid for the disclosure purposes of this chapter for six months from the date that it was obtained or provided.

   The information or estimate disclosed pursuant to subsection [5-16-010](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-010%27%5d$jumplink_md=target-id=JD_5-16-010)(a)(2), subsection [5-16-050](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-050%27%5d$jumplink_md=target-id=JD_5-16-050)(a), or subsection [5-16-050](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-050%27%5d$jumplink_md=target-id=JD_5-16-050)(b) shall not be construed as an offer or guarantee by the utility company to provide energy for the cost reported in the information or estimate, and the utility company shall not be liable for any difference between the reported cost and the actual cost incurred by the tenant or owner to whom the information or estimate is disclosed.  Nothing in this chapter shall be construed as relieving any person of the responsibility of paying the amounts billed them for utility service by a utility company.

(Prior code § 193.2-3; Added Coun. J. 10-15-87, p. 5196; Amend Coun. J. 4-10-13, p. 51233, § 1)

**5-16-040 Reserved.**

**5-16-040  Reserved.**

   **Editor's note –** Coun. J. 4-10-13, p. 51233, § 1, repealed § 5-16-040, which pertained to newly converted units and required estimates.

**5-16-050 Sale or transfer – Disclosures required – Exceptions.**

**5-16-050  Sale or transfer – Disclosures required – Exceptions.**

   (a)   All owners of residential dwelling units and buildings (and their agents) shall, at the time of any offering for sale of said residential dwelling units and buildings, or in the case where improved real property is held under trust the sale of real property which forms the corpus of the trust or the transfer of the beneficial interest in such property, including contract sale, be required to provide to the purchaser or prospective purchaser information as to natural gas and electric costs for the dwelling unit or building, as applicable, for the previous 12 months.  Such information shall be in one of the following four formats: (1) a copy of each bill for such costs, (2) a copy of each utility budget plan bill for such costs, (3) a copy of each receipt for payment for such costs, or (4) a copy of each cancelled check used to pay such costs.

   In the alternative, the disclosure requirement shall be satisfied by providing information concerning such costs acquired in the manner described in Section 5-16-030.  The owner or agent shall also inform the purchaser or prospective purchaser whether the dwelling unit or building was occupied during the previous 12 months, and, if so, for what portion of the time.

   (b)   No building or dwelling unit owner, or agent thereof, shall execute a written contract for such a sale or transfer for such residential dwelling unit or building

without including within such written contract for sale or transfer the natural gas and electricity cost information required to be disclosed in subsection (a) of this section.

   (c)   Subsections [5-16-050](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%275-16-050%27%5d$jumplink_md=target-id=JD_5-16-050)(a) and (b) shall not apply to:

      (1)   sales or transfers in which the purchaser is currently a tenant of the dwelling unit and is directly responsible to the utility company or companies for paying the cost of heating and electricity; or

      (2)   sales or transfers of condominium, cooperative, or other dwelling units in which the primary sources of heat and electricity are provided centrally by the landlord or building management and the costs of energy for heating and electricity are shared and indirectly billed on some basis not directly related to individual dwelling unit usage, such as allocation based on floor space.

(Prior code § 193.2-5; Added Coun. J. 10-15-87, p. 5196; Amend Coun. J. 4-10-13, p. 51233, § 1)

**5-16-060 Administration.**

**5-16-060  Administration.**

   The commissioner of business affairs and consumer protection shall administer Chapter [5-16](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%27Ch.%205-16%27%5d$jumplink_md=target-id=JD_Ch.5-16) and may adopt rules and regulations for the effective administration of Chapter [5-16](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%27Ch.%205-16%27%5d$jumplink_md=target-id=JD_Ch.5-16).

(Prior code § 193.2-6; Added Coun. J. 10-15-87, p. 5196; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

**5-16-070 Penalties.**

**5-16-070  Penalties.**

   (1)   (a)   Any building or dwelling unit owner, or agent thereof, who fails to provide or who falsifies information required to be provided by Chapter [5-16](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%27Ch.%205-16%27%5d$jumplink_md=target-id=JD_Ch.5-16) commits an offense and shall be subject to a fine not exceeding $500.00 for each offense.

      (b)   It shall be an affirmative defense to any prosecution for a failure to disclose information required by this chapter that the utility company failed to timely comply with a properly executed written request.

   Any person who falsely claims or misrepresents himself to be an owner or agent in any disclosure or request for information made with regard to Chapter [5-16](http://www.amlegal.com/nxt/gateway.dll?f=jumplink$jumplink_x=Advanced$jumplink_vpc=first$jumplink_xsl=querylink.xsl$jumplink_sel=title;path;content-type;home-title;item-bookmark$jumplink_d=illinois(chicago_il)$jumplink_q=%5bfield%20folio-destination-name:%27Ch.%205-16%27%5d$jumplink_md=target-id=JD_Ch.5-16) commits an offense and shall be subject to a fine not exceeding $500.00 for each offense.

(Prior code § 193.2-7; Added Coun. J. 10-15-87, p. 5196)

**5-16-080 Severability.**

**5-16-080  Severability.**

   If any section of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

(Prior code § 193.2-8; Added Coun. J. 10-15-87, p. 5196)

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**G. Heating Cost Disclosure Information** *acknowledgment of receipt*

I herewith acknowledge receipt of printed information explaining my responsibilities as landlord regarding compliance with Chicago Heating Cost Disclosure Ordinance which went into effect January 1, 1988.

The following documents were given to me by a representative of the City of Chicago Department of Housing:

1. Application for Energy Disclosure

2. Heating Cost Disclosure Rules and Regulations Table of Contents of Overview

 a. Heating Cost Disclosure - Rental Property

 b. Heating Cost Disclosure - Sale of Property

 c. Disclosure Exception for New Heating Systems - Rental and Sales

 d. Public Education

 e. Enforcement

3. Chicago Heating Cost Disclosure Ordinance Summary

I also acknowledge that if I have any doubts as to how this Heating Cost Disclosure Ordinance applies to my property or my tenants I have been informed that I should contact the Department of Business Affairs and Consumer Protection at (312) 744-9400.

 Signature

**H. Application for Energy Disclosure – see page two for website link to application**

**I. Accessibility for Environmentally Limited Persons**

It is the policy of the City of Chicago, Department of Housing (DOH) to require full compliance with federal and state legislation governing housing for persons with disabilities by recipients of DOH funding for the rehabilitation and new construction of multi-family residential properties.

There are a variety of state and federal laws and regulations governing accessibility requirements. Beyond these requirements, the Department encourages developers to maximize accessibility, visitability, and universal access. The Mayor’s Office of People with Disabilities (MOPD) available to consult with developers and architects in interpreting these requirements and in maximizing these goals. Contact MOPD at (312) 744-4441.

**L. Market Study Requirements**

The Community Renewal Tax Relief Act of 2000, became effective January 1, 2001, amended the Internal Revenue Code which Section 42 (m)(1)(A) (iii) of the Code now requires that *“a comprehensive market study of the housing needs of low-income individuals in the area to be served by the tax credit project is conducted before the credit allocation is made and at the developer’s expense by a disinterested party who is approved by such agency.”*

The following proposed requirements outlined on the next page are based upon the recommendations of the NCSHA’s Housing Credit Task Force, HUD’s guidelines for MAP Multifamily Insurance Program, and IHDA’s Site and Market Study format.

For each project receiving tax credits, the developer is required to obtain an independent, comprehensive, timely, and professional market study. The study should be prepared by a market analyst, unaffiliated with the developer, who has experience with multifamily rental housing. The market study should include:

1. a statement of the competence of the market analyst;
2. a description of the project and its site;[[1]](#footnote-2)
3. demographic analysis of the number of households in the market area,[[2]](#footnote-3) which are income eligible[[3]](#footnote-4) and can afford to pay the rent;
4. definition of the market area;[[4]](#footnote-5)
5. analysis of household sizes and types in the market area;
6. a narrative description of comparable developments in the market area;
7. a description of rent levels and vacancy rates of comparable properties;
8. analysis of practically available operating expenses and turnover rates of comparable properties in the market area;
9. projected operating income and expenses, when available at the time of the study; and
10. a demand analysis, if applicable, including the expected market absorption of the proposed rental housing, and a description of the effect on the market area.[[5]](#footnote-6) The Housing Credit statute requires that state allocation plans direct Housing Credits to properties which “meets priorities appropriate to local conditions.” Therefore, the market study should demonstrate the need for the proposed project in the market area. The Department of Housing retains the right to reject any market study which does not fulfill the requirements as outlined above.

**J.  Multi-year Affordability through Upfront Investment (MAUI)**

     Chicago Low-Income Housing Trust Fund

The Chicago Low-Income Housing Trust Fund provides long term investments in rental housing to assist Chicago’s low-income citizens living under 30% of the area median income (defined by the City of Chicago PSMA).   MAUI has two funding sources:   City of Chicago through the Affordable Requirements Ordinance / Downtown Density Bonus (ARO) and the Illinois Rental Housing Support Program / Long Term Operating Subsidy (LTOS).

MAUI funds are in the form of non-interest bearing forgivable loan or grant to multi-unit rental buildings.   MAUI funds can replace up to 50% of the applicant's first mortgage loan, in exchange a given number of units will be set aside for very low-income households.   In most cases one-half of the MAUI units will be available to those living below 30% AMI and one-half for those living below 15% AMI. By substituting a debt-service-free MAUI loan for a portion of the conventional first mortgage financing, developers pass debt service savings directly to tenants in MAUI designated units in the form of lower rents.  MAUI is open to accept applications where project financing is in progress, but has not yet closed.  Ineligible properties include HUD subsidized properties or prepayment eligible properties; public housing units; and properties developed with federal "Rental Rehabilitation" funds.   In most cases, the commitment to affordability will be 30 years.

Applications are available from the Chicago Low-Income Housing Trust Fund.

**K. Multi-unit Program Construction and Compliance Division – Architectural Policy and Directive**

**NOTE: Applicants should refer to the Architectural & Technical Standards manual for full Construction and Design Standards and Requirements.**

***I - Multi-Family New and Rehabilitation Construction***

# Preliminary Project Review

* + - * 1. Site visit, contextual documentation and project feasibility report;
				2. Schematic drawings;
				3. Prospective Contractor’s Statement of Qualifications (if the City of Chicago is not satisfied with the answers provided herein, it may reject the placement of the contractor on the list of prospective bidders for construction contracts, disregard the same, or require additional information);
				4. Field Inspections/ Health and Safety Concerns. Any items that directly affect the health and safety of the residents will be noted by construction staff and will be referred to the Department of Buildings.

# Scope/Design Review

* + - * 1. All address placards must be architecturally designed in keeping with the existing architectural context of the building. No peel off number stickers are allowed;
				2. Technical staff design review is required for all projects including rehab and new construction;
				3. Pursuant to forthcoming MOPD procedures, applicants who receive City funding for their projects will be required to engage City approved consulting inspectors to certify that any required accessible units have been constructed in accordance with their MOPD approved plans and specifications. The MOPD procedures are expected to be finalized and provided to applicants before the end of 2019.
				4. A Phase I Environmental Report is required and/or a Phase II Environmental Report. The testing and removal of the following hazardous materials must be performed in accordance with all Local, State and Federal Guidelines. (asbestos, lead paint, underground storage tanks ) An Environmental Clearance letter along with all pertinent documentation is required.( i.e. Dump tickets, license, contracts, etc.);
				5. The Chicago Sustainable Development Policy was updated in 2016 with the assistance of an Advisory Committee comprising experts in a variety of sustainability fields (link) and extensive public input.

The new policy allows development teams to choose from a menu of strategies that can be tailored to fit the project’s characteristics.  Points are given based on the strategies that are chosen.  New construction projects are required to achieve 100 points and renovations of existing buildings are required to reach 25 or 50 points depending on the scale of the renovation.

The updated policy provides two compliance paths.  One path does not require the building to be certified through a listed building certification program.  Projects choosing this path must meet the points required through the strategies listed in the menu.  The second path is for projects that are choosing to achieve building certification.  Points are automatically given to these projects depending on the type of building certification being achieved and also the level of certification in some instances.  Additional points are required except for projects that are being certified under the Living Building Challenge program.  Some strategies are not available to projects achieving building certification and are marked “NA” in the summary spreadsheet (link).  They are not allowed because they would have been required to reach that type of certification.

The updated policy framework and requirements apply to all Multi-family Affordable Housing Projects, Redevelopment Agreements, Planned Development Agreements, Site Plan Approvals and Planned Development Amendments reviewed by the Department of Housing’s weekly Design Review Committee after January 9, 2017. More information about the policy can be found at <https://www.cityofchicago.org/city/en/depts/dcd/supp_info/sustainable_development/chicago-sustainable-development-policy-update.html>

 **Sustainable Development Policy Application**:

 The following new construction and renovation projects are subject to the policy:

 *New Construction* (100 points required)

* All Planned Developments
* Tax Increment Financing (TIF) projects receiving more than $1 million in TIF funds
* Affordable, multi-family (> 5 units) housing projects being provided the following types of

 financial assistance by the City

* + HOME loans
	+ CDBG loans
	+ Chicago Low-income Housing Trust Fund
	+ Low-income Housing Tax Credits (LIHTC)
	+ Tax Increment Financing (TIF)
	+ Tax-exempt Bonds
	+ Private Activity Bonds
	+ 501(c)(3) Bonds
	+ Allocations of LIHTCs from the Private Activity Bonds
	+ Donation Tax Credits

 *Renovations* (25 points required for moderate renovations, 50 points required for substantial renovations)

* All Planned Developments
* Tax Increment Financing (TIF) projects receiving more than $1 million in TIF funds
* All projects being provided Class L tax credits
* Affordable, multi-family (> 5 units) housing projects being provided the following types of financial assistance by the City
	+ HOME loans
	+ CDBG loans
	+ Chicago Low-income Housing Trust Fund
	+ Low-income Housing Tax Credits (LIHTC)
	+ Tax Increment Financing (TIF)
	+ Tax-exempt Bonds
	+ Private Activity Bonds
	+ 501(c)(3) Bonds
	+ Allocations of LIHTCs from the Private Activity Board
	+ Donation Tax Credits

 Renovation projects include light, moderate and substantial rehabilitation projects that are defined as follows.

* *Moderate Renovation Project* (25 points required) = projects including partial or minor upgrades to building systems and minor repairs to the exterior envelope.
* *Substantial Renovation Project* (50 points required) = projects including new and/or upgraded building systems and extensive repairs to the exterior envelope.
	+ - * 1. Building mechanical systems (plumbing, heating, electrical) are to be upgraded to current trade and code standards and to maximum operating efficiency for all rehab projects;
				2. There are a variety of federal, state and local laws and regulations governing accessibility requirements. Beyond these requirements, this Department encourages developers to maximize accessibility, visitability, and universal access;

NOTE: Pursuant to forthcoming MOPD procedures, applicants who receive City funding for their projects will be required to engage City approved consulting inspectors to certify that any required accessible units have been constructed in accordance with their MOPD approved plans and specifications. The MOPD procedures are expected to be finalized and provided to applicants before the end of 2019.

* + - * 1. All projects must be in compliance with the IAC and the Chicago Building Code;
				2. Emergency lighting system with separate service, meters and panel are required for buildings containing 4 or more units;
				3. Four bedroom apartments must have a minimum of 1 ½ baths;
				4. Fused electrical distribution panels must be replaced with circuit breaker panels for all rehab projects;
				5. The use of metal mini-blinds is not allowed on all projects;
				6. Projects seeking to increase bedroom counts by elimination of dining rooms are permissible only when adequate dining space in close proximity to the kitchen has been provided. All projects must include plans reflecting typical furniture layouts for all proposed units;
				7. A Permeable surface for parking is required for all new construction projects. Permeable surfaces for parking surfaces is required if renovation of the parking area is in the scope of work for rehab projects;
				8. Appropriate exterior open space is to be provide for the tenant population;
				9. Safety and security should be ensured by installation of the following items:

Intercom system;

Hard wired smoke detectors in all stairwells and apartments;

Battery back-up light fixtures for stairwells;

Appropriate perimeter fencing is required (decorative fencing on all sides facing the street);

Exterior lighting;

Carbon monoxide detectors must be installed according to the Chicago Building Code;

Sprinkler systems are required on all senior housing developments and single room occupancy buildings;

The installation of emergency generators on all senior buildings.

# Construction Document Review

* + - * 1. Construction Insurance requirements.
				2. Draft ordinance / redevelopment agreement review of all construction related sections and exhibits are required before final submission.
				3. Verification of Green components and checklist points (2 stars – 300 points) must be completed. All points must be accounted for by the prescribed method written in the Chicago Green Homes Program Guide ( i.e. notes on the drawings, specifications, energy modeling to justify a system choice, etc )
				4. Draft ordinance / redevelopment agreement review of all construction payout/change order related sections and exhibits are required before final submission.

# Construction Cost Analysis

* + - * 1. Three competitive and qualified bidders for a general contractor are required .
				2. General Contractor’s cost estimate and narrative of the description of work. ( separate costs for residential, non-residential space, and off-site parking space)
				3. General Contractor’s Sworn Statement. (Upon selection of a General Contractor submission of all bid documents for all bidders and analysis of section/comparison of contractor’s bids is required.)
				4. A separate “green budget” must be submitted providing premium costs of all “green” items incorporated into the project.
				5. 5% construction contingency is required for new construction. The percentages are a factor of the total of these line items: site improvements, demolition, rehabilitation and other hard costs. Any change in these percentage is subject to the approval of the Deputy Commissioner for Construction & Compliance
				6. 10% construction contingency is required for rehabilitation construction. The percentages are a factor of the total of these line items: site improvements, demolition, rehabilitation and other hard costs. Any change in these percentage is subject to the approval of the Deputy Commissioner for Construction & Compliance
				7. All changes orders regardless of funding source, amount, or scope of work are to be submitted to the City of Chicago DOH for review and approval/rejection. All change orders are to be submitted according to policies and procedures of the Construction and Compliance Division. (All changes must be submitted on an AIA Document G709 – Proposal Request document along with all backup data for review and approval/rejection. A written approval/rejection is to be sent to the developer. If approval is granted for the change in construction scope an AIA G701 – Change Order is to be issued and incorporated into the next draw by the developer.) Acceptable uses of contingency include unforeseen but required changes to the scope of work and cannot be used for material changes, labor, upgrades, pricing increases, etc. Work and disbursements of funds are to be made only after DOH approval of the change orders to the construction contract. Any unused contingency will be retained by DOH.
				8. Increases in construction costs that exceed the contingency or not approved change orders will be borne by the developer or general contractor.
				9. “Winter conditions” line item is to be carried, without exception, on the Owner’s Sworn Statement. At the time this line item is to be utilized an Owner’s Change Order must be executed in order to transfer the funds to the construction contract.
				10. Overhead and General Conditions. Overhead is defined as business costs not directly attributed to the funded project, and general conditions (also known as general requirements). Such costs are defined as overhead costs specifically attributable to the funded project, such as construction trailer, utilities, construction fencing, construction supervisor, security, performance bond, building permits, winter conditions, etc. The combined total of overhead and general conditions shall not exceed 10% of the construction contract amount, exclusive of fees.
				11. All permit addendums are incorporated into the final set of permitted construction documents and are forwarded to the general contractor for price adjustments if warranted prior to receiving a Notice to Proceed.
				12. Permit corrections that were made during the permit review process can not be used as a change order.
				13. Profit. Not to exceed 10% of the construction contract amount, exclusive of fees. A development entity whose general contractor for a project is a related company is entitled to a developer’s fee, but the general contractor’s fees shall be limited to overhead and general conditions, not profit*.*
1. **Pre-Construction Meeting Prior to Notice to Proceed**
	* + - 1. All Department funded construction work is to be performed under permits issued by the Department of Construction & Permits. Full code compliance is mandatory.
				2. All work performed shall meet the workmanship standards set forth in the DOH Contractors Performance Manual and/or other local, state and federally mandated requirements that may apply.
				3. No early construction starts are allowed without written permission and document submissions.
* Submit a letter requesting early start: include justification, scope, insurance, and statement holding the city harmless.
* Copy of the building permit.
* Provide a signed copy of MOPD Data Sheet
* Executed Owner/Architect agreement.
* Executed Owner/General Contractor agreement.
* Provide executed subcontractor agreements from the trades involved in the early construction start.
* Confirmation of DOH contractor approval.
* Submit a copy of executed Owner’s and Contractor’s Sworn Statements.
* Copies of the DOB application covers with fee waivers identified.
* Construction Schedule.
* Approval letter from Monitoring and Compliance.
* Executed performance bond.
* Insurances certificates with risk management approval.
* DOE clearance letters.
	+ - * 1. All projects will be protected by either a payment and performance bond or an Irrevocable Letter of Credit equal to twenty-five percent (25%) of the total contract amount.
				2. All projects must comply with the applicable Monitoring and Compliance regulations.
				3. Notice to proceed is not issued until all due diligent and executed documents are submitted and verified.
				4. All changes to the original construction scope of work, regardless of the funding source or dollar amount needs to be approved by DOH Construction and Compliance Division prior to any work taking place. All changes must be submitted on an AIA Document G709 – Proposal Request document along with all backup data for review and approval/rejection. A written approval/rejection is to be sent to the developer. If approval is granted for the change in construction scope an AIA G701 – Change Order is to be issued and incorporated into the next draw by the developer.
				5. Payout meeting schedule is set at the Pre-Construction meeting. *( Directive of Department Commissioner and Deputy Commissioner)*
				6. Permit Set of Construction documents, General Contractor’s Sworn Statement, and Change order policy sheet is all signed by all parties present. The signed Construction Documents and Sworn statement is acknowledged by all present to correspond with one another and be the set to be built off of.

**L. City Resident Hiring Preference Ordinance**

The City Resident Hiring Preference Ordinance was passed by the City Council on May 18, 1994. This ordinance amends Section 2-92-330 of the Municipal Code to state that for construction projects greater than $100,000, “the total hours worked by persons on the site of the construction project by employees of the contractor and subcontractors shall be performed at least 50% by actual residents of the City of Chicago.” Contractors are required to maintain residency records for their employees and submit weekly certified payroll reports to the City. The ordinance provides for monetary and other penalties for failure to comply.

Any project with a total cost greater than $100,000 that is funded with a DOH loan or tax-exempt bonds will be subject to the residency requirements. Implementation and monitoring of the requirements will be performed by DOH’s compliance monitoring section. This section already monitors compliance with Section 3 of the Housing and Urban Development Act of 1968, Davis-Bacon wage requirements, and MBE/WBE legislation.

**M. Davis Bacon/Prevailing Wage Rates**

Project owners that receive federal funds for a minimum number of units, which varies by funding source, are required pay prevailing rates to construction workers pursuant to 40 U.S.C. Section 276a-5 (the "Davis Bacon Act"). CDBG funded projects with eight or more units fall under this provision; HOME and Rental- Rehab funded projects with 12 or more units fall under this provision.

Prevailing rates are minimum hourly wages and minimum fringe benefits as determined by the U.S. Department of Labor for Cook County. All construction workers, whether employed by a general contractor or subcontractor, are covered by this provision.

The developer and general contractor are required to attend a pre-construction conference with the Department of Housing compliance monitoring section to review the requirements for compliance with the Davis Bacon Act.

**N. MBE/WBE Participation Requirements**

The Municipal Code of the City of Chicago, Chapter 26, Section 101-113 requires specific levels of participation by minority and women owned businesses on contracts and contractual activity generated by the City. In general, 26% of construction contracts are required to be awarded to minority business enterprises (MBEs) and 6% to women business enterprises (WBEs). MBEs and WBEs must be certified by the City Department of Purchases, Contracts and Supplies.

It is the policy of the Department of Housing to meet these goals for all projects receiving Department of Housing loan funds or tax-exempt bond funds regardless of whether or not compliance is mandated by the ordinance.

**O**. **DOH Multifamily Financing Underwriting Policies**

**CITY OF CHICAGO, DEPARTMENT OF HOUSING**

**MULTIFAMILY FINANCING UNDERWRITING POLICIES**

1. **Multi-Family Financing Program**

The Multi-Family Financing Program subsidizes the financing of acquisition, preservation, rehabilitation and new construction activities for rental housing development projects (five unit minimum). Developments typically range from 60-100 units, built in a single building or on scattered sites, for a single-use or mixed-use and are either 100% affordable or for mixed-income households. Permanent housing types range from housing with supportive services for formerly homeless or incarcerated, veterans, teen-aged parents, wards of the state and the like, to family apartments or independent and assisted senior mid-rise buildings.

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| **HUD Objective:** | **HUD Matrix:** | **HUD National Objective:** |
| DH2.1 | 14B | 3.2.3 LMH |
| Decent Housing with Purpose of New or Improved Affordability | Rehab; Multi-Unit Residential | Low Mod Housing (LMH) |

**Funding Sources**

The Department of Housing (DOH) assists developers with multi-family financing by providing public funds and other subsidies that are necessary to pay a portion of project-specific costs of rehabilitating or constructing rental apartments within the City. Financing programs currently administered by DOH include low-income housing tax credits, federal, state and local funds awarded in the form of first and second mortgage loans, city land and private activity and tax-exempt bonds.

Illinois Affordable Housing Tax Credits (IAHTC): A $0.50 State of Illinois income tax credit for every $1 that is donated to an eligible affordable housing development. DOH allocates 24.5% of the amount of credits authorized by the State. Developers apply through DOH’s Multifamily Financial Assistance Application or the Stand Alone IAHTC application if only applying for IAHTCs. Successful applicants receive a conditional tax credit reservation letter based on the amount of the donation and determination that the undertaking is compatible with the goals of the Department.

Low Income Housing Tax Credit Program (LIHTC): A federal tax credit issued via a competitive funding round in accordance with DOH’s LIHTC Qualified Allocation Plan. Applicants fill out DOH’s Multifamily Financial Assistance application for the credits upon announcement by DOH that it is open for a LIHTC funding round.

Community Development Block Grant (CDBG): Funds assist both non-profit and for-profit developers in rehabilitating and developing affordable rental housing. 51% of all units within the project must be occupied by low-and moderate-income households unless the project meets a specific exception to reduce the cost of construction. The annual City of Chicago Action Plan, administered by the Office of Budget and Management and approved by the U.S. Department of Housing and Urban Development, determines the annual Multi-Family Loan Program allocation.

HOME Investment Partnerships Program (HOME): Funds support loans for construction of affordable multi-family housing. HOME allows assistance to be targeted toward particular units. Projects assisted with HOME target very low-income households. The annual City of Chicago Action Plan, administered by the Office of Budget and Management and approved by the U.S. Department of Housing and Urban Development, determines the annual Multi-Family Loan Program allocation.

In compliance with federal affirmative marketing requirements, DOH has developed an effective assessment tool that is incorporated into all applications for projects funded under HOME. The primary objectives of these affirmative marketing efforts are to ensure individuals not generally likely to apply know about vacancies, feel welcome to apply and have the opportunity to rent.

Developers and borrowers receiving HOME funding must comply with all affirmative marketing requirements established by DOH, including:

* Developing and maintaining a written affirmative marketing plan that identifies targeted clientele, contracts with community groups and churches, media outreach, etc.
* Maintaining on-site records indicating procedures undertaken to fill vacant units
* Maintaining documentation of program eligibility for all current tenants and prospective tenants

In addition, annual on-site monitoring visits are regularly conducted by DOH to ensure compliance with all local and federal regulations. During the monitoring visit each affirmative marketing plan is reviewed an on-site records are inspected for compliance with the plan. Advertisements are reviewed for adherence to all regulations. Tenant files are examined to determine eligibility and waiting lists are reviewed to assess fairness and placement. Specific monitoring and compliance policies and procedures are available in the policy and procedure chapter of this manual.

Tax Increment Financing (TIF): Funds collected from Tax Increment Financing districts provide grants to developers. Developers applying for TIF assistance are required to submit a supplemental TIF application that identifies the TIF district, Parcel Index Numbers, demonstrates need, budget of TIF eligible expenses, performance measures and increment projections.

Affordable Housing Opportunity Fund: Funds collected from Density Bonus and ARO in-lieu donations are administered by DOH. Fifty percent of each contribution is utilized for the construction or rehabilitation of affordable units and subject to the appropriation by the City Council.

Multi-family Mortgage Revenue Bonds: Provides bond financing, through the City’s tax-exempt bonding authority, for developers who build or rehabilitate large housing developments for low- and moderate-income renters and generates private equity investment.

**Intake and Eligibility**

*Application*

The Multi-Family Housing Financial Assistance application is used by developers who are requesting financing from DOH multi-family housing programs. Available on the DOH website, the application is designed to help developers provide information about the project to enable DOH to assess its economic feasibility, its impact on the surrounding community and its ability to meet a specific affordable housing need.

Developers are required to comply with all requests for information in the application which are pertinent to the sources of financing for which they apply. Developers that are awarded partial financing under one program are not required to submit separate applications for financing. Applications require a non-refundable application fee in the amount of $750 for not-for-profit companies and $1,500 for for-profit companies. The requirements for applications for multi-family financing assistance include:

* **Applicant Information**
* **Ownership/Development Team** - including the developer, partner, owner, general contractor, architect, project manager, lead lender, marketing agent, attorney, consultant, property manager, syndicator and minority participation
* **Project Information** – scope of construction work, green elements, total units, number of low, moderate and market rate units, rental assistance, neighborhood description, relationship to larger development effort, parcels by addresses and PINs
* **Development and Financing Information** – financial assistance requested from the City, source and terms of project funding, uses of funds, tax credit information, capital and operating budgets and tax credits calculation cost, debt and equity information
* **Evaluation Criteria** – benefit to low/moderate income households, leverages City/public resources, community redevelopment, hiring low income and local residents
* **Preferences and Selection Criteria** – project’s conformity with the City’s Low Income Housing Tax Credit Allocation Plan
* **Previous Participation with DOH**
* **Supportive Services Plan** – including target population, services to be provided, staffing plan, proposed social service budget

In addition to the required items referenced above, applicants must provide materials required in adherence with all City of Chicago rules and regulations including scofflaw information and Economic Disclosure Statements.

**Feasibility Review**

DOH Project Managers receive developer applications and complete a preliminary feasibility review. The Project Manager utilizes the ‘Preliminary Project Review’ checklist to evaluate completeness. The Preliminary Project Review checklist requires the Project Manager to confirm and identify green features, environmental issues of concern, conformance with plans and zoning and/or landmark issues. The Project Manager is also tasked with assessing:

* Does the project serve a particular housing need that has been identified as priority by DOH?
* Is the development team known to DOH and does it have the capacity to successfully complete and manage the project?
* Are project development and operating budgets economically feasible/reasonable?
* Are TIF projections and funding requests feasible/reasonable?
* Does the developer have site control, explain?
* Is the DOH financing request reasonable?
* Does the developer have Aldermanic and community support?
* Is the proposed project design in context with the neighborhood and does the neighborhood provide service to support housing?

If an application is incomplete, a letter is sent requesting additional information for developer response. The Project Manager also conducts background checks (e.g., Economic Disclosure Statements, Scofflaw and verifying the developer is in good standing on past projects). If significant issues arise, a letter is sent to the applicant for developer follow up or the application is denied. If follow up submittal from the developer is acceptable and no significant issues arise, the application proceeds.

**Allocation of Funds**

Multi-Family Program Managers, in concert with TIF Financial Analysts and Construction Division architectural staff, underwrite and determine financing terms in cooperation with outside financial analysts and the development team. The following underwriting policies ensure funds administered by the Department of Housing and designated by City Council for the purpose of constructing and rehabilitating multifamily rental housing are employed for the benefit of diverse low and moderate income populations, including very low-income individuals and households.

2. In the case of specific projects located in communities where market rents, as verified by appraisal, would exceed levels affordable to households earning less than 50% of the median income for the PMSA, the department will encourage proposals which will reduce rent levels for up to half of a project’s units so that they are affordable to very low-income households. In the case of special needs housing, the department will encourage proposals that make 100% of a project’s units affordable to the population to be served.

3. Debt service requirements for DOH financing will be established at levels commensurate with the achievement of these goals. DOH will require the payment of principal *and/or* interest when pro forma operating budgets demonstrate that such payments will not jeopardize the viability of a project. Current debt coverage ratio minimum is 1.20.

4. In order to make units affordable to households with income below 30% of AMI, DOH encourages developers to identify additional resources and sources of rental subsidy, including the Chicago Low Income Housing Trust Fund (CLIHTF), the Chicago Housing Authority (CHA), and other state and federal sources of rental subsidy.

Appraisals

Appraisals, subject to the review and interpretation of DOH staff, are the basis for determining market levels of rent used to project operating income and help to determine the amount and terms of other financing to be contributed to a project.

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| Private first lender | Appraisals are to be obtained from a first lender who has ordered them independently of the prospective borrower. The borrower may pay for the appraisal indirectly, by means of an application or appraisal fee paid to the lender, but in no instance shall an appraisal be accepted that has been ordered and paid for by the borrower directly. An appraisal is required for the as-is value and the after-rehabilitation or new construction value at completion. |
| DOH as first lender | The developer will order the appraisal when DOH is in the first lender position. The cost of the appraisal will be included in the development budget so that it does not become an unreimbursed cost to DOH. |
| If Donations Tax Credits Apply | Developers or donors should provide appraisals to document the value of their donations. Appraisals must be dated within 6 months of the date of the donation to the sponsor. Also, the cost of environmental remediation must be deducted from the value of the property.  |
| If private acquisition applies | Developers should secure an appraisal by an independent third party to determine the value of land or buildings prior to entering into an option or sales contract. DOH will not allow an acquisition cost that exceeds the value established by an independent appraisal. |

Bridge Loan Financing

The Department's funding priority is to subsidize construction costs and provide permanent mortgage loans in order to increase the number of affordable housing units in Chicago. The Department is unable to provide bridge loan financing (interim loans to cover temporary gaps resulting from equity investor pay-in structures) to projects due to the need to conserve resources for construction and permanent financing.

Cooperatives as Developers and Owners

DOH will make loans to affordable housing developments which will be owned or affiliated with housing cooperatives and which meet the following criteria:

1. Ownership Structure

The property owner and obligor on DOH’s loans is one of the following:

* An established cooperative with a proven track record in housing development and property management.
* A limited partnership in which the limited partner consists of investors in tax credit syndication and the general partner is an experienced developer who demonstrates the ability and willingness to provide housing and technical assistance to the cooperative. The cooperative will execute a master lease with the limited partnership for the entire building.
* A joint venture comprised of a cooperative and an experienced developer. The developer must demonstrate the ability and willingness to provide technical assistance to the cooperative. DOH will entertain formal requests to replace the joint venture as borrower with the cooperative when the development has been completed and occupied and the cooperative has demonstrated its ability to own and manage the property without assistance. DOH makes no assurance that such a request will be approved.
1. Property Management

The cooperative must retain the services of an experienced property management firm (which may be its partner) until DOH agrees that the cooperative is ready to assume this responsibility. It will be a condition of the DOH loan that newly formed cooperatives undergoes a training program which leads to gradually increased participation in the management of the property. A property management plan should be prepared which has the cooperative progressing through various phases of increasing involvement in the management of the property to the point where the cooperative is ready to assume overall responsibility for management. If the cooperative is already experienced in property management, DOH may, in its sole discretion, determine that the services of an outside management firm are not necessary.

**Fees**

The fee schedule for projects financed with multifamily loans, tax-exempt bonds and low income housing tax credits is described below. All applicable fees should be included in a project’s budget. There will be no waiver of fees.

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| MultifamilyFinancingApplication Fee | $1500 per project application (not per building) is due upon submission of the application by a for-profit developer. This fee is reduced to $750 for a not-for-profit developer. |
| Bond Administrative Fee | 15 basis points (.0015) of the outstanding bond amount, accruing monthly, but paid semi-annually***.*** |
| Bond Issuer Fee | 1.5% of the amount of bonds issued, paid at closing. |
| Bond Legal Reserve | 10 (.0010)basis points of total bond amount, to be collected at closing and paid to the Department of Finance. |
| IAHTC Fees  | $500 Stand Alone application fee, reservation fee of 3% of IAHTC allocation amount. |
| Low Income Housing Tax Credit (LIHTC)Reservation Fee | 5% of the first full year’s tax credit allocation is due upon acceptance of the credit reservation letter or tax-exempt bond agreement issued by DOH. This applies to both projects with 9% tax credits and 4% bond-generated credits. |
| LIHTC Carryover Fee | $250 per project, submitted with the Carryover Allocation form. |
| Monitoring Fees | $25 per unit, per year, paid annually, submitted with the annual owner’s certification to DOH. |

Market Study

A market study prepared by an unrelated third party at the developer’s expense is required for all substantial rehab and new construction projects. It must be submitted with the initial multi-family Stage One application in a form that meets the requirements described in the application instructions. (See below.) Developers should structure projects to conform to the findings of the market study.

Market Study Requirements

The Community Renewal Tax Relief Act of 2000, which became effective January 1, 2001, amended the Internal Revenue Code. Section 42 (m)(1)(A) (iii) of the Code now requires that *“a comprehensive market study of the housing needs of low-income individuals in the area to be served by the tax credit project is conducted before the credit allocation is made and at the developer’s expense by a disinterested party who is approved by such agency.”*

For each project receiving tax credits, the developer is required to obtain an independent, comprehensive, timely, and professional market study. The study should be prepared by a market analyst, unaffiliated with the developer, who has experience with multifamily rental housing. The market study should include:

* Statement of the competence of the market analyst
* Description of the project and its site
* Demographic analysis of the number of households in the market area, which are income eligible and can afford to pay the rent
* Definition of the market area
* Analysis of household sizes and types in the market area;
* Narrative description of comparable developments in the market area
* Description of rent levels and vacancy rates of comparable properties;
* Analysis of practically available operating expenses and turnover rates of comparable properties in the market area
* Projected operating income and expenses, when available at the time of the study
* Demand analysis, if applicable, including the expected market absorption of the proposed rental housing, and a description of the effect on the market area. (4)[[6]](#footnote-7) Federal law requires that state allocation plans direct Housing Credits to properties which “meet priorities appropriate to local conditions.”

The market study should demonstrate the need for the proposed project in the market area. DOH retains the right to reject any market study which does not fulfill the requirements as outlined above.

**Development and Operating Budgets**

Acquisition

The Department of Housing strongly prefers to minimize acquisition costs for property to be redeveloped as affordable housing. Often city land can be acquired for little or no cost. Developers planning to privately acquire property should consult with DOH before entering into binding contracts with sellers. If private acquisition is permitted by DOH, acquisition costs (purchase price plus payments for taxes or other liens) allowed in the development budget shall not exceed the as-is value of a property (as determined by an independent appraisal), subject to review and adjustment by DOH staff. Any acquisition cost determined to be in excess of the appraised value shall be borne by the developer outside of the development budget.

Acquisition Holding Costs

Because of the length of time required to assemble properties and obtain financing for an affordable housing project, DOH will allow reimbursement of reasonable out-of-pocket costs, or repayment of acquisition loans that are essential to holding properties acquired for development, to be included in the development budget. Eligible costs are limited to those incurred from the date of acquisition for the intended affordable housing project through the date of closing on development financing, but should not exceed a two-year period. DOH funds will only be used for expenses that are eligible under the specific sources of funding for a project.

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| Eligible Holding Costs | Real estate taxes, property insurance, board-up, security, utilities, emergency repairs, interest expense on loans from an outside institution, and legal fees directly related to owning and maintaining the property. Building repairs that preserve a building’s physical condition and protect the health and safety of a building’s residents and the surrounding community. For example, emergency repairs of rear porches are eligible.  |
| Ineligible Holding Costs: | Inessential repairs or those that need to be redone as part of the newly financed project. Costs of holding property which was not initially acquired for the specific rehabilitation project under consideration. |
| Eligible Holding Costs in Occupied and Partially Occupied Buildings: | Reimbursement only to the extent that costs exceed net operating income less debt service during the period between acquisition and loan closing. |
| Evidence of Holding Costs:  | The Department will require evidence of expenditures in the form of invoices, cancelled checks, and/or audited financial statements to document all costs. |

Hard Costs Contingency

A 10% construction contingency is required for rehabilitation, and a 5% construction contingency is required for new construction. The percentages are a factor of the total hard costs (excluding general contractor’s overhead, profit, and general conditions), including the following line items: site improvements and demolition, rehabilitation or new construction, environmental remediation, and other hard costs. Any change in these percentages is subject to the written approval of the Deputy Commissioner for Construction & Compliance.

When calculating low income housing tax credit basis utilizing DOH’s 9% credits, construction contingency will not be counted. When utilizing 4% credits allocated with tax-exempt bond financing, 100% of construction contingency may be counted in basis only if there is no other DOH gap funding.

Acceptable uses of contingency include unforeseen but required changes to the scope of work. Disbursements are to be made only after DOH written approval of change orders to the construction contract, regardless of the source of funds for the requested change. Any unused contingency will be retained by DOH.

Increases in construction costs that exceed the contingency will be borne by the developer or general contractor. The contingency shall not be used to pay for increases in wages and materials.

Contingency shall be funded by DOH gap financing as applies (HOME, CDBG, TIF, etc.), so that DOH is disbursing only the amount deemed necessary to complete the project. Excess project proceeds are savings to the city and shall be applied to pay down the city gap financing in the final draw. As stated in the city Escrow Agreement, all other private funding sources, whether loans, grants or equity, are expected to be fully disbursed; only the public sources (city, CHA, IHDA, as apply) are considered gap financing and may be paid down pro rata.

*Construction Cost Estimates & Contractor’s Sworn Statement*

General contractors bidding on DOH projects shall agree to hold their bid prices firm for at least a year from submittal of a contractor’s sworn statement.

*Construction Costs: Other Hard Costs*

Hard Costs not included in the construction contract shall be considered other hard costs. Permitted expenses in this category may include asbestos abatement, environmental remediation, infrastructure work not performed by the city or other utility companies, and furniture and appliances (for single room occupancy residences and group homes).

*Developer's Fee: Standard Realized Fee*

The developer's fee (including related consultants' fees) may be no more than 10% of the first $5,000,000 of total development costs excluding the developer's fee, plus 5% of total development costs thereafter, excluding developer's fee. The developer's fee is capped at the lesser of $2.5 million or 6% of Total Development Costs excluding the developer fee.

The total developer fee, realized and deferred, can not exceed DOH policy. The development fee for the project will not in any case exceed the amount contributed to the project by the City of Chicago. Any request for a fee exceeding DOH policy is subject to review and approval by the Commissioner; such request should be submitted in writing through the assigned Financial Analyst.

DOH permits disbursement of the developer’s fee in three installments: (1) no more than 50% at closing; (2) an additional 25% at construction completion; and (3) the remaining 25% at final completion of the project. If IHDA, an equity syndicator or other funders have a more conservative policy and require holdback of the final 25% installment at a later date, such as after lease-up or stabilization, then the more conservative policy applies.

It is required for HOME funded projects that at least 10% of the final installment of the developer’s fee must be funded with HOME and not funded until lease-up, or other period to be determined, subject to approval by DOH Monitoring and Compliance.

*Equity: Owner*

An owner (borrower) must contribute a minimum of 10% of total project costs as equity to the project. Eligible equity sources may include grants or gifts, developer’s cash, proceeds from tax credit syndication, and the value of land and building contributed to the project. A minimum of $100 from a general partner is required in Low Income Housing Tax Credit projects.

*Equity: Syndicator or Individual Investor*

Tax credits are to be used for the purpose of raising equity for a project. Tax credits are limited to the amount necessary to fill the gap between the total development costs and the funds provided through other sources. Therefore, tax credits must be used to raise equity which will be placed directly into the project. The department anticipates that the tax credits will be sold to an equity provider. If an individual intends to personally use the tax credits, DOH shall require that the individual contributes the same amount of equity as would have been provided by a syndicator.

*Equity Pay-in Schedule*

All owner and investor or syndicator equity, or bridge financing in the form of a secured loan or letter of credit, must be deposited in escrow at closing and is the first funding disbursed, with the exception of final installments of the developer's fee and reserves. DOH in its sole discretion, may approve an alternative schedule for equity pay-in.

An acceptable alternative approach allows for a minimum of 25% of total equity to be deposited as cash in escrow at closing. With the exception of final installments of the developer's fee and reserves, the remainder of equity should be a secured loan or letter of credit, which can be drawn pro rata with senior, DOH and other loans. Under no circumstances will any remainder of equity needed to fund construction, which has not been deposited at closing, be unsecured.

Developers should show DOH the terms of their equity syndicators and should demonstrate that they have maximized the tax credit equity raised. Developers are required to submit a comparative analysis of three investors' bids, including a comparison table of each bidder's terms, pay-in schedule, pay-in rate, fees, guarantees, etc. The analysis and chart is due with the Stage Two Submissions of the multifamily financing application to allow the DOH Financial Analyst to review the rationale supporting a developer's selection when underwriting the financing request, prior to presentation to DOH's loan committee.

For projects financed with tax-exempt bonds but without a DOH loan, DOH, in its sole discretion, may approve an alternative schedule for equity pay-in.

*General Contractor's Fees: Overhead, General Conditions and Profit*

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| Overhead andGeneral Conditions | Overhead is defined as business costs not directly attributable to the funded project, and general conditions(also known as general requirements) are defined as overhead costs specifically attributable to the funded project, such as construction trailer, utilities, construction fencing, construction supervisor, security, performance bond, building permits, winter conditions, etc. The combined total of these two items shall not exceed 8% (2% Overhead & 6% General Conditions) of the construction contract amount, exclusive of fees. |
| Profit  | Not to exceed 6% of the construction contract amount, exclusive of fees. A development entity whose general contractor for a project is a related company is entitled to a developer’s fee, but the general contractor’s fees shall be limited to overhead and general conditions, not profit.  |

*General Contractor's Bond or Letter of* *Credit*

A performance and payment bond in the full amount of the construction contract, underwritten by a surety company satisfactory to the City and the Corporation Counsel, and naming the City as co-obligee in such bond, is required. An acceptable alternative is a letter of credit in an amount not less than 25 percent of the full amount of the construction contract, or an amount satisfactory to the City, from a bank satisfactory to the City and the Corporation Counsel, and naming the City as a payee on such letter of credit.

*Income and Expense Increases*

The Department will apply rates of inflation increases to both operating income and expenses, which will be periodically reexamined. The current rate of increase for income is 2% ­and expenses is 3%. DOH in its sole discretion, may approve alternate rates.

*Mortgage Financing*

Private Mortgage Terms

It is the Department's goal to leverage DOH funds by maximizing private financing of projects, to the extent that such financing is compatible with the goal of affordability. While the amount of private sector mortgage financing is constrained by the cash flow available for debt service, it is DOH’s goal to have the private lender lend at least 80% of a building's appraised value after rehabilitation or new construction is completed. DOH expects first mortgage lenders to charge competitive rates with a debt coverage ratio not to exceed 1.20 (1.10 for FHA loans) and a 30-year amortization. DOH will forego debt service in order to increase private financing if necessary.

Developers are required to submit a comparative analysis, including a comparison table, of three private lenders' terms, rates, fees, etc. The analysis and chart is due with the Stage Two submissions of the multifamily financing application, to allow the DOH Financial Analyst to review the developer’s rationale for selecting a lender when underwriting the financing request, prior to presentation to DOH’s loan committee.

DOH Mortgage Terms

If there is sufficient cash flow after calculating payment for operating expenses and first mortgage debt service, DOH will require payment of interest and/or amortization on its loan. Interest will typically range from 0-3%; amortization will be on a 30- to 40-year schedule. The loan term for DOH’s debt will be co-terminus with the first mortgage (if any) and will generally be for a minimum of 30 years. In order to assure ease of documentation and administration, loan repayments may be fixed and not subject to annual net cash flow. DOH will forego debt service in order to increase private financing and/or affordability, if necessary. Refer to policy, *Allocation of Multifamily Loan Funds by Income Level,* for further discussion of debt service requirements.

Property Management Fees

Fees for property management shall not exceed 7% of gross operating revenues. These fees include administrative expenses, office supplies and utilities, marketing, accounting, and rent collections. The following categories are not included in the management expense and shall be identified as separate line items: annual audit, legal cost for evictions, janitorial expenses, and on-site management. The Department will determine whether on-site management is necessary and should be funded on an as-needed basis.

For developments which include units designated for CHA tenants and which receive contracted CHA operating support, an imputed management fee for property management would consider the rents for the CHA units to be at the same level as similar non-CHA units within the project when calculating the fee as a percentage of gross operating revenues.

 Recourse Lending and HOME Funds

Funds loaned to multi-family developments must be repaid based on the terms agreed upon at closing. Generally, DOH loans are made without recourse to the development entity, its owners or sponsor organization. However, when HOME funds are allocated to a project, loans shall be made with recourse to the extent that the City is required to reimburse the HOME account for failure of the borrower to comply with HOME affordability and occupancy requirements. The borrower's exposure may be limited to the greater of the amount of the full amount of the HOME loan or an amount calculated by the department based on reasonable incentives to assure developer compliance with the affordability and occupancy requirements or repay HOME funds to HUD if required. The department will seek an individual or entity with an ownership interest and sufficient assets to repay the obligation.

Replacement Reserve

The department allows a maximum of 3% of effective gross income annually. Any requests for a replacement reserve which exceeds this amount should be reviewed and approved during the underwriting process.

Safe Harbor: If federal fund are used in a project “Safe Harbor” requirements will need to be followed unless DOH underwriting standards are more restrictive. See HUD website for Safe Harbor limit requirements.

Supportive Services

While the Department acknowledges that the provision of supportive services is important for serving senior and special needs populations, these costs may not be included in a development budget financed by DOH. Supportive service costs, subject to the approval of the Department, may be included in operating budgets for senior and special needs housing before calculations of debt service.

Developers who plan to provide social services shall provide evidence of the following (as requested in Schedule 8 of the multifamily application):

1. The population served by the proposed project.
2. A comprehensive service delivery plan for this population, including a projected budget and rationale for space to provide services.
3. The developer or the designated service provider's expertise and capacity to deliver the service.

Supportive service plans are subject to approval by DOH specialists in senior and supportive housing, as applicable.

*Vacancy Rates*

Residential: 7% is the standard rate, unless conditions indicate an adjustment is warranted.

This percentage for vacancy may vary based on neighborhood conditions, or other market factors. The DOH development officer shall review the market study and appraisal to determine conditions which shall influence this rate.

Commercial: 50% is the standard rate and is established based on amount of commercial space, nature of use, location, market and other conditions.

**Approvals**

Fund allocations and budgets are adjusted throughout the multi-family financing process to accommodate the fluidity of available funds. Concurrently DOH Project Managers present the proposed financing project to multiple committees for review and approval.

*Inter-Departmental Reviews in order from the time of Application*

Preliminary Project Review: Project Managers review the financing proposal and identify potential issues.

DOH Design Review: Administered by DOH Construction and Compliance division and comprised of DOH senior staff, Housing Developer Review enforces government regulations that have a direct impact on funding sources and the design of safe, affordable housing.

Project Roundtable: Project Managers inform various DOH and DPD divisions of the financing proposal and identify potential issues.

DPD Design Review: Construction projects are reviewed by DOH and DPD staff in the concept and design stages for conformance with City design guidelines, zoning and landscape ordinances, public way issues and other urban design concerns.

MOPD Review and Inspections:

Pursuant to forthcoming MOPD procedures, applicants who receive City funding for their projects will be required to engage City approved consulting inspectors to certify that any required accessible units have been constructed in accordance with their MOPD approved plans and specifications. The MOPD procedures are expected to be finalized and provided to applicants before the end of 2019.

Zoning Review: DPD’s zoning division reviews all plans and current zoning to determine if the project meets current zoning, requires redesign, or a change in zoning appropriate for the proposed use.

Environmental Reviews: Project Manager sends request to construction to coordinate environmental reviews/approval with 2FM.

Executive Project Review: DOH and DPD Commissioners and senior management are informed of projects and all unresolved policy issues associated with the project are resolved.

*Intra-Departmental Review*

Chicago Plan Commission: The Commission and its mayoral appointees reviews and approve multi-family housing financing proposals when appropriate (when City-owned land is being sold or there is a zoning change required).

Community Development Commission: The Commission and its mayoral appointees reviews and recommends action to the City Council on multi-family housing financing proposals when appropriate (when utilizing Tax Increment Financing funds (TIF) or conveying City-owned land in a TIF. In the case of city owned land, DOH must comply with the 30 public notice period, and invite alternative proposals for the redevelopment of the disposition parcels for consideration by the City.

Internal Loan Committee: Project Managers present the final underwriting and financing for the project for review to representatives from DOH Housing, Monitoring, Finance, Construction and Governmental Affairs divisions.

TEFRA Hearing: A TEFRA hearing is required for Tax Exempt Bond deals. A 14 day notice must be published in advance of the TEFRA hearing to be held at Finance Committee (usually the same meeting that will approve issuance of the bonds.

City Council Approval: The Multi-Family Project Manager prepares a pre-ordinance memorandum to, and arranges a meeting with, the Department of Law to prepare the required ordinance and Legislative Council on Government Affairs report for introduction to City Council. The memorandum includes property address, a detailed description of the project (number of units, affordable levels, funding sources), site photos, redevelopment agreement, DOH Commissioner recommendation, reasons for proposal, supporter and opponent information, cost detail and applicant information.

The Chief Financial Officer (CFO) receives copies on deals that require CFO approval (e.g., financing with bond funding).

Applications require scofflaw and child support checks for the owners of the property.

**Loan Closing and Monitoring**

The acquisition of City Council approval prompts the Department of Law to provide the developer with draft financing and land sale documents and a due diligence checklist. Documents may include:

* Redevelopment Agreement
* Economic Disclosure Statements
* Loan Financing documents
* Organizational documents (e.g., partnership structure)
* Lender’s Title Insurance Policy
* Owner’s Insurance Policy
* DOH Scofflaw Check Results Memorandum
* DOH Compliance Monitoring Approval

Compliance Meeting requirements: Developers and their contractors are required to have two meetings with DOH’s Monitoring section. One meeting will occur prior to closing, and the other meeting will occur post-closing. The “information meeting” is required to inform developers and contractors of the compliance requirements that will be applicable to their development and the paperwork required to be given to compliance prior to closing. The post-closing meeting is described below.

The developer submits required documents and comments on draft loan documents. The DOH Project Manager and Department of Law review submittals for completeness and compliance with City requirements and request additional information from the developer, if needed, and negotiate issues before closing documents are finalized. The developer submits requested information and negotiates any remaining issues. Loan closing occurs.

Once closing occurs, the DOH Project Manager sends notification of closing and key closing documents to DOH Finance and Construction and Compliance Division issues notice to proceed. Construction and Compliance holds pre-construction meeting with the developer to review monitoring and other requirements and to issue notice to proceed. Construction begins and construction financing converts to permanent financing and long-term monitoring begins. Upon construction completion, DOH Construction and/or Monitoring staff issue closeout compliance certificates, as applicable. For further detail regarding the monitoring and compliance refer to the ‘Monitoring/Compliance’ section of the DOH Policies and Procedures Manual.

Draw Process: Monthly construction draws are overseen by DOH’s Construction section. Developer meets monthly on site with Construction staff and agree on items to be requested on draw. Owner’s draw request along with an Owner’s Sworn Statement is submitted to DOH’s Construction Section for approval. Construction, Compliance, and DOH Finance Sections review and sign off on draw request. Once approved, funds are released by Finance section to the title company for disbursement.

1. Description should address the Project at the unit level including: units types, number of units, square footage and proposed rents for both market rate and income restricted/affordable units. It should be noted if the proposed rents do or do not include tenant paid heating, cooling, cooking expenses. [↑](#footnote-ref-2)
2. Analysis should include the most current demographic data (typically from the Census) and provide the percentage increase or decrease from the previous Census and any future projections. [↑](#footnote-ref-3)
3. Projects receiving Project based rent subsidies should focus on the size of the eligible population in the market area and the size of the Section 8 waiting list. [↑](#footnote-ref-4)
4. Description of the geographic boundaries of the market area and the sub-market area (if applicable) and a discussion explaining the definition of the market. If particular subset of the population defined without respect to geographic boundaries, the market study should define this targeted market. Identify the recent trends and the current overall rental vacancy rate for the project and comparable developments in the market. Include a discussion of any vacancy or absorption problems in the market or sub-market, if relevant. [↑](#footnote-ref-5)
5. For fully occupied projects where the extent of rehabilitation will not result in permanent relocation of current tenants, the market study need only address vacancy rates at the subject project and comparable developments. For projects involving new construction, rehabilitation with permanent displacement, the market study needs to include a demand analysis. [↑](#footnote-ref-6)
6. [↑](#footnote-ref-7)