CITY FISCAL YEAR 2025

REAL PROPERTY ACQUISITION APPLICATION

_____

LEGAL NAME OF ORGANIZATION

THE AMOUNT OF FUNDS BEING REQUESTED FROM EACH SOURCE SHOULD BE INDICATED BELOW.

THE AMOUNTS REQUESTED ARE ADDITIVE -- THE AMOUNTS REQUESTED FROM EACH SOURCE MUST ADD UP TO THE TOTAL AMOUNT REQUESTED FROM THE CITY.[1]

Funding Source Requested		Amount Requested
Borough President – Insert Name	Please Select	
Borough President – Insert Name	Please Select	
Total City Council Request		
Total Amount Requested from the City in FY 2025		$ 0

Please note that there are two spaces above for the Borough President selection in the rare circumstance that an Organization wishes to apply for funding from two Borough Presidents for the same Project.

Below, please list the individual City Council Members and/or Delegations that your Organization would like to consider contributing towards the City Council Request Amount listed above. Please note that only the Council Members and Delegations listed below will be able to view your application.

Specify the City Council Source Requested, if any.	
City Council Member	Please Select
City Council Member	Please Select
City Council Member	Please Select
City Council Member	Please Select
City Council Delegation	Please Select
City Council Delegation	Please Select

[1] The amount in the space above for "Total Amount Requested from the City in FY 2025," should be the total amount the Organization wishes to receive from the City. For example, if the Organization submits additive requests of $250,000 from a Borough President and $250,000 from City Council, the "Total Amount Requested from the City" would be $500,000.

REPURPOSING

If the City has previously appropriated funds to the Organization for a project that is no longer progressing or has materially changed from the project approved by the City, such funds cannot be paid out to the Organization unless the Organization has submitted a new application to "repurpose" such funds for a new project.

Is the Organization requesting to "repurpose" previously appropriated funding?
Yes ☐ No ☐

If YES, please provide the following information:

City FY of Original Appropriation	Amount of Original Appropriation - Borough President Funding	Amount of Original Appropriation - City Council Funding	Previous Project Funded (e.g., Replace HVAC unit)	Project Address

Total Amount of Borough President Funding to be Repurposed: $_____

+ Total Amount of City Council Funding to be Repurposed: $_____

= Total Amount to be Repurposed as part of this Application: $ $ 0

In addition to the "Total Amount to be Repurposed" as set forth above, is the Organization requesting further City funding in this Application?
Yes ☐ No ☐

Amount of new funding being requested, if applicable: $ $ 0

NOTE: The total amount to be repurposed plus any new funding being requested must equal the "Total Amount Requested from the City in FY 2025" on the preceding cover page.

Why are the previously approved project(s) listed above not proceeding? In other words, why is the Organization requesting to repurpose funding? Please provide further detail in **Attachment O.20 Status Report** (see Organization Form).

INTRODUCTION

Note that questions in this Application relate ONLY to the specific Real Property Acquisition Project for which funding is being requested (and not for any Moveable Property (such as equipment), in conjunction with the acquired space). If requesting funding for construction or renovation, complete the Construction/Renovation Application. If requesting funding for any Moveable Property, complete the Initial Outfitting Application or the Standalone Equipment and/or Equipment System Application.

Please note that if the Project requested herein is approved and receives City capital funding, it will be subject to a compliance review to verify that the Organization complies with all City funding requirements.

Please acknowledge that you have read and agree to this statement:

HOUSING PROJECTS: **DO NOT COMPLETE THIS REAL PROPERTY ACQUISITION APPLICATION. IF YOU COMPLETE THIS APPLICATION, IT WILL NOT BE REVIEWED. COMPLETE THE HOUSING, PRESERVATION AND DEVELOPMENT APPLICATION INSTEAD.**

CHECK HERE THAT YOU HAVE READ THIS STATEMENT: ☐

*** Please note that the following entities are NOT subject to this process, and therefore should NOT submit a Capital Request Form:**

- **New York City Health and Hospitals Corporation (HHC) hospitals**
- **New York City public schools (however, charter schools should submit a Capital Request Form)**
- **New York City private schools (unless 100% of the student body consists of special education students with disabilities whose tuition costs are paid by the New York City Department of Education, and the school does not share its building(s) with another school)**
- **The City University of New York (CUNY) colleges and schools**

Before submitting this Application and related attachments:

- **Review the Guidelines to determine whether the Organization meets the criteria set forth therein;**
- **Review the Glossary;**
- **Review this Application to determine the information that you will need to gather about the Project;**
- **Identify each attachment you must submit with this completed Application; and**
- **Review this Application and the related attachments together to ensure that the corresponding responses match.**

I. PROJECT INFORMATION

1) Project Description:

A. Briefly describe the goals and functions of the Project (e.g., purchase a condominium to house a community center).

B. Please describe how the Project will serve a City Purpose, and how the Project will benefit the general public of the City. Be specific.

C. Please identify the potential risks and benefits of carrying out the Project. Such risks may include but are not limited to budget-related risks, fundraising risks, timing, and/or service disruptions.

D. Please indicate the existing services or programs that will be served or supported by the property to be acquired, and the number of persons served in each category.

Service/Program	No. of People Served in City FY 2023	No. of People Served in City FY 2024 (Projected)	No. of People Served in City FY 2025 (Projected)
Total	0	0	0

E. Identify the hours in an average week during which the property to be acquired will be operated or otherwise used by the Organization for a City Purpose.

Sunday:

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Saturday:

If, for any reason, the property to be acquired will not be operated or otherwise used on a regular or consistent basis every week, please explain why below:

F. What is the minimum number of days per year that the property to be acquired will actually be used for a City Purpose? _____

G. Will the services provided by the property to be acquired be available to all residents of the City regardless of race, religion, creed, color, national origin, sex, age, disability, marital status, sexual orientation or political affiliation? Please note that the City will not grant funding to Organizations that unlawfully discriminate on the basis of race, religion, creed, color, national origin, sex, age, disability, marital status, sexual orientation or political affiliation, or that do not make services available to all.

Yes ☐ No ☐

If YES or NO, please explain.

H. Will the property to be acquired and the services to be provided at the property be accessible to individuals with disabilities?

Yes ☐ No ☐

If YES, please explain how the property and services will be accessible. If NO, please explain which portions of the property and/or which services will not be accessible, and why they will not be accessible.

I. Will the Organization charge a fee for the services supported by the property to be acquired?

Yes ☐ No ☐

If YES, please identify the fee to be charged:

2) **Estimated Costs of Property Acquisition and Timeline**

A. Estimated purchase price: $_____

Estimated soft costs (e.g., attorney and closing costs:) $_____

Total Cost: $ 0 _____*

*Include:

- the estimated purchase price plus the soft costs to be covered by both non-City funds and City funds; and
- cost of fixtures (non-Moveable Property).

Exclude:

- 15% contingency fee; and
- costs of furnishings or other Moveable Property.

B. Asking Price: $ _____

Attach listing from a broker or other evidence of the asking price as **Attachment E.1 Asking Price Evidence.**

Has the purchase contract already been executed?

Yes ☐ No ☐

Does the Organization expect to execute the purchase contract prior to July 1, 2024?
Yes ☐ No ☐

If the purchase contract has already been executed or is executed prior to July 1, 2024, the City will NOT provide funding.

What is the status of negotiating the terms of the sale, including the final purchase price?

C. Have the parties agreed to a closing date?
Yes ☐ No ☐

If YES, what is the expected closing date? _____

If the Organization purchases the property prior to entering into a contract with the assigned City managing agency, then the Organization runs the risk that some or all costs may be deemed to be ineligible for reimbursement by the City.

Please acknowledge that you have read and agreed to this statement: ☐

3) Appraisal:

Has an appraisal of the site by a licensed appraiser been requested or completed?
Yes ☐ No ☐

If an appraisal has been completed, complete the following and submit the appraisal as **Attachment E.2 Appraisal**.

Date of Appraisal: _____ Appraised Value: $ _____

Note that the appraised value must be greater than or equal to the estimated purchase price.

If unable to submit an appraisal at such time, provide an explanation below:

If an appraisal has not been completed, what is the basis for the estimated costs? Has the Organization researched comparable properties? Be specific.

4) Projected Funding Sources for the Property Acquisition:

A. *City Funding*

City Funding Maximum:

- **The City contribution to all projects involving Real Property (i.e., acquisition, new construction or renovation) may not exceed 90% of the costs of the Project up to $2 million and 50% of the portion of the Project that is in excess of $2 million.**

- **The City may only pay a maximum of 50% of costs for the requested Project once City appropriations for Real Property projects at the same Project Address, in aggregate, exceed $1.8 million (excluding separate and distinct projects that have been fully completed and for which the funding has been closed out).**

Note: Such City appropriations include the total amounts appropriated, whether or not such funds have been disbursed to the Organization.

1. Complete the table below. **Do not include any prior City funding for Moveable Property or vehicles**. Review the definition of Project Address (same block and lot number) in the Glossary.

Note that information regarding ALL prior City capital funding, whether or not such funding is related to this property to be acquired or Project Address, is to be completed in Organization Form, Section II, question 4.

Year	Appropriations for Real Property Improvement(s) or Acquisition at the Project Address
Prior to City FY 2020	$
City FY 2020	$
City FY 2021	$
City FY 2022	$
City FY 2023	$
City FY 2024	$
City FY 2025 (Requested)	$

2. Were any of the above appropriations for separate and distinct projects that have been fully completed and for which the funding has been closed out? If so, please identify the appropriation, briefly describe the project and why it is separate and distinct from the proposed Project, and provide the date of the final reimbursement.

B. *Non-City Funding* – Complete the table below and specify each source (e.g., private foundations, NYS Assembly, capital campaign, bank financing; include specific names where possible).

Please read all the definitions and fill out this question (B) carefully. In the past, many Organizations have not inserted the correct amounts.

SOURCE OF NON-CITY FUNDS	AMOUNT OF RECEIVED NON-CITY FUNDS[2]	AMOUNT OF PLEDGED NON-CITY FUNDS [3]	AMOUNT OF REQUESTED NON-CITY FUNDS (Not yet Pledged or Received)[4]	TOTALS
				$ 0
				$ 0
				$ 0
				$ 0
				$ 0
				$ 0
TOTALS	$ 0	$ 0	$ 0	$ 0

Please try to fit the response in the space provided above, but if more rows are needed, attach a table in this format for additional sources as **Attachment E.3 Non-City Funding Table**.

If any of the Non-City Funding sources listed above is a loan, please provide the terms of the loan(s) (e.g., length, amount of periodic payments, date and amount of any balloon payment) and the Organization's sources for paying the debt service.

Note that the City relies on the anticipated split between City and non-City funding and on the specific sources and amounts set forth in this table when making funding decisions. If funding is allocated by the City, any reduction of total non-City funding or changes to funds said to be in-hand or pledged could impact the City's funding toward the project, and will require detailed explanation from the Organization. **Please acknowledge that you have read and agreed to this statement:** ☐

[2] *Received Non-City Funds = Amount(s) of money paid to the Organization, or cash available, from non-City sources, for the Project requested in this Application.*

[3] *Pledged Non-City Funds = Signed and dated commitments by donors and/or lenders other than the City, including New York State and the U.S. Federal Government, to make a gift or grant during a specified period according to specified terms for the Project requested in this Application. The Organization must have signed commitment letters from donors or pre-approval letters from lenders.*

[4] *Requested Non-City Funds = Amount(s) of money for the Project requested in this Application sought from sources other than the City, either through Application or appeal, and, for which, as of the date of submission of this Request Form, the Organization* ***is awaiting an award decision*** *(i.e., pending approval or denial). These sources include, but are not limited to, individuals, government entities, and foundations.*

C. *Total Funding Sources Currently Available for the Property Acquisition*:

Total Property Acquisition Cost (see question 2): $ 0

LESS the following available funds:

i. City Funding in Executed Funding Agreements for the Property Acquisition: _____

ii. City Funding Appropriated in Prior Fiscal Years (with no Funding Agreement yet executed): _____

(Note: this amount does NOT include the City funding being requested in this application)

iii. Received Non-City Funds: $ 0

iv. Pledged Non-City Funds: $ 0

v. City Funding Requested Herein: $ 0

EQUALS the Funding Gap: $ 0

Summary of Non-City Funding:

$ 0 Pledged Non-City Funds + $ 0 Received Non-City Funds = 0 %

$ 0 Total Non-City Funds Needed for the Property Acquisition*

*(Total Property Acquisition Cost minus C.i., C.ii., and C.v. (see question (C) above))

Note: The total of Pledged Non-City Funds and Received Non-City Funds must be at least the lesser of (i) 50% of the total non-City funds for the Property Acquisition, or (ii) $1 million.

D. *Status of Securing Non-City Funding*

1. *Status of Securing Pledged Non-City Funds* - Please explain when the Pledged Non-City Funds will be received. In particular, if the Organization has received notification of New York State or federal funding, provide the amount(s) and explain the status of such pledge(s). Please be very specific.

Please try to fit the response in the space provided above, but if necessary, attach additional narrative as **E.4 Status of Pledged Non-City Funds.**

2. *Funding Gap* - Please explain how the Organization will close the funding gap. Please be very specific.

Please try to fit the response in the space provided above, but if necessary, attach additional narrative as **Attachment E.5 Funding Gap.**

3. *City appropriation* – Elected officials may only be willing to fund less than the amount requested herein.

If the elected official(s) provide less than the amount requested herein, and the Organization does not come up with the shortfall, the Project may not go forward.

Does the Organization understand and agree to this requirement to fund the shortfall?

Yes ☐ No ☐

a) What are the Organization's backup funding resources? Please explain in detail.

b) If the elected official(s) provide less than the amount requested herein, what is the Organization's plan to proceed? Please describe in detail.

Note that if the Organization represents that the Project can go forward if the City funds only a portion of the request, the Organization shall not apply in a future fiscal year for additional funding for the Project.

Please acknowledge that you have read and agreed to this statement: ☐

5) Bank or Other Financing:

A. Does the Organization intend to seek financing (a loan) or has it already secured such financing, to purchase the Real Property (this includes any type of bridge loan)?

Yes ☐ No ☐

If YES, complete B and C below.

B. What is the amount to be borrowed from a lender? $ _____

C. Will the loan be secured by a lien on the Real Property to be acquired?

Yes ☐ No ☐

If YES, has the lender been identified?

Yes ☐ No ☐

If there will be a loan secured by a lien on the Real Property and a lender has not been identified, the City will not provide funding.

If YES, Complete the following:

1. Lender Information

Name: _____ Website: _____

Contact Person: _____ Email:

Phone: _____

2. Will lender subordinate its lien to the City's Restrictive Covenant?

Yes ☐ No ☐ Don't Know ☐

Please explain what steps the lender will take to subordinate.

If NO or DON'T KNOW, the City will not provide funding.

If YES, please submit a current letter from the lender that it will subordinate its lien to the City's Restrictive Covenant as **Attachment E.6 Lienholder Letter(s)** (for reference, see Exhibit 3A Form of Subordination Agreement).

6) Initial Acquisition Information:

A. Does the Organization currently lease the identified property?
Yes ☐ No ☐

If YES, provide an explanation below which addresses for how long the Organization has leased the property, for what purposes the Organization has used the property, and whether the uses will change upon acquisition. Attach the lease as **Attachment E.7 Lease.**

B. Does the Organization have a relationship to the current owner/seller? (For purposes of this question, "relationship" includes any affiliation including participation by owner/seller in the Organization programs or services, actual corporate affiliation or any other connection.)
Yes ☐ No ☐

Is the current owner/seller an Affiliate and Related Organization (see Glossary) of the Organization?
Yes ☐ No ☐

Is the principal of the current owner/seller indirectly or directly involved in the management or the governance of the Organization?
Yes ☐ No ☐

If YES to any of the above questions in this question 6(B), provide an explanation below.

C. Current Owner Information & Project Address:

Owner Name: _____

Site Address: _____

Borough: _____

Block/Lot: _____/_____

Community Board #:_____

Council Member/District #:_____

D. Type (Commercial, Condo, Co-op, Other): _____

If asset to be purchased is a condominium unit, does the condo unit already exist?

Yes ☐ No ☐

If NO, and filings and/or approvals are required to create the condo, provide (i) an explanation below of what is required and why, and (ii) the timeline for creation of the condo.

E. Explain why the Organization selected this specific premises to acquire.

F. At the time of the purchase, will the property to be acquired be free and clear of all liens and encumbrances?

Yes ☐ No ☐

If NO, please explain below.

7) Property to be Acquired:

A. Provide a general description of the property to be acquired. Include the desired/actual building size (# of floors including basement and attic, building gross area (SF), lot area (SF), building type (office building, residential building), as well as the condition of the building. Attach one or more photographs of the property and label as **Attachment E.8 Property Photographs**.

B. Is the building currently occupied by what will become holdover tenancies?

Yes ☐ No ☐ Don't Know ☐

If YES, what percentage of the space is occupied by such tenancies? _____%

If YES, also provide a specific description of such tenancies (e.g., anticipated duration and the status of any related pending litigation) as **Attachment E.9 Holdover Tenancies**.

8) Contemplated Uses/Purposes of Property:

A. Does the Organization intend to occupy less than 100% of the Project Address? If YES, upload as **Attachment E.10 Additional User(s) of the Project Address** a stacking plan for the Project Address with the following additional information: (a) the identity of all third-party tenants and whether such tenants are Affiliates and/or Related Organizations, (b) the gross square feet (GSF) of the entire building, and (c) the GSF of all areas that will be occupied by each third party tenant.

B. City capital funds may not be used to acquire Real Property unless a majority of such Real Property is used by the Organization for Front Line Services for a majority of the time that such space is used (as opposed to being used for administrative use (e.g., back office, executive or support service space)). Front Line Services are services that are rendered directly to the public through physical public access (such as a community center) or a hotline. Such services do not include lobbying, advocacy, capacity-building, general administration, and/or development work. When a majority of a building or condominium unit to be purchased is used by the Organization for Front Line Services, City capital funds may be applied to acquire any part of such building or condominium unit used by the Organization.

1. Please explain how at the Project Address (building where the property is located), a majority of the space used by the Organization will be for Front Line Services for a majority of the time that such space is used. **If less than 50% of such space will be used for Front Line Services, the City will not fund this property acquisition.**

2. Please complete the chart below **for the Real Property to be purchased**.

As stated in the introduction, the Application must be filled out in its entirety. **If the chart below is not completed, the City will not provide funding.** If the room type is not indicated in the table, add the type in one of the blank rows. If the square footage of certain rooms/areas for Front Line Services varies depending on the day or time, fill in the table below based on the majority of the time that such rooms are used at all.

ROOM TYPE	Total SF of Each Room Type	SF for Front Line Services	% of Total SF for Front Line Services
Offices (see question 8(A)3 below)	10	10	100
Auditorium/Theater	10	10	100
Class Room(s)	10	10	100
Gymnasium	10	10	100
Common Elements (e.g., hallways, bathrooms, and elevators)	10	10	100
Kitchen(s)	10	10	100
Clinic/Exam Rooms	10	10	100
Cafeteria	10	10	100
Other: [specify, if applicable]:			0
Other: [specify, if applicable]:			0
Other: [specify, if applicable]:			0
Other: [specify, if applicable]:			0

Total	80	80	100

3. Please note that office use does NOT constitute use for Front Line Services, unless programming in such offices is provided directly to the public through physical public access or a hotline. To the extent that offices are listed above as providing Front Line Services, please explain:

C. Will the property to be acquired be used for new services or programs not previously offered by the Organization?

Yes ☐ No ☐

If YES, the City will not provide funding.

D. Does the Organization employ salaried employees to provide the services related to the property to be acquired?

Yes ☐ No ☐

If YES, specify the number of such salaried employees: _____

Explain who will provide the services related to the property to be acquired. Include position titles and job descriptions or functions of such staff. Indicate whether such positions are (i) paid or volunteer and (ii) full-time or part-time.

Please try to fit the response in the space provided above, but if necessary, attach a separate page labeled **Attachment E.12 Staffing**.

E. *Project's impact on operating costs and operating revenues* - Please explain how this property acquisition will have an impact on the Organization's operating budget (i.e., salaries; energy costs; security costs; maintenance costs; insurance costs; etc.), revenues and ability to provide services. Please explain how the Organization will fund such operating costs and/or maintain the site after the Project is completed for a minimum of five years. Be specific.

F. Are the services to be performed or the programs to be provided by the Organization in the building regulated by any federal, New York State or City agency?

Yes ☐ No ☐

If YES, does the Organization have all required licenses, permits, etc. for the planned uses?

Yes ☐ No ☐

If applicable, identify all such required licenses, permits, etc.

If NO, provide an explanation below of how the Organization anticipates securing the required regulatory permits or licenses.

G. Will any of the services or programs to be provided in the newly acquired building be provided pursuant to one or more City Operating Contract(s)? Such contracts include any kind of service contract.

Yes ☐ No ☐

If YES, provide a summary description of the contract terms, contracting City agency and services covered.

Note that prior to any disbursement of City capital funds, any such current City Operating Contracts at that time (except HHC-affiliation agreements and discretionary grants from elected officials) will need to be submitted.

9) Zoning, Land, Approval and Environmental Considerations:

A.

1. Complete the following and attach the current Certificate of Occupancy as **Attachment E.11 Current Certificate of Occupancy.** If no Certificate of Occupancy has been issued, please explain in **Attachment E.11.**

   Zoning of Building: _____

   Zoning District: _____

   Department of Finance Building Classification: _____

2. Is the contemplated use of the property to be acquired by the Organization consistent with the Certificate of Occupancy?

   Yes ☐ No ☐ Not Applicable (i.e., there is no Certificate of Occupancy) ☐

   If NO or NOT APPLICABLE, provide an explanation below as to how the contemplated use of the property to be acquired will be legally permissible at the Project Address. Please be specific. Describe what steps need to be taken and the corresponding time frame for accomplishing those steps.

B. Please indicate below by marking 'x' if the Project's building/site has been designated or is pending designation as part of one of the below. Please also indicate if the relevant office has issued an approval for the property to be acquired:

	Designated or Pending Designation	Approved
NYC Landmark	☐	☐
NYC historic district	☐	☐
NYC special natural area	☐	☐
NYC Design Commission	☐	☐
National register of historic places	☐	☐
National historic landmark	☐	☐

C. Is a Uniform Land Use Review Procedure (ULURP) (see Glossary) required for the property to be acquired?

Yes ☐ No ☐

D. Is environmental review (City Environmental Quality Review (CEQR) or State Environmental Quality Review (SEQRA)) required for the property to be acquired? [5]

Yes ☐ No ☐

If YES, indicate what type of review and whether such review is complete below, and provide copies of all relevant documents as an attachment labeled **Attachment E.13 Environmental Review.** (For more information on environmental reviews, please visit NYC's Office of Environmental Coordination's website https://www1.nyc.gov/site/oec/environmental-quality-review/environmental-quality-review.page.)

10) Sectarian Use

Religious or sectarian activity that should be disclosed includes worship, prayer and/or proselytization occurring any time at the Project Address, regardless of the duration, the frequency and the sponsor of such activity. In addition, it includes administration and implementation of such activities.

When answering this question, please consider and disclose any broader programs that may have worship, prayer and/or proselytization as even a small component of such programs. Failure to disclose activities that may have religious or sectarian components will lead to delays in, reduction of and/or rescindment of City capital funding. It is recommended that if there is any uncertainty as to whether a certain activity is a religious or sectarian activity, it be disclosed.

Please acknowledge that you have read and agreed to this statement: ☐

[5] *Despite the Organization's answer to this question, the determination as to whether or not CEQR or SEQRA is required for the property to be acquired will be made by New York City or State, and is subject to the review of the City managing agency.*

A. Will any part of the property to be purchased be used to plan, organize or implement any religious or sectarian activity (see Organization Form, Section II, questions 1(N)-1(P))? For example, if the proposed property acquisition includes a conference room, will the conference room be used to plan, organize or implement any religious or sectarian activity?

Yes ☐ No ☐

If YES or NO, please explain:

Please try to fit the response in the space provided above, but if necessary, submit the continued response as **Attachment E.14 Religious Use**.

B. 1. Please note that no part of the proposed property acquisition shall be used to advance or support sectarian activity, including worship, prayer and/or proselytization UNLESS the Organization complies with the following requirements:

(i) Such space used to advance or support sectarian activity must be made generally available for use or rental by the public. The process used in allocating such space must be neutral and non-discriminatory. In addition, the process used in allocating such space must ensure that the Organization itself does not receive preferential treatment in the allocation or use of the space.

(ii) The availability of such space for such religious or nonreligious purposes or activities on the terms and conditions referenced above, must be made known to the general public.

(iii) The use of such space as described in (i) and (ii) above must be occasional and temporary.

(this paragraph constitutes the **Sectarian Use Exception**).

2. If any part of the proposed property acquisition will be used for sectarian activity pursuant to the Sectarian Use Exception, the Organization must attach as **Attachment E.15 Use Policy** a use policy that includes guidelines which comply with the requirements set forth above in question 10(B)(1).

   a) Please describe how the use policy meets the criteria set forth in the Sectarian Use Exception:

   b) List the means that will be used to advertise or give notice to the general public of the availability of the space for rent and the frequency of those notices.

11) **Optional- Additional Relevant Information:** Provide in the space below any relevant information the Organization would like the City to take into consideration while considering the funding request:

12) **Additional Work:**

A. Upon acquisition does the Organization expect that the property will be used "as is" for the purpose or purposes intended by the Organization without renovation or construction?

Yes ☐ No ☐ Don't Know ☐

If YES or DON'T KNOW, please DO NOT complete the remainder of this question 12.

If NO (i.e., renovation or construction is expected), and if the Construction/Renovation Application is not being submitted in City FY 2025 in relation to this property acquisition, please complete the remainder of this question 12, even if funding for such renovation or construction is not being requested from the City.

If NO (i.e., renovation or construction is expected), and if the Construction/Renovation Application is being submitted in City FY 2025 in relation to this property acquisition, please DO NOT complete the remainder of this question 12.

B. Identify the general categories of work involved by marking ‘x’ in the right column:

Renovation	
A. Exterior or envelope of the building	☐
B. Infrastructure (plumbing, HVAC, electrical, etc.)	☐
C. Interior space	☐
New Construction	
A. Construction of new building or structure	☐
B. New addition either adjacent to its current building or adding floors to the current building	☐
C. Demolition of current structure in order to construct new building or structure	☐
D. Landscaping associated with construction of new building or structure	☐

C. Provide a breakdown of the major aspects of the renovation or construction. Please provide a detailed narrative of the proposed construction or renovation, including a description of the facility and the size of the area that will be affected by the reconstruction or upgrade, and the current and anticipated changes to the use or layout of the space. Please see Exhibit 12 for the Sample Construction or Renovation Project Narratives.

D. Estimated Total Cost or Renovation / Construction (Hard & Soft Costs): _____

Include:

- total estimated costs to be covered by both non-City funds and City funds;
- 15% contingency fee (see page 7 of the Guidelines (Exhibit 1)); and
- cost of fixtures (non-Moveable Property).

Exclude:

- costs of furnishings or other Moveable Property.

E. Projected Funding Sources for the Renovation and/or Construction:

1. *City Funding* – If previously appropriated City Funding is available for the renovation and/or construction, please indicate amount and year of appropriation.

Year	Amount Appropriated for Renovation and/or Construction at the Project Address
City FY 20	$
City FY 20	$
City FY 20	$

2. *Non-City Funding* – Complete table below and specify each source (e.g., private foundations, NYS Assembly, capital campaign, bank financing; include specific names where possible).

Please read all the definitions and fill out this question carefully. In the past, Organizations have not inserted the correct amounts.

SOURCE OF NON-CITY FUNDS	AMOUNT OF RECEIVED NON-CITY FUNDS[6]	AMOUNT OF PLEDGED NON-CITY FUNDS[7]	AMOUNT OF REQUESTED NON-CITY FUNDS (Not yet Pledged or Received)[8]	TOTALS
Test test test test Test test test test				$ 0
Test test test test Test test test test				$ 0
Test test test test Test test test test				$ 0
Test test test test Test test test test				$ 0
Test test test test Test test test test				$ 0
Test test test test Test test test test				$ 0
TOTALS	$ 0	$ 0	$ 0	$ 0

Please try to fit the response in the space provided above, but if more rows are needed, attach a table in this format for additional sources as **Attachment E.16 Non-City Funding Table – Renovation – Construction.**

[6] *Received Non-City Funds = Amount(s) of money paid to the Organization, or cash available, from non-City sources, for the construction or renovation.*

[7] *Pledged Non-City Funds = Signed and dated commitments by donors and/or lenders other than the City, including New York State and the U.S. Federal Government, to make a gift or grant during a specified period according to specified terms for the construction or renovation. The Organization must have signed commitment letters from donors or pre-approval letters from lenders.*

[8] *Requested Non-City Funds = Amount(s) of money for the construction or renovation sought from sources other than the City, either through application or appeal, and, for which, as of the date of submission of this Request Form, the Organization* ***is awaiting an award decision*** *(i.e., pending approval or denial). These sources include, but are not limited to, individuals, government entities, and foundations.*

3. *Total Funding Sources Currently Available for the Renovation/Construction*:

Total Renovation/Construction Cost (see question 12(D)):	$ 0
LESS the following available funds:	
i. City Funding in Executed Funding Agreements:	
ii. City Funding Appropriated in Prior Fiscal Years (with no Funding Agreement yet executed): (Note: this amount does NOT include any City funding being requested in this application)	
iii. Received Non-City Funds:	$ 0
iv. Pledged Non-City Funds:	$ 0
EQUALS the Funding Gap:	$ 0

F. Status of Securing Non-City Funding

1. *Status of Securing Pledged Non-City Funds* - Please explain when the Pledged Non-City Funds will be received. In particular, if the Organization has received notification of New York State or federal funding, provide the amount(s) and explain the status of such pledge(s). Please be very specific.

Please try to fit the response in the space provided above, but if necessary, attach additional narrative as **Attachment E.17 Status of Pledged Non-City Funds – Renovation – Construction.**

2. *Funding Gap* - Please explain how the Organization will close the funding gap with respect to the renovation or construction.

Please try to fit the response in the space provided above, but if necessary, attach additional narrative as **Attachment E.18 Funding Gap – Renovation – Construction.**

G. Bank or Other Financing:

1. Does the Organization intend to seek financing (a loan) or has it already secured such financing, to construct or renovate the Real Property (including any bridge loans)?

   Yes ☐ No ☐

If YES, complete 2 through 4 below.

2. What is the amount to be borrowed from a lender? _____

3. Will the loan be secured by a lien on the Real Property?

   Yes ☐ No ☐

If NO, how will the loan be secured if not by a lien on the Real Property?

4. Has the lender been identified?
   Yes ☐ No ☐

Note: If there will be a loan secured by a lien on the Real Property and a lender has not been identified, the City will not provide funding.

If the lender has been identified, complete the following:

Lender Information

Name:	_____	Website:	_____
Contact Person:	_____	Email:	_____
Phone:	_____	Fax:	_____

Will the lender subordinate its lien to the City's Restrictive Covenant?

Yes ☐ No ☐ Don't Know ☐

Please explain what steps the applicant will take to ensure the lender will subordinate.

If NO or DON'T KNOW, the City will not provide funding.

If YES, please provide a current letter from the lender representing that it will subordinate its lien to the City's Restrictive Covenant as **Attachment E.6 Lienholder Letter(s)** (for reference, see Exhibit 3A (Form of Subordination Agreement).

H. **Scope of Work and Budget:**

1. Has the Organization hired an architect and/or engineer?
   Yes ☐ No ☐

If YES, identify below:

Firm Name: _____ Website: _____

Contact Person: _____ Email: _____

Phone: _____

Firm Name: _____ Website: _____

Contact Person: _____ Email: _____

Phone: _____

If NO, how was the renovation or construction cost estimated?

2. Please provide a detailed cost breakdown, including the construction costs by trade. Please be sure to break out costs such as design, general conditions, overhead, profit, insurance, and the 15% contingency fee. Be sure to clearly indicate in the cost breakdown the costs to be covered by the City. See the sample cost breakdowns attached as Exhibit 7A. (**Attachment E.19 Project Cost Breakdown – Renovation – Construction**)

3. Does the cost breakdown take into account that NYS Labor Law - the payment of prevailing wages – must be complied with for all work to be funded by the City?

   Yes ☐ No ☐

   If NO, explain below. Be specific.

4. What is the date of and basis for this cost breakdown?

5. Attach site and floor plans, if available, as **Attachment E.20 Site and Floor Plans.**

   If not available, please explain how the renovation or construction will be ready to proceed in the absence of such documents.

I. **Expected Project Timeline**

Please be conservative with your estimate.

1. Expected Renovation / Construction start date: _____

   Expected Renovation / Construction completion date: _____

   What is the basis for this projection? For example, is the projection based on an estimate provided by architectural firm or project management team?

J. Green building standards law - The green building standards law, Local Law 86 (New York City Charter section 224.1 and chapter 10 of title 43 of the Rules of the City of New York), applies to certain construction or reconstruction projects receiving City funds. (Information on Local Law 86 can be found on the web at https://www1.nyc.gov/site/oec/green-building/green-building.page.)

Does the green buildings standards law apply to renovation/construction?

Yes ☐ No ☐

If NO, explain why not below. If YES, explain why below. In each case, be specific and include references to the **specific** sections of the law.

If YES, will the renovation or construction comply with the green buildings law?

Yes ☐ No ☐

If the Project site will be used for the provision of medical services, complete questions 13-14.

13) Health Care Provider Licenses and Certifications:

A. Does the Organization's current operating certificate issued by the New York State Department of Health or New York State Office of Mental Health authorize the operation and use of the Project Address for the purposes described herein?

Yes ☐ No ☐

If YES, please provide the facility identification number for the Project Address:

_____

If YES, please provide the operating certificate number(s) for the Project Address:

_____

If NO, explain:

B. Will the Organization bill Medicare and/or New York State Medicaid for services related to the Project Address?

Yes ☐ No ☐

If NO, explain:

14) Certificate of Need/ Notice Submission

Has the New York State Department of Health or New York State Office of Mental Health approved a Certificate of Need (CON) application or Notice Submission that covers the Project Address?

Yes ☐ No ☐

If YES, upload evidence of such approval or acceptance as **Attachment E.21 Certificate of Need Approval or Notice Submission.**

If NO, (i) provide expected date of approval or acceptance and explain the delay, or (ii) explain in detail why such approval or notice is not applicable for the Project Address.

II. CITY REQUIREMENTS & COVENANTS

1. CITY PURPOSE COVENANT

Prior to the distribution of City capital funds, the Organization must agree to a City Purpose Covenant which requires, among other things, that each Project financed with City capital funds be used for a defined City Purpose for its entire useful life, which will be thirty (30) years for Real Property acquisitions, after substantial completion of the Project. The required use of the Project pursuant to the City Purpose Covenant will be based on the particular City Purpose that is being served by the Project. Additionally, the Project's defined City purpose shall be consistent with the type and mission of the Organization and should support its principal services and activities. The Organization shall be required to make use of the Project for the provision of such services on a consistent, measurable and regular basis.

In instances in which the City funds are for the acquisition of Real Property, the City Purpose Covenant will be in the form of a Restrictive Covenant that runs with the land and must be recorded as the senior lien on the Real Property. In all cases, there may be no mortgages or other liens on the property unless they are subordinated to the City Purpose Covenant prior to the distribution of City funds.

For additional information, please see the Guidelines (Exhibit 1).

1) CITY PURPOSE COVENANT

A. Does the Organization understand the requirements of the use of the property to be acquired for a defined City Purpose?
Yes ☐ No ☐

B. Does the Organization understand and agree to the recordation of a senior lien restricting the use of the City funded asset to the City Purpose for the required term?
Yes ☐ No ☐

C. Does the Organization understand that it will not be able to remove such senior lien under any circumstances before the end of the required term? For example, the Organization would not be able to remove such senior lien even if a third party, such as a condo developer, offered to pay a large sum for the Project or even if the City funding were repaid.
Yes ☐ No ☐
If NO, please provide an explanation below:

D. Has the Organization secured the agreement of every prior lienholder and every potential lender to the subordination of their lien(s) to the Restrictive Covenant?

Yes ☐ No ☐ N/A (if no prior lienholder or potential lenders) ☐

If NO, please provide an explanation below:

2) OPINION OF COUNSEL LETTER

Please acknowledge that the Organization understands and agrees that prior to entering the Funding Agreement it will be required to obtain an Opinion of Counsel Letter substantially in the form of Exhibit 13 ☐

3) REIMBURSEMENT BASIS OF CITY PAYMENTS

The City will reimburse the Organization only for payments made by the Organization after the date of the appropriation of City funds.

In addition, City funds will be paid to the Organization only on a reimbursement basis upon requisition by the Organization pursuant to an executed Funding Agreement. **Therefore, the Organization must pay the Project costs from its own sources and then provide proof of payment to the City in order to be reimbursed for eligible costs.** (See "Funding Process" and "Post-Funding Compliance" sections on pp. 9-10 of the Guidelines for the funds disbursement process.)

For further information on the process, see the Guidelines (Exhibit 1).

A. Does the Organization understand and agree that the City will reimburse only for payments incurred by the Organization after the date of appropriation of City funds?

Yes ☐ No ☐

B. Does the Organization understand the reimbursement basis of City payments pursuant to an executed Funding Agreement?

Yes ☐ No ☐

C. What are the Organization's intended sources for advancing such funds?

If such intended sources include any restricted funds that require consent of any third parties (e.g., Dormitory Authority of the State of New York ("DASNY")) to be used, attach such written consent(s) as **Attachment E.22 Restricted Funds Consent.**

4) If the City makes an appropriation for this Project, the Organization will be required to disclose and explain all changes to the Project since the time of this application. Such changes may prevent the Project from proceeding. Furthermore, if significant changes are made to the Project's scope or a significant amount of time has passed since the time of the application, management of the Project may be suspended until the Organization submits a new application for review. **Please acknowledge that you have read and agree to this statement:**

5) ONGOING POST-FUNDING COMPLIANCE

OMB, on behalf of the City, conducts compliance reviews of Organizations that have received capital funding from the City under the City's discretionary capital grant program. The goal of the compliance review process is to verify that the Organization is complying with its obligations and responsibilities under the corresponding legal documents relating to the funding of the Project and the use of any other City-owned Real Property or capital asset.

Does the Organization understand that it will have to participate in such compliance program?Yes No

III. REPRESENTATION FORM

The following statement must be executed by an authorized officer of the Organization (i.e., executive director, chief financial officer or the equivalent).

I, _____, as

_____[Title] of the Organization listed above, have the authority to submit this Real Property Acquisition on behalf of

_____
[Organization's Legal Name].

I hereby certify under penalties of perjury that all answers submitted herein (including in the Organization Form) are factual, accurate and complete to the fullest extent of my knowledge, and that this Application has been completed with the best efforts of the above named Organization.

_____
(Please Enter Your Initials)

_____
(Print Name)

_____
(Date)

Principal Contact for this Real Property Acquisition Application:

Name: _____ Phone: _____

Title: _____

E-Mail Address: _____

List of Attachments

THESE ATTACHMENTS MUST BE SUBMITTED ELECTRONICALLY WITH THE FORM.

Required Attachments for this Application**:**

E.1 Asking Price Evidence

E.8 Property Photographs

E.11 Current Certificate of Occupancy

Attachments that **may be required** to be fully responsive to questions in this Application:

E.2 Appraisal

E.3 Non-City Funding Table

E.4 Status of Pledged Non-City Funds

E.5 Funding Gap

E.6 Lienholder Letter(s)

E.7 Lease

E.9 Holdover Tenancies

E.10 Additional User(s) of the Project Address

E.12 Staffing

E.13 Environmental Review

E.14 Religious Use

E.15 Use Policy

E.21 Certificate of Need Approval or Notice Submission

E.22 Restricted Funds Consent

Attachments that **may be required** if renovation and/or construction would be needed to use the property for its intended Purpose:

E.16 Non-City Funding Table – Renovation – Construction

E.17 Status of Pledged Non-City Funds – Renovation – Construction

E.18 Funding Gap – Renovation – Construction

E.19 Project Cost Breakdown – Renovation – Construction

E.20 Site and Floor Plans