

ATTACHMENT C



PROPERTY APPLICATION FOR PUBLICALLY-OWNED PROPERTIES

This property application ("Application") is for individuals, businesses, or organizations that wish to purchase property owned by the Philadelphia Redevelopment Authority ("PRA"). The development or reuse of the Property must be consistent with applicable City plans, including the City's comprehensive plan, Philadelphia 2035, and the sale of the property must be consistent with the City's Land Disposition Policy (PRA encourage Applicants to refer to "Appendix 5: Disposition Policies" of the Philadelphia Land Bank's 2017 Strategic Plan and Performance Report for guiding principles and sales process).

An Applicant must be able to demonstrate financial and operational capacity to carry out the development plans, be in good standing on all municipal obligations, and must not own or have an interest in any property that is subject to any significant un-remediated violation of City codes and ordinances. These requirements will be checked at the following stages: 1) submission of the Application, 2) prior to submission on the PRA Board agenda, and 3) prior to settlement. An incomplete Application will not be processed. Please see Section 10 Application Checklist for all items that must be submitted with the Application.

A letter of support from the District Councilperson will be requested once the PRA has verified the proposed development or reuse is appropriate, the Applicant has demonstrated the ability to proceed with adequate access to capital and is in good standing on all municipal obligations. Once the completed Application receives support from the District Councilperson, the PRA will forward a Redevelopment or Development Agreement (the "Agreement") for the Applicant to review and sign that will govern the sale and redevelopment of the Property. **The Agreement is subject to the approval of the PRA Board of Directors and City Council, which approvals may be given or denied at their sole discretion.**

The Agreement will include, but not be limited to, the following requirements:

- 1) Submission of a deposit – A "good faith" deposit, typically 10% of the purchase price, but shall not be less than \$500. At settlement, the deposit is converted into a "security completion" deposit and is held until the redevelopment project is successfully completed;
- 2) Submission of development plans that will be reviewed and approved by the PRA and the City Planning Commission. These plans should include dimensioned architectural plans, building elevations with materials and key dimensions noted, and a site plan with proposed building footprint(s), street names and parking (if any).
- 3) Economic Opportunity Plan for development projects (except a single family dwelling) that are reasonably anticipated to exceed \$100,000. For applicable projects, the City of Philadelphia established the attainment of Certified M/W/DBE firms—defined as Minority Business Enterprises (MBE), Woman Business Enterprises (WBE), or Disabled Business Enterprises (DBE) – at baseline combined goals of 35%. Applicants are encouraged to seek the highest levels of M/W/DBE attainment that they believe is reasonably feasible.

- 4) Fine Arts Contribution of not less than 1% of the total construction cost budget for all development projects with a construction budget of \$100,000 or more (except residential development involving public subsidies or a single-family dwelling whose construction budget is less than \$1 million); and
- 5) Payment Bond where the estimated construction cost shall exceed \$10,000.

The potential obligations and requirements pursuant redevelopment agreements will be dependent on the size and nature of the project. These will include, but not be limited to, the following obligations and requirements:

- 1) Parcels are transferred in "AS-IS" condition and without any warranty or representation from PRA
- 2) Speculation is prohibited
- 3) Covenant running with the land re: non-discrimination in right to live in the property and in the sale or lease of the property
- 4) Guaranty of completion within specified time limits, including the forfeiture of title if the project is not completed timely
- 5) Every prime construction contract where the cost exceeds \$10,000 must have:
 - a. a surety bond; or
 - b. irrevocable letter of credit; or
 - c. restrictive or escrow account
- 6) Provision that developer cannot sell, lease, assign or transfer the property without the Authority's consent (prior to issuance of a certificate of completion)
- 7) Adherence to applicable Urban Renewal Plan
- 8) Fine Arts requirements in accordance with The Percent for Art Program dated August 10, 2010, as amended
- 9) Prevailing wage compliance
- 10) Limitations as to mortgages placed upon the property, along with a series of limiting rights that a mortgagee will have upon default by the redeveloper
- 11) Developer responsible for obtaining permits, licenses, etc.
- 12) Insurance requirements and indemnification of PRA and City
- 13) Environmental waivers and environmental indemnification of PRA and City
- 14) MBE/WBE/DBE requirements, including execution of an Economic Opportunity Plan
- 15) Grant of Power of Attorney permitting revestment of property in the event of default, along with other remedies

PLEASE NOTE: THIS IS BY NO MEANS AN EXHAUSTIVE LIST BUT MERELY PROVIDES AN EXAMPLE OF POTENTIAL REQUIREMENTS AND/OR OBLIGATIONS CONTAINED IN A REDEVELOPMENT/DEVELOPMENT AGREEMENT. FINAL APPROVAL OF YOUR APPLICATION AND REDEVELOPMENT AGREEMENT OR DEVELOPMENT AGREEMENT, AS APPLICABLE, THE SALE PRICE AND THE CONVEYANCE OF ANY PROPERTY IS CONTINGENT ON THE ADOPTION OF AUTHORIZING RESOLUTIONS BY THE PRA BOARD OF DIRECTORS AND PHILADELPHIA CITY COUNCIL, WHICH APPROVALS MAY BE GIVEN OR DENIED AT THEIR SOLE DISCRETION. THE AUTHORITY IS UNDER NO OBLIGATION WHATSOEVER TO APPLICANT AS A RESULT OF THE APPLICATION OR THE ITEMS LISTED ABOVE. THE APPLICATION AND THE ITEMS LISTED ABOVE DO NOT REPRESENT ANY COMMITMENT ON THE PART OF THE PRA TO APPLICANT.

Please fill out the following application as completely as possible.

1. Applicant Information

a. Applicant Name:

Date:

b. Business Name:

EIN (if applicable):

c. List all individuals and entities who have any ownership or controlling interest in Applicant, including principals, general partners, limited partners, managing partners, members, managers, shareholders, and/or nonprofit officers:

d. For all entities and individuals identified in Subsection (c.), above, please identify and list all other business entities in which the parties identified in Subsection (c.), above, own or control an interest that own property in the City:

f. Applicant Name (if different from applicant): ___

g. Mailing address:

h. Email Address:

i. Telephone:

2. List all Property Address(es) owned by the Individuals, Entities, and Organizations included in the Applicant Information section above (Questions 1c and 1d):

3. Purchase Price

a. Purchase Price:

4. Planned Reuse of Property

a. Number of Units:

b. Number of Stories:

c. Square Footage for Each Unit (by Unit Type):

d. Total Site Square Footage:

e. Total Building Square Footage:

f. Type: Residential Commercial Mixed Use Open/Green Space

If Residential, will a certain percentage of the Units be set-aside for affordable housing? Yes No

If Yes, please provide the percentage of Units that will be set-aside for Low-income (below 80% AMI) and/or workforce (80% - 120% AMI) populations.

g. End User: Owner-Occupied Tenant Homebuyer

If other, please describe:

h. Proposed Rental Amount or Sales Price for Each Unit:

i. Proposed Reuse conforms to current zoning: Yes No

j. If zoning variances or other public entitlements are required, please list and describe:

5. Description of Proposed Use and Improvements

a. Please provide a detailed description of the proposed project and timeline to start and complete construction below:

b. If the proposed physical project has a positive effect in the neighborhood, please describe such impact (the "Social Impact") in terms of the people to be served or targeted by the project:

6. Current plans

Please attach the PDFs of the following documents with the application (preliminary plans will be accepted):

- a. Development and/or site plans
- b. Building elevations (with materials and key dimensions)
- c. Names, addresses, and bios of developers, contractors, architects, and/or other consultants

7. Developer Experience

a. Have any of the individuals, organizations, or entities listed in the Applicant Information section (Questions 1C and 1D) completed other projects in the City? Yes No

If yes, please list past projects, type, unit size, dates of completion, and note if any City funding was awarded for project.

b. Have any of the individuals, organizations, or entities listed in the Applicant Information section (Questions 1C and 1D) been named defendant or party to any litigation such as bankruptcy, foreclosure, arbitration proceedings or have a miscellaneous lawsuit pending? Yes No

If yes, please explain.

8. Financial Capacity

Applicant must demonstrate financial wherewithal and development capacity to carry out proposed redevelopment of the property. Applicant must provide documentation of available and/or committed funds in an amount no less than the purchase price amount plus the total development cost. The amount and source of the Funds must stay the same and will be confirmed by the PRA prior to Settlement.

Acceptable documents include current bank statements, letter of available credit or capital from investor or financial institution, and/or other evidence of financial capacity. Failure to provide evidence of committed sources of funds to purchase and redevelop property will disqualify an Applicant.

PRA reserves the right to request from business Applicants an audited financial statement for the last fiscal year and internal financial statements for the most recent completed quarter.

9. Budget

Sources:	<i>Amount</i>	<i>Source</i>	<i>Committed (Y/N)</i>
Senior Debt			
Subordinate Debt			
Developer Equity			
Other Equity			
Other, please describe:			
Other, please describe:			
Total Sources			
Uses:	<i>Amount</i>		
Acquisition—			
Purchase Price			
Closing costs (title/recording)			
Other, please describe			
Total Acquisition Costs:			
Construction/Hard Costs—			
Construction—general requirements, site improvements, and structures			
Construction Contingency			
Permits			
Other, please describe:			
Other, please describe:			
Total Hard Costs			
Soft Costs —			
Holding costs			
Architecture & Engineering			
Environmental			
Other consultants			
Marketing			
Legal			
Financing costs			
Soft cost contingency			
Developer fee (if applicable)			
Other, please describe:			
Other, please describe:			
Total Soft Costs			
Total Development Costs:		Total Sq. Ft:	

10. Additional Information

a. Please use the space below to provide any additional information on Budget Sources and Uses.

b. The box below may be used to provide additional information on any Section included in the Application. (Please explicitly identify the Section for which you are providing further detail.)

11. Application Checklist

The following items must be submitted to the PRA before the Application will be considered for approval:

- Completed and Signed Property Application
- Preliminary Project Plans
- Tax Clearance Form (*businesses or organizations only*)
- Tax Clearance Certification from <https://secure.phila.gov/revenue/TaxCompliance/> (*individuals only*)
- Conflict of Interest Form
- Public Disclosure Form
- Documentation of Committed Funds
 - o Bank Statements
 - o Letter of Credit/Capital
- Audited Financial Statement for Previous Fiscal Year (*if requested*)
- Interim Financial Statement for the Most Recent Completed Quarter (Income & Balance Sheet) (*if requested*)

12. Acknowledgments

The undersigned, on behalf of the Applicant, acknowledges, understands, and agrees that:

- 1) the Property is sold "AS IS" and the PRA makes no representation or warranty whatsoever expressed or implied, with respect to the quality, content, and condition of the Property offered for sale;
- 2) any approved development project may be under and subject to those programs and requirements attached hereto as **Exhibit B**;
- 3) there is no guarantee that the PRA will convey the Property to the Applicant and the Applicant understands that the PRA has the right, in its sole discretions, to reject the Application;
- 4) s/he has the power and authority to bind the Applicant and purchase the Property; and
- 5) for any Application accepted by the PRA, the Applicant must sign and deliver the Agreement along with the required deposit amount and architectural plans (if required) prior to the PRA's pursuit of PRA Board and City Council approvals to convey the Property.

The undersigned being duly sworn according to law deposes and says, with the intention of being legally bound hereby, that s/he has personally reviewed the information contained herein and that the statements contained in the Application is true and correct to the best of his/her knowledge and belief; that s/he understands that if s/he knowingly makes any false statements or material omissions herein, the Applicant may be barred from purchasing the Property, the Applicant and the Developer may be barred from purchasing any future properties from any of the Public Entities, and the undersigned is subject to such penalties as are now or may in the future be prescribed by Statute, Ordinance, common law or regulations, including the penalty for perjury.

If you do not agree to the above acknowledgements, do not submit the Application.

Signature

Date

Individual or Company Name

Title (if applicable)

Return Completed Application to:

The Philadelphia Redevelopment Authority
Attn: Director of Development
1234 Market Street, 16th Floor Philadelphia, PA 19107

Please contact us by email with any questions at propertyinfo@pra.phila.gov.

Notice: The Philadelphia Redevelopment Authority is subject to the Pennsylvania Right to Know Law. Any information provided in the Property Application may be subject to disclosure to the public.