



## CITY OF CARLSBAD

### *Planning, Engineering, and Regulation Department*

114 S. Halagueno (PO Box 1569)

Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

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## APPLICATION FOR AFFORDABLE HOUSING CONTRIBUTION

(CARLSBAD CODE OF ORDINANCES - CHAPTER 24, ARTICLE III, SECTIONS 51-57)

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**APPLICATION PROCESS:** Completed applications shall be submitted to the City of Carlsbad Planning, Engineering and Regulation Department. The Planning Director will review the application for completeness. If an application is not complete, it will be returned to the applicant. The City will forward complete applications to the New Mexico Mortgage Finance Authority (NMMFA) for their review and approval. The applicant will be notified in writing by the City when and if their application is approved. Once approved, the applicant is eligible to participate in the affordable housing program.

### APPLICATION:

Date: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Official Name of Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Street Address/P.O. Box City State Zip

Name of Executive Director or President: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

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

Primary Contact (if other than Executive Director/President): \_\_\_\_\_

Mailing Address of Primary Contact (if different than location of organization):  
\_\_\_\_\_  
Street/P.O. Box City State Zip

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

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

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Type of Organization (check off applicable box)

Individual

Local Housing Authority

Regional Housing Authority

Governmental Housing Agency

For-profit Organization

Non-Profit Organization

Tribal Government

Tribal Housing Authority

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Briefly summarize your Request for Assistance under the City's Affordable Housing Ordinance:

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**SUBMISSION CHECKLIST** (Attach to Application for Affordable Housing Contribution):

Please submit the appropriate documents to demonstrate that your organization meets the necessary requirements to receive contributions under the Affordable Housing Act.

**All documents and attachments should be in the order requested and labeled with a tab identifying the request to which the document or attachment corresponds.**

**I: Requirements to Establish Applicant's Eligibility to Apply**

The information requested under this section is to be provided by all Applicants.

- A. A non-profit Applicant must provide the following:
1. Acceptable evidence that a primary mission of the nonprofit Applicant is to provide housing or housing-related services to Persons of Low or Moderate Income. Examples of acceptable evidence are:
    - Charter, or
    - Articles of Incorporation, or
    - By-laws, or
    - Resolutions
  2. Proof that the nonprofit Applicant has received its 501(c)(3) designation prior to submitting an Application, as evidenced by:
    - A 501(c)(3) Certificate from the IRS
  3. Proof that the nonprofit Applicant has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual. Such stipulation must appear in the Applicant's:
    - Charter, or
    - Articles of Incorporation
- B. A non-individual Applicant must be organized under State, local, or tribal laws. One of the following is acceptable evidence of that:
- A Charter, or
  - Articles of Incorporation
- C. A non-individual Applicant must document its good standing with any state authorities, such as the Public Regulation Commission, or as otherwise requested by the City. Examples of acceptable evidence are:
- Certificate of Good Standing for a Corporation, or
  - Certificate of Good Standing for a Limited Liability Company
- D. An Applicant must have a functioning accounting system that is operated in accordance with generally accepted accounting principles (GAAP) or have designated an entity that will maintain such an accounting system consistent with GAAP. One of the following is acceptable evidence, as applicable:
- Statement of compliance on most recent independent financial audit, or
  - Certification from designated entity that it will maintain such an accounting system consistent with GAAP

- E. Each Applicant must have among its purposes significant activities related to providing housing services to Persons or Households of Low or Moderate Income. The following information is acceptable:
- A narrative describing the housing related programs or projects targeted to Persons or Households of Low or Moderate Income, indicating the communities where services are provided and the number of persons assisted during the last three years.
- F. No Applicant shall have any significant outstanding or unresolved monitoring findings from a governmental entity, the MFA, or its most recent independent financial audit, or if it has any such findings, it has a certified letter from the governmental entity, the MFA, or auditor stating that the findings are in the process of being resolved. Applicant must provide the following information:
- A copy of its most recent independent financial audit
  - A copy of the monitoring reports from governmental entities and/or the MFA, as applicable
  - A copy of certifications from a governmental entity and/or the MFA and/or an independent auditor, as applicable, stating that findings are in the process of being resolved.

**II: Additional Submission Requirements** (please indicate items provided with an )

- A.  Provide one original Application, together with all required schedules, documents, or such other information required by the City for consideration of this Application.
- B.  Include a proposal describing the nature and scope of Applicant's proposed Affordable Housing Project for which the applicant is applying. The proposal must describe the type and/or amount of assistance the Applicant proposes to provide to Persons of Low or Moderate Income.
- C.  Provide an executive summary and project narrative(s) that address the evaluation criteria set forth in the RFP issued by the City or the Housing Assistance Grant for which the Applicant is applying.
- D.  Include the proposed budget for the Affordable Housing Project for which the Applicant is applying for Affordable Housing Funds or a Housing Assistance Grant.
- E.  Provide one or both of the following items, as requested by the City:
1. The current annual budget, including all sources and uses of funds not just those related to relevant programs; and/or
  2. A current annual budget only for the program for which the Applicant is applying.
- F.  An approved mission statement that the Applicant has among its purposes significant activities related to providing housing or housing-related services to Persons or Households of Low or Moderate Income.
- G.  Provide a list of members of the Applicant's current board of directors or other governing body. Include a list of designated homeless participants, if required by the City.
- H.  Provide the Applicant's organizational chart. Include job titles and qualifications of

Applicant's employees or as otherwise may be requested by the City and/or MFA.

- I.  Include all additional certifications required by the Governmental entity (if requested). Certifications must be signed by the Applicant's chief executive officer, board president, or other Applicant's authorized official.
- J.  Provide information as may be required by the City in order for it to determine the Applicant's financial and management stability.
- K.  Submit information, as may be requested by the City, in order of the city to determine the demonstrated commitment of the Applicant to the community.
- L.  Submit a completed cost-benefit analysis, as required by the City, of the Affordable Housing Project proposed by the Applicant. Include documentation that clearly evidences that there is or will be a direct benefit from the project to the community and/or to the purported beneficiaries of the project.
- M.  Provide proof of substantive or matching funds or contributions and/or in kind donations to the proposed project in connection with the Application.
- N.  Provide certifications or other proof, as required by the City, to confirm Applicant's compliance with all applicable federal, state and local laws, rules and ordinances.
- O.  The Application shall contain a notarized verification signed by a designated officer or staff of the Applicant that the information provided, upon penalty of perjury, is true and correct to the best of the applicant's information, knowledge, and belief.
- P.  If the application is in connection with a Multi-Family Housing Program, submit the following additional information:
  - 1. A verified certificate that, among other things:
    - a. Identifies every Multi-Family Housing Program, including federal, state or local government assisted or insured projects in which Applicant has been or is a principal;
    - b. Except as shown on such certificate, states that:
      - i. No mortgage has ever been in default, assigned to the Federal Government or foreclosed, nor has any mortgage relief by the mortgagee been given;
      - ii. There has not been a suspension or termination of payments under any HUD assistance contract in which Applicant has had a legal or beneficial interest;
      - iii. The Applicant has not been suspended, debarred or otherwise restricted by any department or agency of the Federal Government or any state government from doing business with such department or agency because of misconduct or alleged misconduct; and
      - iv. The Applicant has not defaulted on an obligation covered by a surety or performance bond.

City of Carlsbad, NM  
Affordable Housing Contribution  
Application Submission Checklist

If the Applicant cannot certify to each of the above, submit a signed statement explaining the facts and circumstances which will explain the lack of certification.

2. A narrative of the Applicant's experience in developing, financing, and managing Multiple-Family Housing Projects
3. A disclosure if the organization has been found by the U.S. Equal Employment Opportunity Commission or the New Mexico Human Rights Commission to be in noncompliance with any applicable civil rights laws.

- Q.  If the Applicant is a Mortgage Lender, submit the following additional information:
1. Proof of the financial condition of the Applicant.
  2. The terms and conditions of any loans to be made.
  3. The aggregate principal balances of any loans to be made to the Applicant. (\*\*compared with the aggregate principal balances of the loans to be made to all other Applicants.\*\*)
  4. Information as may be required by the City in order for it to determine the ability of the Applicant or its designated servicer to act as originator and servicer of Mortgage Loans for the programs to be financed.
  5. Information as may be requested by the City regarding Applicant's previous participation in MFA's programs and HUD, Federal Housing Authority, or Rural Housing Service programs.