

NEW YORK STATE STATEWIDE ASSET MANAGEMENT
PREVIOUS PARTICIPATION CERTIFICATION
FOR DEVELOPERS/OWNERS
AND MANAGEMENT ENTITIES

Proposed entity type (Developer/Owner of Management Entity):

Proposed entity name:

List the name, address, and percent interest of all of the entity's partners, regardless of their percentage interest below.

| <u>Name of Principal</u> | <u>Address</u> | <u>% Ownership</u> | <u>Signature & Date</u> |
|--------------------------|----------------|--------------------|-----------------------------|
|--------------------------|----------------|--------------------|-----------------------------|

Project name: _____

Project address: _____

Type of project (check one): New Construction
 Acquisition/Rehabilitation
 Other

Number of units in project: _____

Please complete and attach the Schedule A (Real Estate Owned/Cash Flow Statement).

For the period beginning ten (10) years prior to the date of this certification:

- Yes No The proposed entity has not been involved with a project in which a mortgage has ever been in default, assigned or foreclosed or for which relief by a lender has been granted.
- Yes No The proposed entity has not been involved with a project in which has experienced a default or non-compliance under any HUD Conventional Contract or Turnkey Contract of Sale, or on any loan made by the Urban Development Corporation or New York State Project Finance Agency, or any other federal, state, or local loan or grant.
- Yes No There are no unresolved findings raised as a result of audits, management reviews or other investigations by federal, state or local government entities concerning the proposed entity or projects in which the entity is involved with.
- Yes No The proposed entity has not been convicted of, nor is the proposed entity presently the subject of a complaint or indictment charging any offense punishable by imprisonment for a term exceeding one year but not including any offense classified as a misdemeanor under the laws of a state and punishable by imprisonment of two years or less.
- Yes No The proposed entity has not been suspended, disbarred, or otherwise restricted by any department or agency of the federal government from doing business with such department or agency.
- Yes No There has not been a suspension or termination of payments under any assistance contract (HUD or otherwise) in which the proposed entity is involved with.
- Yes No The proposed entity is not the subject of any bankruptcy or insolvency proceeding nor has the proposed entity been a subject of a bankruptcy or insolvency proceeding for the time period covering this omnibus certification.
- Yes No There are no hazardous violations or immediately hazardous violations filed against the project for which the proposed entity would be involved with for failure to comply with local building, housing maintenance and/or construction codes, the New York Multiple Dwelling Law, or the New York Multiple Residence Law.
- Yes No The proposed entity is not involved with a property in New York where hazardous violations or immediately hazardous violations for failure to comply with local building, housing maintenance and/or construction codes, the New York Multiple Dwelling Law, or the New York Multiple Residence Law have been filed. (If no, please explain)
- Yes No The project for which the proposed entity being chosen for is not located in a jurisdiction in which there is a court decision or court entered plan to address housing desegregation or remedy some other violation of law. [If the project is located in such a jurisdiction provide the evidence for your conclusion that it is consistent with such court decision or court entered plan in an attachment to this omnibus certification].

- Yes No The proposed entity has not been found by **any** regulatory agency to be in noncompliance with any applicable civil rights laws/regulations.
- N/A
 Attached Provide a description of any pending or current litigation or judgments against the proposed entity related to the operation of any real estate which could materially and adversely impact the financial condition of the property the entity has been selected to manage.

If the answer to any question is No, please provide a detailed explanation on a separate page attached hereto and provide your signature.

If the proposed developer/owner is unable to certify to any one of the items above, please provide the following information on a separate sheet:

- a. For each loan default, please list:
 - Project Name
 - Project Address
 - Number of units and total square footage
 - Type and source of financing and any subsidy

- b. For each bankruptcy or insolvency proceeding, provide:
 - Date of filing
 - Location of case
 - Type of case (e.g., Chapter 7, 11, 13)
 - Disposition of case and date of disposition (attach copy of discharge)
 - Evidence that debts not discharged in the proceeding have been paid
 - Explanation of circumstances resulting in the filing of the petition

- c. For each government proceeding, provide:
 - Name of Agency or government department
 - Date of proceeding
 - Description of nature of proceeding
 - Resolution of proceeding
 - Attach a copy of any final decision or findings

- d. For each hazardous violation provide:
 - Name of government entity with jurisdiction for the violation
 - Description of the violation
 - Action taken to correct the violation
 - Attach a copy of any final action taken by the responsible jurisdiction

I hereby certify that all of the information and supporting documentation contained are to the best of my knowledge, true, accurate and complete. I also acknowledge that my obligation to provide information and supporting documentation, which is to the best of my knowledge true, accurate and complete also fully applies to any future submissions required by the Agency in connection with this financing application request.

I further recognize and accept my responsibility and obligation to notify the Agency, in writing, if I become aware of any subsequent events or information which would change any statements, representations and/or documentation contained herein.

In executing this certification, I acknowledge that the falsification of any information or documentation is a felony and is subject to prosecution.

On my behalf and on behalf of the parties listed herein, I hereby certify that the following statements and information, including information contained in any attachments to this Previous Participation Form, are to the best of my knowledge based on due inquiry, true, accurate and complete. The information is submitted to the New York State Housing Finance Agency in order that the applicant may be approved as an owner/developer or managing entity for the above-listed project.

Signature: _____

Date: _____

Print Name: _____

Title: _____

_____ additional sheets attached