

Tab 29 Waiver Requests

Applicants requesting a waiver of any PHFA requirement must provide a written request under this Tab of the Application stating the compelling circumstances and justification for seeking a waiver.

Request for a Waiver of the Maximum Basis Per Unit Limitation

The circumstances for requesting a waiver of the maximum per unit basis must be specific to those identified in the Tax Credit Qualified Allocation Plan and shall be described in detail by the applicant. The request must include a detailed analysis prepared by the general contractor on their letterhead comparing the estimated cost of the proposed development to a typical development without this compelling circumstance. For those developments seeking to exceed limits based on excessive costs due to structurally unsuitable subsoil conditions or costs associated with environmental remediation, **that are otherwise basis eligible**, a full explanation of all alternative site considerations and adequate justification of the need for the development at the identified location must be provided. Applicants requesting a waiver due to up-front capital expenditures relating to energy conservation systems, in excess of the Agency's threshold criteria requirements, must provide a full explanation of the cost and evidence of the cost savings to the development.

Items to be included in this Tab:

- Applicant Waiver Request including Qualified Reason(s)
- General Contractor Comparative Analysis

Request for a Waiver of Threshold Criteria

Applicants requesting a waiver of any of the Threshold Criteria listed in the Tax Credit Allocation Plan shall provide a written request identifying the criteria for which the waiver is sought, and a detailed explanation of the compelling circumstances preventing compliance with the requirement. Drawings, specification, photos, contractor's cost estimates, or any other documentation supporting the justification for a waiver should be included under this tab.