

Tab 29 Waiver Requests

Applicants requesting a waiver of any Agency 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 its 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 of an existing building that will remain in the development, **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, exceeding 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
- Explanation of alternative site considerations and justification for the selected site, if applicable
- Explanation of the cost of energy conservation systems and evidence of cost savings to the development, if applicable

Request for a Waiver of Threshold Criteria

Applicants requesting a waiver of any of the Threshold Criteria listed in the Tax Credit Qualified 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 requirements. Drawings, specification, photos, contractor's cost estimates, or any other documentation supporting the justification for a waiver should be included under this tab.

Request for a Waiver of the Cap on Per-Unit Furniture Expenditures

Applicants requesting a waiver of the furnishings cap outlined in Cost Limits Schedule shall provide a written request identifying the reason(s) for requesting a waiver.