



APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental form/documentation. A non-refundable application fee of \$350.00 must be included with this application. Make check payable to COMIDA. Please see page 10 for additional information on costs and fees.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law except for information that is considered deniable by the Freedom of Information Law. This form is available at www.growmonroe.org

I. APPLICANT

A. Name Home Leasing LLC
 Address 180 Clinton Square
 City/State/Zip Rochester, NY 14604
 Tax ID No. 74-3109665
 Contact Name Adam Driscoll
 Title Development Manager
 Telephone (585) 270-5024
 E-Mail adamdr@homeleasing.net

B. Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Deborah Leenhouts</u>	<u>27</u>	<u>Member</u>
<u>Jeffrey Leenhouts</u>	<u>26</u>	<u>Member</u>
<u>Cathy Sperrick</u>	<u>21</u>	<u>Member</u>
<u>see attached</u>		

C. Applicant's Legal Counsel

Name TBD
 Firm _____
 Address _____
 City/State/Zip _____
 Telephone _____
 Fax _____
 Email _____

II. PROJECT

A. Address of proposed project facility
1821 Fairport Nine Mile Point Rd Penfield NY
14526
 Tax Map Parcel Number 1250111253
 City/Town/Village Penfield
 School District Webster
 Current Legal Owner of Property
William Wickham

B. Proposed User(s)/Tenant(s) of the Facility
 If there are multiple Users/Tenants, please attach additional pages

Company Name _____
 Address _____
 City/State/Zip _____
 Tax ID No _____
 Contact Name _____
 Title _____
 Telephone _____
 E-Mail _____

C. Owners of 20% or more of User/Tenant Company

Name	%	Corporate Title
_____	_____	_____
_____	_____	_____
_____	_____	_____

D. Benefits Requested (Check all that apply)

Sales Tax Exemption
 Industrial Revenue Bond Financing
 Mortgage Recording Tax Exemption
 Real Property Tax Abatement

E. Description of project (check all that apply)

- New Construction
- Existing Facility
 - Acquisition
 - Expansion
 - Renovation/Modernization
- Acquisition of machinery/equipment
- Other (specify) _____

GENERAL DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY
(Attached additional sheets as necessary)

Home Leasing and Episcopal Senior Life Communities (ESLC) are collaborating to develop a multi-phase mixed-use project that will provide for a wide range of housing options for seniors – independent living supportive housing for frail seniors, assisted living and memory care – in Penfield, a thriving suburban community in Monroe County.

For the portion of the project requesting COMIDA benefits, Home Leasing will develop and manage 113 affordable apartments, including 103 1-bedroom and 10 2-bedroom units. These units will be available to households at 50% and 60% of the Area Median Income (AMI) and 40 will be designated as permanent supportive housing for frail seniors with support services provided by ESLC. This will be the first affordable housing development in Penfield in several decades. Light-filled units will include full kitchens with dishwashers, central air-conditioning, in-unit storage, and private balconies. The community will also include ADA-accessible units, a community room, fitness center, and laundry facilities. Home Leasing communities welcome pets and encourage community gardens. Utilities are included in the rent. Two commercial buildings as required by the Town of Penfield Mixed Use Development zoning will provide for opportunities for complimentary retail, medical and/or community services.

In addition to the above COMIDA-assisted portion of the project, ESLC will develop 70 units of assisted living including memory care units adjacent to the Home Leasing independent living community. An enclosed connection will attach the buildings so that residents can benefit from programs and services provided at either community supporting their ability to age in place. Aging in place was one of the fundamental goals when this community was first conceived.

The project is located on 8.4 acres that was recently rezoned to help realize the Town of Penfield's vision to create a true mixed-use district. The site will also incorporate a traditional village square, complete streets and bicycle/pedestrian connectivity. The site is adjacent to the Eastside YMCA, a 20,000-member facility that includes a bustling senior center, robust Silver Sneakers programming, and health care facilities.

The benefits requested is for the Shelter Rent program only. We are not requesting sales tax exemption or mortgage tax exemption benefits from COMIDA.

II. PROJECT (cont'd)

F. Are other facilities or related companies located within New York State?

Yes No

Location:

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

Yes No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes No

If Yes to either question explain how notwithstanding the aforementioned closing or active reduction the Agency's Financial Assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry**

G. Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken with the Financial Assistance to be provided by the Agency**

**To be completed with Agency assistance

H. PROJECT TIMELINE

Proposed Date of Acquisition

07/31/2019

Proposed Commencement Date of Construction

08/31/2019

Anticipated Completion Date

11/30/2020

I. Contractor(s)

Home Leasing Construction

J. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

NO

III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One

JOBSPLUS

Requirements:

- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base over a 3 year period. The required number of jobs is _____.

LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base over a 3 year period. The required number of jobs is _____.

ENHANCED JOBSPLUS

Requirements:

- A minimum \$15 million investment in new plant, machinery and equipment or renovation of existing building(s) AND
- A minimum of 100 new jobs from new companies locating in Monroe County, or existing companies expanding operations here.

GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base over a 3 year period. The required number of jobs is _____.

SHELTER RENTS

for student housing or affordable housing projects

Local Tax Jurisdiction Sponsored PILOT

NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the APPLICANT.

Building Construction or Renovation

a MATERIALS a \$ 9 667 055
 b LABOR b \$ 9 667 055

Site Work

c MATERIALS c \$ 760 425
 d LABOR d \$ 760 424
 e Non-Manufacturing Equipment e \$ _____
 f Furniture and Fixtures f \$ _____
 g LAND and/or BUILDING Purchase g \$ 300 000
 h Manufacturing Equipment h \$ _____
 i Soft Costs (Legal, Architect, Engineering) i \$ 8586307
 Other (specify) j _____ j \$ _____
 k _____ k \$ _____
 l _____ l \$ _____
 m _____ m \$ _____

Total Project Costs \$ 30 241 266

B. Sources of Funds for Project Costs

a Tax-Exempt Industrial Revenue Bond a \$ _____
 b Taxable Industrial Revenue Bond b \$ _____
 c Tax-Exempt Civic Facility Bond c \$ _____
 d Bank Financing d \$ _____
 e Public Sources e \$ _____

Identify each state and federal grant/credit

HFA Mortg \$ 3 770 000
HCR \$ 16 110 500
Monr Cty \$ 200,000
LIHTC \$ 7,747,686

f Equity \$ 2 413 080
TOTAL SOURCES \$ 30 241 266

C. Has the applicant made any arrangements for the financing of this project?

Yes No

If so, please specify bank, underwriter, etc.

Began discussions with NYS HFA
and lenders/investors

IV. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTION USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested

Estimated Costs Eligible for Sales Tax Exemption Benefit

a MATERIALS a \$ _____
 b LABOR b \$ _____
 c Non-Manufacturing Equipment c \$ _____
 d Furniture and Fixtures d \$ _____
 Other (specify) e _____ e \$ _____
 f _____ f \$ _____
 g _____ g \$ _____
 h _____ h \$ _____

Total \$ 0

A non-refundable fee of 1/4% on TOTAL(a) above is due and payable upon issuance of a Sales Tax Letter to User(s)/Tenant(s)

 User/Tenant Company

 Signature Title Date

For Office Use Only	
Total Assessment Value	
Land	Building
Applicant 2602- <u>18-056A</u>	
User/Tenant 2602-	
RM	

VI. Value of Incentives

Project name:

A. IDA PILOT Benefits: Penfield Square

Current Land Assessment 146,700 Taxes on Land \$4,732.54

Dollar Value of New Construction & Renovation C 200,854,959

Estimated New Assessed Value of Project Subject 201,001,659

County Tax rate/\$1,000	8.31
Local Tax Rate* Tax Rate/\$	2.69
School Tax Rate /\$1,000	21.26
Total Tax Rate	32.26

PILOT Year	Gross Rent	Utilities	Net rent before vac	PILOT %	County	Town	School	PILOT Total
1	1,091,974	124,000	967,974	10%	25,179	8,044	63,574	96,797
2	1,113,813	127,720	986,093	10%	25,650	8,195	64,764	98,609
3	1,136,089	131,552	1,004,537	10%	26,130	8,348	65,976	100,454
4	1,158,811	135,498	1,023,313	10%	26,618	8,504	67,209	102,331
5	1,181,987	139,563	1,042,424	10%	27,115	8,663	68,464	104,242
6	1,205,627	143,750	1,061,877	10%	27,621	8,824	69,743	106,188
7	1,229,740	148,062	1,081,678	10%	28,136	8,989	71,043	108,168
8	1,254,334	152,504	1,101,830	10%	28,661	9,156	72,366	110,183
9	1,279,421	157,079	1,122,342	10%	29,194	9,327	73,713	112,234
10	1,305,010	161,792	1,143,218	10%	29,737	9,500	75,085	114,322
11	1,331,110	166,646	1,164,464	10%	30,289	9,677	76,480	116,446
12	1,357,732	171,645	1,186,087	10%	30,852	9,857	77,900	118,609
13	1,384,887	176,794	1,208,093	10%	31,425	10,039	79,345	120,809
14	1,412,584	182,098	1,230,486	10%	32,007	10,226	80,816	123,049
15	1,440,836	187,561	1,253,275	10%	32,600	10,414	82,313	125,327
16	1,469,653	193,188	1,276,465	10%	33,203	10,607	83,836	127,646
17	1,499,046	198,984	1,300,062	10%	33,817	10,803	85,386	130,006
18	1,529,027	204,953	1,324,074	10%	34,441	11,003	86,963	132,407
19	1,559,607	211,102	1,348,505	10%	35,078	11,206	88,567	134,851
20	1,590,799	217,435	1,373,364	10%	35,724	11,412	90,200	137,336
21	1,622,615	223,958	1,398,657	10%	36,382	11,623	91,861	139,866
22	1,655,068	230,677	1,424,391	10%	37,051	11,837	93,551	142,439
23	1,688,169	237,597	1,450,572	10%	37,732	12,054	95,271	145,057
24	1,721,932	244,725	1,477,207	10%	38,425	12,276	97,020	147,721
25	1,756,371	252,066	1,504,305	10%	39,130	12,501	98,800	150,431
26	1,791,498	259,628	1,531,870	10%	39,847	12,730	100,610	153,187
27	1,827,328	267,417	1,559,911	10%	40,576	12,963	102,452	155,991
28	1,863,875	275,440	1,588,435	10%	41,318	13,200	104,325	158,843
29	1,901,152	283,703	1,617,449	10%	42,073	13,441	106,231	161,745
30	1,939,176	292,214	1,646,962	10%	42,840	13,687	108,169	164,696
					998,851	319,106	2,522,033	3,839,992

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption for faculty construction:	0
Estimated Sales Tax exemption for fixtures and equipment:	0
Estimated duration of Sales Tax exemption:	1 Year

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	0
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D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	\$ -
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E. Percentage of Project Costs financed form Public Sector sources:

Total Value of Incentives:	3,839,992	12.70%
Sources of Funds (Section IV.B.)	30,241,266	

**** All estimates are based on current tax rates.**

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Home Leasing LLC

Applicant: or User/Tenant:

You must include a copy of the most recent NYS-455 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return OR if you have multiple locations within New York State the Bureau of Labor – BLS J020 – Multiple Worksite Report

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED - project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED - project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	0 0		14 0	14 0
Part Time (PTE)			8 0	8 0
Total	0 0	0 0	22 0	22 0

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled as indicated in the third column by residents of the Labor Market Area in the fourth column. The Labor Market Area includes Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name Home Leasing LLC
Applicant: or User/Tenant:

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.

COMIDA understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement prior to beginning construction. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

Home Leasing LLC
(APPLICANT or USER/TENANT COMPANY)

[Signature] Owners Rep 1-11-19
Signature Title Date

IX. FEES

1. **Application Fee - Send with Completed Application**

A non-refundable application fee of Three Hundred Fifty Dollars (\$350.00) shall be charged each applicant.

2. **Administrative Fee - Paid at Closing**

- (a) For tax-exempt IRB bond issues, the fee shall be one percent (1%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
- (b) For lease/leaseback transactions and taxable bond issues, the fee shall be one-half percent (1/2%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
- (c) For refunding outstanding COMIDA bond issues, the fee shall be one-quarter percent (1/4%) of the new issuance amount.

3. If a sales tax letter is required prior to closing, a non-refundable twenty-five percent (25%) of the Administrative Fee and Agency Counsel fee is payable at that time. This amount will be applied towards the Administrative fee and Agency Counsel Fee. The Sales Tax Letter shall only be for a three (3) month period. If the project does not have a formal closing within three (3) months of the sales tax letter being issued, and an extension is not granted, the balance of the Administrative fee and Agency Counsel fee become immediately due and payable.

4. Agency Counsel fee is one-third (1/3) of the Agency's Administrative fee, with a minimum fee for a lease/leaseback transaction of \$4,000.00.

5. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

Home Leasing LLC

(APPLICANT or USER/TENANT COMPANY)

[Signature] *Owner's Rep* *1-11-19*
Signature Title Date

X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which own a minimum of 20% of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Applicant hereby releases the County of Monroe Industrial Development Agency ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this

Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

Home Learning LLC

[Handwritten Signature] _____
Signature Title Date 1-11-17

USER/TENANT COMPANY

Signature Title Date