



**NY Rising Housing Recovery Program  
AFFORDABLE RENTAL OPPORTUNITY PROGRAM  
PROGRAM ELIGIBILITY CERTIFICATION FORM (ZD01)**

**Applicant Name(s):** \_\_\_\_\_

**Damaged Property Address:** \_\_\_\_\_

**City:** \_\_\_\_\_, **County:** \_\_\_\_\_, NY

**Grantor:** Housing Trust Fund Corporation (“HTFC”)

In connection with my application (“Application”) to HTFC’s NY Rising Affordable Rental Opportunity (ARO) (“Program”), I certify that:

1. All information contained in the Application and all documentation submitted by me with respect to my Application is true, correct, and complete, and has **[initial as applicable]**:

\_\_\_\_\_ not changed since it was submitted.

\_\_\_\_\_ changed only as described in the statement attached to this certification [attach statement].

2. [Initial as applicable]

(a) \_\_\_\_\_ I am the current property owner and was the owner of the above damaged property (“Property”) during one or more of the following periods (“Periods of Eligibility”):

- Superstorm Sandy: October 27, 2012 to November 8, 2012
- Hurricane Irene : August 26, 2011 to September 4, 2011
- Tropical Storm Lee: September 7, 2011 to September 11, 2011

OR, I acquired the Property in an arms-length market rate transaction directly following one or more of the Periods of Eligibility.

(b) \_\_\_\_\_ The Property was damaged by Superstorm Sandy, Hurricane Irene and/or Tropical Storm Lee.

(c) \_\_\_\_\_ The Property was leased as a residential, full-time rental property (i.e. NOT a seasonal or vacation rental) during one or more of the above Periods of Eligibility.

(d) \_\_\_\_\_ I commit to rent 51% (50% if the structure contains two units) or more of the units in the Property to a low- or moderate- income households for at least two-years after completion of my home rehabilitation / resiliency project.

(e) \_\_\_\_\_ The Property is not a Second Home, as defined by IRS Publication 936, as outlined in Appendix A.



3. If required by Federal law, I will maintain flood insurance on the Home at all times. I understand that failure to maintain such flood insurance may result in our being ineligible for future federal assistance relating to flood damage to our Home. I also understand that, under federal law, flood insurance must be maintained for the life of the Property, regardless of transfer of ownership of such Property, and that in the event of a transfer of the Home, I am required to notify the transferee in writing of the requirement to have flood insurance. I understand that if I fail to do so, and, subsequent to the transfer of the Property, (a) the transferee fails to obtain or maintain flood insurance, (b) the Property is damaged by a flood disaster, and (c) federal disaster relief assistance is provided for the repair, replacement, or restoration of the Property as a result of such damage, I will be required to reimburse the federal government in an amount equal to the amount of the federal disaster relief assistance provided with respect to the Property.
  
4. When this instrument is executed by more than one person, it should be interpreted as if pertinent verbs, nouns, and pronouns were changed correspondingly.

**By executing this Eligibility Certification, Property owner(s) acknowledge and understand that Title 18 United States Code Section 1001: (1) makes it a violation of federal law for a person to knowingly and willfully (a) falsify, conceal, or cover up a material fact; (b) make any materially false, fictitious, or fraudulent statement or representation; or (c) make or use any false writing or document knowing it contains a materially false, fictitious, or fraudulent statement or entry, to any branch of the United States Government; and (2) requires a fine, imprisonment for not more than five years, or both, for any violation of such Section.**

**By executing this Eligibility Certification, Property owner(s) acknowledge and understand that Section 189 of the New York State Finance Law: (1) makes it a violation of state law to knowingly present or cause to be presented to any employee, officer or agent of the State of New York (including any division or public benefit corporation) (a) a false or fraudulent claim for payment or approval; or (b) to use or cause to be made or use a false record or statement to get a false or fraudulent claim paid or approved by the State of New York. Persons who violate this Section may be liable for a civil penalty of not less than \$6,000 and not more than \$12,000, plus three times the amount of all damages, including consequential damages, sustained because of their action as well as costs incurred to recover any such penalties or damages.**

**Applicant(s):**

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name



## APPENDIX A

Second home. A second home is a home that you choose to treat as your second home.

Second home not rented out. If you have a second home that you do not hold out for rent or resale to others at any time during the year, you can treat it as a qualified home. You do not have to use the home during the year.

Second home rented out. If you have a second home and rent it out part of the year, you also must use it as a home during the year for it to be a qualified home. You must use this home more than 14 days or more than 10% of the number of days during the year that the home is rented at a fair rental, whichever is longer. If you do not use the home long enough, it is considered rental property and not a second home

### IRS Publication 936 (2014)