

Parcel ID (Tax Map Key No.)



REAL PROPERTY ASSESSMENT DIVISION
DEPARTMENT OF BUDGET
AND FISCAL SERVICES
CITY AND COUNTY OF HONOLULU
www.realpropertyhonolulu.com
(808) 768-3799

Enter 12-digit Parcel ID

INITIAL CLAIM FOR EXEMPTION
Qualifying Affordable Rental Dwelling Units
(Ordinance 18-10, 18-1, 17-54, 16-26)

Exemption is effective as of this form filing date, provided this form is filed within 60 days after the real property qualifies for this exemption, but no later than September 30th preceding the tax year for which this exemption is claimed. IMPORTANT: Refer to page 2 for information, prior to completing this form.

Housing Project Name, Owner/Organization Name, Fee Simple, Leasehold

Site Address, Mailing Address (if different from site address)

Owner/Organization or Managing Agency
Name/Representative, Address, Telephone, Email

Regulatory Agency
Name/ Representative, Address, Telephone, Email

Regulated Period, Effective Date, Expiration Date

Total # of Units in Project, # of Units Reserved for Affordable Rental Units, % Affordable Rental Units

OWNER/ORGANIZATION/MANAGING AGENCY CERTIFICATION
I certify, under penalty of law, that I am an authorized representative of the owner/organization for the housing project named above. I also hereby certify that the housing project is in compliance with the current Affordable Housing Agreement or Regulatory Agreement as set forth in Ordinance 18-1. I understand that false or fraudulent information shall cancel the exemption retroactive to the date the exemption was first granted pursuant to an initial filing and the project will be subject to back taxes and penalties.
Signature of Owner/Representative, Printed Name of Owner/Representative, Date

REGULATORY AGENCY CERTIFICATION
I certify, under penalty of law, that I am an authorized representative of the regulatory agency for the housing project named above. I also hereby certify that the housing project is in compliance with the initial Affordable Housing Agreement or Regulatory Agreement and is in compliance with the applicable rental requirements as set forth in Ordinance 18-1.
Signature of Regulatory Agency Representative, Printed Name of Regulatory Agency Representative, Date

FOR OFFICIAL USE ONLY
Approved, Disapproved
For Tax Year, Received By, Received Date
Documents: Recorded Affordable Housing Agreement, Recorded Regulatory Agreement, Recorded Restrictive Covenants, Recorded Lease, Plot Plan, Other Applicable Documents
Building #, Building Ex. %

PURPOSE

Form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* is used in the initial filing to claim an exemption for real property taxes. The regulatory agency and owner certifies that the real property is used exclusively for affordable rental dwelling units during the period in which the rental unit is subject to an affordable housing agreement.

INFORMATION AND INSTRUCTIONS

This exemption applies to 1) the portion of real property used for affordable rental dwelling units as provided on-site or off-site pursuant to Ordinance 18-10, 2) the portion of real property used for affordable rental dwelling units provided pursuant to a planned development-transit permit under Ordinance 17-54, or an interim planned development-transit permit under Ordinance 16-26, or 3) the portion of real property used for affordable rental dwelling units located on real property used in connection with a housing project developed in compliance with HRS Section 201H-36(a)(5), and is subject to an affordable housing agreement. The exemption portion does not apply to any portion of the real property that is: 1) used for commercial or other non-residential purposes, 2) not for the exclusive use of the tenants of the affordable rental dwelling units, or 3) subject to any other exemption from real property taxation.

Exemption from property taxes take effect as of the filing date of form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* as long as form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* is filed within 60 days after the real property qualifies for the exemption, but in no event later than September 30th preceding the tax year for which the exemption is claimed.

Changes that affect the qualification of this exemption

Form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* and supporting documents listed below, must be filed with this claim within 30 days for changes that affect the qualification of this exemption. Please contact Real Property Assessment Division at (808) 768-3799 for any questions.

Supporting documents must be filed with this claim:

- a. Recorded Affordable Housing Agreement or Regulatory Agreement (required; must be with a governmental agency)
 - i. Affordable rental dwelling units: For-rental affordable dwelling units must be rented to households earning 80% and below of the AMI. Ordinance 18-10
 - ii. Affordable rental dwelling units: All available units are for household with incomes at or below 140% of the area median family income as determined by the United States Department of Housing and Urban Development, of which at least 20% of the available units are for households with incomes at or below 80% of the area median family income as determined by the United States Department of Housing and Urban Development. HRS Section 201H-36(a)(5)
- b. A plot plan to illustrate specific use of each area and identify affordable rental units.
- c. Restrictive Covenants (required if separate from the regulatory agreement or lease)
- d. Recorded lease (if applicable)
- e. Other documents as necessary to determine exemption qualification

Required Annual Claim: After this initial claim has been granted, you are required to file form BFS-RP-P-36A *Annual Claim and Certification for Continued Exemption – Qualifying Affordable Rental Dwelling Units* by September 30 preceding the tax year, certifying that the project continues to be in compliance with the initial affordable housing agreement and is in compliance with the applicable rental requirements. If the annual claim is not filed by September 30, Real Property Assessment Division will mail a reminder to the owner advising of cancellation unless Real Property Assessment Division receives a completed form BFS-RP-P-36A *Annual Claim and Certification for Continued Exemption – Qualifying Affordable Rental Dwelling Units* by November 15 and payment of a \$500 penalty.

Cancellation, Taxes and Penalties, and Filing a new form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* to re-establish exemption benefit.

- 1) If the claims contain false or fraudulent information or the project fails to meet the requirements in Ordinance 18-1 at any time during the regulated period, the exemption will be canceled retroactive to the date the exemption was first granted. The differences in the amount of taxes that were paid and those that would have been due but for the exemption allowed are payable and ten percent per annum from the respective dates that these payments would have been due.
- 2) If an owner fails to file an annual claim during the regulated period, the exemption will be canceled retroactive to the date the exemption was first granted. The differences in the amount of taxes that were paid and those that would have been due but for the exemption allowed are payable and ten percent per annum from the respective dates that these payments would have been due.
- 3) If ownership of any portion of the real property that qualifies for an exemption under Ordinance 18-1 changes during the regulated period, the exemption will be canceled retroactive to the date the exemption was first granted. The differences in the amount of taxes that were paid and those that would have been due but for the exemption allowed are payable and ten percent per annum from the respective dates that these payments would have been due for the entire project (retained portion and ownership change portion) unless a new form BFS-RP-P-36 *Initial Claim for Exemption –Qualifying Affordable Rental Dwelling Units* is filed within thirty (30) days of recording real property title change.

Information and forms are available at the Real Property Assessment Division, Satellite City Halls, and the City and County of Honolulu's website at www.realpropertyhonolulu.com. For specific language regarding this exemption, please refer to The Revised Ordinances of Honolulu, Chapter 8 Real Property Tax.

Real Property Assessment Division mailing address: 842 Bethel Street, Basement, Honolulu, Hawaii 96813 or 1000 Uluohia Street, 206, Kapolei, Hawaii 96707. This form cannot be filed by facsimile transmission or via email. For a receipted copy, submit with a self-address stamped envelope.