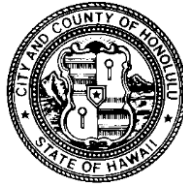


Parcel ID (Tax Map Key No.)



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

CLAIM FOR EXEMPTION
Qualifying Affordable Rental Dwelling Units

Developed in compliance with Chapter 38, Section 21-9.100-10 or Section 21-9.100-5t, or HRS Section 201H-38(a)(5).
(Section 8-10.36, Revised Ordinances of Honolulu 1990, as amended)

Upon approval, this exemption is effective as of the filing date of this form, provided it is filed with the director of Budget and Fiscal Services within 60 days after exemption qualification and no later than September 30th preceding the tax year for which it is claimed.

The purpose of this filing (check one): Initial Transfer of Ownership

Owner/Authorized Representative/Agent	
Name of Owner/Organization	Mailing Address
Telephone	Email
Authorized Representative/Agent (If applicable)	Mailing Address
Telephone	Email
Project Information	
Regulatory Agency Name	Regulatory Agency Representative
Regulatory Agency Representative Telephone	Regulatory Agency Representative Email

Project Name ("Project"): _____

Site Address: _____

Building Permit Issue Date: _____ Certificate of Occupancy Issue Date/No.: _____

Purchase Recordation Date: _____ LC-DOC-NO/ CERT NO: _____ Check one: Fee Simple
 Leasehold

Choose the applicable Project agreement and attach a copy:

- Affordable Housing Agreement Section 38-1.8 (Chapter 38 or Section 21-9.100-10 or Section 21-9.100-5)
- Regulatory Agreement Section 8-10.20 (a) (HRS Section 201H-36.(a) (5), HHFDC)

The portion of real property used for affordable rental dwelling units qualifying for this exemption meet one of the following criteria: (1) as provided on-site or off-site pursuant to Chapter 38; (2) as provided pursuant to a planned development-transit permit under Section 21-9.100-10, or an interim planned development-transit permit under Section 21-9.100-5; or (3) is located on real property used in connection with a housing project developed in compliance with HRS Section 201H-36(a)(5) (HHFDC). Quantity _____ Square feet area _____

Is any portion of the area claimed above not for the exclusive use of tenants of the affordable rental dwelling units?
 Yes No If yes, how many square feet? Square feet area _____

If there is commercial use on this parcel, state the Tax Map Key (Parcel ID): _____

Note: For real property tax purpose, residential buildings that are situated on mixed-use zoned parcels are classified and taxed at the tax rate of the parcel's highest legal use. Any such parcel that is used exclusively for residential purposes may be dedicated by filing Form BFS-RP-P-41E Petition to Dedicate Certain Property for Residential Use, and upon approval, be classified and taxed at the residential tax rate.

CLAIM FOR EXEMPTION

All owners of the parcel(s) of land upon which the Project subject to the affordable housing agreement Section 38-1.8 or regulatory agreement Section 8-10.20 (a) is constructed must sign this form. If a person executing this Form BFS-RP-P-36 *Claim for Exemption – Qualifying Affordable Rental Dwelling Units* is an authorized representative/agent of an owner, said owner must execute and attach to this claim for exemption a letter of authorization identifying the representative/agent by name who is authorized to execute this claim for exemption on his/her behalf. Please use additional forms if there is more than one signee/owner.

Project Name ("Project"): _____

Regulated period: Effective Date _____ Expiration Date _____

1. I/We, the undersigned, certify under penalty of perjury that:

- (a) I am the owner/one of the owners or representative/agent of the parcel of land upon which the Project (land and improvements) above-named is situated;
- (b) The above named Project is subject to an affordable housing agreement pursuant to Section 38-1.8 or a regulatory agreement pursuant to Section 8-10.20 (a); and
- (c) The portion of real property located within the Project that is used for affordable rental dwelling units qualifying for this exemption meet one of the following criteria:
 - (1) As provided on-site or off-site pursuant to Chapter 38;
 - (2) As provided pursuant to a planned development-transit permit under Section 21-9.100-10, or an interim planned development-transit permit under Section 21-9.100-5; or
 - (3) Is located on real property used in connection with a housing project developed in compliance with HRS Section 201H-36(a)(5).

2. I/We, the undersigned, acknowledge that:

- (a) If I transfer ownership of any portion of the real property granted this exemption during the regulated period, the exemption will be canceled and the entire project, including any retained portion and the portion that changed ownership, will be subject to taxes and penalties unless a claim for exemption form indicating a transfer of ownership is filed within 30 days of the recordation or filing of the real property title change with the registrar of the bureau of conveyances or the assistant registrar of the land court, or both, whichever applies.
- (b) I must annually file the following documents by September 30th with the director of the Department of Budget and Fiscal Services (BFS), for the duration of the regulated period:
 - (1) Form BFS-RP-P-36A *Annual Certification of Compliance and Claim for Continued Exemption - Qualifying Affordable Rental Dwelling Units*; and
 - (2) A document from the agency regulating the project certifying that the project continues to be in compliance with the initial affordable housing agreement and is in compliance with the applicable rental requirements.
- (c) The exemption claimed here: (1) disqualifies the same property from exemption under HRS Section 53-38; (2) does not apply to real property subject to any other exemption from real property taxation; (3) applies only to the portion of real property within the Project that qualifies as affordable rental dwelling units; and (4) endures for the regulated period.
- (d) I understand that the director may, after 30 days' written notice, audit the records of the real property exempt from taxes under this claim for exemption.

Signature (Owner/Authorized Representative/Agent) _____ Print Name _____ Date _____

FOR OFFICIAL USE ONLY Approved Disapproved _____ Claim Type: Initial Transfer of Ownership

For Tax Year _____ Received By _____ Received Date (post office cancellation mark) _____

Regulated Period: Effective Date _____ Expiration Date _____

All Owners signed? Y N Letter authorizing representative of owner(s)? Y N Not Applicable

Affordable rental dwelling units: quantity _____ Square feet area _____

Required Documents: Copy of Recorded Regulatory Agreement or Recorded Affordable Housing Agreement

Recorded Declaration of Restrictive Covenants Recorded Lease Agreement (if applicable)

Plot Plan Other supporting documents _____

PURPOSE

Form BFS-RP-P-36 *Claim for Exemption – Qualifying Affordable Rental Dwelling Units* is the initial filing for the owners to claim exemption from real property taxes pursuant to Section 8-10.36, Revised Ordinances of Honolulu 1990, as amended (ROH). The named Project is subject to an affordable housing agreement pursuant to Section 38-1.8 or a regulatory agreement pursuant to Section 8-10.20 (a) (HHFDC).

INFORMATION AND INSTRUCTIONS

Supporting documents that must be filed with this claim

- 1) A copy of the recorded affordable housing agreement pursuant to Section 38-1.8 or the recorded regulatory agreement pursuant to Section 8-10.20 (a) on which the Project and affordable rental dwelling units are situated.
- 2) A plot plan to illustrate specific use of each area and identify affordable rental dwelling units.
- 3) A copy of the recorded lease agreement, if applicable.
- 4) A copy of the recorded declaration of restrictive covenants.
- 3) Other documents required by the director of Budget and Fiscal Services to determine exemption qualification.

Effective date of exemption

Exemption from property taxes begins on the effect date of the initial claim form BFS-RP-P-36 *Claim for Exemption – Qualifying Affordable Rental Dwelling Units* provided that the form is filed within 60 days after the real property qualifies and is approved for the exemption, but in no event later than September 30th preceding the tax year for which the exemption is claimed.

Cancellation, Taxes and Penalties

Cancellation, Taxes and Penalties, and Filing form BFS-RP-P-36A *Annual Certification of Compliance and Claim for Continued Exemption - Qualifying Affordable Rental Dwelling Units* to re-establish exemption benefit during the regulated period defined in Section 8-10.36, ROH.

- 1) If the claim contains false or fraudulent information or the project fails to meet the requirements of applicable ordinances at any time during the regulated period, the exemption will be canceled retroactive to the date the exemption was first granted. The difference 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 by September 30th during the regulated period, the Real Property Assessment Division will mail a reminder to the owner advising of cancellation. To avoid cancellation, the Real Property Assessment Division must receive a completed form BFS-RP-P-36A *Annual Certification of Compliance and Claim for Continued Exemption - Qualifying Affordable Rental Dwelling Units* by November 15 and a payment of a \$500 penalty. Without appropriate claim filing and payment of penalty, 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 this exemption 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 *Claim for Exemption – Qualifying Affordable Rental Dwelling Units* is filed within thirty (30) days of recording real property title change.

Audit of records

The director may, after 30 days' written notice, audit the records of the real property exempt from taxes. A taxpayer's refusal or failure to cooperate and produce all records requested by the director may result in cancellation of the exemption and subject the real property to taxes and penalties pursuant to Section 8-10.36, ROH.

This form is available at the Real Property Assessment Division ("RPAD") and the City and County of Honolulu's website at www.realpropertyhonolulu.com. This document cannot be filed by facsimile transmission or via email. Deliver in person or by mail to RPAD. For a receipted copy, submit with a self-address stamped envelope.

Real Property Assessment Division
842 Bethel Street, Basement
Honolulu, HI 96813

Real Property Assessment Division
1000 Uluohia Street #206
Kapolei, HI 96707

Disclaimer: RPAD provides general information regarding real property tax assessments. RPAD does not give legal or other professional advice, and persons with specific inquiries regarding ownership, real property tax law and the appraisal process are urged to consult with an attorney or appropriate professional.