

INITIAL APPLICATION

Multifamily Housing Property Tax Exemption Program

(Chapter 5.73 of the Seattle Municipal Code)

# Instructions

**Please read the following before completing the application:**

1. The Project Owner shall verify the application by oath or affirmation.
2. A complete MFTE application must be received by the Office of Housing in **hard copy** at least at least 180 days prior to the date of issuance the temporary certificate of occupancy for new construction Multifamily Housing, or 180 days prior to issuance of the first building permit for Rehabilitation Improvements as applicable according to subsection 5.73.050.D.
3. Mail complete **application** and program fee **via US Postal Service**, to:

Office of Housing – Attn: MFTE

PO Box 94725

Seattle, WA 98124-4725

**PLEASE NOTE – FedEx, UPS & DHL do not deliver to P.O. Boxes!!!!**

Current Fee: $4,500 if at least 75% of the total Dwelling Units, SEDUs, and Congregate Residence sleeping rooms in the Multifamily Housing are rent and income restricted as documented by the Office of Housing. **$10,000 for all other Multifamily Housing.**

1. Answers to commonly asked questions:

* In order to qualify as a Bedroom for purposes of determining the type of unit in a project applying for MFTE, the room must meet the Bedroom criteria established in Seattle Municipal Code Chapter 5.73.020 and adhere to the policy in **Attachment A**.
* MFTE Units must be well-distributed throughout each building and comparable to the other units in terms of size, access to amenity areas, and functionality per the policy in **Attachment A**.
* The mix and configuration of MFTE Units must be proportional to the mix and configuration of the total units in a project; for example, if studios are 30% of total units, no more than 30% of the MFTE units can be studios.

1. This initial MFTE application is based on Project information available at the date of submittal. The Owner must also submit a Final Certificate application to the Director within 30 days of issuance the temporary certificate of occupancy. Project information will be updated at that time, according to the final plan set approved by SDCI.
2. Capitalized terms in this application are defined in SMC 5.73.020.
3. Questions? Contact the Office of Housing’s MFTE phone at (206) 386-1600 or OFH\_MFTE@seattle.gov.

**MTFE Program 6 – Initial Application**

# Section 1. Contact Information

Owner: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

E-mail: Click or tap here to enter text.

Name of owner representative, if applicable: Click or tap here to enter text.

Owner representative firm: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

E-mail: Click or tap here to enter text.

# Section 2. General Project Information

Project name: Click or tap here to enter text.

Project street address: Click or tap here to enter text.

County assessor parcel account number(s): Click or tap here to enter text.

Legal description - Abbreviated: Click or tap here to enter text.

Legal description - Full: Click or tap here to enter text.

Number of floors: Click or tap here to enter text.

Number of units: Click or tap here to enter text.

Brief written description of the Project (e.g. 5 over 2, modular, high-rise, townhomes; residential amenities; residential unit finishes; non-residential uses; residential or commercial parking): Click or tap here to enter text.

MUP number: Click or tap here to enter text.

Building permit number(s): Click or tap here to enter text.

[Seattle City Council District #](http://www.seattle.gov/council/meet-the-council/find-your-district-and-councilmembers): Click or tap here to enter text.

Are there any rezones pending for this project, or is a Property Use and Development Agreement (PUDA) in place: Click or tap here to enter text.

Type of Project

New construction  Rehabilitation or conversion

Tenure

Renter-occupied  Owner-occupied

Share of Units to be Rent and Income Restricted

Less than 75% of total units  At least 75% of total units

Unit Types (check all that apply):

SEDUs

Number of SEDUs: Click or tap here to enter text.

Sleeping rooms in Congregate Residence as defined by SMC 23.84A.032

Sleeping rooms in Congregate Residence: Click or tap here to enter text.

Dwelling Units as defined by SMC 23.84A.008

Number of studios: Click or tap here to enter text.

Number of one bedrooms: Click or tap here to enter text.

Number of two bedrooms: Click or tap here to enter text.

Number of three+ bedrooms: Click or tap here to enter text.

Number of Structures

One building  More than one building

Floor Area

Total gross floor area (square feet): Click or tap here to enter text.

Gross floor area for residential use[[1]](#footnote-1): Click or tap here to enter text.

Gross floor area for non-residential uses, including live-work units: Click or tap here to enter text.

Projected Project Costs

Total cost of residential improvements, exclusive of land: $ Click or tap here to enter text.

Total project cost, exclusive of land: $ Click or tap here to enter text.

Construction Timeline

Construction start date: Click or tap here to enter text.

Estimated completion date: Click or tap here to enter text.

Other Rent (or Affordable Sale) and Income Restrictions

Do you anticipate any units in the project will be subject to additional restrictive housing covenants?

Seattle Office of Housing funding award requirements

Incentive Zoning (IZ) – performance option requirements

Mandatory Housing Affordability (MHA) – performance option requirements

Master Planned Communities-Yesler Terrace (MPC-YT)

Low Income Housing Tax Credits/Bonds (WA State Housing Finance Commission)

Other (specify): Click or tap here to enter text.

# Section 3. Demolition (skip if project does not include demolition of housing units)

Demolition status:

Pending (estimated date): Click or tap here to enter text.

Completed (date): Click or tap here to enter text.

Number of units demolished or pending demolition: Click or tap here to enter text.

Demolition permit number: Click or tap here to enter text.

Were any occupied housing units demolished within 18 months of application for the land use permit for the Project?  YES  NO

# Section 4. Rehabilitation Improvements (skip if project does not include rehabilitation improvements)[[2]](#footnote-2)

Check all that apply:

Building fails to comply with one or more applicable Seattle Building Code standards

according to Title 22

Residential portion of building is vacant

Number of vacant units: Click or tap here to enter text.

Date units last occupied: Click or tap here to enter text.

Building contains occupied residential units

Project will cause no “displacement” as defined in subsection 22.210.030.E

# Section 5. Owner-Occupied Housing (skip if project does not include owner-occupied housing)

Projected sale prices of market-rate units: Click or tap here to enter text.

Projected sale prices of affordable units: Click or tap here to enter text.

# Section 6. Required Attachments

Please attach the following documents:

A ‘Letter of Intent to Implement an Affirmative Marketing Plan form. Information about Affirmative Marketing and a copy of the form are available [here](http://www.seattle.gov/housing/housing-developers/multifamily-tax-exemption).

A current title report, dated within the last three months.

Copies of documents evidencing the type and organizational structure of the Owner, such as operating agreements, incorporation documents, or partnership agreements.

Evidence of authority of the Owner representative who signed the MFTE application and will sign the MFTE Contract if the project is approved for participation.

A sample signature block for the Owner representative.

Non-refundable check payable to the City of Seattle for the application fee.

If the Project includes demolition of a building containing Dwelling Units on the Project site, SDCI findings of applicability of tenant relocation assistance under Chapter 22.210.

If the Project includes Rehabilitation Improvements, verification from the Seattle Department of Construction and Inspections (SDCI) that the building fails to comply with one or more applicable Seattle Building Code standards according to Title 22.

If the Project includes Rehabilitation Improvements, a signed and notarized affidavit from the Owner verifying that the residential portion of the building was vacant for a period of at least 24 months prior to issuance of the first building permit, if applicable. The required form is attached to this application packet as Attachment B.

The Office of Housing will review the latest plan set uploaded to Accela for certain application requirements. Applicants may indicate plan set page numbers for these elements:

* Gross floor area by use: Click or tap here to enter text.
* Schematic site plan: Click or tap here to enter text.
* Standard floor plans for the Dwelling Units, SEDUs, and Congregate Residence sleeping rooms, including proposed MFTE Units: Click or tap here to enter text.

Be advised the Office of Housing may request more detailed floor plans if necessary (for evaluation of unit types by number of Bedrooms, as defined by Section 5.73.020, for example).

# Property Owner Affidavits

## Statement of Potential Tax Liability

If the Multifamily Housing is determined to qualify under Chapter 5.73, the value of the Multifamily Housing will be exempt from ad valorem property taxation in accordance with Section 5.73.090. **If at any time the Multifamily Housing is determined to no longer comply with the terms of the Contract or with the requirements of Chapter 5.73, the tax exemption will be canceled and additional taxes, interest, and penalty will be imposed according to RCW 84.14.110.**

Owner’s initials: \_\_\_\_\_\_\_

## Taxes and Penalties

As Owner of the property described in this application, I/we hereby indicate by my/our initials below that I/we understand that I/we would be subject to additional taxes, interest, and penalty if the exemption authorized by Chapter 84.14 RCW and Chapter 5.73 SMC is canceled.

Owner’s initials: \_\_\_\_\_\_\_\_\_

## Distribution and Comparability of MFTE Units

As Owner of the property described in the application, I/we hereby indicate by our initials below that issuance of a Final Certificate of the Tax Exemption is conditioned on compliance with Chapter 5.73 as well as the criteria in Attachment A.

Owner’s initials: \_\_\_\_\_\_\_\_\_

## Oath and Affirmation of Accuracy

I/We declare under penalty of perjury under the laws of the State of Washington that the information contained in this Application and any attachments are accurate and correct to the best of my/our knowledge.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Owner’s Signature Date

Print name: Click or tap here to enter text., Title: Click or tap here to enter text.

# Attachment A MFTE Unit Distribution, Comparability, and Bedroom Criteria

## Distribution and Comparability Criteria

MFTE-restricted units should:

* Be distributed among floors. For projects with a set-aside of 20%, no floor should contain more than 25% MFTE units. For projects with a set-aside of 25%, no floor should contain more than 30% MFTE units;
* Not be clustered in certain sections of the building or stacked;
* Be distributed proportionally among buildings for projects with multiple buildings;
* Be comparable to market-rate unit in terms of size, with average square footage within 5% of market-rate units;
* Be comparable to market-rate units in terms of functionality and amenities including but not limited to dens, second bathrooms, and balconies and patios;
* Be comparable to market-rate units in terms of access to building amenities, including but not limited to parking and community rooms;
* Be proportional to the overall number of units of each type;
* Be proportional by unit status (dwelling unit, SEDU or congregate residence); and
* Have comparable lease terms to market-rate units.

## Bedroom Criteria

For the sole purpose of documenting the AMI limit (i.e. rent/income limit as percentage of area median income) for a unit, which may vary by unit type, number of bedrooms, or net unit area, the following definition of bedroom applies:

“Bedroom” means a sleeping area in a dwelling unit that meets the following criteria:

(1) Requirements for a “habitable space,” as defined by [Chapter 2 of the Seattle Building Code](http://www.seattle.gov/Documents/Departments/SDCI/Codes/SeattleBuildingCode/2018SBCChapter2.pdf);

(2) Minimum room widths and ceiling heights according to section 1207.1 and section 1207.2 of [Chapter 12 of the Seattle Building Code](http://www.seattle.gov/Documents/Departments/SDCI/Codes/SeattleBuildingCode/2018SBCChapter12.pdf) (see [SDCI's Seattle Residential Code Solution - Habitable Room Size](https://gbc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=en-us&rs=en-us&wopisrc=https%3A%2F%2Fseattlegov.sharepoint.com%2Fsites%2FOFH_AllStaff_GRP-IncentiveTeam%2F_vti_bin%2Fwopi.ashx%2Ffiles%2F3acdde6abc824f25b5e754dc79aeedce&wdenableroaming=1&mscc=1&hid=-3442&uiembed=1&uih=teams&uihit=files&hhdr=1&dchat=1&sc=%7B%22pmo%22%3A%22https%3A%2F%2Fteams.microsoft.com%22%2C%22pmshare%22%3Atrue%2C%22surl%22%3A%22%22%2C%22curl%22%3A%22%22%2C%22vurl%22%3A%22%22%2C%22eurl%22%3A%22https%3A%2F%2Fteams.microsoft.com%2Ffiles%2Fapps%2Fcom.microsoft.teams.files%2Ffiles%2F3788261957%2Fopen%3Fagent%3Dpostmessage%26objectUrl%3Dhttps%253A%252F%252Fseattlegov.sharepoint.com%252Fsites%252FOFH_AllStaff_GRP-IncentiveTeam%252FShared%2520Documents%252FIncentive%2520Team%252FBedroom%2520definition.docx%26fileId%3D3acdde6a-bc82-4f25-b5e7-54dc79aeedce%26fileType%3Ddocx%26ctx%3Dfiles%26scenarioId%3D3442%26locale%3Den-us%26theme%3Ddefault%26version%3D21072105700%26setting%3Dring.id%3Ageneral_gcc%26setting%3DcreatedTime%3A1637268997299%22%7D&wdorigin=TEAMS-ELECTRON.teams.files&wdhostclicktime=1637268997217&jsapi=1&jsapiver=v1&newsession=1&corrid=7f39d4ca-5db7-43cc-9168-581eb00bdd73&usid=7f39d4ca-5db7-43cc-9168-581eb00bdd73&sftc=1&sams=1&accloop=1&sdr=6&scnd=1&hbcv=1&htv=1&hodflp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush) for additional guidance);

(3) Natural light requirements according to section 1204.2 of [Chapter 12 of the Seattle Building Code](http://www.seattle.gov/Documents/Departments/SDCI/Codes/SeattleBuildingCode/2018SBCChapter12.pdf);

(4) Natural ventilation requirements according to section 1202.5 of [Chapter 12 of the Seattle Building Code](http://www.seattle.gov/Documents/Departments/SDCI/Codes/SeattleBuildingCode/2018SBCChapter12.pdf); and

(5) Complete separation of the sleeping area from other portions of the dwelling unit by framed walls and one or more exit access doorways, consistent with [Chapter 2 of the Seattle Building Code](http://www.seattle.gov/Documents/Departments/SDCI/Codes/SeattleBuildingCode/2018SBCChapter2.pdf).

As an alternative to the above requirements, a sleeping area is considered a bedroom if it (1) satisfies the first two criteria above; (2) is completely separate from other portions of the dwelling unit; and (3) receives sufficient natural light through a door, slider, relite window, or partial opening in an otherwise fully enclosed common wall with an adjoining room that has a natural light source.

# Attachment B AFFIDAVIT for Rehabilitation of a Vacant Building

STATE OF WASHINGTON )

)ss.

COUNTY OF KING )

The undersigned, being first duly sworn on oath, deposes and affirms that:

The Rehabilitation Improvements include the creation of at least four net new Dwelling Units, SEDUs, or Congregate sleeping rooms through Substantial Improvements to a building located at Click or tap here to enter text., Seattle, WA, Click or tap here to enter text. that fails to comply with one or more applicable Seattle Building Code standards according to Title 22, the residential portion of which (Click or tap here to enter text. total units) has been vacant for at least 24 months prior to issuance of the first building permit for the Project that includes the Rehabilitation Improvements.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Owner

Click or tap here to enter text.

Print Name

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

NOTARY PUBLIC in and for the State

of Washington, residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. See definition of Permanent Residential Occupancy in Section 5.73.020. Permanent Residential Occupancy is the sum of the net unit area for all residential units (excluding any live-work units) in the project. [↑](#footnote-ref-1)
2. See definition of "Rehabilitation improvements" and “Substantial improvement” in SMC Chapter 5.73. [↑](#footnote-ref-2)