

**QUALIFIED RESIDENT AFFIDAVIT
For Market-Priced Units**

ILILANI

<p align="center">For Sales Team Use Only</p> <p><input type="checkbox"/> Signed Tax Returns;</p> <p><input type="checkbox"/> Valid Govt Issued ID or</p> <p><input type="checkbox"/> Voter Registration Certificate; and</p> <p><input type="checkbox"/> Pre-Qual Letter from Preferred Project Lender</p> <p>Date/Time Received:</p>
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Applicant/Buyer Complete Physical Address:

Best Tel No.: _____

Applicant/Buyer Complete Mailing Address:

Best Tel No.: _____

Sign this Affidavit in front of a notary public.

State of Hawaii)
) SS
County of _____)

(Print Names)

A. _____
Applicant/Buyer

Applicant's Spouse/Buyer

B. _____
Applicant/Buyer

Applicant's Spouse/Buyer

C. _____
Applicant/Buyer

Applicant's Spouse/Buyer

being first duly sworn on oath, deposes and says:

- That applicant(s) is a "qualified resident" as defined in section 201H-32, Hawaii Revised Statutes ("HRS") and satisfies all of the following:

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- a. applicant is citizen of the United States or a resident alien;
- b. applicant(s) is at least eighteen years of age;
- c. applicant(s) is domiciled in the State of Hawaii;
- d. applicant(s) shall physically reside in the Unit to be purchased under Chapter 201H, Hawaii Revised Statutes ("HRS"). Refer to section 5 below for additional information; and
- e. applicant(s) has a gross income sufficient to qualify for the loan to finance the purchase of the Unit as evidenced by the attached pre-qualification letter from the project lender/loan officer as indicated below:

Name of Lender: _____

Name of Loan Officer: _____

Pre-qualified Loan Amount: _____

2. That applicant(s) has attached **only copies** of the following as validation of meeting the purchase requirements in the foregoing qualification to select a unit as a qualified resident buyer:
 - a. current ***signed***, copy of applicant(s)' most recently filed State and Federal income tax returns;
 - b. valid Hawaii state driver's license, Hawaii state ID card or voter registration certificate; and
 - c. if a resident alien, copy of resident alien card (front and back).

3. That the development, sale and use of the project is subject to Hawaii Revised Statutes ("HRS") Chapter 201H, related Hawaii Administrative Rules ("HAR") Chapter 15-307, current HHFDC policies, and applicable sections of HRS Chapter 514B , which requires amongst other things, the following:
 - a. the designation of 165 units as for sale affordable units subject to HHFDC's buyback and shared appreciation equity program requirements;
 - b. the designation of 163 units as for sale market-priced units **not** subject to HHFDC's buyback and shared appreciation equity program requirements; but subject to 365 consecutive days owner occupancy requirement in accordance with Chapter 514B, HRS applicable to market-priced units sold to qualified resident purchasers;
 - c. That within ten days of the expiration of the pre-qualification period, developer shall submit a reservation list containing information from this affidavit;
 - d. That upon request by HHFDC, applicant(s) will provide documentation satisfactory to HHFDC to affirm initial and continued status as a qualified resident;
 - e. That should the HHFDC in its sole discretion determine applicant(s) is not a qualified resident as defined, after submitting this affidavit, then applicant(s) shall be deemed ineligible to purchase a unit as a qualified resident. However, applicant may apply as a non-owner occupant/investor purchaser to purchase a market-priced unit unrestricted, after all qualified residents have been offered an opportunity to purchase a market-priced unit;

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- f. That this affidavit shall expire after three hundred sixty-five consecutive days have elapsed after the initial recordation of the instrument conveying the unit to the applicant/affiant;
4. That for an initial 30 days, prospective qualified resident buyers may complete and submit this affidavit to select one of the 163 designated market-priced units (“pre-qualification period”), if available;
5. That applicant(s) shall be an “owner-occupant” as the term is defined by applicable sections of Chapter 514B, HRS, Part V, Subchapter B. Sales to Owner-Occupants;
 - a. That “owner-occupant” means any individual who holds legal title in a residential unit that serves as the individual’s principal residence for a period of not less than three hundred sixty-five consecutive days; provided that the individual shall retain complete possessory control during this period. An individual shall not be deemed to have complete possessory control of the premises if the individual rents, leases, or assigns the premises for any period of time to any other person not having legal title;
 - b. That applicant(s) shall notify the Real Estate Commission, State of Hawaii immediately upon any decision to cease being an owner-occupant;
6. That violation or failure to comply with any of the applicable provisions of HAR Chapter 15-307, HRS Chapters 201H and/or 514B shall result in penalties that may not be listed herein.
 - a. That applicant(s) who violates or fails to comply with any of the applicable provisions of this affidavit, HAR Chapter 15-307 and HRS Chapter 514B shall be reported to the Real Estate Commission and subject to a fine in an amount equal to the profit made from the sale, lease, assignment or transfer, civil penalty of up to \$10,000 or fifty per cent of the net proceeds received or to be received, whichever is the great amount;
 - b. That any developer, employee or agent of a developer, or real estate licensee who violates or fails to comply with any of the provisions of this affidavit, HAR Chapter 15-307 and HRS Chapter 514B or aid any other person in violating subpart V, shall be subject to a civil penalty of up to \$10,000 and shall be reported to the applicable governing authority. Each violation shall constitute a separate offense;
 - c. That any contract or instrument entered into in violation of Chapter 514B, Subpart V, shall be subject to the remedies provided in section 514B-99(a);
 - d. That violation shall be subject to misdemeanor criminal charges under Hawaii Penal Code, Section 710-1061, HRS, which are punishable by a fine and/or imprisonment and forfeiture of the Unit, for knowingly making a false statement in or with this Affidavit;
 - e. That applicant(s) understands and acknowledge that it shall be unlawful to make a false statement in this affidavit and/or submit or file any required notice, statement or other document which is false or contains a material misstatement or omission of fact.

PRE-QUALIFICATION LETTER
for MARKET UNIT PURCHASER with QUALIFIED RESIDENT AFFIDAVIT

**Applicant/Buyer must be pre-approved by one of the preferred Project Lenders.

Date: _____

Borrower*: _____
*Affidavit Applicant/Buyer Name

Address: _____

City, State & Zip: _____

RE: Ililani – Market Unit

Dear: _____,
*Affidavit Applicant/Buyer Name

We have reviewed your request to purchase a unit within the above reference project and prequalified you for a maximum sales price, loan amount and loan product listed below.

Maximum Sales Price: \$ _____
Maximum Loan Amount: \$ _____
Minimum Down Payment: \$ _____
Type of Loan – Owner Occupant: _____
Proposed/Qualified Interest Rate: **5.5% with 1 point**

This pre-qualification letter is based on preliminary information, which although deemed reliable, have not been determined to be correct for purposes of providing this prequalification letter. Pre-Qualification means that you could qualify for the residential loan described above, based upon the preliminary information you have provided us.

Further consideration of your intent to apply for a Residential Mortgage Loan is contingent upon receiving the following checked items.

- A complete loan application with all supporting documentation.
- Satisfactory verification of your income, liabilities and any other information provided by you.
- A satisfactory written credit report.
- A satisfactory written appraisal report on a subject property reflecting sufficient value to meet your selected lender's loan-to-value requirement for this loan program, which shall not exceed % of appraised value.
- Conformance with all of the selected lender's underwriting requirements.
- Final approval from a mortgage insurance company, if applicable.
- Satisfactory verification of housing payment reserves and of funds necessary to close the loan.
- Approval of all documents related to this transaction, including but not limited to the preliminary title report, deed, etc.
- Satisfactory proof of the Master Condominium Insurance Certificate for your Homeowners Association for Hazard and Hurricane coverage including Fidelity Bond Coverage.
- ** Hawaii Housing Finance & Development Corporation (HHFDC) "QUALIFIED RESIDENT AFFIDAVIT for Market-Priced Units", **completed and signed before a notary public; and attached to this pre-qualification letter.**

This letter is not a commitment on our part to fund your loan, and **we will only issue our loan approval after a mortgage loan application has been received and the above requirements have been met and are acceptable to us. The final interest rate and loan terms will be determined at the time of lock-in and/or closing.**

Thank you for the opportunity to assist you in the purchase of a unit in the subject project. If you have any questions, please feel free to call me at (808) _____ or email at _____.

Sincerely,

Name of Loan Officer, NMLS ID
Company Name

