



Boynton Beach Community Redevelopment Agency FY 2009-2010 Commercial Rent Subsidy Program Guidelines

The Commercial Rent Subsidy Program is designed to help facilitate the establishment of new businesses and aide in the expansion of existing businesses within the CRA District. The program is designed to provide financial assistance to new and existing businesses in the form of a rent subsidy intended to help businesses during the critical first year of operation.

Program

The Commercial Rent Subsidy Program offers financial assistance in the form of rent payment subsidy of for up to half of the business's monthly rent or \$600.00 per month (whichever is less). The time period of eligibility for assistance is up to twelve months within the first eight-teen months of a multi-year lease. The maximum total subsidy per business is \$7,200.00.

Commercial Rent Subsidy Program funding may be budgeted annually and awarded on a first-come, first-served basis. All applications are subject to CRA Board approval. Making application to the program is not a guarantee of funding.

Eligibility Requirements

Applicants must meet all of the following requirements in order to be considered eligible to receive grant funding under the Commercial Rent Subsidy Program:

1. The business location must be within the CRA District's Central Business Core, Federal Highway Corridor or Heart of Boynton areas (see attached map).
2. The business must be properly licensed to operate within the City of Boynton Beach and Palm Beach County.
3. A new business venture is defined as a company in operation for less than six months.
4. An existing business is defined as being in operation for more than three years at the time of application.
5. An existing business must expand to occupy more than fifty percent (50%) of its current square footage size. Verification of this threshold must be provided in the application package.
6. Applicant must own the building it plans to operate within or it must have an executed multi-year lease (two year minimum).

Initials_____

7. Businesses must employ a minimum of two (2) full-time equivalent W-2 or 1099 contracted employees whose wages are reported to the state and federal government; a position occupied by the business owner may count toward one of the required job positions.

The following businesses will be considered automatically ineligible for assistance under the Commercial Rent Subsidy Program:

- a. Businesses that employ less than two full-time equivalent W-2 employees or 1099 contracted employees.
- b. Businesses who do not report employees' wages to the State of Florida Department of Revenue.
- c. New businesses identified as a "convenience store" or "adult entertainment" use.
- d. New businesses using a D/B/A that has been used by another business within the past twelve (12) months.

Grant Terms and Conditions

A commercial lease must define the landlord-tenant relationship and at minimum provide the following information:

- A description of the space being rented including square footage and a drawing of the space.
- Description of utilities that the tenant is responsible for.
- Rental rate and deposits along with terms of lease and methodology for future rent increases.
- Responsible party for interior and exterior repairs and/or improvements.
- Insurance requirements.
- Conditions of Lease termination.
- Consequences of default on the lease.

Rent subsidies will not be paid until all construction has ended, occupational license is issued and the business is open for operation.

The CRA will issue reimbursement to the applicant directly for the monthly rent payment made to the Landlord upon receipt and verification that the payment has been cleared by the bank. The responsibility for all rental payments is between the contracted parties to the lease, as such the tenant and the landlord. As grantor, the CRA neither bears nor accepts any responsibility for payment of rent at any time, nor penalties incurred for the late arrival of payments by any party.

The Commercial Rent Subsidy program may only be used one time by any one specific business entity or business owner.

Initials_____

The CRA reserves the right to approve or deny any Commercial Rent Subsidy Program application and to discontinue payments at any time if in its sole and absolute discretion it determines that the business will not further the goals and objectives established for the economic development of the CRA District. The receipt of past payments is not a guarantee of future subsidy payments.

Procedures for Application and Approval

Application Process

All applicants are strongly encouraged to meet with CRA staff in order to determine eligibility before submitting an application. Funding requests will not be considered until all required documentation is submitted to the CRA office. Application packets must include the following documentation:

- Completed and signed application.
- Copy of all business and occupational licenses.
- Copy of the corporate documents for the applying business entity.
- Copy of executed or proposed multi-year commercial lease agreement.
- Landlord SSN or Tax ID.
- Business plan, including executive summary and three-year financial projections of revenues and expenses.
- Two (2) years of audited financials and corporate tax returns (for existing businesses only).
- Two (2) years of tax returns for the owners of a new business.
- Qualifications, experience and track records of business owners.
- List of jobs to be created and filled including job descriptions, pay range and weekly schedule. For existing businesses, provide a list of all current positions including job descriptions, pay range and weekly schedule.

Approval of Funding Request – Once eligibility is verified and all required documentation has been submitted, CRA staff will present the funding request to the CRA Board for approval. The CRA Board meets on the second Tuesday of each month and staff will notify the applicant and landlord of approval or denial in writing. Proposed leases must be executed within thirty (30) days of CRA Board approval or the grant award is terminated.

Rent Subsidy Payments – Rent Subsidy payments will begin at the beginning of the first full month that the business is open for operations subsequent to CRA Board approval. A maximum of twelve (12) consecutive monthly rent payments will be reimbursed to the approved applicant.

Initials_____

Site Visits – CRA staff will conduct a site visit before subsidy payments begin in order to verify that the business is in operation. Staff may also conduct unannounced site visits periodically in order to ensure compliance with the terms of the grant agreement.

Reporting – By accepting the grant, the applicant agrees to comply with the reporting requirement of providing the CRA with proof of employee wage reporting during the time period that the subsidy payments are being made. Failure to provide the reports to the CRA within two weeks of the date they are submitted to the Florida Department of Revenue and/or the IRS will result in immediate disqualification from the program.

For W-2 eligible employees, timely Florida Department of Revenue Employers Quarterly Report (UCT-6) for each consecutive quarter must be submitted.

For sole proprietorships, partnerships, s-corporations, or any other entity that elect to pass through taxable income to business owners and the business owner(s) are one or more of the listed employees for application purposes, an 1040ES payment voucher or proof of electronic payment is required. Quarterly payments must be made before the due dates or any penalties for late filings must show as paid. If the business owner elects to file the 1040-ES annually, the CRA must receive a copy of the filing no later than two weeks after the IRS deadline. If the business owner does not qualify for estimated tax reporting, an Estimated Tax Worksheet from IRS form 1040-ES must be submitted along with the prior year’s tax return (if not already submitted).

For 1099-MISC eligible employees, IRS Miscellaneous Income form (1099-MISC) must be submitted annually to the CRA before February 28 of the following year. Proof of cleared checks showing employee payments along with a statement of service provided by the employee must be submitted no later than two weeks after the end of each quarter (April 30, June 30, September 30, and December 31).

Discontinuation of Payment – The receipt of past payments is no guarantee of future payments. The CRA retains the right to discontinue rent subsidy payments at any time according to its sole and absolute discretion.

SUBMISSION OF AN APPLICATION IS NOT A GUARANTEE OF FUNDING

Applicant/Tenant’s Signature Date

Printed Name Title

Applicant/Tenant’s Signature Date

Printed Name Title

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgements, personally appeared _____, who is personally known to me or produced _____ as identification, and acknowledged he/she executed the foregoing Agreement for the use and purposes mentioned in it and that the instrument is his/her act and deed.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal in the State and County aforesaid on this _____ day of _____, 20__.

NOTARY PUBLIC
My Commission Expires:

Property Owner's Signature Date

Printed Name Title

Property Owner's Signature Date

Printed Name Title

STATE OF _____
COUNTY OF _____

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgements, personally appeared _____, who is personally known to me or produced _____ as identification, and acknowledged he/she executed the foregoing Agreement for the use and purposes mentioned in it and that the instrument is his/her act and deed.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal in the State and County aforesaid on this _____ day of _____, 20__.

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2009-2010
Boynton Beach Community Redevelopment Agency
Commercial Rent Subsidy Program Application
(Please Type or Print Only – Use Additional Sheets if Necessary)

Applicant Name: _____

Applicant Mailing Address: _____

Business Name (D/B/A if applicable): _____

Business Address: _____

Phone: _____ Fax: _____

Email: _____ Fed ID# _____

Time at Location: _____ Monthly Rent: _____

Do you have an executed lease agreement: Yes _____ No _____

Landlord Name: _____

Landlord SSN/EIN: _____

Landlord's Mailing Address: _____

Was this business previously located at another site: Yes _____ No _____ Dates: _____

Previous Business Address (if applicable): _____

New Business: Yes _____ No _____ Existing Business: Yes _____ No _____

Type of Business: _____

Number of Employees: _____ Hours of Operation: _____

Are you applying for grant assistance under any other program offered by the CRA:

Yes _____ No _____ If yes, what additional programs are you applying for:

Are you receiving grant assistance from any other governmental agencies: Yes _____ No _____

If yes, list any additional grant sources and amounts: _____

CERTIFICATION AND WAIVER OF PRIVACY:

I, the undersigned, applicant(s) certify that all information presented in this application, and all of the information furnished in support of the application, is given for the purpose of obtaining a grant under the Boynton Beach Community Redevelopment Agency Commercial Rent Subsidy Program, and it is true and complete to the best of the applicant(s) knowledge and belief. The applicant(s) further certifies that he/she is aware of the fact that he/she can be penalized by fine and/or imprisonment for making false statements or presenting false information.

I understand that this application is not a guarantee of grant assistance. Should my application be approved, I understand that the CRA may at its sole discretion discontinue subsidy payments at any time if in its sole and absolute determination it feels such assistance no longer meets the program criteria or is no longer benefiting the furtherance of the CRA mission.

I hereby waive my rights under the privacy and confidentiality provision act, and give my consent to the Boynton Beach Community Redevelopment Agency, its agents and contractors to examine any confidential information given herein. I further grant permission, and authorize any bank, employer or other public or private agency to disclose information deemed necessary to complete this application.

I give permission to the CRA or its agents to take photos of myself and business to be used to promote the program.

I understand that if this application and the information furnished in support of the application are found to be incomplete, it will not be processed.

SUBMISSION OF AN APPLICATION IS NOT A GUARNTEE OF FUNDING

Applicant/Tenant's Signature Date

Printed Name Title

Applicant/Tenant's Signature Date

Printed Name Title

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgements, personally appeared _____, who is personally known to me or produced _____ as identification, and acknowledged he/she executed the foregoing Agreement for the use and purposes mentioned in it and that the instrument is his/her act and deed.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal in the State and County aforesaid on this _____ day of _____, 20__.

NOTARY PUBLIC
My Commission Expires:

Property Owner's Signature Date

Printed Name Title

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STATE OF _____
COUNTY OF _____

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Boynton Beach CRA

