

Application For
Financial Assistance

**Hurricane Irene – Tropical
Storm Lee Business
Flood Recovery Grant
Program**



State of New York
Andrew M. Cuomo, Governor

Empire State Development

Application for Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program

The Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program ("the Program") is a program administered by the New York State Urban Development Corporation d/b/a Empire State Development ("ESD") to provide cash grants to eligible small businesses, not-for-profit organizations, farms or owners of multiple dwellings, that sustained direct physical flood-related damage as a result of Hurricane Irene or Tropical Storm Lee. Grants may be used for storm-related repairs and restoration of structures, and for other storm-related costs. Under the terms of this the Program, Eligible Entities (as defined in the Program Guidelines) can be compensated for fifty percent (50%) of storm-related damage up to a total of \$20,000. Eligible Losses (as defined in the Guidelines) must be related to actual and direct physical losses to structures or items used in the Eligible Entity's operation.

All Eligible Entities must:

- Qualify as an Eligible Entity as defined in the Guidelines;
- Have sustained an Eligible Loss or Losses that were incurred on or after August 28, 2011 as a result of Hurricane Irene and/or September 7, 2011 as a result of Tropical Storm Lee, hereinafter referred to as the "Recovery Period";
- Complete the Certification of Eligible Entity in Section E of this application.

Program Assistance is not available for:

- Casinos or other gambling establishments, or adult entertainment facilities;
- Organizations involved in religious or political activities, or;
- The cost of storm-related repairs and restoration of structures or for other storm-related costs which have or will be covered by any other federal, state or local recovery program or any third party payor.

Unless the Eligible Entity requests that ESD issue a physical check, all grants will be disbursed by electronic transfer to an Eligible Entity's bank. A voided check from the Eligible Entity's account is required to complete an electronic transfer.

Would you prefer to receive a check rather than an electronic transfer? Yes No

Applications can be found online but an original, signed application must be printed and mailed to:

Empire State Development
Attn: Hurricane Irene-Tropical Storm Lee Business Flood Recovery Program
30 South Pearl Street
Albany, NY 12245

Applications must be postmarked by March 16, 2012. Any questions related to the completion of the application may be directed to 518/292-5340 or e-mailed to floodrecovery@esd.ny.gov

Certain documents must be submitted with your application. A list of required documents can be found in the Program Guidelines.

Section A – Eligible Entity Information

Eligible Entities include small businesses, not-for-profit organizations, farms, and owners of multiple dwellings. Check your entity type:

- Small Business
- Not-for-profit organization
- Farm
- Owner of Multiple Dwellings

Eligible Entity’s Name:	
d/b/a Name (if different)	
Eligible Entity’s Street Address	
City, State, Zip Code	
City/Town/Village within which property is located	
County	
Mailing Address, if different from above	
Contact Person Name	
Contact Person Telephone Number	
Contact Person E-mail Address	
Federal Employer ID Number	
New York State Certification	<input type="checkbox"/> Minority-owned Business <input type="checkbox"/> Neither <input type="checkbox"/> Woman-owned Business <input type="checkbox"/> Both
Eligible Entity’s Structure/ Ownership	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Franchise <input type="checkbox"/> Other (explain):
Not-For-Profit Legal Structure (if applicable)	<input type="checkbox"/> 501 (c) <input type="checkbox"/> 501(e) <input type="checkbox"/> 501(f) <input type="checkbox"/> 501(k) <input type="checkbox"/> 501(n) <input type="checkbox"/> 521(a)
Not-For-Profit Charity Registration No. (if applicable)	
NAICS Code	
Number of full-time employees	
Number of Dwelling Units (if applicable)	
Brief Description of Operation	

Section B – Determination of Net Eligible Loss

If the U.S. Small Business Administration (SBA) verified your flood-related damages as a result of Hurricane Irene or Tropical Storm Lee, you are not required to submit documentation for the verified loss to ESD if you complete the following release and consent. ESD will obtain your records directly from SBA.

Did the Small Business Administration (SBA) verify your flood-related damages?

- Yes. Sign release consent below, skip Step 1 and continue to Step 2 – "Total Reimbursed Loss."
- No. Skip release consent below and continue with Step 1 – "Estimated Eligible Loss."

I, _____, authorize ESD and SBA to exchange information for the purpose of determining my eligibility to the Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program.

(Signature)	(Printed Name)
(Official Title held at Eligible Entity)	(Date)

STEP 1 – Estimated Eligible Loss

Please provide a detailed list of Eligible Losses and the dollar value of each loss. If a comprehensive report of loss is already available from an insurance carrier or government agency, indicate "See Attached" in the first column, provide the total dollar value of loss in the third column, and attach the comprehensive report of loss to this application. If a comprehensive report of loss is not available from an insurance carrier or government agencies, list items in table and attach an additional sheet, if necessary. Attach documentation supporting the total losses claimed.

Brief Description of Asset that was Damaged/Lost	How was Value of Loss Determined	Dollar Value of Loss
		\$
		\$
		\$
		\$
		\$
Estimated Eligible Loss (enter this Total in STEP 3, Line A)		\$

STEP 2 – Total Reimbursed Loss:

List all insurance claims and grant assistance you have received or applied for related to any Eligible Loss you listed in STEP 1. (Do not include any loans in this section.) Attach documentation supporting the amount of assistance received for the Eligible Loss.

Name of Compensation Source	Grant or Claim Amount	Grant or Claim Amount Approved	Grant or Claim Amount Received to Date
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
Total Reimbursed Loss Received to Date (enter this Total in STEP 3, Line B)			\$

STEP 3 – Net Eligible Loss:

Complete this worksheet to calculate Net Eligible Loss.

A	Estimated Eligible Loss (Total from STEP 1 above)	\$
B	Total Reimbursed Loss (Total from STEP 2 above)	\$
C	Net Eligible Loss (Subtract Line B from A).	\$

Program Assistance may be compensated at a rate of 50% of the Net Eligible Loss, not to exceed \$20,000.

In the event the Eligible Entity receives insurance payments and/or additional grants or assistance for any Eligible Loss that has been reimbursed with Program Assistance, the Eligible Entity shall immediately notify ESD and repay the Program Assistance proceeds corresponding to the reimbursement. If the Eligible Entity does not complete the repairs and/or replacement of damaged assets, the Eligible Entity will be required to reimburse ESD the Program Assistance received.

Disbursement Methods

SBA Loan Recipients:

Have you fully drawn down your entire disaster damage loan from SBA?

- Yes. As required by your SBA loan agreement, ESD will disburse Program Assistance directly to SBA. If Program Assistance exceeds your SBA loan, the balance of funds will be disbursed directly to you.
- No. After ESD verifies your loan status with SBA, ESD may disburse Program Assistance directly to you. ESD will notify SBA of the amount of Program Assistance paid to you.

Skip "Non-SBA Loan Recipients" and continue to Section C – Eligible Entity History.

Non-SBA Loan Recipients:

Did you already complete repairs and/or replacement of damaged assets which occurred on or after the Recovery Period?

- Yes. Include proof of payment of repairs and/or replacement of damages such as cancelled checks, credit card statements, or bank statements.
Upon approval of the application and all conditions set forth in the application and the Guidelines, ESD may disburse Program Assistance for which you are eligible.
- No. Attach all estimates to complete repairs and/or replace damaged assets.
Upon approval of the application and satisfaction of all conditions set forth in the application and Guidelines, ESD may, upon request and at ESD’s discretion, advance payment of fifty percent (50%) of eligible Program Assistance up to \$10,000 to be used for repairs and/or replacements. After completion of the repairs and/or replacements and submission of proof of payment for those costs, ESD may disburse the remaining balance of Program Assistance.

Section C – Eligible Entity History

Answer the following questions. If you answer "yes" to any of the questions, provide an explanation in the space below.

1. Is the Eligible Entity delinquent on any New York State, federal or local tax obligation? Yes No
2. Has the Eligible Entity ever defaulted on an obligation to the New York State Urban Development Corporation (ESD) or any other agency or public benefit corporation of the State of New York? Yes No
3. Is the Eligible Entity presently the subject of any litigation, or is any litigation threatened, which would have material adverse effect on the Entity’s financial condition? Yes No
4. Has the Eligible Entity or any of its affiliates been cited for a violation of federal, State or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or operating practices? Yes No

If you answered "yes" to any of the above questions, provide an explanation below.

Section D – Notices

- This application is a request for assistance and does not obligate ESD to award any funds.
- All calculations in the application are subject to review and adjustment. Under no circumstance do the calculations imply final award of funds. Award may be adjusted or rescinded if warranted upon comparison of all documentation.
- The receipt of any grants made under this Program is subject to the approval of the program by the NYS Division of the Budget and the receipt of funds by ESD.
- Submit original documents where specified and copies of all other documentation. Documents will become property of ESD and will not be returned.
- You will be notified of an award determination.
- ESD reserves the right to modify the requirements of this application and to require additional information from the Eligible Entity. ESD, acting in its sole discretion, may reject any application that it deems incomplete, ineligible for assistance or inappropriate for funding.
- ESD reserves the right to reallocate funds according to the need for relief assistance.

- The Eligible Entity is required to notify ESD of any additional insurance payments and/or additional grants or assistance received after payment of a grant award as reimbursement for all or any portion of an Eligible Loss for which the Eligible Entity received Program Assistance.
- The Eligible Entity will immediately repay to ESD the Program Assistance proceeds corresponding to any such reimbursement.
- In the event the Eligible Entity has made any material misrepresentation in this application, in addition to any other remedies that the ESD may have under law, ESD may require the Eligible Entity to repay any assistance provided hereunder together with interest.
- In order to avoid Duplication of Benefits, ESD will share Program Assistance information with SBA.
- Program funding is limited. Applications must be post-marked by March 16, 2012, to be considered for funding.
- ESD shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable federal agencies.
- ESD's non-discrimination and affirmative action policies and programs, which are grounded in both public policy and applicable law, mandate that ESD take affirmative action when implementing projects, to ensure that Minority and Women-owned Business Enterprise (MWBE), minority group members and women participate in the economic benefits generated by ESD's participation in projects or initiatives. ESD's non-discrimination and affirmative action policies and programs will apply to this initiative wherever applicable.
- In accordance with IRS regulations all Program Assistance disbursed to Eligible Entities will be reported by ESD to the IRS and ESD shall mail a Form 1099 to you, at the address provided.

Section E – Certification of Eligible Entity

The undersigned does solemnly affirm, acknowledge and agree that:

- (i) He/she is authorized to execute this application on behalf of the Eligible Entity and that to the best of his/her knowledge, information and belief, all statements in the application, including all attachments hereto and any affidavits, certifications or supplementation information provided herewith, are true and accurate.
- (ii) The Eligible Entity was in operation, and owned or leased the premises described in Section A on Page 3 of this Application on August 28, 2011 or September 7, 2011.
- (iii) The losses submitted for reimbursement from the Program were flood-related damages directly sustained as a result of Hurricane Irene as of August 28, 2011 or Tropical Storm Lee as of September 7, 2011.
- (iv) The Eligible Entity employs 100 or fewer full-time permanent employees.
- (v) The Eligible Entity is in compliance with all federal, state and local laws and is not delinquent on any tax obligations except as disclosed to ESD.
- (vi) The Eligible Entity agrees to indemnify and hold harmless ESD, as well as their respective agents, directors and employees, for any claims arising from the administration of the Program.
- (vii) The Eligible Entity acknowledges that Program funding is limited and may become exhausted at anytime.
- (viii) The Eligible Entity agrees to comply with the Empire State Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program (the "Program") Guidelines.
- (ix) The Eligible Entity will be obligated to repay any Program Assistance received under this program in the event (a) its application, including any information provided therewith or thereafter, contains any material misrepresentations; or (b) the Program Assistance was made in error and the Eligible Entity is not entitled to assistance under the Program Guidelines; or (c) additional assistance is received from any other grant or other assistance from the local, state or federal governments, third-party private assistance, or insurance; or (d) if the Eligible Entity received an advanced payment of Program Assistance and does not complete the repairs and/or replacement of damaged assets.

- (x) The application is subject to audit prior to and for up to six years from the date of the disbursement of the Program Assistance.
- (xi) The Eligible Entity authorizes its insurance carrier and any federal, state, local governmental agency or authority that has or is providing emergency flood recovery funding for damage sustained as a result of Hurricane Irene or Tropical Storm Lee to share with ESD any and all information needed to verify this claim. Such information may include, but is not limited to its tax, employer or other relevant flood recovery funding information. However, any tax information shared as a result of this agreement shall not be available for disclosure or inspection under the State freedom of information law.
- (xii) The Eligible Entity is not involved in gambling activities, adult entertainment, religious or political activities.
- (xiii) In the event the Eligible Entity fraudulently represents any information in the application or supporting documentation, ESD may exercise any and all remedies available to it under law and shall refer the matter to the appropriate authorities for prosecution.

(Signature)	(Printed Name)
(Official Title)	(Date)

If you have questions, please call 518/292-5340 or e-mail floodrecovery@esd.ny.gov

A complete application with attachments must be postmarked by March 16, 2012, and mailed to:

**Hurricane Irene – Tropical Storm Lee Business Flood Recovery Grant Program
 Empire State Development
 30 South Pearl Street
 Albany, NY 12245**