



U.S. Citizenship
and Immigration
Services

February 19, 2015

William G. Hicks
7280 Sand Lake Road, Suite 500
Orlando, FL 32819

Application: Form I-924, Application for Regional Center under the Immigrant Investor Pilot Program

Applicant(s): RZ International-Virginia Regional Center, LLC

Re: Initial Regional Center Designation – Decision
RZ International-Virginia Regional Center, LLC
RCW1417651788/ ID1417651788

This notice of a decision is in reference to the Form I-924, Application for Regional Center Under the Immigrant Investor Pilot Program that was filed by the applicant with the U.S. Citizenship and Immigration Services (“USCIS”) on June 25, 2014. The Form I-924 application was filed to request approval of initial regional center designation under the Immigrant Investor Program. The Immigrant Investor Program was established under § 610 of the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act of 1993 (Pub. L. 102-395, Oct. 6, 1992, 106 Stat. 1874).

In addition to the Form I-924, the applicant submitted a completed exemplar Form I-526, Immigrant Petition by Alien Entrepreneur, seeking USCIS review and approval of an actual project supported by a comprehensive business plan as contemplated in Matter of Ho, 22 I. & N. Dec. 206 (Assoc. Comm’r 1998).

I. Regional Center Designation – Decision¹

The applicant submitted its Form I-924 requesting specific industry categories, geographic regions, and an actual project to be identified for the Regional Center’s use.

¹ USCIS issued a Policy Memorandum (PM-602-0083) on the subject of “EB-5 Adjudication Policy,” dated May 30, 2013, stating that formal amendments to the regional center designation are no longer required when a regional center changes its industries of focus or geographic boundaries. A regional center may still elect to pursue a formal amendment by filing Form I-924 if it seeks certainty in advance that changes in the industries or the geographic area will be permissible prior to filing Form I-526 petitions.

A. Approved Industry Categories, Geographic Areas, and Actual (*Matter of Ho* Compliant) Projects

The Regional Center is approved for the following industry categories, geographic areas, and actual projects for use by the Regional Center.

1. Geographic Areas - Approved

USCIS approves the applicant's request to focus, promote economic growth, and offer capital investment opportunities in all of the geographic areas requested in the I-924 and shown below:

State	Counties/Cities
Virginia	Amelia, Caroline, Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, King William, New Kent, Powhatan, Prince George, Sussex
	Cities: Colonial Heights, Hopewell, Petersburg, and Richmond

2. Industry Categories - Approved

USCIS approves the applicant's request to focus, promote economic growth, and offer capital investment opportunities in all of the industry categories requested in the Form I-924 and shown below:

NAICS Code	Industry
2361	Residential Construction
2362	Non Residential Construction
5413	Architecture, engineering and related
5311	Lessors of Real Estate

B. Actual (*Matter of Ho* Compliant) Exemplar I-526 Projects - Approved

Effective the date of this notice, USCIS approves the applicant's request to include the following actual capital investment project supported by an exemplar Form I-526.

Project	Type of Project	Organization Documents	Date of Document
<u>Chesterfield Avenue Apartments</u> Geographic Location: Virginia Focus of Investment: Loan	Exemplar Form I-526 Petition Project	Business Plan	Dated 1/30/15
		Economic Analysis	Submitted 6/25/2014
		Operating Agreement	Revision 01/31/2013
		Confidential Private Placement Memorandum	Submitted 2/9/15
		Subscription Agreement	Submitted 2/9/15
		Limited Partnership Agreement	Submitted 2/9/15
		Escrow Agreement	Submitted 2/9/15
		Escrow Instructions	Submitted 2/9/15
		Loan Agreement	Dated 1/19/15

Note: If changes to this project and its supporting documents are found in subsequent Form I-526 or Form I-829 petitions, USCIS will review the supporting documents once more to ensure compliance with EB-5 program requirements.

Chesterfield Avenue Apartments, (the "Project") will be located in Chesterfield County, Virginia and will involve the design, planning, construction and operation of a four-story 86,338 sq ft mixed use building. The location has been classified as a Targeted Employment Area. According to an economic impact analysis prepared by Impact Datasource, the Project will result in the total of 128 permanent new jobs created in the relevant industries. Jobs are established using RIMS II method and by that measure will produce a sufficient number of jobs to satisfy USCIS standards.

The request identifies the new commercial enterprise ("NCE") of the proposed project as Chesterfield Avenue Fund I, LP, which was formed in the State of Delaware on June 16, 2014. The Job Creating Enterprise (JCE) is VSU Trojan Development Company, LLC. Twelve (12) EB-5 investors will subscribe to the NCE as limited partners in exchange for capital contributions of \$500,000 each and an aggregate of \$6 million. The total cost of the project shall be \$14.65 million. The \$6 million contribution from EB-5 investors will be supplemented by a \$3.8 million term loan. The remainder of funds, \$4.85 million, will come from a New Market Tax Credit ("NMTC") facility arrangement.

II. Job Creation

USCIS approves the geographic area and industry categories noted above based on the economic impact analysis presented and reviewed in conjunction with the adjudication of the capital investment project.

The job creation methodology presented in the economic impact analysis and underlying business plan is found to be reasonable based on the following inputs, when applying the RIMS II:

NAICS	Industry Name	Input (\$Millions)	Multiplier	Jobs
2300	Construction	12.10	8.9984	108.88
5413	Architecture, Engineering, and Related	0.48	9.4131	4.49
5311	Lessors of Real Estate	1.0	14.5739	14.57
Total Jobs:				128

III. According Deference to Subsequent Filings Based on Approved Projects

A. Actual Projects supported by an Exemplar Form I-526

When an actual (*Matter of Ho* compliant), exemplar Form I-526 project is specifically named in this notice and the critical inputs remain materially unchanged, USCIS will give deference to the job creation methodology when adjudicating Forms I-526 associated with the named project. The same business plan and the same reasonable job creation methodology and projected inputs must be submitted when the individual investor's Form I-526 is filed in order to receive deference.

It is the responsibility of the individual investor to demonstrate that the assumptions and estimates presented as inputs to the job creation methodology remain materially unchanged when he or she files a Form I-526. When filing Form I-829 for removal of conditional status, the individual investor has the burden of demonstrating that the assumptions and estimates presented as inputs to the job creation methodology have not materially changed and have been realized (or can be expected to be realized within a reasonable time).

If the job creation estimated in the business plan materially changes or will not be realized, then it will be the responsibility of the EB-5 investor to notify USCIS of an agreed upon methodology to allocate job creation among eligible investors.

IV. Guidelines for Filing Form I-526 Petitions

Each individual petition, in order to demonstrate that it is affiliated with the RZ International-Virginia Regional Center, LLC, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain the following:

1. A copy of this regional center approval notice and designation letter including all subsequent amendment approval letters (if applicable).
2. An economic impact analysis which reflects a job creation methodology required at 8 CFR § 204.6 (j)(4)(iii) and shows how the capital investment by an individual immigrant investor will create not fewer than ten (10) indirect jobs for each immigrant investor.

3. A comprehensive, detailed and credible business plan for an actual project that contains the factual details necessary to be in compliance with the requirements described in Matter of Ho, 22 I&N Dec. 206 (Assoc. Comm'r 1998).
4. Legally executed organizational and transactional documents of the commercial enterprise.

Note: The project reviewed with this Form I-924 application is a hypothetical project. Organizational and transactional documents associated with the new commercial enterprise (NCE) submitted with this Form I-924 have not been reviewed to determine compliance with program requirements since these documents will receive de novo review in subsequent filings (e.g., an amended Form I-924 application with a Form I-526 exemplar or the first Form I-526 petition filed by an investor under the regional center project).

V. Designee's Responsibilities in the Operations of the Regional Center

As provided in 8 CFR § 204.6 (m)(6), to ensure that the regional center continues to meet the requirements of section 610(a) of the Appropriations Act, a regional center must provide USCIS with updated information to demonstrate the regional center is continuing to promote economic growth, improved regional productivity, job creation, and increased domestic capital investment in the approved geographic area. Such information must be submitted to USCIS on an annual basis or as otherwise requested by USCIS. The applicant must monitor all investment activities under the sponsorship of the regional center and to maintain records in order to provide the information required on the Form I-924A Supplement to Form I-924. Form I-924A Supplement to Form I-924 Application is available in the "Forms" section on the USCIS website at www.uscis.gov.

Regional centers that remain designated for participation in the Immigrant Investor Program as of September 30th of a calendar year are required to file Form I-924A Supplement in that year. The Form I-924A Supplement with the required supporting documentation must be filed on or before December 29th of the same calendar year.

The failure to timely file a Form I-924A Supplement for each fiscal year in which the regional center has been designated for participation in the Immigrant Investor Program will result in the issuance of an intent to terminate the participation of the regional center in the Immigrant Investor Program, which may ultimately result in the termination of the designation of the regional center.

The regional center designation is non-transferable.

VI. Legal Notice

This approval and designation of a Regional Center under the Immigrant Investor Program does not constitute or imply an endorsement or recommendation by USCIS, the United States Government or any instrumentality thereof, of the investment opportunities,

RZ International-Virginia Regional Center, LLC

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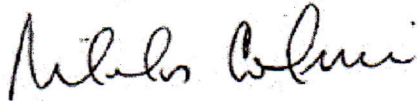
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projects or other business activities related to or undertaken by such Regional Center. Except as expressly set forth in this approval and designation, USCIS has not reviewed any information provided in connection with or otherwise related to the Regional Center for compliance with relevant securities laws or any other laws unrelated to eligibility for designation as a Regional Center. Accordingly USCIS makes no determination or representation whatsoever regarding the compliance of either the Regional Center or associated New Commercial Enterprises with such laws.

Each Regional Center designated by USCIS must monitor and oversee all investment offerings and activities associated with, through or under the sponsorship of the Regional Center. The failure of an associated New Commercial Enterprise to comply with all laws and regulations related to such investment offerings and activities may result in the issuance by USCIS of a notice of intent to terminate the Regional Center designation.

If the applicant has any questions concerning the regional center designation under the Immigrant Investor Program, please contact the USCIS by email at USCIS.ImmigrantInvestorProgram@uscis.dhs.gov.

Sincerely,



Nicholas Colucci
Chief, Immigrant Investor Program

cc: Brian Jenkins
7400 Beaufort Springs Dr., Suite 300
Richmond, VA 23225

Arrindell Mixed Use

2686 Azalea Gardens Road

Norfolk VA

Census Tract: 5171005903

NMTC Status: Qualified & Severely Distressed

Teaching Hotel

104 SW 2nd Ave

Giinesville FL 32601-6228

Census Tract: 1200100500

NMTC Status: Qualified **but not** Severely Distressed