



U.S. Citizenship
and Immigration
Services

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Luis Bermudez
American Builders Regional Center, LLC
21 SE First Avenue, 10th Floor
Miami, FL 33131

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

Applicant(s): American Builders Regional Center, LLC

Re: Initial Regional Center Designation
American Builders Regional Center
RCW1034350100 / ID1034350100

This notice 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 November 22, 2010. 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 an actual project, seeking USCIS review and approval of the project supported by a comprehensive business plan as contemplated in Matter of Ho, 22 I. & N. Dec. 206 (Assoc. Comm'r 1998).

I. Executive Summary of Adjudication

Effective the date of this notice, USCIS approves the Form I-924 request to designate the American Builders Regional Center, LLC as a qualifying participant in the Immigrant Investor Program.

1. Effective the date of this notice, USCIS approves the Westminster Properties I, LTD. project based upon the evidence submitted with the application.

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II. Regional Center Designation

USCIS approves the applicant's request to focus, promote economic growth, and offer capital investment opportunities in the following geographic area and industry categories:

A. Geographic Area

State	Counties
Florida	Broward, Collier, Lee and Miami-Dade

B. Industry Categories

NAICS	Industry Name
2300	Construction

III. The Project

Effective the date of this notice, USCIS approves the applicant's request to include the following actual capital investment project the construction and operation of a commercial center.

Project	Type of Project	Organization Documents	Date of Document
Westminster Properties 1, Ltd. Geographic Location: Lehigh Acres, Florida Focus of Investment: loan	"Exemplar Form" I-526 Petition Project	Business Plan Addendum	Dated 05/01/2012
		Economic Analysis	Dated September, 2011
		Operational Plan	Dated October, 2011
		Private Offering of Limited Partnership Interests	Dated October, 2010
		Subscription Agreement	Dated October, 2010
		Limited Partnership Agreement	Dated October, 2010
		Escrow Agreement	Dated October, 2010
		Promissory Note and Security Agreement	Dated September 21, 2011

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.

The proposal identifies the new commercial enterprise ("NCE") of the project as Westminster Properties 1, Ltd., which was formed in the State of Florida on September 21, 2011. The project is located at 4506 and 4508 Lee Boulevard in the City of Lehigh Acres, Florida. [redacted] immigrant investors will subscribe to the NCE as limited partners in exchange for capital contributions of \$500,000 each and an aggregate of [redacted]

(b)(4)

(b)(4)

(b)(4)

The NCE will loan the [redacted] of EB-5 capital to a third-party entity, Westminster Shops, LLC, the job creating entity. The EB-5 capital loan proceeds will be used to finance the construction of the West Westminster Shops project, a retail development in Lehigh Acres, Florida and within the American Builders Regional Center. The development involves the construction of a real estate development that will include retail shops in approximately 10,000 square feet of retail space. The projected total cost of the project is [redacted] million. The project will take more than two (2) years to complete and will generate approximately [redacted] jobs. (b)(4)

A. Job Creation

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 economic model:

Activity	NAICS	Critical Assumptions	RIMS II Input	Input Type	Multiplier	Total Jobs
Construction	23000	Projected costs based on already constructed cottage units for actual project	[redacted]	[redacted]	[redacted]	[redacted]
Wheel/tire distributor proprietor	N/A*	Store specific projections				
Office Showroom	N/A*	Business specific projections				
Real Estate Office	N/A*	Business specific projections				
Restaurant	N/A*	Business specific projections				

- The * superscript in column 2 indicates that the jobs are accredited via facilitation, and the applicant is not investing specifically in the sector/activity.
- The ** superscript in columns 4-6 indicates that the applicant does utilize the direct jobs as inputs to RIMS II.

The approval of this Form I-924 application and actual project is based upon the assumptions and estimates used as inputs in the business plan for job creation. Please refer to the input and multiplier analysis table above. When an actual 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 will be 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.

IV. Guidelines for Filing Form I-526 Petitions Based on Westminster Properties I, Ltd. Project

Each individual petition, in order to demonstrate that it is affiliated with the American Builders Regional Center, 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 documents of the commercial enterprise. The documents may be the same documents noted in Section III of this approval notice.

Note: If the project timeline has changed significantly from the original business plan, a narrative that explains the changes in the project timeline, along with a timeline that realistically reflects the status of the project should be submitted.

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. If, however, the Regional Center is sold, the Regional Center must notify USCIS within 30 days of the change in ownership by sending notification to the EB-5 program mailbox identified below.


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.

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, 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.

Sincerely,



Nicholas Colucci
Chief, Immigrant Investor Program

cc: David Hart, Esq