



U.S. Citizenship  
and Immigration  
Services

Date: OCT 16 2013

Xiaozhuang Ge  
NYC Mayflower Regional Center, Inc.  
c/o Jim Li, Esq.  
13656 39<sup>th</sup> Avenue, Suite 407  
Flushing, NY 11354

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

Applicant: Xiaozhuang Ge

Re: Initial Regional Center Designation  
NYC Mayflower Regional Center, Inc.  
RCW1208850623 / ID1208850623

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 March 28, 2012. 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 seeks USCIS review and approval of two actual projects supported by comprehensive business plans 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 NYC Mayflower Regional Center, Inc. as a qualifying participant in the Immigrant Investor Program.

1. Effective the date of this notice, USCIS approves the LIC Development, LP and Queens FM Development, LP projects based on the evidence submitted for these actual projects.

**COPY**

**II. Regional Center Designation<sup>1</sup>**

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	County
New York	Bronx
	Kings
	Nassau
	New York
	Queens

**B. Industry Categories**

NAICS	Industry Category
23622	Commercial and Institutional Building Construction
72111	Hotels (except Casino Hotels) and Motels
72211	Full-Service Restaurants

**III. Projects**

**A. Project 1: LIC Development, LP – Mayflower Wyndham Hotel – Long Island City, Queens County, New York**

Effective the date of this notice, USCIS approves the applicant's request to include the following actual capital investment project.

Project	Type of Project	Organization Documents	Date of Document
<u>LIC Development, LP</u>  Geographic Location: Long Island City, NY	Actual Project with a Matter of Ho Business Plan	Business Plan	Revised July 26, 2013
		Economic Impact Analysis	July 25, 2013

<sup>1</sup> 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.

Focus of Investment: loan			
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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 LIC Development, LP, which was formed in the State of New York on March 15, 2012. The project is located at 38-59 12<sup>th</sup> Street in the City of Long Island, New York. [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)

The NCE will loan the [redacted] of EB-5 capital to a third-party entity, Mayflower International Hotel Management, LLC. The EB-5 capital loan proceeds will be used to finance the construction of a Wyndham brand hotel. The development involves the construction of an eleven (11) story, 150-key, full-service hotel. The projected total cost of the project is [redacted]. The project will take more than two (2) years to complete and will generate approximately [redacted] jobs. (b)(4)

**B. 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 this 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 economic model:

NAICS	Activity	RIMS Input	Multiplier	Jobs
2362	Hard Construction	[redacted]	[redacted]	[redacted]
5413	Architectural, Engineering, and Related Services			
4232	Furniture and Home Furnishing Merchant Wholesalers			
7211	Hotels, Traveler Accommodations			
7225	Restaurants and Other Eating Places			

(b)(4)

**C. Project 2: Queens FM Development, LP – Mayflower Fresh Meadow Hotel – Fresh Meadows City, Queens County, New York**

Effective the date of this notice, USCIS approves the applicant's request to include the following actual capital investment project.

Project	Type of Project	Organization Documents	Date of Document
<b><u>Queens FM Development, LP</u></b>  Geographic Location: Fresh Meadows, NY  Focus of Investment: loan	Actual Project with a <i>Matter of Ho</i> Business Plan	Business Plan	Revised July 26, 2013
		Economic Impact Analysis	July 25, 2013

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 Queens FM Development, LP, which was formed in the State of New York on March 15, 2012. The project is located at 61-25 186<sup>th</sup> Street, Fresh Meadows, New York. [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, Mayflower Business Group, LLC. The EB-5 capital loan proceeds will be used to finance the construction of The Mayflower Fresh Meadows Hotel. The development involves the construction of an eleven (11) story, 147-key, full-service hotel. The projected total cost of the project is [redacted]. The project will take more than two (2) years to complete and will generate approximately [redacted] obs.

(b)(4)

**D. 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 this 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 economic model:

NAICS	Activity	RIMS Input	Multiplier	Jobs
2362	Hard Construction	(b)(4)		
5413	Architectural, Engineering, and Related Services			
4232	Furniture and Home Furnishing Merchant Wholesalers			
7211	Hotels, Traveler Accommodations			
7225	Restaurants and Other Eating Places			

The approval of this Form I-924 application 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 tables 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. 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 Based on LIC Development, LP and Queens FM Development, LP Projects**

Each individual petition, in order to demonstrate that it is affiliated with the NYC Mayflower Regional Center, Inc., 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.

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](http://www.uscis.gov).

Regional centers that remain designated for participation in the Immigrant Investor Program as of September 30<sup>th</sup> 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 29<sup>th</sup> 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, as any changes in management of the regional center will require the approval of an amendment to the approved 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](mailto:USCIS.ImmigrantInvestorProgram@uscis.dhs.gov).

Sincerely,



Daniel M. Renaud  
Acting Chief, Immigrant Investor Program

cc: Jim Li, Esq.